

Approved: Parvin Moyne
Parvin Moyne
Assistant United States Attorney

ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

Before: HONORABLE ~~JAMES C. FRANCIS IV~~
United States Magistrate Judge
Southern District of New York

12 MAR 2011

----- X

SEALED COMPLAINT

UNITED STATES OF AMERICA :

Violation of 18 U.S.C.
924(h); 21 U.S.C. § 846

- v. -

QURAN NICHOLS, :
a/k/a "Quick," :

COUNTY OF OFFENSE:
ORANGE

Defendant.

----- X

SOUTHERN DISTRICT OF NEW YORK, ss.:

STEVEN BUNT, being duly sworn, deposes and says that he is a Detective in the Newburgh Police Department and a member of the Hudson Valley Safe Streets Task Force, and charges as follows:

COUNT ONE

1. From at least in or about 2010 up to and including in or about August 2012, in the Southern District of New York and elsewhere, QURAN NICHOLS, a/k/a "Quick," 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 QURAN NICHOLS, a/k/a "Quick," the defendant, and others known and unknown, intentionally and knowingly would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance involved in the offense was 28 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as

"crack," in violation of Title 21, United States Code, Section 841(b)(1)(B).

(Title 21, United States Code, Section 846)

COUNT TWO

4. On or about April 11, 2012, in the Southern District of New York, QURAN NICHOLS, a/k/a "Quick," the defendant, knowingly did transfer a firearm, knowing that such firearm was to be used to commit a crime of violence, to wit, NICHOLS transferred a firearm to another individual believing that the firearm would be used in a robbery and knowing that the firearm had previously been used in the robbery of and murder of Tomas Almodovar on or about March 24, 2012.

(Title 18, United States Code, Section 924(h).)

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

5. I am a detective in the Newburgh Police Department and a member of the Hudson Valley Safe Streets Task Force, and I have been involved in the investigation of the above-described offenses. I am familiar with the facts and circumstances set forth below from my personal participation in the investigation, including my review of pertinent documents and videos, and from my conversations with fellow law enforcement officers. Because this complaint 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. I have participated in numerous investigations of unlawful controlled substance trafficking in the area of Newburgh, New York, and I have conducted or participated in surveillance, undercover narcotics operations, the execution of search warrants, and review of controlled substances records. In addition, I have spoken with various witnesses, including those described below. Based on this investigation, I have learned that QURAN NICHOLS, a/k/a "Quick," the defendant, conspires with other individuals to sell cocaine base (commonly known as "crack") in Newburgh, New York, particularly in the area of Dubois Street and in the area of Vanness Street, and has sold crack in these areas for years. Specifically:

a. According to a cooperating witness ("CW-1")¹, CW-1 has known NICHOLS for at least the last two years. During that time period, NICHOLS has sold crack almost every day on either Dubois Street or Vanness Street. NICHOLS typically sold crack in either \$20, \$50, or \$100 quantities. CW-1 has personally observed NICHOLS selling crack on multiple occasions. Additionally, CW-1 supplied crack to NICHOLS on at least two occasions for a total of approximately one gram. CW-1 estimates that NICHOLS sold about three grams of crack cocaine per day. CW-1 also stated that, on occasion, NICHOLS sells heroin in \$65 quantities.

b. According to a second cooperating witness ("CW-2")² who has known NICHOLS for several years, NICHOLS regularly sold crack cocaine with members of the Bloods street gang. According to CW-2, NICHOLS was initiated into the Bloods prior to 2010.

7. On or about April 10, 2012, CW-1 spoke with QURAN NICHOLS, a/k/a "Quick," the defendant, about CW-1 purchasing a firearm from NICHOLS. CW-1 was acting at the direction of law enforcement, including myself, and CW-1 wore a body wire that recorded the conversation between CW-1 and NICHOLS. (I have reviewed the recording and spoken with CW-1 about CW-1's conversation with NICHOLS.) During the conversation, CW-1 claimed CW-1 needed the firearm to rob an individual of jewelry and money, and to rob a bodega. NICHOLS asked CW-1 if he (NICHOLS) could join CW-1 for the robbery, but CW-1 said no. During this conversation, in sum and substance, NICHOLS stated he did not have the firearm with him because NICHOLS did not want to get caught by the police with the firearm. NICHOLS also stated that the firearm had been used by someone named "Geo" in a murder.

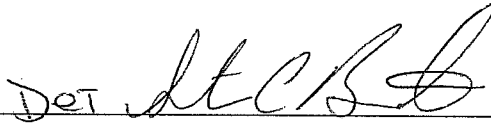
¹ CW-1 has pled guilty to various narcotics and firearms offenses pursuant to a cooperation agreement with the Government. Information provided by CW-1 in the past has been reliable and corroborated by other evidence. CW-1 has not been sentenced, and is cooperating in hopes of receiving a more lenient sentence.

² CW-2 has pled guilty to various narcotics and firearms offenses pursuant to a cooperation agreement with the Government. Information provided by CW-2 in the past has been reliable and corroborated by other evidence. CW-2 has not been sentenced, and is cooperating in hopes of receiving a more lenient sentence.

8. On or about April 11, 2012, CW-1 met with QURAN NICHOLS, a/k/a "Quick," the defendant. Initially, NICHOLS gave CW-1 a firearm. NICHOLS asked to be paid for the firearm in "work," which CW-1 understood to mean crack cocaine, but CW-1 provided approximately \$550 instead. CW-1 then asked NICHOLS whether the firearm was the .25 caliber firearm that NICHOLS had mentioned previously, and NICHOLS replied that the firearm he had given CW-1 was a .22 caliber firearm. CW-1 then told NICHOLS that CW-1 wanted the .25 caliber firearm, so NICHOLS returned the money, took the .22 caliber firearm back, and left. Shortly thereafter, NICHOLS returned and gave CW-1 the .25 caliber firearm and CW-1 gave NICHOLS the \$550 again. NICHOLS stated, in sum and substance, that CW-1 should not lose the firearm because "Geo" made the gun "dirty," (which CW-1 understood to mean that "Geo" used the firearm in a shooting).

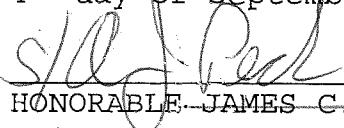
9. Lab reports by the New York State Police Lab state that the .25 caliber firearm sold by NICHOLS to CW-1 is the same firearm used in the murder of Tomas Almodovar in Newburgh, New York, on or about March 24, 2012.

WHEREFORE, the deponent respectfully requests that a warrant be issued for the arrest of QURAN NICHOLS, a/k/a "Quick," the defendant, and that he be imprisoned or bailed, as the case may be.



STEVEN BUNT
Detective
Newburgh Police Department
Hudson Valley Safe Streets Task Force

Sworn to before me this
4th day of September 2012



HONORABLE JAMES C. FRANCIS IV
United States Magistrate Judge
Southern District of New York

ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK