

12 MAG 621

Approved: Peter Skinner
PETER SKINNER
Assistant United States Attorney

Before: THE HONORABLE RONALD L. ELLIS
United States Magistrate Judge
Southern District of New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	SEALED
UNITED STATES OF AMERICA	:	<u>COMPLAINT</u>
	:	
- v. -	:	Violation of 21 U.S.C.
	:	§ 846
MEHRDAD SAMOUKIAN,	:	
a/k/a "Hormuz,"	:	COUNTY OF OFFENSE:
a/k/a "Mehrdad Samoukiam-Most,"	:	NEW YORK
	:	
Defendant.	:	

----- X
SOUTHERN DISTRICT OF NEW YORK, ss.:

SCOTT JOSEPH URBEN, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation, and charges as follows:

COUNT ONE

1. From at least in or about August 2011, up to and including at least on or about December 23, 2011, in the Southern District of New York and elsewhere, MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrdad Samoukiam-Most," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrdad Samoukiam-Most," the defendant, and others known and unknown, would and did possess with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

3. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of opium, in violation of 21 U.S.C. § 841(b)(1)(C).

Overt Act

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about November 4, 2011, MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrdad Samoukiam-Most," the defendant, met in New York, New York with another co-conspirator not named as a defendant herein ("CC-1") and delivered opium to CC-1.

(Title 21, United States Code, Section 846.)

The bases for my knowledge and for the foregoing charge, are, in part, as follows:

5. I am a Special Agent with the Federal Bureau of Investigation, and I have been personally involved in the investigation of this matter. This affidavit is based upon my own observations, my conversations with other law enforcement agents and others, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

6. Based on my conversations with other law enforcement officers, I learned that in or about August 2011, a cooperating witness (the "CW")¹ informed law enforcement agents, in substance and in part, the following:

a. The CW knew individuals born in Iran who resided in New York, California, Turkey, Germany and Iran who were involved in the smuggling of opium into the United States. Those individuals hid opium in Persian rugs that originated in Iran, were transported to Germany, and were then sent from Germany to the United States.

¹ The CW has pleaded guilty to a narcotics offense and is awaiting sentencing in connection with that offense. The CW is cooperating with the Government in the hope of receiving a benefit at sentencing. Information that the CW has provided has proven reliable and has been corroborated by independent law enforcement investigation, including the investigation described below.

b. The CW identified CC-1 as a source of supply for opium and Persian rugs. The CW stated that CC-1 had told the CW that CC-1 obtained opium and Persian rugs from Iran in the following manner:

i. A co-conspirator not named as a defendant herein ("CC-2") was a rug repairer and opium dealer located in Mashad, Iran, who obtained opium from nomads residing in the border region between Iran and Afghanistan.

ii. CC-2 hid opium in Persian rugs and drove the rugs and opium from Iran to Hamburg, Germany, where he/she maintained a residence.

iii. CC-2 sent the opium from Hamburg to CC-1 in New York by shipping Persian rugs to New York and hiding the opium in those rugs.

iv. CC-1 sold opium that he/she received from CC-2 and from others to rug merchants in New York, Los Angeles, Washington, D.C., and elsewhere.

7. Based on my conversations with other law enforcement officers, I learned that from on or about August 19, 2011 until on or about September 28, 2011, the CW made three purchases of substances that tested positive for opiates from CC-1. CC-1 accepted payment in New York, New York for the substances containing opiates. The total weight of the substances was approximately 235 grams.

8. Based on my conversations with other law enforcement officers, I learned that the CW met with CC-1 on or about October 17, 2011. The CW used a recording device to record his/her meeting with CC-1. The CW and CC-1 spoke Farsi during the meeting. Based on my review of a draft translation of that recorded meeting, I learned, in substance and in part, the following:

a. At approximately 11:37 a.m., CC-1 told the CW that he/she had a contact in New York named "Hormuz" who supplied opium to CC-1.

b. At approximately 11:50 a.m., the CW asked CC-1 for "one kilo" of opium. CC-1 stated that he/she would "get it," but that it would have to be "delivered in two sessions." CC-1 added that he/she would have to "send it under an alias name" and that he/she would have to "put it in a box" because he/she could "not send it in a rug." The CW asked if CC-1 would

"send it tomorrow." CC-1 replied that he/she would call "him [Hormuz] right now" and that "he [Hormuz] will deliver it tomorrow." CC-1 continued that he/she would then "mail it" to the CW.

c. At approximately 11:53 a.m., the CW's recording device captured the sound of a phone being dialed. The CW reported to other agents that at approximately this time during his/her meeting with CC-1, CC-1 used his/her cellphone to place a phone call to "Hormuz," but "Hormuz" did not answer his phone.

d. Shortly thereafter, the CW's recording device captured the sound of a telephone ringing. The CW reported to other agents that at approximately this time during his/her meeting with CC-1, CC-1's cellphone rang, and CC-1 answered the phone.

e. CC-1 was then recorded saying, in substance and in part, that he/she "needs the rug for tomorrow." Shortly thereafter, CC-1 stated that he/she would be "in town tomorrow" and that when "you call I will go downstairs." The CW then asked CC-1 who was "on the phone," and CC-1 responded, "Hormuz."

9. Based on my review of pen data for a telephone ("Cellphone-1") used by CC-1, I learned that on or about October 17, 2011, at approximately 11:53 a.m., Cellphone-1 received a thirty-nine second call from a telephone with call number XXX-XXX-2765 ("Cellphone-2").

10. On or about October 18, 2011, a United States District Judge in the Southern District of New York signed an Order authorizing the interception of wire communications over Cellphone-1. The following calls were intercepted pursuant to that interception Order²:

² The descriptions of phone calls set forth in this Affidavit are based upon my review of logs and summaries completed by the agents monitoring the intercepted phone calls. To the extent that the descriptions include quotations, those quotations are based on preliminary translations of the conversations, many of which occurred in Farsi or Azari, and are subject to revision upon further review of the conversations. Based on my training, experience and investigation of this case, I have also included interpretations of certain terms and phrases, as well as the content of certain of the calls. These interpretations are preliminary, and are subject to revision upon receipt of the full transcripts of the conversations, and as new information is

a. On or about October 25, 2011, at approximately 4:40 p.m., CC-1 used Cellphone-1 to place a call to another co-conspirator not named as a defendant herein ("CC-3"), who was using a telephone with call number XXX-XXX-7325 ("Cellphone-3"). At the end of the call, CC-1 told CC-3 that "there are a few requests." CC-3 responded, "Hassan has nothing, but there is this guy who is the friend of Ali, and I do not want to discuss any matter with you on the phone." CC-1 and CC-3 then agreed to meet the following day. Based on my experience, training, and investigation of this matter, I believe CC-1 was telling CC-3 that he/she had requests for opium, and CC-3 responded that one of CC-3's sources of supply did not have any opium, but that he/she may be able to get opium from an alternative source of supply.

b. On or about October 27, 2011, at approximately 5:37 p.m., CC-3 used Cellphone-2 to call CC-1, who was using Cellphone-1. CC-3 told CC-1 that "the guy" was "going to be here on Sunday," and that "he says he is not going to sell it for less than \$35 a foot." Based on my experience, training, and investigation of this matter, I believe CC-3 was telling CC-1 in this call that CC-3 had an opium supplier who was willing to sell opium at a rate of \$35,000 per kilogram. In the course of this investigation, I have learned that CC-3 and other co-conspirators are involved in the importation of Persian rugs from Iran, and I believe that CC-3 and the other co-conspirators often use codes, such as "carpet," to refer to opium, and lengths, such as "meters" or "feet," to refer to weights of opium.

c. On or about November 4, 2011, at approximately 12:11 p.m., CC-1 used Cellphone-1 to place a call to Cellphone-2. CC-1 spoke with a male subsequently identified as MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrdad Samoukiam-Most," the defendant. CC-1 asked SAMOUKIAN whether he was "coming today." SAMOUKIAN replied in the affirmative. CC-1 said that he/she "needs two of the one hundreds." SAMOUKIAN asked whether CC-1 wanted "the same as the samples." CC-1 replied affirmatively and added that he/she wanted "more" but that he/she "didn't have the money." SAMOUKIAN asked whether CC-1 wanted "both one hundreds together or separately," and CC-1 answered that he/she preferred to have them "separately." Based on my experience, training, and investigation of this matter, I believe CC-1 called SAMOUKIAN to request two hundred grams of opium. SAMOUKIAN clarified whether CC-1 wanted two one-hundred-gram bricks of opium, or one two-hundred-gram brick of opium, and CC-1

gathered in the course of the investigation.

answered that he/she wanted them "separately," or in two one-hundred-gram bricks.

d. On or about November 4, 2011, at approximately 2:22 p.m., CC-1 received a call on Cellphone-1 from SAMOUKIAN, who was using Cellphone-2. SAMOUKIAN told CC-1 that he would "be there" in "fifteen to twenty minutes" and that CC-1 should "have seven thousand six hundred ready." Based on my experience, training, and investigation of this matter, I believe the purpose of this call was to arrange a meeting between CC-1 and SAMOUKIAN at which SAMOUKIAN would sell opium to CC-1. I further believe SAMOUKIAN told CC-1 to have payment in the amount of \$7,600.

e. On or about November 4, 2011, at approximately 2:33 p.m., CC-1 received a call on Cellphone-1 from SAMOUKIAN, who was using Cellphone-2. SAMOUKIAN told CC-1, "I am here" and to meet him "at the corner of 30th next to the deli." Based my experience, training, and investigation of this matter, I believe the purpose of this call was to arrange a meeting on a street corner in Manhattan between CC-1 and SAMOUKIAN, at which time SAMOUKIAN would deliver two hundred grams of opium to CC-1.

11. Based on my conversations with other agents who were conducting surveillance of CC-1 on or about November 4, 2011, I learned that immediately following the phone call described above in paragraph 10.e., agents observed CC-1 meet on the corner of 30th Street and Madison Avenue with a male adult subsequently identified as MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrdad Samoukiam-Most," the defendant. The meeting occurred in front of a deli. The agents observed an exchange between SAMOUKIAN and CC-1. I believe SAMOUKIAN gave CC-1 two one-hundred-gram bricks of opium, as discussed in the calls described above.

12. Based on my conversations with other agents, I learned that on or about November 7, 2011, agents conducting surveillance in New York, New York of CC-1 observed the individual who had met with CC-1 on or about November 4, 2011 (those same agents were conducting surveillance of CC-1 and SAMOUKIAN on or about November 4, 2011). Those agents photographed the individual who had met with CC-1. Based on information I received from the service provider for Cellphone-2, I learned that the phone was subscribed to "Mehrdad Samoukiam-Most" at an address in Roslyn Heights, New York (the "Roslyn Heights Address"). Based on a review of law enforcement databases for that name and address, I obtained a photograph of an individual identified as "Mehrdad Samoukian." I have compared

the photograph from the law enforcement databases to the photograph of the individual who met with CC-1, and it appears to me to be the same person. Accordingly, I believe MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrdad Samoukiam-Most," the defendant, spoke to CC-1 in the calls described above and met with CC-1 on or about November 4, 2011 and November 7, 2011.

13. The following calls were intercepted pursuant to the court-authorized wiretap on Cellphone-1 described above:

a. On or about November 15, 2011, at approximately 2:15 p.m., CC-1 received a call on Cellphone-1 from MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrdad Samoukiam-Most," the defendant, who was using Cellphone-2. SAMOUKIAN told CC-1, "Meet me downstairs and bring 2,300." Based on my experience, training, and investigation of this matter, I believe SAMOUKIAN was requesting a meeting with CC-1 at which time CC-1 would pay SAMOUKIAN \$2,300 for opium. Shortly after this conversation, agents conducting surveillance of CC-1 observed CC-1 leave his workplace in New York, New York, meet on the street with SAMOUKIAN, and walk around the block with SAMOUKIAN.

b. On or about November 22, 2011, at approximately 2:23 p.m., CC-1 received a call on Cellphone-1 from SAMOUKIAN, who was using Cellphone-2. CC-1 told SAMOUKIAN that the "check" was "ready" and that he/she would "be right there." SAMOUKIAN responded, "seven thousand four hundred and fifty" and told CC-1 to "come downstairs." Based on my experience, training, and investigation of this matter, I believe that CC-1 and SAMOUKIAN were discussing a \$7,450 payment that CC-1 was providing to SAMOUKIAN for opium.

14. On or about December 2, 2011, a United States District Judge in the Southern District of New York signed an Order authorizing the interception of wire communications over Cellphone-3, which was used by CC-3. The following calls were intercepted pursuant to that interception Order:

a. On or about December 22, 2011, at approximately 6:50 p.m., CC-3 received a call on Cellphone-3 from another co-conspirator not named as a defendant herein ("CC-4"), who was using a telephone with call number XXX-XXX-8456 ("Cellphone-4"). CC-4 asked CC-3 whether CC-3 had been "able to get some sweet syrup." CC-3 said that he/she would call CC-4 back. Based on my experience, training, and investigation of this matter, I believe CC-4 was seeking to buy opium ("sweet syrup") from CC-3.

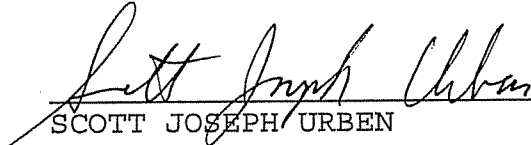
b. On or about December 23, 2011, at approximately 2:25 p.m., CC-3 used Cellphone-3 to call CC-4 on Cellphone-4. CC-3 told CC-4 that he/she had "not been able to do much" and that he/she had been "calling around" and the only person "who can give it for \$40.00 is Hormuz." CC-3 added that "Hormuz is very close" to CC-4 and is near "exit 37." CC-4 responded, "Hormuz does not know me." CC-3 answered that this was "no problem" because he/she had "informed Hormuz" and given him CC-3's number. Later in the call, CC-3 told CC-4 to "get seven or eight until you can find someone else." CC-3 further gave CC-4 the number for Cellphone-2. Based on my experience, training, and investigation of this matter, I believe CC-3 was telling CC-4 to contact MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrddad Samoukiam-Most," the defendant, on Cellphone-2 and that SAMOUKIAN would meet CC-4 to sell opium to CC-4.

c. On or about December 23, 2011, at approximately 2:31 p.m., CC-3 used Cellphone-3 to call SAMOUKIAN on Cellphone-2. During the call, CC-3 identified SAMOUKIAN as "Hormuz." CC-3 told SAMOUKIAN that he/she was "sending a dear friend" and that SAMOUKIAN should "give it to him." CC-3 further gave SAMOUKIAN the number for Cellphone-4. SAMOUKIAN then interrupted CC-3 and said that he had a "call coming in" and that he thought it was CC-4. CC-3 repeated that CC-4 was a "very dear friend" and hung up. Based on my experience, training, and investigation of this matter, I believe CC-3 was telling SAMOUKIAN that CC-3 was sending CC-4 to see SAMOUKIAN so that SAMOUKIAN could give opium to CC-4.

d. On or about December 23, 2011, at approximately 2:32 p.m., CC-3 used Cellphone-3 to call CC-4 on Cellphone-4. CC-3 told CC-4 that "the fellow's house [was] at exit 37 near Colbeh restaurant where the Porsche showroom is," that he/she had "recommended" CC-4 "very highly," and that "the guy [was] going to walk over and give it to [CC-4]." Based on my experience, training, and investigation of this matter, I believe CC-3 was telling CC-4 that SAMOUKIAN would meet CC-4 and would give opium to CC-4.


15. Based on my review of open source information, I confirmed that the Roslyn Heights Address is in the vicinity of Exit 37 on the Long Island Expressway and is near a restaurant called Colbeh and a Porsche dealership.

WHEREFORE, the deponent prays that a warrant be issued for the arrest of MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrdad Samoukiam-Most," the defendant, and that he be imprisoned, or bailed, as the case may be.



SCOTT JOSEPH URBEN
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Sworn to before me this
___ day of March, 2012.

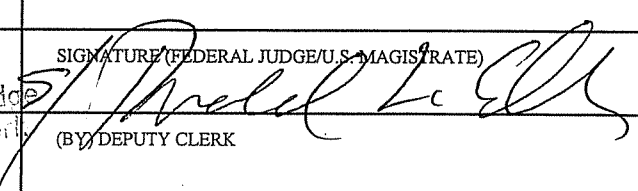


THE HONORABLE RONALD L. ELLIS
United States Magistrate Judge

MAR 07 2012

CR 12 (Rev. 5/03)

WARRANT FOR ARREST

<p><i>United States District Court</i></p>		<p>DISTRICT</p> <p>SOUTHERN DISTRICT OF NEW YORK</p>	
<p>UNITED STATES OF AMERICA</p> <p>v.</p> <p>MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrdad Samoukiam-Most"</p>		<p>DOCKET NO.</p> <p>12 MAG</p>	<p>MAGISTRATE'S CASE NO.</p> <p>621</p>
<p>WARRANT ISSUED ON THE BASIS OF: <input type="checkbox"/> Order of Court <input type="checkbox"/> Indictment <input type="checkbox"/> Information <input checked="" type="checkbox"/> Complaint</p>		<p>NAME AND ADDRESS OF INDIVIDUAL TO BE ARRESTED</p> <p>MEHRDAD SAMOUKIAN, a/k/a "Hormuz," a/k/a "Mehrdad Samoukiam-Most"</p>	
<p>TO: UNITED STATES MARSHAL OR ANY OTHER AUTHORIZED OFFICER</p>		<p>DISTRICT OF ARREST</p>	
<p>TO: UNITED STATES MARSHAL OR ANY OTHER AUTHORIZED OFFICER</p>		<p>CITY</p>	
<p>YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the United States District Court to answer to the charge(s) listed below.</p>			
<p>DESCRIPTION OF CHARGES</p> <p>Conspiracy to Violate of the Narcotics Laws of the United States</p>			
<p>IN VIOLATION OF</p>	<p>UNITED STATES CODE TITLE</p> <p>21</p>	<p>SECTION</p> <p>846</p>	
<p>BAIL</p>	<p>OTHER CONDITIONS OF RELEASE</p>		
<p>ORDERED BY</p> <p>RONALD L. ELLIS United States Magistrate Judge Southern District of New York</p>	<p>SIGNATURE (FEDERAL JUDGE/U.S. MAGISTRATE)</p> 		<p>DATE ORDERED</p> <p>MAR 07 2012</p>
<p>CLERK OF COURT</p>	<p>(BY) DEPUTY CLERK</p>		<p>DATE ISSUED</p>
<p>RETURN</p> <p>This warrant was received and executed with the arrest of the above-named person.</p>			
<p>DATE RECEIVED</p>	<p>NAME AND TITLE OF ARRESTING OFFICER</p>	<p>SIGNATURE OF ARRESTING OFFICER</p>	
<p>DATE EXECUTED</p>			

Note: The arresting officer is directed to serve the attached copy of the charge on the defendant at the time this warrant is executed.