

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Todd Key, being duly sworn do hereby depose and state as follows:

I. INTRODUCTION

1. This affidavit is submitted in support of an criminal complaint charging **ASHLEY PERRY, DAVID THERIOT, SHANE MUSCARELLO, CRAIG GOODWIN, DAVID CARAZO** and **WILLIAM BRYANT III** with Operation of an Illegal Gaming Operation in violation of 18 U.S.C. 1955.

2. I am currently employed as a Special Agent with the Department of Homeland Security Immigration and Customs Enforcement (ICE), and have been so employed for over five (4) years. As such, I am an "investigative or law enforcement officer" within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations and to make arrests for offenses enumerated in Title 18, United States Code. I am currently assigned to the New Orleans Office Financial Investigations group. Since I was hired as a Special Agent, I have attended courses which provided specialized training in the area of financial investigations. Prior to my present employment, I was employed as an Enforcement Agent for the Mississippi Gaming Commission for five years. During this employment, I attended course related to gambling and casino financial investigations. I also worked as a Customs Inspector with Customs and Border Protection for three years. I have been involved in various types of electronic surveillance, and in the debriefing of defendants, witnesses and informants, as well as others who have knowledge of sport-betting business, and of the

laundering and concealing of proceeds from this sports-betting business.

I have received training in investigations involving the interception of wire communications. I am familiar with the ways in which sports-betting organizations conduct their business, including, but not limited to, their methods of paying and collecting money, their use of telephones and computers to coordinate pick-up locations, and their use of numerical codes and code words to conduct their transactions. I am familiar with the operation of off shore betting operations including those located in Costa Rica.

3. I have personally participated in this investigation into a sports-betting organization, which is being conducted by Special Agents of the Immigration and Customs Enforcement (ICE). I am thoroughly familiar with the information contained in this affidavit either through personal investigation or through discussions with other law enforcement personnel. The following information is derived from my personal observations, surveillance, and my review of physical evidence, as well as the review of reports and discussions with other ICE Special Agents, who have personal knowledge of the matters covered in those reports and from conversations with persons, further identified below, who have personal knowledge of the events described herein. All of the facts set forth below are true and correct to the best of my knowledge.

4. The facts comprising the basis for this affidavit are derived from (a) information provided to Special Agents of ICE and LSP by a confidential documented source known as CI-1 and other sources of information; (b) information obtained through the use of Court-authorized pen registers; (c) information contained in the records of telephone companies, which records have been subpoenaed and reviewed by your affiant; (d) physical surveillance conducted by law enforcement officers,

including your affiant; (e) independent investigation by the Louisiana State Police into the gambling activities of **ASHLEY PERRY, SHANE MUSCARELLO** and their co-conspirators, and court authorized wire intercepts on the cellular telephones **PERRY, MUSCARELLO** and **DAVID CARAZO**.

5. Unless otherwise noted, whenever this affidavit, set forth a statement by a confidential documented source, the source spoke either directly to your affiant, other ICE special agents, or to another law enforcement officer, who thereafter communicated such information to me. Unless otherwise noted, all statements set forth herein that are attributed to a confidential documented source or other sources of information are stated only in substance and in part. In addition, unless otherwise noted, information set forth herein concerning physical surveillance is based on my own participation in the surveillance, or was communicated to me by other ICE agents or other law enforcement officers who conducted such surveillance. Because this affidavit is submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact that I have learned during this investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause.

II. TERMS/DEFINITIONS

6. A list of terms and definitions used in this Affidavit is set forth below. The definitions were taken from the Public Safety Institute, Institute of Police Technology and Management (IPTM) training manual, **Illicit Gambling, Bookmaking and Loansharking**. This manual is used by LSP as a reference for gambling terms.

A. **Sports Book** is a company that takes or receives a bet or wager.

B. **Bookie** or **Bookmaker** is a person that takes or receives a bet or wager.

C. **Bet** is the risk of something of value on the outcome of a contest.

D. **Wager** is the risk of something of value on the outcome of a contest.

E. **Juice** or **Vigorish** is a fee paid by the bettor to the bookmaker. Generally, a bettor pay's 10% on a losing wager. This is also known as Vigorish or Vig. A bettor wagers \$100.00 and loses a contest. The bettor would pay the bookmaker \$110.00.

F. **Layoff Bet** is an accounting method utilized by bookmakers to "balance" the money wagered on each side of the sporting event. This equalizes the excess bets the bookmaker accepted from his bettors. For example, New York Giants vs. Miami Dolphins; the bettors wagered \$46,000.00 on New York Giants and bettors wagered 10,000.00 on Miami Dolphins. The bookmaker would place offset bets on each team in the amount of \$36,000.00 to separate bookmakers. The bookmaker would make a profit off the Juice or Vigorish regardless of the outcome of the sport event.

G. **Odds** are an artificial method of equaling the talents of two opponents. For example, odds presented such as 7/1 represents a bet of \$1.00 to win \$7.00.

H. **Money Line** is expressed when making a wager using the money line; points do not affect the outcome. The win or loss is determined by the winner of a game. Thus, with money odds, whenever there is a minus (-) you bet that amount to win a hundred dollars, where there is a (+) you get that amount for every hundred dollars wagered. For example, New York Giants are on the **Money Line** for (-120) means New York Giants are a favorite and the payout odds are you need to bet \$120.00 to win \$100.00. If the Miami Dolphins were on the **Money Line** for (+120) means that for every \$100.00 bet you would win \$120.00.

I. **Parlay Wager** is a wager on two separate contests combined. Both bets must win to win the wager.

II. SUMMARY/OVERVIEW

7. The **AYO** Group is believed to be accepting wagers, primarily from bettors in Louisiana, on sporting events such as baseball, football and horseracing. The events upon which bets are placed changes according to the sports season. The **AYO** group also provides an online Casino with its web-site, seeyouontop.com, which is an on-line Internet gambling web-site in Costa Rica hereinafter referred to as the Costa Rican Sports Book (CRSB). To handle the volume of betting that comes into the **AYO** group on a daily basis, the **AYO** group uses what have been traditionally referred to as "writers" or "phone men" to accept wagers from a bettor. The writers or phone men are located at the CRSB. Speed is important to the bookmaker. It is typical of bettors to place their wagers at the last moment to obtain the best possible odds and receive most current line information, which are the latest odds on a sporting event. This, in turn, requires an immediate relay of many wagers through the bookmaking business in a short period of time to balance their books before the event. Thus, the bookmaker may also have to immediately layoff all or a portion of the wagers he receives to minimize or eliminate the possible loss resulting from such wagers. Such an exchange of information by bookmakers necessarily requires telephone facilities, which provide both speed and secrecy. By using CRSB primarily, the **AYO** Group not only can receive the most current money line information on sport book games but also bet and "layoff" bets all of which is necessary for the successful operation of the **AYO** Group's sports book organization.

8. This investigation has revealed that the **AYO** Group accepts the wagers personally, uses CRSB writers to place bets, and supplies bettors with access to

seeyouontop.com to place wagers. Wagers or bets are typically made on credit.

Designated employees known as "agents", "runners", or "messengers" of the gambling business "settle up" with customers at scheduled times and locations following their betting activity. Usually, losses are collected before wins are paid out. Bookmakers normally make a substantial portion of their profit by charging surtax, commonly referred to as "juice," or "vigorous," on the losing bets placed by bettors. For example, the AYO group collects the amount of the losing wager plus an extra 10% of the wager placed. A records check with LSP also revealed that **ASHLEY PERRY, SHANE MUSCARELLO, WARREN AYO JR., DAVID THERIOT, WILLIAM BRYANT III, DAVID CARAZO and CRAIG GOODWIN** do not currently have licenses to operate sport books or other gambling operations within Louisiana.

9. A check with the Louisiana State Police revealed that seeyouontop.com is not licensed by the LSP Gambling Division to operate in the State of Louisiana. It is a violation of Louisiana Revised Statute 14:90.A.2 to conduct, finance, manage, supervise, direct, or own all or part of an illegal gambling business. It is a violation of Louisiana Revised Statute 14:90.3. to transact wagers through a computer by gambling, (which includes any person not at a licensed pari-mutuel wagering racing facility); to intentionally conduct, or directly assist in the conducting as a business of any game, contest, lottery, or contrivance whereby a person risks the loss of anything of value in order to realize a profit when accessing the Internet, World Wide Web, or any part thereof by way of computer, computer system, computer network, computer software, or any server. It is a violation of Louisiana Revised Statute 27:240.3 to fail to license a proposed casino gaming operation.

III. FACTUAL ALLEGATIONS

10. On November 19, 2004, LSP initiated an investigation into allegations of illegal bookmaking against LSP Senior Police Trooper **WARREN AYO JR. AYO** was then assigned to the High Intensity Drug Trafficking Area (HIDTA) Task Force located at the Drug Enforcement Administration Office in Metairie, Louisiana. The allegations were received from an anonymous female caller at LSP's Troop B Office and later corroborated during the investigation. The anonymous caller stated **AYO** was a "bookie" who lived in St. Bernard Parish and used a computer to place the bets.

11. During the investigation, LSP conducted interviews, phone tolls, trash runs, and surveillance, which led to the issuance of a state search warrant for **AYO's** work computer on April 14, 2005. The search proved he was conducting gambling related transactions on his work computer. During interviews, bettors indicated to LSP that **AYO** told them that he and another person owned the Internet web-site tinytuna.com. LSP investigators determined the Internet Protocol (IP) address of tinytuna.com was 200.122.182.109 which went through a server located in California and then to a server in Costa Rica. The IP address was owned by Prolexic Technologies, Inc. located at 1930 Harrison Street, Hollywood, Florida. There were also files on **AYO's** work computer that were labeled "History for Player: 1521" and "History for Player: 1555." LSP Troopers, based on their experience believe that bettors were assigned numbers such as "1521" and "1555." The files contained tracking information on the bettors, such as User/Phone; Game Date; Sport; Description; Risk/Win; Win/Loss Amount; Result; and Date Placed. There were columns with descriptors of Win/Loss; Cash In/Out; and Weekly Balance.

12. On June 1, 2005, LSP investigators secured a state search warrant for **AYO's** home in Meraux, Louisiana. The computer hard drives were imaged and found to contain files that were used to track bets for a variety of bettors. The files detailed player names, passwords, credit lines; betting type events, and the designation of local bets or on-line bets.

13. On January 22, 2007, LSP received a complaint from the Louisiana Attorney General's Office-Gaming Division and initiated an investigation into an illegal gambling organization run by **SHANE MUSCARELLO** and **ASHLEY PERRY**, which was allegedly using an Internet web-site known as tinytuna.com. LSP's previous investigation initiated on November 19, 2004, revealed that **WARREN AYO JR.** used tinytuna.com to place and accept bets.

14. On January 24, 2007, LSP Trooper Hal Hutchinson telephonically interviewed an unpaid source of information of unknown reliability which provided information that was later corroborated through investigation and proven reliable. The source implicated **PERRY** and **MUSCARELLO** in the **AYO** group and stated that **MUSCARELLO** owned and set up tinytuna.com. The source explained that the web-site, tinytuna.com is used to place bets on a wide variety of sporting events and each bettor is given monetary limits for wagering. When the limit is reached, either win/loss, the bettor would coordinate a time and place to meet with **AYO** group members and settle the bet. The **AYO** group member would receive 10% of the amount wagered on all losing bets. The source only dealt with **MUSCARELLO** and **PERRY** but advised there were many other members of the **AYO** group.

15. On June 8, 2007, an unpaid source of information and of unknown

reliability met with **RR** a local bookmaker. The source was able to discuss placing bets on an upcoming NBA basketball game. On June 13, 2007, a meeting was set up with **RR** and a LSP Undercover Trooper (UT-1) at Walgreens in Gretna, Louisiana. UT-1 was able to place a bet on a basketball game. UT-1 won the bet and inquired about placing a bet on a baseball game. **RR** made arrangements for UT-1, **GARY LNU**, and that **GARY** would set up future bets. **GARY** was not a bookmaker but set up a meeting between UT-1 and **FREDDIE WALTERS**. On June 21, 2007, at approximately 10:00 a.m., UT-1 contacted **WALTERS** by telephone. During the telephone conversation, **WALTERS** gave UT-1 a username/password, Internet web-site information, CRSB phone number, and set LSP's account limit at \$1,000.00. UT-1 and other Troopers were able to place wagers on tinytuna.com, Internet web-site. The wagers were placed in St. Landry Parish.

16. As the investigation progressed, LSP Trooper was contacted and met with another unpaid source of unknown reliability that corroborated information received earlier in the **MUSCARELLO** investigation and proven reliable. The source advised that tinytuna.com started in 1999 and **MUSCARELLO** met a person in Dallas, Texas, who introduced him to the CRSB. The source said **MUSCARELLO** and **PERRY** paid the CRSB approximately \$55,000 for the start up Internet service and there after paid approximately \$35,000 monthly as well as a percentage of the wagers run through the CRSB. The source said **MUSCARELLO** would meet with various people who would transport the betting money through airports or that **MUSCARELLO** would bring the money himself to Costa Rica. [Immigration and Customs Enforcement (ICE) database queries revealed **MUSCARELLO** visited San Jose, Costa Rica from March 16, 2006-

March 19, 2006; March 30, 2006-April 03, 2006; May 11, 2006-May 14, 2006; August 24, 2006-August 27, 2006; December 11, 2006-December 14, 2006 and January 16, 2007-January 19, 2007. **MUSCARELLO** has not been to Costa Rica since 2007.

PERRY visited San Jose, Costa Rica from July 08, 2006-July 13, 2006 and December 11, 2006-December 14, 2006. **AYO** visited San Jose, Costa Rica from July 10, 2006-July 13, 2006.]

17. On October 29, 2007, state arrest warrants were issued for **FREDRICK WALTERS** and **RANDALL ROSE**, and search warrants were issued for a limousine service which was owned by **FREDRICK WALTERS** as well as the homes of **WALTERS** and **ROSE**. The arrest and search warrants were served on October 30, 2007. **WALTERS** was questioned by investigators and gave a statement implicating **MUSCARELLO** in criminal activity. **WALTERS** stated that **MUSCARELLO** made him a member of the **AYO** group and that he was responsible for a series of bettors designated by the number series (1900). **WALTERS** said he had been performing these duties since early 2000. The number 19 would represent **WALTERS** and the other two numbers would represent a bettor. For example, a bettor given the number (1925) the number 19 would represent **WALTERS** and the number 25 would represent the bettor. **WALTERS** explained that **MUSCARELLO** assigned him those numbers.

18. On October 30, 2007, a state search warrant was executed at **MUSCARELLO's** residence at 1419 Lakeshore. LSP investigators recovered a computer, sports book gambling paraphernalia, miscellaneous gambling sheets, money and notepad sheets with information of tabulations related to a restaurant/bar. On October 31, 2007, a state arrest warrant was issued for **MUSCARELLO** in St. Landry

Parish, Louisiana. **MUSCARELLO** was charged with Gambling by Computer, Conspiracy/Gambling by Computer, and Prohibited Activities.

19. LSP investigators determined the tinytuna.com Internet Protocol (IP) address was 200.122.182.109 and that the IP location was Amnet Television. The address for the Internet server was listed as 15111 North Hayden Road, Suite 160, PMB 353, Scottsdale, Arizona, with a telephone number of (408) 624-2599. The administrative contact was TOMY LEON at tommy21@amnet.co.cr.

20. Following the arrests, tinytuna.com was shut down and as shown in subsequent paragraphs, the **AYO** group's new web-site, seeyouontop.com linked with the CRSB, was started. The LSP investigation determined the site was established for betting on sporting events and casino style gambling. LSP determined that seeyouontop.com was linked to a server in Costa Rica and is registered to the same administrative contact, TOMY LEON.

21. On July 11, 2008, your affiant and LSP Troopers telephonically interviewed a source of information (identified in this Affidavit as CI-1) regarding **ASHLEY PERRY** and **SHANE MUSCARELLO**. CI-1 had provided information in the previous LSP investigation of **MUSCARELLO** and the information provided was corroborated and proven reliable. CI-1 indicated that he had been threatened by **PERRY** and **MUSCARELLO** for not paying a gambling debt owed to them by CI-1. (This debt is more fully described later in this affidavit.) During the interview, CI-1 advised he/she knew **MUSCARELLO** and **PERRY** since childhood. In 2003, CI-1 started betting with **PERRY** by making calls to **PERRY** or the CRSB or betting online at tinytuna.com. CI-1 was given a username and password for use on the website.

PERRY told CI-1 that the Internet web-site was in Costa Rica where it was legal.

22. CI-1 advised that **PERRY** and **MUSCARELLO** operated the tinytuna.com on a 50/50 split but each had their own customers. Typically, on any given Tuesday or Wednesday at an agreed meeting place, **PERRY** would meet and settle up bets with bettors. CI-1 advised the average bet was \$200-\$300 dollars but the credit limit was based upon what **PERRY** or **MUSCARELLO** thought the bettor could afford.

23. CI-1 owed **PERRY** \$10,000.00 for previous bets he made. CI-1 did not have the money for repayment and **PERRY** expressed his displeasure at this circumstance. This motivated CI-1 to come forward with information about the **AYO** group.

24. On July 22, 2008 at approximately 2:45 p.m., LSP conducted surveillance of **WARREN AYO JR.** LSP Troopers observed **AYO** at Sidelines Bar, 1229 Veterans Boulevard, Metairie, Louisiana. At the same time, LSP Troopers also observed **ASHLEY PERRY** and **SHANE MUSCARELLO** at the Sidelines Bar.

25. On January 15, 2009 in the evening hours, CI-1 met with **ASHLEY PERRY** at the Sports Beat Pub and Café, Metairie, Louisiana 70002. During the meeting, **PERRY** agreed to accept \$10,000.00 to satisfy the gambling debt from CI-1. **PERRY** agreed to accept the money by bank wire from the third party bank account of **AARON NEWITT**. **PERRY** did not want the money to go directly into his account.

26. As indicated earlier in this affidavit, CI-1 incurred the gambling debt previously betting with **PERRY** on sporting events. On January 21, 2009, your affiant received approval for a Payment of Evidence (POE) of \$10,000.00 which was used to pay **ASHLEY PERRY** for the previous gambling debt incurred by CI-1. On January 28,

2009, ICE Special Agents sent \$10,000.00 by bank wire to the Chase Bank account of **AARON NEWITT** account number-XXXXXXX63.

27. On January 27, 2009 at approximately 1:38 p.m., your affiant, ICE SA Brian Lomonaco, LSP Trooper Sam Capaci, and CI-1 met at ICE SAC/New Orleans, and agents observed CI-1 make a consensually recorded telephone call to **AARON NEWITT** in reference to CI-1 wiring the \$10,000.00 to his Chase Bank account. Your affiant has reviewed the recording of this conversation. During this call, CI-1 and **NEWITT** confirmed the previous meeting on January 15, 2009 and that the CI-1 was sending \$10,000.00 to his (**NEWITT's**) Chase Bank account. **NEWITT** explained that the Chase bank account was not an account from which he normally wrote checks and that it was not his regular checking account.

28. On January 27, 2009, at approximately 1:40 p.m., agents observed CI-1 make a consensually recorded telephone call to **ASHLEY PERRY's** cellular telephone regarding payment of his gambling debt of \$10,000.00. Your affiant has reviewed the recording of this conversation. During this call, CI-1 explained that he/she had just spoken with **NEWITT** and was sending the money by bank wire. **PERRY** advised he did not understand how the bank wire process worked. CI-1 explained the process and **PERRY** appeared to understand the explanation.

29. On February 4, 2009, CI-1 advised he/she received a text message on January 30, 2009 from **NEWITT**. The text message advised, "He got the money."

30. On March 12, 2009, an ICE undercover agent was assigned to accompany CI-1 a meeting with **PERRY** and **MUSCARELLO** at the Sports Beat Pub and Cafe in Metairie, Louisiana. Arrangements were made for agents to monitor and

record this meeting. At approximately 6:20 p.m., your affiant and LSP conducted a drive-by surveillance of **PERRY's** residence, 1009 Rosa Avenue, Metairie, Louisiana 70005. Your affiant observed **PERRY's** black, GMC Yukon in his driveway with the doors open. Your affiant observed **SHANE MUSCARELLO's** Black, GMC Sierra parked in front of the residence. Both **PERRY** and **MUSCARELLO** were outside and **MUSCARELLO** was holding a small duffle bag. At approximately 6:28 p.m., CI-1 and the ICE undercover agent arrived at the Sports Beat Pub and Café. Both **PERRY** and **MUSCARELLO** were observed by surveillance officers arriving in the black, GMC Yukon and met CI-1 and the ICE undercover agent at the front door. After an introduction, all went inside and sat at a table. **PERRY** pulled CI-1 aside and discussed betting on the CRSB Internet web-site, seeyouontop.com. CI-1 gave **PERRY** \$2000.00 for credit against making online bets and **PERRY** gave CI-1 the phone number (866) 905-0035 and account number, "4005," on a napkin. **PERRY** advised he could use these numbers to make bets until **PERRY** got CI-1 information for the Internet web-site, seeyouontop.com. At approximately 6:56 p.m., **PERRY** and **MUSCARELLO** left the Sports Beat in **PERRY's** black, GMC Yukon. [Your affiant received the provider information for telephone number (866) 905-0035 from SMS/800, 1721 South Sykes Street, Bismarck, North Dakota 58504. **DIGITAL SOLUTIONS** is also the provider for telephone number (888) 924-3747, which was used to make bets on tinytuna.com. After **MUSCARELLO's** arrest in October 2007, the tinytuna.com web-site was shut down.

31. On March 19, 2009, at approximately 5:04 p.m., CI-1 entered the Sports Beat Pub and Café and met with **PERRY**, **MUSCARELLO** and two unidentified white

males who were all inside the Sports Beat. Your affiant observed **PERRY's** black, GMC Yukon in the outside parking lot beside the bar. CI-1 spoke with **PERRY** about getting a user name and password for seeyouontop.com, Internet web-site. **PERRY** wrote the Internet web-site name, www.seeyouontop.com on a napkin and handed the napkin to CI-1. When CI-1 inquired as to the proper user name and password to log on to seeyouontop.com, **PERRY** said that information had already been given to CI-1. CI-1 assumed the user name and password would be, "4005," because **PERRY** previously given it to him during an undercover meeting on March 12, 2009.

32. At approximately 5:25 p.m., CI-1 left the Sport Beat Pub and Café and met with ICE agents. LSP Troopers attempted to use the number, "4005," to log onto seeyouontop.com but the number did not allow access to the Internet web-site.

33. Later that evening, CI-1 told your affiant he/she spoke with **AARON NEWITT**, and explained he/she still lacked the information needed to log onto seeyouontop.com. **NEWITT** explained to CI-1 he was going to meet **PERRY** at the Sports Beat Pub and Café and **NEWITT** would get the password and contact CI-1 later that night. On March 20, 2009, at approximately 9:34 a.m., CI-1 made an unrecorded telephone call to **NEWITT** who gave him the seeyouontop.com password i.e. "darin." **NEWITT** explained that **PERRY** set seeyouontop.com with CRSB on \$1,000.00 increments and **PERRY** was an agent for CRSB. **NEWITT** explained when a bettor got up to \$1,000.00, **PERRY** would settle up (pay/take) with him. As of April 5, 2010, seeyouontop.com was still operational.

34. On March 20, 2009, your affiant and other ICE special agents researched the Internet Protocol (IP) address for seeyouontop.com and the ICE computer used to

place wagers. The IP address for seeyouontop.com was 190.7.197.87.

35. On March 20, 2009, when your affiant logged into seeyouontop.com. The first screen was the bettor's account figures. This screen provided the account number, balance, available credit, at risk amount wagered, and this week and last week's win/loss figures. The opening screen also had the type of wager desired, i.e. straight, parlay, teaser or round robin wager. Your affiant observed an available balance of \$1,000.00. Your affiant placed wagers on the NCAA basketball tournament.

36. On March 24, 2009, your affiant and SA Esqueda logged into seeyouontop.com to check the bets wagered on March 20, 2009. Your affiant saw the opening screen showing an available balance of \$1,090.00 and observed one win and one loss.

37. On March 31, 2009, at approximately 10:41 a.m., your affiant observed ICE SA Phil Ferro make a consensually recorded telephone call to the CRSB at 866-905-0035. During the conversation, SA Ferro spoke with a male customer service representative for the CRSB and made a \$400.00 parlay wager on two games: the Detroit Pistons vs. Cleveland Cavaliers and the Sacramento Kings vs. New Orleans Hornets. SA Ferro picked the Detroit Pistons and the New Orleans Hornets to win. SA Ferro confirmed the bet with the CRSB by reiterating the bets placed and giving the user name and password information used to log into seeyouontop.com. The games were scheduled for March 31, 2009.

38. On April 1, 2009, at approximately 9:30 a.m., your affiant and SA Esqueda verified the parlay wager was a loss of \$400.00 and reduced the available balance on the CRSB web-site to \$690.00. The total remaining balance was

\$1,690.00. On March 12, 2009, CI-1 originally gave **PERRY** \$2,000.00 during a meeting for betting on seeyouontop.com.

39. On April 1, 2009, at approximately 3:26 p.m., your affiant observed SA Ferro make a consensually recorded telephone call to the CRSB at 866-905-0035. During the conversation, SA Ferro spoke with a male customer service representative with a Hispanic accent and asked the CRSB representative to place a wager with fixed odds on an NBA game. The CRSB representative advised that account number 4005 was disabled and that the account could not be seen. The CRSB representative then told SA Ferro to contact his agent. This effectively ended the ability of the ICE agent to place wagers by Internet and phone.

40. On April 1, 2009 at approximately 4:30 p.m., CI-1 spoke with **PERRY** on (504) 289-7569. This call was not recorded but your affiant verified the call occurred through a pen register on the telephone. CI-1 explained that **PERRY** inquired about a parlay bet placed on March 31, 2009. CI-1 said he/she did not place a parley wager. **PERRY** then explained he was having problems with the CRSB and was going to shutdown the international sport book betting organization (telephone/Internet web-site) for a while. **PERRY** shutdown CI-1's betting account with the CRSB but the Internet web-site was still active. Thereafter, several attempts were made to contact **PERRY** by telephone but **PERRY** did not answer. The investigation revealed seeyouontop.com was not shutdown but that CI-1's account was down.

41. On April 7, 2009 at approximately 6:00 p.m., an ICE undercover agent (UC-1) accompanied by a female ICE undercover agent (UC-2) posing as his girlfriend, conducted an undercover meeting with **ASHLEY PERRY** at the Sports Beat Pub and

Café, 3300 Ridgelake Drive, Metairie, Louisiana. UC-1 was previously introduced to **PERRY** by CI-1 on March 13, 2009. **PERRY**'s black, GMC Yukon, Louisiana license tag-SYT197 was observed in a parking lot next to the Sports Beat Pub and Cafe. When UC-1 and UC-2 entered the bar they observed **PERRY** at a table with **TRAVIS NUCCIO**. Both UC-1 and UC-2 spoke with **PERRY** and **NUCCIO**, who questioned the undercover agents, both individually and together, regarding details about themselves. This is a common tactic used by bookmakers to expose law enforcement. The UC agent then inquired about CI-1 and **PERRY** said, "What did he do to you?" and "I do not like CI-1." Your affiant believed **PERRY** was referring to CI-1 not paying the previous \$10,000.00 gambling debt which caused a loss of friendship between **PERRY** and CI-1.

42. On June 24, 2009, at approximately 9:00 p.m., LSP Sgt. Victor Schilleci conducted surveillance of **PERRY** at Sports Beat Pub and Cafe. LSP Trooper Schilleci observed vehicles belonging to **PERRY** and **MUSCARELLO** in the parking lot of the bar. **PERRY** and **MUSCARELLO** were observed on several occasions throughout the course of the evening going outside of the bar and using their cellular telephones. At one point, LSP observed **MUSCARELLO** outside the bar conducting a hand-to-hand transaction with an unidentified white, male. Their contact was approximately 10 seconds in duration and LSP did not see what was exchanged. After the transaction, both subjects returned to the bar. At approximately 1:00 a.m., Trooper Schilleci terminated the surveillance though **PERRY** and **MUSCARELLO** were still inside the bar. Through experience and training and speaking with other law enforcement, your affiant believes the manner of the telephone calls was consistent with a gambling business.

43. During the course of this investigation, court authorized wire interception orders were entered which allowed interception of the conversations over the cellular telephones of **ASHLEY PERRY, SHANE MUSCARELLO** and **DAVID CARAZO**. Interception by your affiant concluded on March 31, 2010. The following intercepted conversations describe, in part, how **PERRY** and **MUSCARELLO** conduct their gambling business with members of the **AYO** Group including **CARAZO, CRAIG GOODWIN, DAVID THERIOT** and **WILL BRYANT**. A review of those telephone conversations revealed that **PERRY** and **MUSCARELLO** continued to conduct and oversee a gambling organization that makes both local and on-line bets. **PERRY** and **MUSCARELLO** continued to direct activities, supervise various agents and runners who oversee several bettors, and arrange for payments to **DAVID CARAZO** on behalf of the CRSB. The on-line bets used the number system and CRSB described in earlier paragraphs. A review of those calls established:

- a. **CRAIG GOODWIN** was identified as a runner for **ASHLEY PERRY**. His role was to recruit gamblers, arrange for the bettors to obtain internet accounts and to collect from and pay bettors. Wire intercepts reviewed by your affiant have revealed that **GOODWIN** has recruited persons from his place of employment.
- b. **DAVID THERIOT** is another member of the **AYO** group. Wire interceptions reviewed by your affiant reveal that **PERRY** and **THERIOT** have had many discussions about the win/loss record of gamblers and the collection of wagers. On December 8, 2009, surveillance agents observed **PERRY** and **THERIOT** inside the Beachcorner Lounge, 4905 Canal Street, New Orleans, Louisiana. **THERIOT** was observed with paperwork and a calculator. Both **THERIOT** and **PERRY** were readily acknowledged by the Beachcorner staff. Surveillance agents observed **THERIOT** giving several folds of currency to **PERRY**. Later, surveillance agents observed **THERIOT** inside the Beachcorner Lounge taking a large sum of currency from an unidentified male. Surveillance agents observed **THERIOT** talking on his cellular telephone and frequently

writing down information. This activity is consistent with an illegal gambling operation.

- c. Additionally, the investigation and a review of several intercepts has revealed that **WILLIAM BRYANT** is a member of the **AYO** group and a runner for **PERRY**. On December 14, 2009, during a wire interception, **PERRY** directed **WILLIAM BRYANT** to collect wagers from gamblers. Surveillance agents observed **BRYANT** meeting with **PERRY** regularly throughout the investigation.
- d. During December 2009, your affiant determined through telephone conversations between **ASHLEY PERRY** and **DAVID CARAZO** that **CARAZO** was a money pick-up courier for the CRSB. In January 2010, your affiant received information from federal and state law enforcement officials in New York that they had undertaken an investigation of the off shore wagering. Their information revealed that their investigation involved another Internet sport book website associated with CRSB. Specifically, the New York investigation identified **CARAZO** as the pick-up courier for the Gulf Coast area. This information was consistent with wire intercepts obtained in the New Orleans investigation. The New York investigation has identified an individual named **MICKEY FLYNN III, a/k/a MIKEY RICHARDSON** as the CRSB contact of **CARAZO** and head of the organization. Subsequent intercepts revealed that **CARAZO** was making money pick-ups and delivering payoffs in Louisiana and Alabama for the CRSB.

A sampling of the types of telephone calls are set forth in the succeeding paragraphs.

44. On October 9, 2009 at approximately 4:14 p.m., a telephone conversation was intercepted between **PERRY** and **CRAIG GOODWIN**. The following is a portion of the telephone conversation:

PERRY: HEY, WHAT'S HAPPENING?

GOODWIN: WHAT'S HAPPENING?

PERRY: HOW ARE YOU, SIR?

GOODWIN: HEY, UH... 4873.

PERRY: ROGER THAT.

GOODWIN: UH...THAT GUY, CHRIS.

PERRY: OKAY,,I GOT YOU, I GOT YOU.

GOODWIN: HE IS TALKED ABOUT. I GOT FOUR TWENTY [420] FOR YOU.

PERRY: FOUR TWENTY [420], YOU GOT IT BABE. THEN I WOULD'VE FOUND OUT WHO IT WAS SOONER OR LATER, WHEN I CLOSED THE [U/I]

[VOICES OVERLAP]

GOODWIN: YOU GOT IT. RIGHT.
[LAUGHS] YOU GOT IT, 4873, CASH IN 420. YOU GOT IT.

PERRY: FOUR TWENTY [420], OKAY, MAN. THANKS.

GOODWIN: THANKS, BYE.

PERRY:

Your affiant, based on his involvement in the investigation of this matter, believes that during this conversation **GOODWIN** and **PERRY** discussed Chris, who is bettor number 4873. Chris gave **GOODWIN** \$420.00 for bets wagered. **GOODWIN** wanted **PERRY** to cash in \$420.00 for Chris's betting account. Your affiant knows that the number "48" represents the runner number and "73" represents the bettor.

45. On November 19, 2009 at approximately 7:15 p.m., a telephone conversation was intercepted between **PERRY** and **CRAIG GOODWIN**. The following is a portion of the telephone conversation.

PERRY: YO, BABY. I'M SORRY, I WAS IN THE MIDDLE OF SOMETHING.

GOODWIN: OH, THAT'S ALL RIGHT, BABY. [U/I] I JUST... I WAS WORKIN' OUT, AND THEN I TOOK A SHOWER AND... NOW, UH... I SAW YOU CALLED. HEY, UH...

[VOICES OVERLAP]
WHAT'S GOING ON?

PERRY:

...ALL RIGHT, I GOT 500 DOLLARS (\$500) FOR YOU...

GOODWIN:

OKAY.

PERRY:

... FOR FOUR, EIGHT... FOR NUSS... FOUR, EIGHT, NINE, THREE

GOODWIN:

(4-8-9-3).

OKAY.

PERRY:

AND, UH... UH, MASON, WHO'S FOUR, EIGHT, NINE, TWO (4-

GOODWIN:

8-9-2) WANTS TO KNOW IF YOU COULD TRANSFER ANOTHER TWO HUNDRED (\$200) TO NUSS' ACCOUNT, FOUR, EIGHT, NINE, THREE (4-8-9-3).

WAIT, HOLD ON, LET ME WALK OUTSIDE 'CAUSE I CAN

PERRY:

BARELY HEAR YOU.

OKAY.

GOODWIN:

YOU GOT NUSS CASHING A NICKEL...

PERRY:

CASHING A NICKEL. I GOT IT IN MY DESK DRAWER.

GOODWIN:

OKAY.

PERRY:

AND THEN, HE... APPARENTLY HE COULDN'T BET. THEY

GOODWIN:

PUT A BET ON FORTY-EIGHT, NINETY-TWO (48-92) LAST NIGHT... OF TWO HUNDRED DOLLARS (\$200), AND HE WON, SO WE WANT FORTY-EIGHT, NINETY-TWO (48-92)... TWO HUNDRED (\$200) TRANSFERRED FROM FORTY-EIGHT, NINETY-TWO (48-92) TO FORTY-EIGHT, NINETY-THREE (48-93).

FORTY-EIGHT, NINETY-TWO (48-92) TAKE OFF TWO

PERRY:

HUNDRED (\$200) AND PUT IT ON NINETY-THREE (48-93)?

YEAH, UH-HUH.

GOODWIN:

YOU GOT IT. ALL RIGHT, BABY.

PERRY:

THANKS, ASH. ALL RIGHT.

GOODWIN:

ALL RIGHT, THANKS, BYE.

PERRY:

Your affiant, based on his involvement in the investigation of this matter, believes that during this conversation **GOODWIN** and **PERRY** discussed bettor Nuss, bettor 4893, and Mason, bettor 4892. **GOODWIN** told **PERRY** to transfer \$200.00 from bettor account 4892 to bettor account 4893. **GOODWIN** told **PERRY** that Nuss cashed in a “nickel.” Your affiant knows that a “nickel” represents \$500.00.

46. On December 9, 2009 at approximately 4:14 p.m., a telephone conversation was intercepted between **PERRY** and **CRAIG GOODWIN**. The following is a portion of the telephone conversation.

PERRY: WHAT YOU DOIN'?!

GOODWIN: MY BOY! WHAT'S MY BOY DOIN'?!

PERRY: WHAT YOU DOIN', BABY?

GOODWIN: OH, I'M DRINKIN' SOME... I'M CHUGGIN' DOWN SOME MARGARITAS AT SUPERIOR RIGHT NOW.

PERRY: I HEARD YOU WERE OFF TODAY! BIG OFF DAY TODAY, THEY

TELL ME.

GOODWIN: NO, NO, I... TODAY'S MY CHRI... MY SANTA CLAUS DAY... ME

AND MY, MY TWO (2) PARTNERS FROM METAIRIE AND WEST BANK, WE GO OUT AND WE SEE ABOUT FORTY (40) DOCS [PH].
[U/I]...

PERRY:

[VOICES OVERLAP]

GOODWIN: AND WE FINISHED UP, WE FINISHED UP ABOUT QUARTER

TO FOUR... AND CAME HERE AND STARTED DRINKIN'. I JUST LIVE RIGHT AROUND THE...

[VOICES OVERLAP]

PERRY: SHIT, WELL, I DON'T BLAME YOU.

GOODWIN: ...LIVE RIGHT AROUND THE CORNER, SO...

PERRY: I GOTCHA, BABY.

GOODWIN: ...ENDED... END... ENDED AT TOURO.

PERRY: I GOTCHA. UM, WHEN I CALLED UP THERE THEY SAID, "NO, HE'S OFF TODAY." I SAID, "WHOA! CRAIG TOOK A DAY OFF." NO. M-M... NO, IT'S MY SANTA CLAUS DAY, MAN. WE GO

GOODWIN: FROM... NON-STOP TO HERE... FROM METAIRIE TO... TO FREAKIN', UH, ELMWOOD TO, TO OSCHNER, TO... UH, BAPTIST, TO, TO TOURO, WE ALL... TO TULANE. WE ALL...

PERRY: THAT'S, THAT'S WHAT I DO TOMORROW. THAT'S WHAT... TOMORROW, THAT'S MY... THAT'S MY DAY. OKAY.

GOODWIN: I DO THE SAME SHIT. I HAD A WHOLE LIST. YOU WANNA

PERRY: CALL ME LATER? I HAD A WHOLE LIST OF THINGS FOR YOU. I KNOW IT'S A SHORT WEEK, BUT I WANTED TO SEE IF YOU COULD GET, GET IN TOUCH WITH SOME OF THESE GUYS.
[VOICES OVERLAP]

GOODWIN: YEAH, I KNOW. WELL, I KNOW, UH... I, I... SHOOTER'S GONNA GIVE YOU A THOUSAND (\$1,000), FORTY-EIGHT, SEVENTY-SEVEN (48-77). OKAY.

PERRY: HE LOST... HE GAVE YOU FIVE HUNDRED (\$500), YOU WON

GOODWIN: THE OPENER, AND THEN HE LOST ANOTHER FIVE HUNDRED (\$500), SO... HE'S GONNA GIVE YOU A THOUSAND (\$1,000), AND, UH... I BEEN TELLIN' EVERYBODY TO, JUST TO FREAKIN' BRING THAT MONEY TO PAY YOU. YOU KNOW? WELL, YOU BETTER GET ON 'EM, BABY, 'CAUSE THEY ALL

PERRY: UP THERE AGAIN.

GOODWIN: I KNOW. ARE THEY? ALL RIGHT. I'LL CALL... I'LL MAKE SOME CALLS.

PERRY: YOU GOT IT. JUST... YEAH, 'CAUSE PRETTY MUCH EVERYBODY OWES. IF YOU COULD JUST... [CHUCKLES] ...EVERYBODY THAT'S OVER THERE, SO... [VOICES OVERLAP]

GOODWIN: [U/I]. ALL RIGHT, I'LL TELL 'EM.

... YOU GOT IT, BABY.

PERRY:

ALL RIGHT.

GOODWIN:

THANKS.

PERRY:

.

Your affiant, based on his involvement in the investigation of this matter, believes that during this conversation, **GOOD WIN** and **PERRY** discussed Skooter, bettor 4877, who cashed in \$1,000.00. **GOODWIN** informed **PERRY** that he told his bettors, "Just freakin bring that money to pay you." **PERRY** told **GOODWIN**, "You better get on 'em, baby." **PERRY** also told **GOODWIN** "yeah, 'cause pretty much everybody owes." Your affiant believes that **GOODWIN's** bettors made losing wagers and owed **PERRY** for those losing wagers.

47. On February 3, 2010 at approximately 11:07 a.m., a telephone conversation **PERRY** and **CRAIG GOODWIN** was intercepted. The following is a portion of the telephone conversation:

GOODWIN: WHAT YOU DOING, COLLECTING MONEY OR WHAT?
I'M LOOKING FOR YOU, MAN. [LAUGHS]

PERRY:

I KNOW YOU'RE LOOKING FOR ME.

GOODWIN:

[LAUGHS] UH, QUICK QUESTION FOR YOU.

PERRY:

YEAH.

GOODWIN:

PERRY: THE GUY GEORGE, UH, WAS HE THROUGH YOU OR WAS HE THROUGH JERRY, DO YOU KNOW?
GOODWIN: GEORGE, JERRY I THINK. I KNOW WHO YOU'RE TALKING ABOUT, LITTLE BITTY GUY. UH, THROUGH JERRY, YEAH. IS HE FROM HERE? HE'S FROM AROUND HERE?
PERRY: YEAH, OH YEAH.
GOODWIN: HE DIDN'T JUST LIKE POP UP ON THE FACE OF THE EARTH
PERRY: AND ALL OF A SUDDEN WANTED TO START PLAYING?
GOODWIN: NO, NO, NAH AH. HE'S UH, WELL I MEAN I [STUTTERS] SEE HIM EVERY ONCE IN A WHILE. HE WORKS OUT NEXT DOOR WITH THIS GUY EVERY ONCE IN A WHILE. UH, BUT HE'S JERRY'S GUY. YEAH...

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation, **GOODWIN** asked **PERRY** if he was collecting money. **PERRY** asked **GOODWIN** if "George," was betting with **GOODWIN**. **GOODWIN** told **PERRY** that "George," was betting with "Jerry." Your affiant also knows Jerry works with **GOODWIN**.

48. On December 14, 2009 at approximately 7:42 p.m., a telephone conversation was intercepted between **PERRY** and **WILL BRYANT**. The following is a portion of the telephone conversation.

PERRY: WHAT YOU DOIN', SON?
BRYANT: DRIVIN' HOME IN THE DAMN THUNDERSTORM. WHAT ARE YOU UP TO?
PERRY: UH, IN METAIRIE. I JUST WALKED IN MY, UH, MY MOM AND MY BROTHER'S PLACE TO GRAB SOME DINNER. WHERE ARE YOU AT, MISTER ROO'S?
BRYANT: YEP.
PERRY:

BRYANT: GET ME A... GET ME A THING OF BEANS TO GO. GOD DAMN.

PERRY: YOU WANT 'EM TO GO?
BRYANT: NAH. I NEED TO, BUT I DON'T HAVE ANYTHING TO... I DIDN'T
PERRY: PULL OUT ANYTHING TO COOK.
 YOU DID WHAT?
BRYANT: I DIDN'T PULL OUT ANYTHING TO COOK. WAIT, HOLD ON...
PERRY: [ASIDE: YOU BROUGHT FOOD?] ...OH, NEVER MIND. MY
 LADY BROUGHT FOOD, NEVER MIND, I'M SORRY.
 ALL RIGHT, YEAH, SURE, NO PROBLEM.

[VOICES OVERLAP]

[U/I] SWING OVER THERE AND GET SOME.

BRYANT: YOU GOT IT, BRO'. UM, CALL ME TOMORROW. YOU GOTTA
PERRY: GET UP WITH, UH, ROBERT JUNIOR.
 ROBERT JUNIOR?
BRYANT: LIKE, SIX HUNDRED (600).
PERRY: OKAY.
BRYANT: ALL RIGHT, BABY?
PERRY: [VOICES OVERLAP]

BRYANT: I'LL TAKE CARE OF IT FIRST THING.
PERRY: YOU GOT IT, BRO', THANKS.
BRYANT: ALL RIGHT, BRO'.

.

Your affiant, based on his involvement in the investigation of this matter, believes that during this conversation **PERRY** and **BRYANT** discussed bettors Robert Junior owing \$600.00. **BRYANT** told **PERRY**, "I'll take care of it first thing." Your affiant believes

Robert Junior owed **PERRY** \$600.00 for losing wagers.

49. On January 29, 2010 at approximately 11:26 a.m., a telephone conversation was intercepted between **PERRY** and **WILL BRYANT**. The following is a portion of the telephone conversation:

BRYANT: NOT MUCH. UH...I NEED FOR YOU TO DOUBLE CHECK UH...YOUNG LUKE FOR ME.
ALRIGHT. WHAT DID HE SAY?

PERRY:

BRYANT: 'CAUSE HE SWEARS HE HADN'T DONE ANYTHING IN TEN (10) DAYS.
ALRIGHT, BABY. I'M WRONG. I DON'T THINK I AM, BUT I WILL

PERRY: CHECK IT AGAIN.
YEAH, HE WAS COMPLETELY FRANTIC, PARANOID AND HE

BRYANT: SAID, "HE GAVE ME ONE SIXTY (160)" AND LIKE I SAID, "I JUST PUT IT IN MY POCKET. I DIDN'T LOOK." WHEN YOU SAID, "ONE", I JUST FIGURED THAT'S WHAT IT WAS. SO, I'VE GOT THE OTHER SIXTY (60), BUT HE SAID, HE SAID, "DUDE, I HAVEN'T DONE ANYTHING. I COULDN'T." HE SAID, "AFTER LAST TIME, I COULDN'T." SO HE IS LIKE, "I HAVEN'T TOUCH IT IN TEN (10) DAYS." SO THAT'S WHY. YEAH. SO, THEN OF COURSE MY FIRST THOUGHT WAS SOMEBODY HACKED INTO HIS SHIT, BUT.

[VOICES OVERLAP]

PERRY: NO, NO, NO, NO. I COULD HAVE MADE THE MISTAKE. I DON'T MAKE THEM OFTEN, BUT UH...

[VOICES OVERLAP]

BRYANT: THAT'S, THAT'S WHY I WAS, I WAS FLUX. I WAS LIKE. (U/I) HE SCREW THIS UP.
NO, NO, WHEN I GET OUT OF BED. I'LL GIVE YOU A SHOUT.

PERRY:

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** and **BRYANT** discussed a bettor named Luke who is

under **BRYANT**. Luke paid **BRYANT** \$160.00 for bets wagered. **BRYANT** told **PERRY** that Luke has not logged onto his Internet gambling account with the **CRSB** in the past 10 days but that the Internet gambling account has been active. **BRYANT** told **PERRY** that someone hacked into his account. **PERRY** told **BRYANT** he would check the account and call **BRYANT** later.

50. On February 4, 2010 at approximately 5:49 p.m., a telephone conversation was intercepted between **PERRY** and **WILL BRYANT**. The following is a portion of the telephone conversation:

BRYANT: YO, YO, YO.

PERRY: YO, WHAT'S HAPPENING?

BRYANT: NOTHING, I HAD MY DAUGHTER'S BASKETBALL GAME.

PERRY: WHAT'S GOING ON?
I GOT YOU. YOU GOT A NUMBER ON LUKE? HE CALLED [U/I]

BRYANT: AND TOLD ME TO CALL HIM.
SAY THAT AGAIN.

PERRY: A MESSAGE... I NEED A PHONE NUMBER ON LUKE. THAT HE CALLED THIS THING LOOKING FOR ME.
HOW LONG AGO DID HE CALL YOU?

BRYANT: HE NEVER CALLED ME 'CAUSE HE DON'T HAVE THIS

PERRY: NUMBER. HE CALLED THE PLACE LOOKING FOR ME.
OH, WHY IS THAT?

BRYANT: BECAUSE HE DON'T [STAMMERS] HE DON'T HAVE ANY

PERRY: CREDIT. YOU KNOW, HE GOT FIVE HUNDRED [500] [U/I] THE CREDIT.
NO, I GOT THAT.

BRYANT: ALL RIGHT. WELL, GIVE ME THE NUMBER. I'VE GOTTA TALK

PERRY:

TO HIM ABOUT THIS OTHER BULLSHIT.
OKAY. YEAH, HE GOT... THERE WAS NO WAY HE COULD GET

BRYANT: AWAY TODAY AND TOMORROW IS A GAME DAY. HOLD ON A SEC.

PERRY: [MUMBLES] LET'S SEE... HOLD ON. HOLD ON ONE SECOND,
HOLD ON.
YEP.

BRYANT:

[CALL WAITING]

[ANSWERS ANOTHER CALL WAITING]

[RETURNS TO ORIGINAL PHONE CALL]

HELLO.

PERRY:

YEAH.

BRYANT:

YEAH, WHAT IS IT?

PERRY:

THREE, ONE, SIX, [316].

BRYANT:

ALL RIGHT.

PERRY:

TWO, ZERO, ZERO [200].

BRYANT:

[VOICES OVERLAP]

THREE, ONE, SIX [316]...

PERRY:

THREE, ZERO, FIVE, ZERO [3050].

BRYANT:

TWO, ZERO, ZERO, THREE, ZERO, FIVE, ZERO [200-3050]?

PERRY:

YEAH.

BRYANT:

ALL RIGHT.

PERRY:

AND THEN, AND THEN JUST BE... 'CAUSE HE, HE GAVE ME

BRYANT:

THE FIVES [5] AND THEN...

[VOICES OVERLAP]

PERRY: I'M GOING TO, UM, I'M GOING TO CALL ABOUT HIM ABOUT
THIS OTHER SHIT.

BRYANT: YEAH, ALL RIGHT.

PERRY: YEAH.

Your affiant, based on his involvement in the investigation of this matter, believes that during this conversation **PERRY** and **BRYANT** discussed bettor, Luke, who needed \$500.00 credited to his betting account. **BRYANT** gave **PERRY** Luke's telephone number so that **PERRY** could complete the credit.

51. On March 6, 2010 at approximately 8:20 p.m., a telephone conversation was intercepted between **PERRY** and **WILL BRYANT**. The following is a portion of the telephone conversation:

BRYANT: YO.
YO, YO, BABY!

PERRY: YO, YO.

BRYANT: WHAT, UH... UH, YOU'RE KIND'A F**KED, BRO. I ONLY

PERRY: GOT, LIKE, A NICKEL ON ME. I MEAN, I, I CAN... IF YOU REALLY NEED IT, I CAN GO BORROW IT FROM SOMEBODY UNTIL I GO TO THE THING ON MONDAY... BUT I JUST DIDN'T WAKE UP TODAY.
[LAUGHING] WAIT, SAY THAT AGAIN?

BRYANT: I SAID, IF YOU REALLY NEED IT, I CAN GO GET IT FROM

PERRY: SOMEWHERE. I JUST DIDN'T WAKE UP 'TIL, 'TIL F**KIN' TOO LATE TO GO GET MONEY. YOU KNOW WHAT I'M SAYIN'?
RIGHT.

BRYANT: HE JUST... HE, HE JUST...

PERRY: [VOICES OVERLAP]
I REALLY NEED IT BY TOMORROW. I REALLY DO NEED IT.

BRYANT:

PERRY: CALL ME...

[VOICES OVERLAP]

BRYANT: [U/I]

PERRY: ... CALL ME TOMORROW MORNIN'. I'LL GO RUN SOMEWHERE ELSE AND GRAB IT. YOU'RE SURE?

BRYANT: YEAH. CALL ME TOMORROW MORNIN'. I DON'T... I DON'T

PERRY: HAVE IT ON... I CAN'T GIVE IT TO YOU RIGHT NOW 'CAUSE I JUST DON'T HAVE IT ON ME. NO, NO, NO, THAT'S FINE. THAT'S FINE...

BRYANT: UH...

PERRY: ...BUT I WILL NEED IT TOMORROW, JUST TO GO... I GOTTA

BRYANT: GO TAKE CARE OF SOMETHIN'. ALL RIGHT. JUST CALL ME...

PERRY: [VOICES OVERLAP]

BRYANT: [U/I]

PERRY: ...CALL ME TOMORROW. I'LL BE OVER HERE CLEANIN' UP. JUST CALL ME IN THE MORNIN'. ALL RIGHT.

BRYANT: ALL RIGHT. BYE.

PERRY:

Your affiant, based on his involvement in the investigation of this matter, believes that during this conversation **BRYANT** and **PERRY** discussed **BRYANT**, who wanted \$500.00 from **PERRY**. **PERRY** told **BRYANT** he "Just don't have it on me." Your affiant believes that **BRYANT** wanted the money for bets wagered with **PERRY**.

52. On January 31, 2010 at approximately 4:25 p.m., the following telephone

conversation was intercepted between **PERRY** and **MUSCARELLO**. The following is a portion of the telephone conversation.

MUSCARELLO: I'M SITTING RIGHT HERE DOING SOME OF THIS AND WE F**K UP THEM FIGURES SOME KIND OF WAY. I SHOW YOU WHEN I SEE YOU.
THE ONES I GAVE YOU?

PERRY: THE FOUR, FOUR (44) AND THE FOUR (4) AND THE THREE (3),

MUSCARELLO: THREE (3) AND THREE (3) AND FIVE, FIVE (55) AND A FIVE (5). YOU KNOW WHAT I MEAN?
(U/I) REALLY?

PERRY: YEAH. I DON'T KNOW WHERE. I THINK 'CAUSE WE WERE

MUSCARELLO: JUST TRYING TO DO IT SO QUICK.
SO FAST. (U/I) MADE ME GO DO THEM AGAIN RIGHT NOW.

PERRY: GO DO THEM AND GO LOOK AT THEM.

MUSCARELLO: ALRIGHT, I'M GONNA GO SIT AT THE BAR AND DO IT RIGHT

PERRY: NOW.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **MUSCARELLO** told **PERRY** that figures were incorrect. Your affiant believes **MUSCARELLO** reviewed the amounts of the wagered bets and the amounts were not correct. **MUSCARELLO** directed **PERRY** to redo the figures.

53. On January 24, 2010 at approximately 2:19 p.m., a telephone conversation was intercepted between **PERRY** and **DAVID THERIOT**. The following is a portion of the telephone conversation:

THERIOT: HEY, MAN!
YO! WHAT'S HAPPENING?

PERRY: . . . WHAT, WHAT'S HAPPENING?

THERIOT:

PERRY: NO, JUST CALLING... DID YOU TALK TO THE GUY HIMSELF,
THERIOT: OR YOU TALKED TO REID [PH]?
I TALKED TO REID. REID [STUTTERS] TOOK HIM ON... HE
TOOK HIM ON THE SIDE. DO YOU... Y'ALL WANNA SPLIT IT,
HALF [1/2] OF IT? [STUTTERS]...IT'S TWO [2] TWO-DIME
PARLAYS.
PERRY: WAIT. WHAT HAPPENED?
THERIOT: HE CALLED IT TO ME, REID CALLED TO ME. I TOLD SPIKE TO
CALL...
[VOICES OVERLAP]
PERRY: SO REID....
THERIOT: REID CALLED, ALVIN REID... THE LAWYER AND THE OTHER
GUY TO ME.
PERRY: OKAY, I'M CONFUSED. SO, HE JUST TOOK IT? HE TOOK IT
ON THE SIDE, AND THEN JUST CALLED YOU WITH IT?
THERIOT: I, I GAVE HIM THE LINES, AND HE CALLED ME WITH THE
PLAYS. REID DID.
PERRY: DID YOU GIVE REID ANY OF THE ACTION?
THERIOT: I AIN'T GIVING HIM SHIT! WAIT A MINUTE, THIS F**KING
SHIT'S BLOWING ALL OVER THE PLACE! I DIDN'T GIVE REID
SHIT.
PERRY: WHO'S THE, WHO'S THE, UH... DID YOU, DID YOU TALK TO
THE GUY OR REID TALKED TO THE GUY?
THERIOT: REID TALKED TO THE GUY. I HAVE... HE TOOK THE PLAYS
FROM THE TWO [2] GUYS. [U/I]...
[VOICES OVERLAP]
PERRY: YEAH, BUT YOU DIDN'T TALK TO THOSE GUYS TO MAKE
SURE THEY DIDN'T KNOW OR NOTHING? TO MAKE SURE
REID IS NOT PLAYING F**KING GAMES?
THERIOT: NO, I MEAN, AL... [STUTTERS] THE, THE TWO [2] GUYS, ALVIN
REID AND THE LAWYER... THEM, THEM TWO [2] ARE PAID

UP. HE TOOK TWO [2] PLAYS.

[VOICES OVERLAP]
WHAT'D THEY PLAY?

PERRY:

INDY IN UNDER FIRST HALF FOR A DIME.

THERIOT:

WAIT [U/I] I COULDN'T HEAR YOU. GO AHEAD.

PERRY:

INDY MINUS FIVE AND A HALF [5 1/2], UNDER TWENTY [20]

THERIOT:

FOR A DIME PARLAY.
OKAY, HOLD ON. ALRIGHT. GO AHEAD.

PERRY:

YOU GOT IT?

THERIOT:

INDY MINUS FIVE AND A HALF [5 1/2]?

PERRY:

RIGHT. UNDER TWENTY [20] FOR A DIME PARLAY.

THERIOT:

OKAY.

PERRY:

THEN HE GOT UNDER TWENTY [20]... UNDER TWENTY-

THERIOT:

SEVEN [27], BOTH FIRST... FOR A DIME.
OKAY.

PERRY:

ALRIGHT. THAT'S FOR ONE [1] GUY, THAT'S FOR ALVIN REID.

THERIOT:

IT WAS ELEVEN HUNDRED [1100] OR A DIME? DO... A DIME

PERRY:

STRAIGHT?
ELEVEN HUNDRED [1100].

THERIOT:

ALRIGHT.

PERRY:

ALRIGHT. AND, AND, AND THE LAWYER'S GOT NEW

THERIOT:

ORLEANS MINUS FOUR [4] FOR TWO... TWO TWENTY [220].
TWO TWENTY [220]?

PERRY:

TWO TWENTY [220].

THERIOT:

OKAY.

PERRY:

TWO HUNDRED AND TWENTY BUCKS [220].

THERIOT:

PERRY: ALRIGHT.
THERIOT: INDY MINUS EIGHT AND A HALF [8 ½] FOR TWO TWENTY
[220].
OKAY.
PERRY: AND A DOLLAR... A DOLLAR TEN PARLAY WITH THEM, TOO.
THERIOT: OKAY.
PERRY: THAT'S IT, THAT'S IT FOR RIGHT NOW. JUST THOSE TWO [2]
THERIOT: GUYS.
[VOICES OVERLAP]
PERRY: ALRIGHT, YOU GOT IT.
THERIOT: YOU WANNA SPLIT... SPLIT IT THREE-WAYS?
[VOICES OVERLAP]
PERRY: YEAH, JUST SPLIT IT, JUST SPLIT IT.

.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** and **THERIOT** discussed a bettor making a 2 dime parlay wager and **THERIOT** wanted to know if **PERRY** wanted to split the bettor's parlay wager with him. Your affiant knows a "dime" represents \$1,000.00 so two dimes represents \$2,000.00. **THERIOT** and **PERRY** also discussed what bettors wagered on the Indianapolis Colts vs. New Orleans Saints football game.

54. On February 1, 2010 at approximately 12:00 p.m., a telephone conversation was intercepted between **PERRY** and **DAVID THERIOT**. The following is a portion of the telephone conversation.

PERRY: HEY, WHAT'S HAPPENING? [STUTTERS] WE SWEEP THE

BOARD LAST NIGHT, CORRECT?
YES, YES.

THERIOT:

[VOICES OVERLAP]
THREE, FIVE, TWO, O (3520) IS THAT RIGHT?

PERRY:

UH, [STUTTERS] WHAT DID YOU SAY? SAY AGAIN.

THERIOT:

THIRTY FIVE – TWENTY (3520).

PERRY:

YES, TWO-TWENTY (220) AND UH...YES, THAT'S CORRECT.

THERIOT:

ALRIGHT, I'M GOING TO CALL YOU IN A FEW MINUTES WHEN

PERRY:

I GET FREE. I JUST WANTED TO MAKE SURE. I WAS TRYING TO GO OVER THIS SHIT.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** asked **THERIOT** if he, "Swept the board last night."

Your affiant believes that when **PERRY** asked if **THERIOT** "Swept the board" **PERRY** asked **THERIOT** if he reviewed the gambling accounts for amounts wagered. Your affiant believes **PERRY** made layoff bets with **THERIOT** and owed \$35,220.00. A Layoff Bet is an accounting method utilized by bookmakers to "balance" the money wagered on each side of the sporting event. This equalizes the excess bets the bookmaker accepted from his bettors.

55. On February 7, 2010 at approximately 1:38 p.m., a telephone conversation was intercepted between **PERRY** and **DAVID THERIOT** following is a portion of the telephone conversation:

THERIOT: HEY, WHAT'S HAPPENING?

AH, JUST GETTING OUT OF BED. WHAT'S UP?

PERRY:

OH, NOTHING MUCH. NAH, I WAS TRYING TO GET

THERIOT:

SOMETHING FAXED OVER BUT IT AIN'T NO BIG DEAL. I'M

NOT WORRIED ABOUT IT.
WHAT DID YOU NEED?

PERRY:

I WAS GOING TO FAX SOMETHING TO SOMEBODY ELSE. IT

THERIOT:

AIN'T NO BIGGY. I HAVEN'T HEARD FROM HIM, ANYWAY. I'M
NOT WORRIED ABOUT IT. HE'S ALREADY ON HIS WAY TO
GAME.

[VOICES OVERLAP]

[STUTTERS] YOU HAVE THAT SHIT WITH YOU, THOSE

PERRY:

PAPERS WITH YOU?

YEAH, YEAH.

THERIOT:

YOU AROUND HERE OR ON THAT SIDE?

PERRY:

NO, I'M ALREADY ON THE OTHER SIDE.

THERIOT:

ARE YOU STAYING ON THE OTHER SIDE?

PERRY:

YEAH, YEAH, I JUST GOT OVER HERE A LITTLE WHILE AGO.

THERIOT:

WE WERE WATCHING IT AT DARRIN'S HOUSE.

OH, YOU'RE ACROSS THE LAKE?

PERRY:

YEAH, I'M ACROSS THE LAKE.

THERIOT:

OH, I GOT YOU, I GOT YOU, ALRIGHT. CAUSE I DON'T HAVE

PERRY:

PROP SHEETS.

[VOICES OVERLAP]

THEY GOT, THEY GOT... I LEFT, I LEFT A COUPLE COPIES AT

THERIOT:

THE BEACH CORNER IF YOU WANT TO GO OVER THERE AND
PICK IT UP.

NO, I'LL JUST GO AND PRINT ANOTHER ONE. IT AIN'T NO BIG

PERRY:

DEAL. KIND OF HURTING.

HEY UH...

THERIOT:

SO...

PERRY:

YOU SEEN UH, ANYWHERE ELSE BUT FOUR AND A HALF (4

THERIOT:

½), OR WHAT YOU SEEN OUT THERE?

PERRY: [MUMBLES] I LOOKED A LITTLE WHILE AGO WHEN I GOT OUT OF F**KING BED, I SAW SOME FIVE'S (5) AND A COUPLE OF FOUR AND A HALVES (4 ½). I AIN'T SEEN ANYTHING ELSE. I MEAN WE GOT, WE STILL USING FOUR AND A HALF (4 ½)?

THERIOT: FOUR AND A HALF (4 ½), FIFTY SEVEN (57).

PERRY: RIGHT UH, I KNOW DANA IS USING THREE AND A HALF (3 ½).

THERIOT: IS HE?

PERRY: YEAH.

THERIOT: I'LL TELL YOU WHAT... I MEAN I GOT PROBABLY, I DON'T HAVE ONE (1) ON INDY. NOT ONE (1). ME NEITHER. I JUST TOOK LIKE F**KING FIVE (5) DIMES JUST FROM F**KING THREE (3) DIFFERENT PEOPLE WHO DON'T EVEN F**KING PLAY.

PERRY: I KNOW.

THERIOT: [VOICES OVERLAP] F**KING DIME PARLAY [LAUGHS], I MEAN THEY HAVEN'T EVEN PLAYED WITH ME THEIR WHOLE LIFE. I KNOW, I GOT... THIS GUY [U/I] AND HE CALLED ME TEN (10) DIFFERENT PEOPLE, EVERY ONE OF THEM WAS SAINTS AND OVER, EVERY SINGLE ONE.

THERIOT: [VOICES OVERLAP] PLAYED FIFTY-FIVE (55) AND EVERY... NOW THEY PLAY... ONE OF THEM [U/I] SEVEN-SEVENTY (770) AND THIS GUY HAD THREE-THIRTY (330), TWO-TWENTY (220) PARLAY. I MEAN...

PERRY: [VOICES OVERLAP] IT'S RIDICULOUS.

THERIOT: WHAT UH, ARE YOU GOING TO WANT ANYTHING LATER? I MEAN I'M AT THE THIRTY (30) TO THIRTY-FIVE (35), FORTY (40) RANGE ALREADY.

PERRY: I'M, I'M AFRAID TO SEE WHAT WAS BET UH, BUT YEAH IT
AIN'T NO PROBLEM. JUST TELL ME HOW MUCH YOU NEED
AND YOU CAN PLAY IT ON YOUR ACCOUNT.
OKAY.

THERIOT:

[VOICES OVERLAP]
OR YOU CAN GIVE IT TO ME AND I'LL PUT IT THROUGH,

PERRY:

EITHER WAY. JUST CALL ME.
YEAH, CAUSE I [STUTTERS] I MEAN, IF IT GOES THAT AND

THERIOT:

OVER, I'M GOING TO LOSE... YOU KNOW, IN THE FIFTY (50)
OR SIXTY (60) RANGE.

[VOICES OVERLAP]
WE MIGHT BE GOING, WE MIGHT BE FLYING TO MIAMI.

PERRY:

RIGHT. YOU KNOW WHAT I MEAN?

THERIOT:

YEAH, YEAH, JUST...

PERRY:

[VOICES OVERLAP]

THERIOT:

[U/I]

JUST STAY ON YOUR DEAL, I'LL CALL YOU ONCE I GET IN MY

PERRY:

CAR AND GET ROLLING.
ALRIGHT, YOU GOT IT, BUD.

THERIOT:

.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** and **THERIOT** discussed bettors who “haven’t even played with me their whole life” that made bets with him. **THERIOT** told **PERRY** he was at “30 to 35 to 40 range.” Additionally, your affiant believes **PERRY** told **THERIOT** he could lay off bets with **PERRY** when he told **THERIOT** “tell me how much you need and you can play it on your account.”

56. On February 22, 2010 at approximately 7:04 p.m., a telephone conversation was intercepted between **PERRY** and **DAVID THERIOT**. The following is a portion of the telephone conversation:

THERIOT: HEY, WHAT'S HAPPENING?
PERRY: HEY, NOTHING. WHAT UH, WHAT LIMITS ARE UNDER THESE TWO (2) GUYS FOR REE [PH], G.W. [P/H] AND TWO DOG. UH... TWO DOG IS TWO (2), TWO (2) DIME LIMIT.
THERIOT: TOTAL?
PERRY: AND... YEAH, TWO (2) DIME LIMIT TOTAL.
THERIOT: HOW MUCH A GAME?
PERRY: NICKEL, NICKEL ON A GAME.
THERIOT: OKAY.
PERRY: AND UH... G.W. IS UH... PUT HIM, UH, THREE (3) DIMES.
THERIOT: OKAY.
PERRY: PUT A NICKEL UNDER AS WELL
THERIOT: BOTH NICKELS, G.W. IS GONNA BE THREE (3) AND THE
PERRY: OTHER ONE IS GONNA BE [U/I]. ALL RIGHT, YOU GOT IT. ALL RIGHT. ALL RIGHT, MAN.
THERIOT:

.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** and **THERIOT** discussed bettors, G.W. and Two Dog. **THERIOT** told **PERRY** that Two Dog was at a "two dime limit" and a "nickel" a game. Your affiant knows a "dime" equals \$1,000.00 so two dimes equals \$2,000.00. Your affiant knows a "nickel" equals \$500.00. **THERIOT** told **PERRY** that G.W. is at "three

dimes” and a “nickel” a game.

57. On December 8, 2009, at approximately 4:16 p.m., a telephone conversation between **PERRY** and **CARAZO** was intercepted. The following is a portion of that telephone conversation:

[NON-PERTINENT CONVERSATION]

PERRY: [LAUGHS] THAT'S THOSE F**KIN' SAINTS, BRO'. IT'S THE SAINTS!

CARAZO: I KNOW. YEAH.

PERRY: UH... THAT GUY IS COMIN' TO MEET ME TONIGHT. I JUST TALKED TO HIM AGAIN. IT'LL PROBABLY BE LATER...

CARAZO: ALL RIGHT.

PERRY: ...SO I'LL JUST GIVE YOU A SHOUT TOMORROW. I GOTTA COME SEE YOU ANYWAY. IS THERE ANY CHANCE YOU CAN CALL SOME IN? I CAN... WHEN I COME SEE YOU TOMORROW, BRING YOU BOTH.

CARAZO: UM... I DON'T KNOW IF [U/I]. WHAT TIME IS IT?

PERRY: WHAT HAPPENED?

CARAZO: UM...

PERRY: YEAH, I MEAN, I GOT YOU AT THE HOUSE. I JUST... I, I DON'T WANT TO MAKE A TRIP ALL THE WAY OVER THERE IF I GOTTA COME OVER THERE TOMORROW TO BRING YOU THIS THING.

CARAZO: UH, YEAH. WELL, HOW MUCH IT IS?

PERRY: FORTY... IT'S FORTY-SEVEN (47), THE SAME.

CARAZO: SAME?

PERRY: SAME, FOUR, SEVEN (4-7).

CARAZO: ALL RIGHT.

PERRY: AND I'LL, UH, I'LL CALL YOU. IT MIGHT BE TEN O'CLOCK (10:00) TONIGHT. IF HE, WHEN HE CALLS ME AT TEN (10:00), IF I'M NOT LOADED... I MIGHT GIVE YOU A SHOUT AND RUN OVER THERE, BUT I'M GONNA PROBABLY BE HALF LOADED 'CAUSE I STARTED DRINKIN' ALREADY.

CARAZO: ALL RIGHT.

PERRY: YOU GOT IT, BABY. THANK YOU.

CARAZO: ALL RIGHT.

PERRY: ALL RIGHT.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** and **CARAZO** spoke about money that **PERRY** needed to give **CARAZO** for payment for the CRSB. The amount of money owed is \$47,000. Additionally, **PERRY** states "it's 47, the same" which indicates that there have been previous payments of \$47,000 to **CARAZO**. [On December 10, 2009, a surveillance team observed **PERRY** leave his residence at 1009 Rosa at 9:02 p.m., stop at a residence near Severn and Sixth Street, enter the Lake Ponchartrain Causeway and meet with **CARAZO** in the parking lot of a Wendy's Restaurant in Mandeville at about 9:44 p.m. The meeting lasted until 9:48 p.m. **CARAZO** returned to his home at 514 Castain Drive, Mandeville, LA at 9:53 p.m.]

58. On December 21, 2009 at approximately 2:30 p.m., a telephone conversation between **PERRY** and **CARAZO** was intercepted. The following is a portion of that telephone conversation:

CARAZO: HELLO.

PERRY: YO BABY.

CARAZO: WHAT'S HAPPENING?

PERRY: HEY, NOTHING, NO... I GOT THAT FOR YOU! FOR SURE.

CARAZO: YOU DO?

PERRY: YEAH, I HAVE IT AT MY HOUSE. I PROMISE I'M IN BATON ROUGE.

CARAZO: UH-HUH.

PERRY: I'M A... WHEN I'M COMING BACK I GOT A CHRISTMAS PARTY AT 6:30. I JUST WANT TO SEE IF YOU'RE AROUND. I DON'T KNOW EXACTLY AT WHAT TIME I'M GETTING BACK. AND HOW LONG [U/I] BUT I'M DEFINITELY COMING TO YOUR SIDE TOMORROW. I GOT SO MUCH SHIT OVER THERE. IT'S JUST BEEN SO F**KING BUSY I HAVEN'T GOTTEN A CHANCE TO GET OVER THERE.

CARAZO: YEAH, I GOTTA GO. I GOTTA GO TO ALABAMA TOMORROW.

PERRY: WHAT TIME? WHAT TIME YOU'RE LEAVING?

CARAZO: I DON'T KNOW YET. I GOTTA CALL THIS GUY TONIGHT. I'M NOT SURE. PROBABLY EARLY SINCE IT'S A PRETTY FAR DRIVE. IT'S LIKE 10 HOURS AND BACK AND FORTH.

PERRY: JESUS CHRIST! AND YOU NEEDED TO SEE ME BEFORE YOU GO?

CARAZO: AH, I'M MEAN IF POSSIBLE YEAH, IF NOT I MEAN IT WON'T BE THE END. BUT IT WOULD BE [U/I] KNOW/NOW [PH].

PERRY: YEAH, BUT I GOT, I GOT SOME OTHER SHIT TO DO HERE WHEN I GET BACK. IT WON'T BE. I MEAN I CAN CALL YOU. I GOTTA A PARTY AT 6:30,

CARAZO: UH-HUH.

PERRY: AND IT'S FROM 6:30 TO 9:30. IF YOU WANT ME TO CALL YOU AFTER YOU'RE GOING TO BE BACK IN MANDEVILLE ALREADY OR YOU HAVEN'T DECIDED?

CARAZO: UMH, I'M NOT SURE. YOU CAN TRY CALLING ME.

PERRY: OKAY.

CARAZO: WHAT TIME YOU THINK YOU'RE GOING TO BE BACK TO YOUR HOUSE, LIKE... BEFORE METAIRIE.

PERRY: NO, IT ALL DEPENDS ON THE F**KING TRAFFIC AND WHAT TIME I GET OUT OF HERE. I'M TRYING TO MAKE IT BACK SO HE CAN MAKE [U/I] ON TIME.

CARAZO: RIGHT.

PERRY: BUT I GOT BOTH OF THE THINGS, SO I GOT I... [STUTTERS]... REMEMBER THE, THE THING YOU TEXT ME, I DON'T LIKE TALKING ABOUT IT. BUT I GOT THAT. IT'S AT MY HOUSE.

CARAZO: OKAY, ALL RIGHT.

PERRY: AH, SO F**K. WHY DON'T AH... I'LL CALL YOU WHEN I'M HEADING BACK. HOPEFULLY, I CAN HAVE TIME TO HOOK UP. I DON'T WANT YOU TO BE WAITING AROUND FOR ME IF I'M RUNNING LATE. YOU KNOW WHAT I'M SAYING?

CARAZO: RIGHT. YEAH, JUST, JUST [U/I] NOW [U/I] GOING AROUND.

PERRY: IF NOT, IF NOT , IF YOU'RE LEAVING SUPER UH, IF YOU'RE LEAVING SUPER EARLY CALL ME, AND, AND YOU GOTTA CALL ME. YOU'RE COMING THROUGH THIS WAY OR ARE YOU LEAVING IN THE MORNING OR NO?

CARAZO: UMH, PROBABLY YEAH.

PERRY: OKAY, IF NOT WE CAN CATCH UP IN THE MORNING ON YOUR WAY THROUGH.

CARAZO: ALL RIGHT, YEAH, JUST, JUST GIVE ME A CALL IN A LITTLE BIT AND LET ME KNOW.

PERRY: YOU GOT IT BABY, THANKS.

.

During this conversation **CARAZO** indicated that he had to go to Alabama in the morning. Based on earlier intercepts and the seizure of money which are described below, your affiant believes that **CARAZO** was indicating that he had to make a money

drop in Alabama for the CRSB. **CARAZO** and **PERRY** also discuss the need to meet.

Your affiant believes, based on his involvement in the investigation of this matter, that during this portion of the conversation **PERRY** and **CARAZO** were discussing the need for **PERRY** to make a payment to **CARAZO**.

59. On January 11, 2010, at approximately 12:24 p.m., a telephone conversation between **PERRY** and **CARAZO** was intercepted. The following is a portion of that telephone conversation:

CARAZO: HELLO.

PERRY: YO, BABY!

CARAZO: WHAT'S HAPPENING, MAN?

PERRY: OH, NOT A WHOLE LOT. HOW WAS THAT DEAL?

CARAZO: GOOD, MAN. EXCELLENT! THANK YOU.

PERRY: [LAUGHS] NO, NO PROBLEM AT ALL.

[VOICES OVERLAP]

CARAZO: RIGHT ON.

PERRY: I GOT THOSE, UH... I GOT THOSE OTHER THINGS FOR YOU, TOO, JUST WHEN I SEE YOU.

CARAZO: ALL RIGHT. COOL.

PERRY: WILL YOU, UH... I'M NOT GONNA BE ABLE TO GET, GET AROUND 'TILL TOMORROW. WILL YOU CALL ME IN THIRTY SEVEN [37] AND I'LL CALL YOU TOMORROW ABOUT LUNCH TIME?

CARAZO: ALL RIGHT. ALL RIGHT.

PERRY: I JUST, UH... YES, THIRTY SEVEN [37], NOT FORTY SEVEN [47]. THEY DON'T NEED AS MUCH.

[VOICES OVERLAP]

CARAZO: ALL RIGHT. ALL RIGHT.

PERRY: SO, I'LL GIVE YOU A HOLLER. THANK YOU, BABY.

CARAZO: ALL RIGHT, MAN. ALL RIGHT, BYE.,

.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** and **CARAZO** discuss how much money that **PERRY** must give to **CARAZO** to pay the CRSB. **PERRY** indicated that this payment was \$37,000 which is less than the usual amount of \$47,000.

60. On February 5, 2009, at approximately 2:50 p.m. a telephone conversation between **PERRY** and **CARAZO** was intercepted. The following is a portion of that telephone conversation:

CARAZO: YO!

PERRY: YO, BABY.

CARAZO: WHAT'S HAPPENING MAN?

PERRY: UH... NOT A WHOLE LOT. SAME OLD CRAP. HOW YOU DOING?

CARAZO:: SAME SHIT. YUP.

PERRY: I GOT'CHA. UH... SAME IS OKAY ON BOTH THOSE THINGS?

CARAZO:: WHAT'S THAT? YEAH.

PERRY: OKAY. ALRIGHT. I'M GONNA CALL MY GUY RIGHT NOW. I WAS IN A MEETING WHEN YOU TEXT ME BACK. UH...

CARAZO: YEAH.

PERRY: I'LL CALL YOU AND I'LL GIVE YOU A SHOUT. CAN YOU GO AHEAD AND CREDIT ME THIRTY-FIVE (35) AND I'LL (U/I) WITH THE OTHER THING. I'LL DROP IT TO YOU.

CARAZO: (U/I) ALRIGHT.

PERRY: YEAH, THEY NEED IT TODAY. SO, JUST CREDIT (U/I) HOPEFULLY HE CALLS ME TONIGHT, I CAN BRING IT TO YOU TOMORROW WITH THEM THINGS.

CARAZO: ALRIGHT, MAN, SOUNDS GOOD.

PERRY: ALRIGHT, THANKS.

CARAZO: ALRIGHT, MAN.

.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** asked **CARAZO** to credit his account at the CRSB in the amount of \$35,000. **PERRY** also told **CARAZO** that he would try to bring him money the next day.

61. On February 22, 2010, at approximately 1:59 p.m., a telephone conversation between **CARAZO** and **MICHAEL FLYNN**, a/k/a "**MICKEY**," was intercepted. The following is a portion of that telephone conversation:

UNK F: HELLO

CARAZO: HELLO

UNK F: CAN YOU HEAR ME SIR?

CARAZO: YEAH HI THIS IS STACKS AGAIN, IS MICKEY IN?

UNK F: YEAH GIVE ME ONE MINUTE

CARAZO: ALRIGHT

UNK F: HE'S ON THE OTHER LINE RIGHT NOW, CAN YOU HOLD TWO, FOR A MINUTE PLEASE

CARAZO: SURE

UNK F: OKAY SIR

[ON HOLD]

FLYNN: HELLO

CARAZO: MICKEY

FLYNN: HEY HOW ARE YOU?

CARAZO: ALL RIGHT MAN, WHAT'S GOING ON?

FLYNN: NOT MUCH, I HAVE AH, I WORKING ON SOMETHING FOR YOU, I THINK I'M GONNA HAVE AH, SOME REGULAR WORK FOR YOU AH, UM, I'M WAITING ON AH, THIS DEAL WHERE I'M GONNA PICK UP SOME BUSINESS AND AH, I'M WAITING TO HERE BACK FOR THEM , I TALKED WITH THEM LAST WEEK AND UM, I GONNA NEED AN EXTRA GUY IF I GET IT, SO UM,

CARAZO: RIGHT ON

FLYNN: I MEAN, I DON'T IF IT'S GOING TO MATERIALIZED YET OR NOT, BUT IT'S AH, YOU KNOW I'M HOPEFUL, I'LL LET YOU KNOW

CARAZO: RIGHT ON, IN THIS AREA, IN

FLYNN: YEAH, YEAH YEAH RIGHT, AH, YOU KNOW IT MIGHT BE LITTLE BIT AH, OUTSIDE OF NEW ORLEANS, BUT IT'S AROUND THERE, SO UM, WE'LL SEE HOW IT SHAKES OUT BUDDY

CARAZO: GOOD DEAL

FLYNN: WHAT ELSE IS GOING ON?

CARAZO: AH NOTHING, I WAS JUST WONDERING YOU SAID AFTER , AFTER THE AH, THE SUPER BOWL YOU MIGHT HAVE SOMETHING UM, I WAS JUST SEEING , CAUSE

FLYNN: THAT ONE ACCOUNT, THAT ONE ACCOUNT THREE FORTY

SIX 346

CARAZO: YEAH

FLYNN: UM, I AM LOOKING MAYBE TO GIVE HIM ONE HUNDRED

CARAZO: I MEAN S THAT HIS PLAYS? THIS GUY EVER LOSE, THIS GUY AMAZING AH

FLYNN: YEAH, WILL HE AH, HE DOES AH, HE TRANSFERS A LOT, THAT'S NOT

CARAZO: OH

FLYNN: HE TRANSFERS A LOT OF THE MONEY INTO HERE, I THEN JUST GIVE IT TO HIM, UM, PLUS LLOYD , LLOYD MIGHT WANT GIVE YOU. I WOULD LIKE TO TAKE AH, TELL YOU HOLD ON THERE, GIVE ME A SECOND,

CARAZO: ALL RIGHT

FLYNN: AH, PLUS LLOYD MAYBE IF YOU GRAB AH, FIFTY THOUSAND OFF OF LLOYD AND YOU CAN TAKE THIS GUY 150,000 UP THERE WOULD BE GREAT.

CARAZO: OKAY YEAH, YEAH I WAS GOING TO TELL YOU THIS WEEKEND I'M GOING, I'M GOING TO VISIT A FRIEND OF MY IN COLORADO FOR A WHILE, SO

FLYNN: YOU MIND DOING THAT?

CARAZO: WHAT'S THAT?

FLYNN: YOU MIND PICKING UP FIFTY OFF OF LLOYD AND THEN AH, HUNDRED FIFTY (150,000) TO AH,

CARAZO: JOHN

FLYNN: TO AH, YOU HAVE HIS NUMBER

CARAZO: YEAH, YEAH I BELIEVE I DO, YEAH

FLYNN: I GIVE IT TO YOU JUST IN CASE, OK

CARAZO: ALL RIGHT, GO AHEAD

FLYNN: HIS NAME IS JOHN

CARAZO: UM

FLYNN: HIS NUMBER IS 2 5 6

CARAZO: OK

FLYNN: 6 8 2

CARAZO: OKAY

FLYNN: [XXX]0

CARAZO: [XXX]0

FLYNN: RIGHT.

CARAZO: OKAY YEAH, I CAN DO THAT NO PROBLEM.

FLYNN: ALL RIGHT MY MAN.

CARAZO: YEAH JUST KEEP ME POSTED; AH I'LL HAVE MY COMPUTER,

FLYNN: SURE

CARAZO: I DON'T NOW MY PHONE GOING TO BE, I'M GOING TO VISIT A FRIEND FOR A WHILE, SO BUT

FLYNN: HOW LONG ARE YOU GOING TO BE UP THERE FOR?

CARAZO: AH, COUPLE OF WEEKS, MAYBE LITTLE A LONGER, DEPENDS

FLYNN: OKAY.

CARAZO: BUT I'LL BE. . .

FLYNN: I THINK WE HAVE TIME ANYWHERE SO AH, I'LL KEEP YOU POST . . .

CARAZO: YEAH SOUNDS GREAT MAN GOOD LUCK, ALL RIGHT.

FLYNN: ALL RIGHT BROTHER TAKE CARE.

CARAZO: ALL RIGHT MIKE LATER.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **FLYNN** instructed **CARAZO** to meet with **LLOYD B.** and pick up \$50,000.00 and to travel to Alabama and give \$150,000 to “John”. On February 22, 2010 at approximately 1:59 p.m., **FLYNN** and **CARAZO** discussed bettor account 346. **FLYNN** told **CARAZO** he was “looking maybe to give him 100.” Your affiant believes **FLYNN** was cashing \$100,000.00 for bettor account 346 and wanting **CARAZO** to give the money. **FLYNN** told **CARAZO** “grab ah, \$50,000.00 up there.” Your affiant knows “Lloyd” referred to **LLOYD B.** **FLYNN** told **CARAZO** that “guy” was John and **FLYNN** gave **CARAZO** John’s telephone number 256-682-XXXX. Your affiant knows this telephone number was registered to JLK. Surveillance agents observed **CARAZO** meeting with **LLOYD B.** on February 23, 2010 at Capital One Bank on Transcontinental Blvd. and West Esplanade in Metairie, Louisiana. On February 25, 2010, surveillance agents observed **CARAZO** meet with JLK at a strip mall in the Birmingham, Alabama metro area. Surveillance agents observed **CARAZO** give JLK a package.

62. On February 22, 2010, at approximately 2:27 p.m., a telephone conversation between **DAVID CARAZO** and **LLOYD B.** was intercepted. The following is a portion of that telephone conversation:

LLOYD B.: HELLO,

CARAZO: HELLO LLOYD,

LLOYD B.: YEAH,

CARAZO: HEY MAN IT'S DAVE,

LLOYD B.: HEY DAVE, HOW ARE YOU DOING?

CARAZO: ALL RIGHT MAN, HOW ARE YOU DOING? HOW HAVE YOU BEEN?

LLOYD B.: FINE, FINE, FINE, WHAT'S GOING ON?

CARAZO: AH, YOU TALKED TO MICKEY LATELY HE WANTS ME TO COME PICK UP SOMETHING FROM YOU,

LLOYD B.: NO AH, I'M, I'M GONNA CALL IN ABOUT A HALF HOUR,

CARAZO: OKAY,

LLOYD B.: YOU WANT ME TOO AH, WHERE ARE YOU?

CARAZO: IN MANDERVILLE,

LLOYD B.: OKAY, WHAT'S A GOOD DAY FOR ME TO GIVE YOU SOMETHING TODAY OR TOMORROW,

CARAZO: TOMORROW YEAH CAUSE I GOT TO GO SEE THIS GUY MAYBE TOMORROW AFTERNOON OR WEDNESDAY

LLOYD B.: ALL RIGHT AH MAYBE I COULD MEET YOU IN THE MORNING AND,

CARAZO: OKAY,

LLOYD B.: ALL RIGHT,

CARAZO: THAT WILL WORK, YEAH,

LLOYD B.: ALL RIGHT I'LL GIVE YOU A CALL SAY ABOUT NINE O'CLOCK HOW'S THAT,

CARAZO: OKAY YEAH THAT'S PERFECT,

LLOYD B.: I'LL CALL YOU AT THIS NUMBER,

CARAZO: YEAP, THIS NUMBER

LLOYD B.: OKAY DAVE,

CARAZO: ALL RIGHT LEMON TAKE CARE,

LLOYD B.: THANK YOU, MAN

CARAZO: ALL RIGHT MAN.

.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **CARAZO** and LLOYD B. were arranging a time to meet so that LLOYD B. could give **CARAZO** the \$50,000.00 mentioned by MICKEY FLYNN.

CARAZO asked LLOYD B. if he spoke to FLYNN because FLYNN told **CARAZO** to “come pick up something from you.” Your affiant believes “something” referred to money. They agreed to meet the next day. [Surveillance agents observed LLOYD B. and **CARAZO** meet on February 23, 2010 at the Capital One Bank on Transcontinental and W. Esplanade.]

63. On February 24, 2010, at approximately 4:27 p.m., a telephone conversation between PERRY and CARAZO was intercepted. The following is a portion of that telephone conversation:

CARAZO: [...[U/I] THIS WEEKEND, SO I’M BUYING MY GIRL A FEW THINGS AT THE MALL.

PERRY: YOU GOING TO COSTA RICA FOR THE WEEKEND?

CARAZO: YEAH, I’M LEAVING... YEAH, SATURDAY, SUN... I’M LEAVING SATURDAY.

PERRY: JEEZ O’ PETES. I GOT YOU. I, UM... I’M GONNA BE FREE... I’M FINISHED WITH ALL MY OTHER SHIT. I’LL BE FREE AT ABOUT PROBABLY SIX THIRTY (6:30), SEVEN O’CLOCK (7:00).

CARAZO: OKAY.

PERRY: I GOTTA GO GRAB IT, AND I’LL GIVE YOU A SHOUT. I’M GONNA

HAVE SOMEBODY, UH... I JUST HAD A DRINK, BUT I'M GONNA HAVE SOMEBODY GET TO MY HOUSE THAT CAN DRIVE ME OVER THERE, SO I'LL CALL YOU WHEN I'M FREE, AND I'LL HEAD YOUR WAY [U/I].

[VOICES OVERLAP]

CARAZO: OKAY. YEAH, DEFINITELY, 'CAUSE I GOTTA... [STUTTERS] ...SUPPOSED TO MEET THIS GUY TOMORROW IN BIRMINGHAM.

PERRY: NO PROBLEM. WHAT TIME YOU LEAVING TOMORROW?

CARAZO:: UH, I WANT TO LEAVE AT THE CRACK OF DAWN, I GUESS. I DON'T WANT TO DO IT [U/I]...
[VOICES OVERLAP]

PERRY: I GOTCHA. NO, I'M GONNA, UH... I'M GONNA HEAD THAT WAY. I'M GONNA GET SOMEBODY TO DRIVE ME OUT THERE. THE THING WENT THROUGH WITH MY BOY BUY... BUYING THE SPORTS BEAT TODAY, LIKE I TOLD YOU...

CARAZO: YEAH.

PERRY: ...UH, THIS MORNING. SO I'M GONNA GO GET A DRINK OVER THERE, AND THEN ABOUT SEVEN O 'CLOCK (7:00) OR SO I'M GONNA GO GRAB IT OUT AND HEAD THAT WAY. I'LL CALL YOU.

CARAZO: ALRIGHT. ALRIGHT, MAN.

PERRY: BUT I'LL DEFINITELY, DEFINITELY MAKE SURE I SEE YOU TONIGHT.

CARAZO:: ALRIGHT, MAN.

PERRY: ALRIGHT, BROTHER. THANKS.

.

During this conversation **PERRY** told **CARAZO** "I got that for you" and "I have it at my house." Your affiant believes, based on his involvement in the investigation of this matter, that **PERRY** told **CARAZO** that he had money for him but that it was at his house. **CARAZO** also indicated that he had to go to Birmingham, Alabama in the

morning. Based on earlier intercepts and the seizure of money which is described below, your affiant believes that **CARAZO** was indicating that he had to make a money drop in Alabama for the CRSB. [On February 25, 2010, air and land surveillance of **CARAZO** was undertaken. He left his residence in Mandeville at approximately 10:40 a.m. and drove to Hoover, Alabama which is located near Birmingham. At approximately 3:40 p.m. he met with a woman later identified as JLK in a strip mall parking lot. He was observed exiting his vehicle with a light colored envelope and getting into the car of JLK. He remained in the car for a short time, got into his car and drove back to Louisiana. JLK was stopped for a traffic violation shortly thereafter by the Hoover, Alabama Police Department. After the stop, a K-9 walked around the car and alerted for contraband. A subsequent search of the vehicle revealed \$150,000.00 wrapped in rubber bands inside a manila envelope. The currency was seized. Affiant has learned that the first name of the husband of JLK is "John."

64. On February 3, 2010 at approximately 11:47 a.m., a telephone conversation was intercepted between **PERRY** and **GD**. **GD** has been identified as a bettor with **PERRY**. The following is a portion of the telephone conversation:

GD: YES, SIR!
YO, BABY! WHAT'S HAPPENIN'?

PERRY: I NEED TO TALK... NOW I GOTTA WALK...

GD: WHAT HAPPENED?

PERRY: I HAVE TO WALK OUT OF THIS BUILDING. THAT'S WHY I WANTED

GD: YOU TO CALL ME LAST NIGHT.
I KNOW, I COULDN'T, I COULDN'T, BY THE TIME I GOT HOME IT

PERRY: WAS LATE. I DIDN'T WANNA BOTHER YOU TOO LATE.

GD: ALRIGHT. ALRIGHT.

GD: BY THE TIME I COULD LOOK AT IT. YOU WANNA CALL ME WHEN

PERRY: YOU'RE FREE?
[U/I]

GD: YEAH, I DID. YOU MUST'VE...

PERRY:

[VOICES OVERLAP]

GD: I'M IN THE YARD NOW. I'M ALRIGHT.

PERRY: YOU MUST'VE HIT ON THE, ON THE... WHEN YOU WENT ON THE

PERRY: COMPUTER, YOU MUST'VE HIT, UH, "IF WIN OR TIE."
HOW IN THE HELL WOULD I EVEN DO THAT? I DON'T KNOW

GD: WHICH... I MEAN....

PERRY: NO, NO, IT'S NOT A BIG DEAL. I'M GONNA TAKE CARE OF IT

PERRY: FOR YOU, BUT I'M JUST GONNA EXPLAIN TO YOU WHAT IT IS.
YEAH, BUT NO, I NEED TO KNOW WHAT I... [U/I]

GD:

[VOICES OVERLAP]

PERRY: RIGHT. THERE'S A BUTTON ON THE TOP OF THE SCREEN THAT

PERRY: SAYS, "IF WIN OR TIE." THE REASON IT'S THERE, AND THE REASON
PEOPLE USE IT... SAY YOU DON'T HAVE ENOUGH CREDIT, OR IF
YOU ONLY WANNA PLAY ONE [1] GAME IF THE OTHER GAME WINS,
BETTING ON IT AT THE SAME TIME, YOU CAN DO IT "IF WIN OR TIE"
WHICH MEANS IF THIS TEAM WINS, THEN THIS BET IS VALID; AND
IF THAT TEAM WINS, THEN THIS BET IS VALID. SO WHAT
HAPPENED WAS YOU MIGHT'VE JUST HIT THAT AND THEN
PUNCHED IN THREE [3] TEAMS THAT YOU WANTED, AND IT JUST,
THEY PUT THEM IN ORDER, AND THEN WHEN YOU HIT "SUBMIT" IT
WAS AN "IF WIN" PLAY. SO IF THE FIRST ONE WOULD'VE LOST,
EVEN IF THE OTHER TWO [2] WOULD'VE LOST, YOU WOULD'VE
ONLY GOT CHARGED FOR ONE [1], BECAUSE IF IT LOST, THE
OTHER TWO [2] WEREN'T VALID. BUT I, I SAW WHERE THE PLAY
WAS. I'M GONNA GO AHEAD AND CREDIT YOU FOR THE PLAY.
JUST MAKE SURE YOU DON'T CLICK THAT BUTTON WHEN YOU GO
AHEAD AND CLICK SOMETHING.

GD: I DON'T, I DON'T EVEN KNOW WHERE IT IS, ASH... [U/I]

[VOICES OVERLAP]
PERRY: IT'S ON, IT'S ON THE COMPUTER. NO, IT'S ALRIGHT. IT'S ON THE
COMPUTER, YOU'LL SEE IT. IT SAYS, "IF WIN OR TIE" ON IT...

[VOICES OVERLAP]
GD: [U/I], THE ONLY THING I DO IS STRAIGHT. I MEAN [U/I]

[VOICES OVERLAP]
PERRY: [U/I]. IT'S NO BIG DEAL. NO, NO, NO.
[U/I].

GD: NO, NO. I'M TAKING, I'M GONNA TAKE CARE OF IT. I'M GONNA

PERRY: CALL UP AND TAKE CARE OF IT. I JUST WANTED TO CALL YOU
'CAUSE I DIDN'T [U/I].
ALRIGHT.

GD: SO I'LL GIVE YOU A SHOUT, UH, WHENEVER. WHEN YOU GONNA

PERRY: BE FREE?
WHY? YOU WANNA COLLECT?

GD: YEAH, NO, NO, IF YOU WANT TO, WHATEVER. YOU [U/I], 'CAUSE I, I
PERRY: SAW IT WAS UP THERE.

GD: [STUTTERS] I'M FREE RIGHT NOW AND I'LL MEET YOU SOME
PLACE.

PERRY: ALRIGHT, WELL, NO, NO. I'LL CALL YOU WHEN I... [STUTTERS] YOU
GONNA BE OUT IN NEW ORLEANS?

.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** and **GD** discussed a wager **GD** made on the computer. **PERRY** told **GD** that he must have selected "win or tie" for a wager he made on the Internet web site. **PERRY** explained how the "win or tie" selection works. **GD**

told **PERRY** that “the only thing I do is straight (straight wager).” **GD** inquired if **PERRY** wanted to “collect.”

65. On December 12, 2009 at approximately 3:11 p.m., a telephone conversation was intercepted between **PERRY** and **CHRIS LNU**. The following is a portion of the telephone conversation.

CHRIS: HELLO, HELLO.
HEY, WHAT’S HAPPENING MY MAN?
PERRY:
WHAT’S UP MY FRIEND?
CHRIS:
NA, I GOT TIED UP EARLIER. WHAT EXACTLY YOU NEED
PERRY:
NOW? WHO IS IT?
UHM, IT’S A BUDDY OF MINE. UH, NAME [SK].
CHRIS:
ALRIGHT.
PERRY:
HE, HE OWNS, OWNS A []COMPANY IN
CHRIS:
METAIRIE.
PERRY:
ALRIGHT. SO YOU WANT THE PASSWORD TO BE UNDER
STEVE?
CHRIS:
YEAH, THE PASSWORD WOULD BE STEVE AND THEN WHEN
UH. HOW WE WORK THE NUMBER OUT?
PERRY:
I’M GONNA GET A NUMBER FOR YOU RIGHT NOW. WHAT
KIND OF LIMITS? WHAT KIND OF LIMITS YOU’RE ON?
CHRIS:
UH...A THOUSAND (1,000).
PERRY:
ALRIGHT. SO YOU WANT THE SAME THING?
CHRIS:
YEAH.
PERRY:
YOU GOT IT. GIVE ME A COUPLE MINUTES. I’LL CALL YOU
RIGHT BACK.

.

Your affiant believes, based on his involvement in the investigation of this matter, that

during this conversation **PERRY** and **CHRIS** discussed SK who is a friend of **CHRIS** and, who wanted a betting account established. **CHRIS** told **PERRY** the password would be "Steve." **PERRY** inquired what the betting limit would be. **CHRIS** told **PERRY** the betting limit would be \$1,000.00. **PERRY** told **CHRIS** to give him a couple of minutes and **PERRY** would call **CHRIS** back.

66. On December 12, 2009 at approximately 3:13 p.m., a telephone conversation was intercepted between **PERRY** and **CHRIS LNU**. The following is a portion of the telephone conversation:

CHRIS: HELLO?
THIRTY-THREE, FIFTEEN (33-15)
PERRY:
THIRTY-THREE, FIFTEEN (33-15), AND, UH... HOW'D YOU SPELL
CHRIS:
STEVE? S-T-E-V-E?
S-T-E-V-E. YOU GOT IT.
PERRY:
ALL RIGHT. WHAT WAS THE NUMBER AGAIN?
CHRIS:
THREE, THREE, ONE, FIVE (3-3-1-5).
PERRY:
THREE, THREE, ONE, FIVE (3-3-1-5). ALL RIGHT. THANK YOU, BRO'.
CHRIS:
THANK YOU, BUDDY.
PERRY:
BYE.
CHRIS:

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** and **CHRIS** discussed SK's betting account. **PERRY** told **CHRIS** the number was 3315." Your affiant knows the number "33" represents the runner for **PERRY** and the number "15" represents the bettor number. **CHRIS** asked **PERRY** to spell the password which was "Steve."

67. On February 25, 2010 at approximately 3:23 p.m., a telephone

conversation was intercepted between **PERRY** and **CHRIS LNU**. The following is a portion of the telephone conversation:

PERRY: HELLO?

CHRIS: HEY, ASH.

PERRY: YO, YO.

CHRIS: HEY, I GOT A QUESTION FOR YOU.

PERRY: YES, SIR?

CHRIS: UM, I DON'T, I DON'T KNOW IF Y'ALL DO IT, BUT IF YOU ACCIDENTALLY, UH, PUT A WRONG BET IN, DO Y'ALL TAKE IT OFF? I MEAN, IF IT'S FOR TONIGHT?

[VOICES OVERLAP]

PERRY: IT'S, IT'S... YEAH, IF THE GAME NEVER WENT, YEAH, SURE.

CHRIS: ALRIGHT. HOW DO I, HOW DO I GO ABOUT DOING THAT?

PERRY: HAS THE LINE CHANGED YET?

CHRIS: NO.

PERRY: UM... YOU GOT, YOU GOT THE PHONE? DO YOU DIAL THE NUMBER, OR YOU USE THE INTERNET?
I USE THE INTERNET.

CHRIS: EIGHT [8], SIX [6], SIX [6]...

PERRY: ALRIGHT.

CHRIS: ...NINE [9], OH [0], FIVE [5]...

PERRY: ALRIGHT.

CHRIS: ...ZERO [0], ZERO [0], THREE [3], FIVE [5].

PERRY: ZERO [0], ZERO [0], THREE [3], FIVE [5]. AND JUST TELL

CHRIS: THEM MY ACCOUNT NUMBER AND, UH...

PERRY: TELL THEM YOUR ACCOUNT AND WHATEVER PASSWORD,
AND TELL THEM WHAT HAPPENED. IF THERE'S A PROBLEM,
THEY'LL CALL ME.
ALRIGHT.

CHRIS:

PERRY: THANK YOU, BROTHER.

.

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** and **CHRIS** discussed how to take a bet off once it has been made. **PERRY** told **CHRIS** they sure do as long as the "game never went."
PERRY asked **CHRIS** if he made a the bet over the "phone or Internet." **CHRIS** told **PERRY** he used the "Internet." **PERRY** have **CHRIS** the number to the CRSB. **PERRY** told **CHRIS** to contact them, give his user name and password, and explain what happened. **PERRY** told **CHRIS** if there was a problem they would call him.

68. On March 25, 2010 at approximately 3:27 p.m., a telephone conversation was intercepted between **PERRY** and **JL**. [**JL** is a co-worker of **CRAIG GOODWIN**.] The following is a portion of the telephone conversation:

PERRY: HELLO.
HEY! THIS IS JEFF.

JL:

PERRY: HEY, JEFF! ASH. WHAT'S HAPPENIN' BABY?

JL: WHAT'S UP, MAN?

PERRY: NOT A WHOLE LOT. HOW YOU DOIN'?

JL: AW, MAN, JUST GOT FINISHED HACKING SOME BALLS ON
THE COURSE, MAN.

[NON-PERTINENT CONVERSATION]

PERRY: UHM, I WAS JUST GONNA SEE IF YOU WERE GONNA BE AROUND TOMORROW.
FOR?

JL: FOR THAT THING. YOU KNOW, ABOUT THAT THING. I THINK

PERRY: IT WAS SIX-FIFTY [650] I HAD TO GET FROM YOU, FOR LAST WEEK.
OH. SEE I...YOU KNOW, I DIDN'T...I DIDN'T PLAN ON...I JUST

JL: KEPT PLAYING, YOU KNOW... ASH?
WHATCHA MEAN?

PERRY: WELL, I MEAN, I'M JUST...I MEAN, SIX HUNDRED [600]...I WAS

JL: UP TWENTY-FIVE HUNDRED [2500] TWO [2] WEEKS AGO AND I JUST KEPT PLAYING, YOU KNOW. AND THEN I LOST IT ALL, AND THEN I, YOU KNOW, AND THEN I HAD TO PAY YOU TWO THOUSAND [2000]. YOU KNOW WHAT I'M SAYING?
YEAH, BUT WE SETTLE UP BY WHAT THE END OF THE WEEK

PERRY: IS, NO?
WHAT'S THAT?

JL: WE SETTLE...BEEN SETTLING UP ON WHAT THE END OF

PERRY: THE WEEK IS. CORRECT?

JL: WELL, WE'VE JUST BEEN SETTLING, YOU KNOW,
DEPENDING ON, YOU KNOW, WHERE WE'VE BEEN, YOU KNOW?
[U/I]...

PERRY:

[VOICES OVERLAP]
JL: WHEN I GET DOWN FIFTEEN [15]... YOU KNOW, WHEN I GET DOWN OVER FIFTEEN [15] TO TWO THOUSAND [2000] I... YOU KNOW, I PAY YOU. YOU KNOW? I KIND... I ALWAYS THOUGHT...

[VOICES OVERLAP]
PERRY: ALL RIGHT, WE GOTTA... WE GOTTA...

JL: ...I MEAN, I MEAN...MY, MY THING IS, ASH, I'VE BEEN UP A

COUPLE OF TIMES AT EIGHT...NINE HUNDRED [800 – 900],
YOU KNOW, AND I JUST KEPT PLAYING, I NEVER ASKED TO
GET PAID FOR THAT, YOU KNOW.
NO, I KNOW WHAT YOU MEAN. I KNOW [U/I]...

PERRY:

[VOICES OVERLAP]

JL:

I USUALLY ONLY...I ONL... USUALLY ONLY ASK TO GET PAID
WHEN I'M UP, YOU KNOW...

[VOICES OVERLAP]

PERRY:

IT'S NOT A... YEAH, IT'S NOT A BIG DEAL, BUT LET'S START
RIGHT NOW. IT'S NOT A BIG DEAL AT ALL. LET'S START
RIGHT NOW. NO MATTER WHAT IT IS, LET'S START
SETTLING EVERY WEEK, 'CAUSE I KNOW FOUR [4] OR FIVE
[5] WEEKS IN A ROW I WAS OVER THERE. I JUST [U/I]...

[VOICES OVERLAP]

JL:

YEAH, I MEAN, I, I, UNDERSTAND THAT, BUT I'VE BEEN UP...

[VOICES OVERLAP]

PERRY:

[U/I].

JL:

...YOU KNOW, I'VE BEEN UP EIGHT...YOU KNOW, I USUALLY
DON'T ASK YOU. WHEN I'M UP EIGHT HUNDRED [800], NINE
HUNDRED [900] I DON'T ASK YOU FOR THAT...

[VOICES OVERLAP]

PERRY:

NO, I KNOW [U/I] BUT MY PROBLEM IS... MY PROBLEM IS...

JL:

YOU KNOW?

PERRY:

...IT WAS JUST THE AGGRAVATION OF SOME OTHER SHIT
OVER THERE, SO LET'S START SETTLING UP EVERY WEEK.
[U/I]...

JL:

[VOICES OVERLAP]

PERRY:

YOU DON'T HAVE TO DO IT THIS WEEK. CARRY THIS WEEK
OVER, BUT NO MATTER WHAT IT IS AT THE END OF THE

WEEK, WE'LL SETTLE UP... AFTER SUNDAY. FROM NOW ON.

JL: YEAH. I MEAN, I DON'T, I DON'T KNOW WHY YOU'RE ASKING FOR SIX HUNDRED [600], ASH, WHEN I... YOU KNOW, I'VE BEEN UP NINE HUNDRED [900] A BUNCH OF TIMES AND I DON'T ASK FOR IT.
[U/I]...

PERRY:

[VOICES OVERLAP]
JL: NOW I WAS UP TWEN... I MEAN, ASH, MY THING IS I WAS UP TWENTY-FIVE HUNDRED [2500] TWO [2] WEEKS AGO AND I JUST... YOU KNOW, SHIT, I HAD LIKE TWENTY-FIVE HUNDRED [2500] AT RISK, YOU KNOW, AND I ENDED UP LOSING IT ALL, SO YOU DIDN'T... YOU KNOW, I DIDN'T HAVE... YOU DIDN'T HAVE TO PAY ME THAT WEEK. YOU KNOW WHAT I'M SAYING?
WELL, THAT'S... WELL, AND I TOTALLY UNDERSTAND... [U/I]...

PERRY:

[VOICES OVERLAP]
JL: YOU KNOW, DON'T... YOU KNOW, DON'T...

JL:

[VOICES OVERLAP]
PERRY: WAIT, HOLD ON REAL QUICK. HOLD ON.

PERRY:

[VOICES OVERLAP]
JL: ...MY THING IS DON'T...

JL:

[VOICES OVERLAP]
PERRY: HOLD ON ONE SECOND.

PERRY:

JL: MY THING IS DON'T....

JL:

PERRY: YOU THERE?

PERRY:

JL: YEAH. MY THING IS DON'T... YOU KNOW, WHATEVER

JL:

HAPPENS WITH YOUR OTHER PEOPLE OVER THERE WHO AREN'T PAYING YOU, YOU KNOW, DON'T... YOU, YOU CAN'T HOLD THAT AGAINST ME.

PERRY: I'M NOT HOLDIN'... I'M NOT...

[VOICES OVERLAP]
KNOW WHAT I'M SAYING?

JL:

... WHOA, WHOA, LISTEN, LISTEN... LISTEN TO ME. I'M

PERRY:

NOT HOLDIN' IT AGAINST YOU. I'M SAYING, CARRY THIS WEEK, THAT'S NOT A PROBLEM. FROM NOW ON, STARTING NEXT WEEK, NO MATTER WHAT IT IS, IF YOU UP FIFTEEN THOUSAND [15,000], WHATEVER, WE'VE ALWAYS SETTLED IN FULL. I JUST WANNA START SETTling UP EVERY WEEK... IF THAT MAKES SENSE.

JL:

YEAH. WELL... I DON'T, YOU KNOW, I...[STUTTERS]... WHEN

I'M UP NINE HUNDRED [900] AND I DON'T ASK YOU FOR MONEY...

[VOICES OVERLAP]
BUT [U/I] WHEN, WHEN WERE YOU UP NINE HUNDRED [900]

PERRY:

OVER THE LAST COUPLE OF MONTHS WHEN WE STARTED SETTling UP EVERY TIME?

JL:

WELL, THE TIMES YOU PAID ME, I'VE GOTTEN PAID, YOU

KNOW, FOURTEEN HUNDRED [1,400], TWENTY-FIVE HUNDRED [2,500]...I MEAN, THAT'S A BIG SUM OF MONEY. I MEAN, WHEN I'M UP, I...LIKE I SAID, ASH, I'VE BEEN UP, I'VE BEEN UP NINE HUNDRED [900] FOUR [4] OR FIVE [5] TIMES, AND I'VE NEVER ASKED, UH, TO GET PAID.

PERRY:

NO PROBLEM. ALL I'M ASKING YOU TO DO...[U/I]... LISTEN...

[VOICES OVERLAP]
YOU KNOW WHAT I'M SAYIN'? AND THEN I WAS UP, I WAS

JL:

UP TWENTY-FIVE HUNDRED [2,500] TWO [2] WEEKS AGO AND I STILL DIDN'T..., YOU KNOW, I, I WAS GONNA GET PAID BUT I KEPT PLAYING, YOU KNOW? I PUT TWEN... BUT YOU, YOU WOULD'VE BEEN PAID...

PERRY:

[VOICES OVERLAP]
... I MEAN, I COULD'VE SAT ON IT...

JL:

[VOICES OVERLAP]
... I WOULD'VE CAME AND PAID YOU, YOU WOULD HAVE
PERRY:
[U/I]...

[VOICES OVERLAP]
MAN, YOU GOT...MY THING IS, ASH, YOU GOT PEOPLE THAT
JL:
ARE DOWN TWO THOUSAND [2,000], FIFTEEN HUNDRED
[1,500], A THOUSAND [1,000]...YOU KNOW, CALL THEM UP.
YOU KNOW WHAT I'M SAYING?
PERRY: I DID CALL THEM UP. [STUTTERS]...YOU SAID YOU HAVE

NOTHING TO DO WITH THEM, CORRECT?
JL: YOU KNOW, I MEAN, I...[U/I]...

[VOICES OVERLAP]
[U/I].

PERRY:
... SIX HUNDRED [600]... TO ME, WHAT'S THE

JL:
DIFFERENCE BETWEEN SIX HUNDRED [600] AND FIVE
HUNDRED [500]? YOU KNOW WHAT I'M SAYING.
OKAY, WHAT'S THE DIFFERENCE BETWEEN THREE

PERRY:
HUNDRED [300] AND SIX HUNDRED [600]...

[VOICES OVERLAP]
I DON'T... I THINK WHEN IT GETS, WHEN IT GETS TO BIG
JL:
MONEY, YOU KNOW, OVER A THOUSAND [1000], YOU KNOW,
I THINK THAT, YOU KNOW, YOU NEED TO GET PAID. I'VE
ALWAYS PAID YOU.

[VOICES OVERLAP]
YEAH, OKAY, WELL, LET'S DO... LET'S DO THIS...

PERRY:
I'VE ALWAYS PAID YOU.

JL:
... LET'S DO THIS. LET'S DO THIS. LET'S MAKE AN
PERRY:
ARRANGEMENT RIGHT NOW, WHEN THE FIGURE GETS
OVER WHAT...WHICH WAY...SO THERE'S NO
DISAGREEMENTS AND THERE'S NO ARGUMENTS. YOU TELL
ME WHAT YOU WANT TO SETTLE UP AT ON WHAT FIGURE.

JL: I, I SAY A THOUSAND'S [1,000] GOOD, I MEAN, FIVE HUNDRED [500], YOU KNOW, TO ME, IS...

PERRY: WELL, THAT'S FINE. EITHER WAY, OVER A THOUSAND [1000] OR SETTLE UP ON FRIDAY LIKE WE'VE BEEN DOING. THAT'S GOOD FOR YOU?

JL: A THOUSAND'S [1,000] GOOD. I MEAN, I...

[VOICES OVERLAP]

[U/I]...

PERRY: ... LIKE I SAID, I'VE NEVER ASKED FOR...WHEN I'M UP

JL: EIGHT HUNDRED [800]...NINE HUNDRED [900]...

[VOICES OVERLAP]

PERRY: ... IT'S NOT A BIG DEAL. LET'S JUST...

[VOICES OVERLAP]

JL: ... I KEEP PLAYING.

PERRY: ... I UNDERSTAND WHAT YOU'RE SAYING. LET'S JUST

START FROM RIGHT NOW, AND IF YOU'RE UP, LIKE YOU WERE LAST TIME, ON TWENTY-FIVE HUNDRED [2500], IF YOU DOWN TO TWO [2], I DON'T MIND BRINGING YOU TWENTY-FIVE HUNDRED [2,500], JUST MAKE SURE YOU GOT MY FORTY-FIVE [45] THE FOLLOWING WEEK.

[VOICES OVERLAP]

JL: NAH, I MEAN, I... YEAH, I DIDN'T WANNA... YOU KNOW, LIKE I

SAID, I LOS...THAT WAS ME. I LOST IT ALL, SO, I MEAN, I WASN'T GONNA ASK YOU TO GIVE ME TWENTY-FIVE HUNDRED [2,500] AND THEN I GOTTA GIVE YOU THE TWENTY-FIVE HUNDRED [2,500] RIGHT BACK. YOU KNOW? RIGHT, YOU WOULD'VE HAD TO GIVE ME FORTY-FIVE

PERRY: HUNDRED [4,500] RIGHT BACK 'CAUSE YOU WERE DOWN TWO [2] PLUS THE TWENTY-FIVE HUNDRED [2,500].

JL: RIGHT. WELL, I ENDED UP PAYING YOU...I GAVE YOU THE...

PERRY: NO, NO, I UNDERSTAND. BUT MY POINT IS...

JL: YOU KNOW?
PERRY: ... MY, MY POINT IS...
JL: YEAH.
PERRY: IF WE'RE GONNA CALL IT A THOUSAND [1000], LET'S CALL IT A THOUSAND [1000]. STARTING...AFTER THIS SUNDAY [U/I]...
[VOICES OVERLAP]
JL: YOU KNOW, MY THING IS, IT'S A LOT, IT'S A LOT EASIER FOR ME, ASH, TO GET DOWN A THOUSAND [1,000], FIFTEEN HUNDRED [1,500], THAN IT IS FOR ME TO GET UP FIFTEEN HUNDRED [1,500]. YOU KNOW? YOU KNOW WHAT I'M SAYING? SO...ALRIGHT, MAN. YOU, YOU JUST TELL...YOU TELL ME WHAT YOU WANNA DO.
PERRY: YOU TELL ME HOW YOU WANNA DO IT, AND WE'RE GONNA KEEP IT THAT WAY.
JL: I DON'T KNOW. I, I DON'T WORRY ABOUT NUMBERS, ASH. I'VE ALWAYS WENT, YOU KNOW, 'CAUSE I LIKE TO PLAY, SO WHEN I GET DOWN, OBVIOUSLY I GOTTA PAY...
[VOICES OVERLAP]
PERRY: I... I UN... I UNDERSTAND THAT.
JL: ... I GOTTA PAY SO I CAN PLAY. YOU KNOW WHAT I'M SAYING?
PERRY: I UNDERSTAND THAT. [U/I]...
[VOICES OVERLAP]
JL: LET ME ASK YOU THIS. HAVE YOU HAD A...LET ME ASK YOU THIS, HAVE YOU HAD A PROBLEM WITH ME...PAYING OR NOT PAYING?
PERRY: I'M NOT... I'M NOT SAYING I HAD A PROBLEM. HAVE YOU HAD A PROBLEM WITH ME PAYING?
JL: NO, YOU, YOU GOTTA DEAL WITH THEM OTHER GUYS. I MEAN, I, I WOULDN'T COME HASSLING ME...

[VOICES OVERLAP]
I'M NOT HASSLING...

PERRY:

[VOICES OVERLAP]
...[U/I].

JL:
PERRY: WHOA, WHOA, WHOA. LISTEN REAL QUICK. I'M NOT HASSLING YOU. I'M TRYING TO MAKE A PLAN FOR HERE ON OUT. IF YOU TELL ME YOU WANNA MAKE IT AFTER A DIME, THAT'S FINE. YOU TELL ME WHAT YOU WANT TO DO, AND THAT'S HOW WE'LL DO IT. I JUST WANT SOMETHING SET IN STONE.
YEAH.

JL: YOU TELL ME WHAT YOU WANT.

PERRY: ALRIGHT. YEAH, I MEAN, THAT'S...YOU KNOW, I, I JUST

JL: THINK FIVE HUNDRED [500] IS JUST KIND OF A LOW NUMBER. YOU KNOW, THAT'S KIND'A...

[VOICES OVERLAP]
YEAH, YOU, YOU... I'M ASKING YOU FOR A NUMBER. YOU

PERRY: TELL ME A THOUSAND [1,000], LET'S GO WITH A THOUSAND [1,000].
THAT'S...[STUTTERS]...THAT'S FINE.

JL: OKAY, SO AFTER SUNDAY, IF THE FIGURE IS UP OR DOWN

PERRY: OVER A THOUSAND [1000], WE'LL SETTLE UP ON IT. SOUNDS GOOD.

JL: YOU GOT IT, BUDDY. THANKS.

PERRY: ALRIGHT. BYE.

JL:

Your affiant believes, based on his involvement in the investigation of this matter, that during this conversation **PERRY** and **JL** discussed **JL** who owed **PERRY** \$650.00 for lost wagers. **JL** was aggravated because he previously won \$2,500.00 two weeks

before from bets wagered. JL told **PERRY** he kept playing and did not ask for his money from winning bets. **PERRY** wanted to settle up weekly with JL. Both agreed to settle up at \$1,000.00 "either way."

FURTHER AFFIANT SAYETH NOT.

Todd V. Key
Special Agent
Immigration and Customs Enforcement

Sworn to and subscribed before me on this _____ day of April, 2010 at New Orleans Louisiana.

HON. LOUIS MOORE, JR.
United States Magistrate Judge
Eastern District of Louisiana