

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

United States of America )

v. )

EMILIO GARCIA, a/k/a "SIX" )
SEBATIEN BEJIN, a/k/a "BASH" )
DEIBY FELIX )

Case No.

23-MJ-1493-DLC

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 1, 2023 in the county of Essex in the District of Massachusetts, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 21 U.S.C. § 846 (Conspiracy to Distribute and Possess with Intent to Distribute Controlled Substances), 21 U.S.C. § 841 (Possession with Intent to Distribute Controlled Substances), and 21 U.S.C. § 841 (Possession with Intent to Distribute Controlled Substances).

This criminal complaint is based on these facts:

See attached affidavit of Special Agent Eric Poalino

Continued on the attached sheet.

Eric D. Poalino /by Paul G. Levenson

Complainant's signature

Special Agent Eric Poalino, FBI

Printed name and title

Sworn to by telephone in accordance with Fed. R. Crim. P. 4.1.

Date: November 3, 2023

Judge's signature and official seal of the United States District Court, District of Massachusetts.

City and state: Boston, MA

Hon. Paul G. Levenson, U.S. Magistrate Judge

Printed name and title

23-MJ-1493-DLC

**AFFIDAVIT OF SPECIAL AGENT ERIC POALINO IN SUPPORT OF AN  
APPLICATION FOR CRIMINAL COMPLAINT**

I, Special Agent Eric D. Poalino, depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been since June 2021. I am currently assigned to the Boston Field Office, North Shore Gang Task Force (“FBI Task Force”). The primary mission of the FBI Task Force is to identify, investigate, disrupt, and dismantle violent criminal organizations operating in cities north of Boston. My responsibilities include the investigation of possible violations of federal law, including illegal possession/transfer of firearms, firearms trafficking, narcotics trafficking, and violent crimes involving firearms and narcotics trafficking. I have received training and experience in various aspects of criminal law and procedure, including electronic and physical surveillance, interrogations, stops, searches, seizures, and arrests for a variety of criminal offenses. Through my training, knowledge, and experience, I have become familiar with the habits, methods, routines, practices and procedures commonly employed by persons engaged in the use and trafficking of illegal firearms and narcotics, including persons involved in criminal organizations. My investigations have included the use of surveillance techniques and the execution of search, seizure, and arrest warrants.

2. I have written and/or participated in the execution of numerous search warrants resulting in the seizure of controlled substances and paraphernalia involved in the manufacture and distribution of controlled substances; United States currency, records of narcotics and monetary transactions, drug customer lists and other documents relating to the manufacturing, transportation, ordering, purchasing and distribution of controlled substances, as well as the collection, expenditure, accounting, transportation, and laundering of drug proceeds. I have participated in the debriefing of numerous defendants, informants and witnesses who had personal knowledge regarding large-scale narcotics trafficking organizations. I have participated in all aspects of drug investigations including conducting surveillance, executing searches pursuant to court-ordered search warrants, executing arrests, and participating in court-authorized Title III

wiretaps of cellular phones. I have received extensive specialized training in the field of controlled substance identification, investigation and enforcement. Based on my training and experience, I am familiar with narcotics traffickers' methods of operation, including methods used by them to distribute, store and transport narcotics and to collect, expend, account for, transport, and launder drug proceeds.

3. Based on my training and experience, I am familiar with the methods of operation employed by narcotics traffickers operating at the local, statewide, national and international levels, including those involving the distribution, storage, and transportation of narcotics and the collection and laundering of money that constitutes the proceeds of narcotics-trafficking activities. I am aware that drug traffickers commonly use cellular telephones in furtherance of their drug trafficking activities and frequently change cellular telephone numbers and cellular telephones in an effort to thwart law enforcement's use of electronic surveillance. I am also aware that drug traffickers often speak in vague, guarded, or coded language when discussing their illegal business in an effort to further prevent detection, and often use text messages in lieu of phone calls to avoid speaking over the telephone. I am familiar with the jargon and coded terminology used by drug traffickers in these contexts. Additionally, I am familiar with the common appearance, packaging, texture and smell of the narcotics listed above.

4. All dates, times, and amounts set forth in this affidavit are approximate. Because this affidavit is being submitted for the limited purpose of securing the requested criminal complaint and arrest warrants, I have not included each and every fact known to me concerning this investigation.

5. I make this affidavit based upon personal knowledge derived from my participation in this investigation and upon information (whether received directly or indirectly) that I believe to be reliable from numerous sources including, but not limited to, the following:

- a. My training and experience investigating drug trafficking, violent crimes, and money laundering crimes;
- b. Oral reports, written reports, and documents that I have received from other federal, state, and local law enforcement agents;
- c. Physical and electronic surveillance conducted by me and other federal, state, and local law enforcement officers;

- d. Confidential sources of information and cooperating witnesses;
- e. Public records;
- f. Business records;
- g. Telephone toll records, pen register and trap and trace information, and telephone subscriber information;
- h. Precise location information for cellular telephones;
- i. Queries of law enforcement records and intelligence databases;
- j. Execution of search warrants;
- k. Social media postings, videos and images;
- l. Review of data and information obtained by Orders issued under 18 U.S.C. Section 2703(d), and Search Warrants;
- m. Review of cellular phones searched and seized during this investigation; and
- n. Arrests of co-conspirators.

**PROBABLE CAUSE**

6. The FBI Task Force is investigating Emilio GARCIA, a/k/a “6”, Sebastien BEJIN, a/k/a “Bash”, L.G., Deiby FELIX, and other coconspirators (the “TARGETS”), who are members of a large-scale drug trafficking organization operating on the North Shore (the “DTO”) for violations of 21 U.S.C. §§ 841, 843, 846 (relating to distribution of controlled substances, manufacturing of controlled substances) (hereinafter the “TARGET OFFENSES”).

7. On November 1, 2023, investigators executed search warrants in relation to the investigation and seized over 100 kilograms of controlled substances and four firearms from a storage location utilized by GARCIA and BEJIN. Investigators also searched GARCIA and found that he was in possession of approximately one-half kilogram of cocaine base. Based on the staggering quantity of controlled substances located in the in the basement where BEJIN and GARCIA were observed on a near-daily basis, and that their pattern of activity was consistent with the distribution of controlled substances,

investigators believe there is probable cause that GARCIA and BEJIN conspired to distribute controlled substances and possess controlled substances with the intent to distribute them.

8. Also on November 1, 2023, investigators also executed a search warrant at the residence of Deiby FELIX, a suspected co-conspirator who is believed to have been supplied by GARCIA. During the search of FELIX's residence, investigators located over 3 kilograms of suspected controlled substances and a firearm in FELIX's residence on the second floor of 341 Western Avenue, Lynn.

9. Accordingly, I make this affidavit in support of a criminal complaint charging:

- a. GARCIA with one count of conspiracy to distribute controlled substances and possess controlled substances with intent to distribute, in violation of 21 U.S.C. § 846, and one count of possession of controlled substances with intent to distribute, in violation of 21 U.S.C. § 841(a)(1);
- b. BEJIN with one count of conspiracy to distribute controlled substances and possess controlled substances with intent to distribute, in violation of 21 U.S.C. § 846, and one count of possession of controlled substances with intent to distribute, in violation of 21 U.S.C. § 841(a)(1); and
- c. FELIX with one count of possession of controlled substances with intent to distribute, in violation of 21 U.S.C. § 841(a)(1).

**A. BACKGROUND INFORMATION**

**1. EMILIO GARCIA**

10. GARCIA is a leader and organizer of the DTO. The DTO is known to distribute fentanyl and methamphetamine and possess numerous firearms. Emilio GARCIA has a number of prior arrests for violent and drug offenses. GARCIA's criminal record includes, but is not limited to, the following:

- a. Lynn District Court, Docket No. 1813CR003728A, charging GARCIA with possession of a class D substance with intent to distribute. GARCIA was found guilty on 6/26/19, and placed on probation until 6/28/21.
- b. Salem District Court, Docket No. 1636CR001869A, charging GARCIA with assault and battery. GARCIA was found guilty on 12/20/16 and committed for 90 days.
- c. Essex Superior Court, Docket No. 1677CR00273A, charging GARCIA with multiple counts of armed robbery and possession of a firearm. GARCIA was found guilty on 11/21/16 and committed in state prison for two years and one day.

11. As a result of these prior felony convictions, GARCIA is prohibited from possessing firearms.

**2. SEBASTIEN BEJIN**

12. Investigators are familiar with Sebastien BEJIN, a/k/a “Bash”, who has a date of birth xx/xx/1990. BEJIN is a known associate of GARCIA and is believed to be GARCIA’s lieutenant and primary distributor in the DTO. BEJIN has no prior adult criminal convictions.

**3. DEIBY FELIX**

13. Investigators are familiar with Deiby FELIX, who has a date of birth xx/xx/1983. FELIX’s criminal record includes convictions for felony offenses carrying a maximum penalty of over one year in prison, including receiving stolen motor vehicle, larceny over \$250, possession of burglarious tools, and malicious destruction of property. As a result of these prior convictions, FELIX is prohibited from possessing firearms.

**B. OVERDOSE DEATH INVESTIGATION**

14. Investigators became aware of an overdose death investigation taking place in Salem, Massachusetts, which was being conducted by the Massachusetts State Police Detective Unit assigned the Essex County District Attorney’s Office. Investigators reviewed reports related to the response to the July 5, 2023, overdose death of J.C. in Salem, Massachusetts, and the July 6, 2023, arrest of an individual I will refer to as L.G., who was charged in Lynn District Court in relation to the overdose investigation. *See* Lynn District Court, Docket No. 2313CR002221. L.G.has since been indicted in Essex Superior Court in relation to the overdose death investigation. *See* Essex Superior Court, Docket No. 2377CR00460.

15. According to the related police reports, MSP and Salem Police responded to an overdose death on or about July 5, 2023, in Salem, Massachusetts, where an individual I will refer to as J.C. had died after taking a “crushed perc 30.” After reviewing the decedent’s phone and interviewing third-party witnesses, officers identified L.G.as the likely distributor of the narcotics to the decedent that caused the death. Specifically, it was determined that L.G. likely distributed the pills to J.C. that caused his death on July 4, 2023.

16. Officers utilized the decedent’s Snapchat account to contact L.G. about purchasing additional pills. L.G. likely believed he was communicating with J.C. and was unaware that J.C. was

deceased. L.G. agreed to sell pills and instructed the officers to meet him on Mudge Street in Lynn. Officers agreed to meet L.G. in Lynn on July 6, 2023, to conduct the deal.

17. Surveillance units observed L.G. exit his residence in Swampscott and enter a gray Honda Accord with Massachusetts registration 5EYW28.<sup>1</sup> L.G. traveled directly to the agreed upon location where he was approached by police and fled from his vehicle discarding a package later determined to contain approximately 100 blue pills that investigators believe contained fentanyl. L.G. was subsequently arrested for the approximately 100 blue pills that he discarded while running from officers. The 100 blue pressed pills were believed to contain fentanyl and determined to weigh approximately 14 grams.

18. The gray Honda Accord operated by L.G. was towed and searched by police, who discovered a hidden compartment in the center console containing approximately 300 grams of pressed methamphetamine pills and a Glock 33 handgun with six rounds of ammunition in the magazine. Investigators also found a wallet in the vehicle with BEJIN's driver's license.

19. Investigators obtained L.G.'s consent to search his residence that day and traveled to the residence to locate further evidence. Upon arrival they encountered an individual I will refer to as G.B. and Sebastien BEJIN at L.G.'s residence.

20. Investigators obtained a federal search warrant to search one of L.G.'s cellular phones that was recovered from gray Honda Accord (the "L.G. PHONE") during L.G.'s arrest. Review of the data extracted from the L.G. PHONE revealed a contact named "B", with a phone number ending in 5282. Investigators believe that "B" is in fact Sebastien BEJIN. The phone number ending in 5282 was associated with the name "Sebastien BEJIN" in a number of call log entries. According to the data, L.G. was in contact with the 5282 number on the day in which the overdose victim in Salem was provided drugs by L.G. (July 4, 2023), and shortly before L.G.'s arrest on the day of the arrest (July 6, 2023). Review of the call logs showed that BEJIN and L.G. were in contact on a near daily basis, often multiples times per day, from late

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<sup>1</sup> Federal investigators are familiar with this vehicle. At the time of L.G.'s arrest, the registered owner of the gray Honda Accord was S.T. According to MSP investigators, S.T. is believed to be an associate of BEJIN. Prior to being registered to S.T., this gray Honda Accord was registered to Emilio GARCIA and another individual.



May 2023, until the seizure of the phone on July 6, 2023. This includes 8 calls made on the date of L.G.'s arrest and 6 calls on the date of J.C.'s overdose death. Investigators believe that this frequency of calls is consistent with BEJIN supplying L.G. with controlled substances on a daily basis.

**C. INVESTIGATION OF BEJIN AND GARCIA AND 363 BROADWAY**

21. Through surveillance conducted in this investigation, investigators came to identify 363 Broadway in Lynn, Massachusetts (hereinafter "363 Broadway") as a location frequented by BEJIN. Through surveillance, investigators identified Emilio GARCIA as an individual with whom BEJIN would meet with, typically entering into the basement of 363 Broadway through a rear door accessible from the exterior.

22. The premises of 363 Broadway is a two-family residence with a front door facing Broadway. At the rear of 363 Broadway is a door leading down into the basement with a driveway parking area in front of the door. Multiple families, including small children, reside in the residential units located on the first and second floors. There is passage up an interior set of stairs which leads to the front door of the structure to a separate residence. Photographs of 363 Broadway follow with the exterior rear basement door outlined in red:







23. Over the course of the investigation and surveillance for approximately the past sixty (60) days, investigators observed GARCIA travelling to 363 Broadway on a nearly daily basis. Through monitoring of the GPS tracking device on GARCIA's gray Jeep Cherokee and physical surveillance, investigators further identified 363 Broadway as a likely drug manufacturing and/or storage location for the DTO. BEJIN and GARCIA would arrive in the early afternoon or evening and park nearby, parking either in the rear driveway of 363 Broadway or on the street. GARCIA would enter into 363 Broadway through a rear door that leads to the basement of the premises.

24. On seven occasions between October 11, 2023, and October 31, 2023, investigators observed BEJIN park in the vicinity of 363 Broadway. On all of these instances BEJIN walked around the rear of the building where the basement door is located in order to make entry into the basement. On occasions where surveillance positions allowed, BEJIN was directly observed entering the back basement door. BEJIN would either enter with GARCIA or arrive shortly after GARCIA and proceed into the basement of 363 Broadway on his own. Over the course of surveillance, investigators never observed BEJIN enter 363 Broadway without GARCIA having already entered or without being accompanied by GARCIA.

25. Law enforcement routinely observed BEJIN and GARCIA remaining in 363 Broadway for mere minutes, or up to multiple hours each day. BEJIN was observed on several occasions exiting 363 Broadway with brown paper bags or other containers, and meeting with other individuals to conduct

transactions or deliveries. Investigators have observed BEJIN distributing the contents of packages obtained from 363 Broadway.

26. Following the execution of a search warrant at the premises of 363 Broadway in the afternoon of November 1, 2023, investigators know that the basement door leads into a partitioned area which consists of a common laundry area, a common bathroom, two rented rooms, a space under construction, and various closets containing fixtures and maintenance supplies. One of the rented rooms, described later as Room C, was determined to have been rented by GARCIA and was a location wherein the DTO stored industrial quantities of controlled substances. During GARCIA's arrest, he was determined to have a key that unlocked the rear basement door of 363 Broadway, and a second key that unlocked the door leading into Room C. The only other room in the basement occupied by another individual was occupied by a woman, who, when interviewed, stated she did not have access to the room identified as Room C.

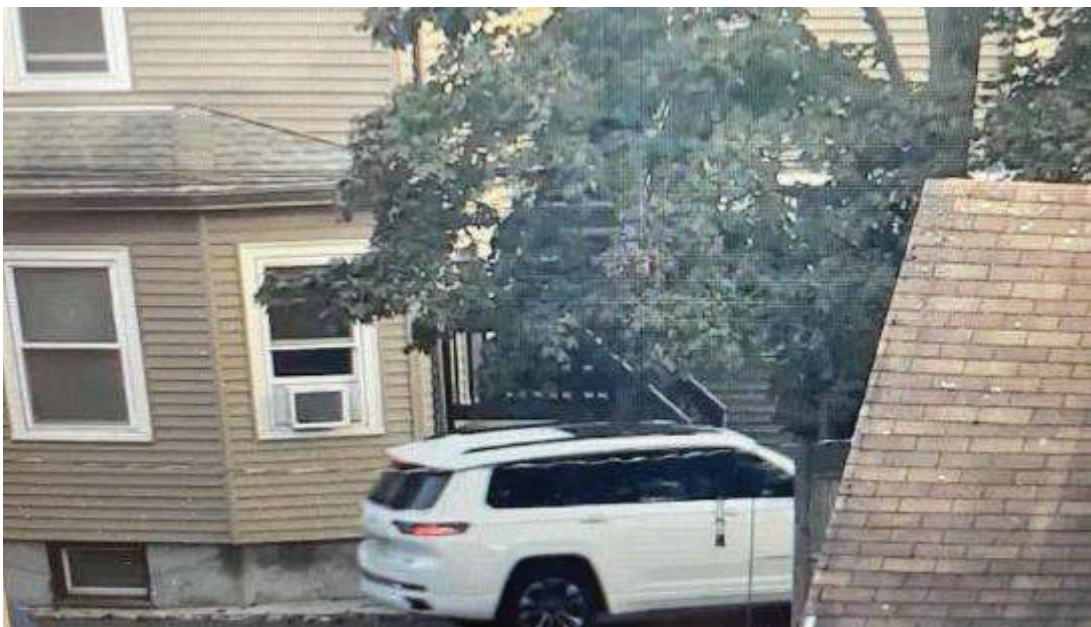
27. Over the course of this investigation, investigators have made multiple seizures of counterfeit Adderall pills containing methamphetamine from associates of BEJIN and GARCIA that were contained in brown paper bags. The quantities of counterfeit Adderall pills concealed within these brown paper bags exceeded 1 kilogram each. Investigators have observed BEJIN exiting 363 Broadway carrying bags that appear consistent with those bags used to conceal the counterfeit Adderall pills. During the search of 363 Broadway, investigators located paper bags consistent with those used by BEJIN to conceal the counterfeit Adderall pills during transportation.

*1. October 2, 2023, through October 8, 2023*

28. On a date between October 2, 2023, through October 8, 2023, investigators established surveillance at 363 Broadway. Investigators observed GARCIA's white Jeep Cherokee with Massachusetts

license plate 4ZKG38 (TARGET VEHICLE 1) turn off of Broadway and park at the rear of 363 Broadway.<sup>2</sup>

A still image<sup>3</sup> of the white Jeep Cherokee arriving at 363 Broadway at 4:00 pm on follows:



29. BEJIN arrived shortly thereafter and parked his black Honda Accord at 363 Broadway as well. BEJIN, wearing the same black shirt, khaki pants, and distinctive hair style observed by investigators earlier in the day, walked around the back of the building to use the basement access door to 363 Broadway. The below picture depicts BEJIN's earlier attire, BEJIN as he walks around the building, and the white Jeep Cherokee partially obscured from view in its final parking location. BEJIN was later observed exiting 363 Broadway and putting an unidentified package in TARGET VEHICLE 3 and departing the area.

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<sup>2</sup> TARGET VEHICLE 1 in this investigation was a white Jeep Cherokee owned by Emilio GARCIA and his girlfriend that was observed being driven by GARCIA. TARGET VEHICLE 2 in this investigation was a gray Jeep Cherokee owned by Emilio GARCIA and his girlfriend that was observed being driven by GARCIA. TARGET VEHICLE 3 in this investigation was a black Honda Accord owned by S.T. and observed being driven by BEJIN.

<sup>3</sup> TARGET VEHICLE 1 would ultimately park in a position that is partially obscured from investigators' surveillance position.



2. *October 8, 2023, through October 14, 2023*

30. On a date between October 8, 2023, and October 14, 2023, investigators established surveillance at 363 Broadway. When investigators arrived, they observed the white Jeep Cherokee owned by GARCIA already parked in front of 363 Broadway. At approximately 3:02 pm, investigators observed BEJIN arrive at 363 Broadway in the black Honda Accord, and park behind the building in the driveway. Pictured below is BEJIN arriving at rear of 363 Broadway in his black Honda Accord and entering via the back door.





31. After approximately 47 minutes within 363 Broadway, BEJIN exited 363 Broadway and departed the area in the black Honda Accord. The screenshot below shows the driver of the black Honda Accord has dark skin and is wearing a white T-shirt, fitting the description of BEJIN. Investigators did not observe GARCIA enter or exit 363 Broadway during this period. As noted, GARCIA's white Jeep

Cherokee was parked at 363 Broadway prior to and during BEJIN's visit, and investigators believe that GARCIA arrived before BEJIN.

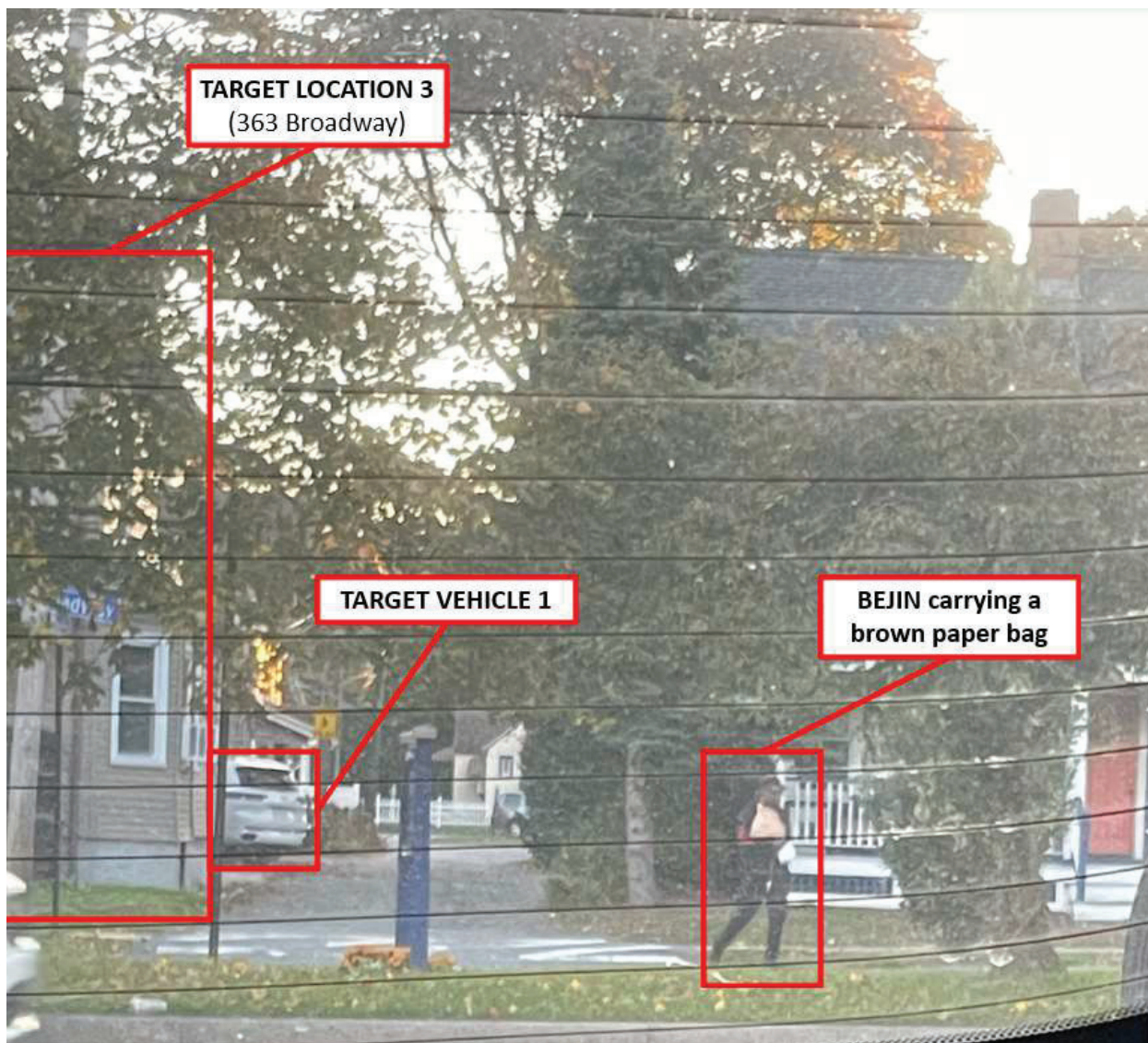


32. At approximately 4:13 pm BEJIN returned to 363 Broadway in the black Honda Accord and accessed the rear basement door of 363 Broadway. At approximately 4:44 pm BEJIN exited 363 Broadway and walked into the driveway of 363 Broadway where the black Honda Accord was parked. Though the black Honda Accord was not visible from the surveillance position, it appeared as if BEJIN placed something in the car before returning to the basement door to access 363 Broadway. BEJIN then exited 363 Broadway at 4:46 pm and departed the area in the black Honda Accord.

*3. October 16, 2023, through October 20, 2023*

33. On a date between October 16, 2023, through October 20, 2023, investigators were conducting surveillance outside of 363 Broadway when they observed BEJIN leaving 363 Broadway carrying a large brown paper bag and a white colored bag to a black Honda Accord. BEJIN loaded the bags into the vehicle and departed. A photograph taken on October 19, 2023, follows, with annotations:





4. *341 Western Avenue, Lynn, Massachusetts*

34. Through review of GPS tracking data associated with the gray Jeep Cherokee operated by GARCIA, investigators identified 341 Western Avenue in Lynn, Massachusetts (“341 Western Avenue”) as a location being supplied by the DTO. GPS data indicated that the gray Jeep Cherokee stopped at 341 Western Avenue on at least nine different days during the specified date range of 8/14/23 to 10/13/23. These stops lasted from approximately 6 minutes to 54 minutes and occurred between the hours of 3:00 pm to 12:00 am. With some exceptions, these stops were typically one to two weeks apart from each other. Investigators also observed GARCIA enter and access the premises of 341 Western Avenue carrying bags



and appeared to be bringing items concealed in the bags into 341 Western Avenue. Based on my training and experience, this pattern is consistent with supplying drugs to the location.

**D. SEARCHES CONDUCTED ON NOVEMBER 1, 2023**

35. On November 1, 2023, investigators executed federal search warrants for the basement of 363 Broadway, Lynn, Massachusetts, the second-floor unit of 341 Western Avenue, Lynn, Massachusetts, and two other locations. Investigators also obtained search warrants for the white Jeep Cherokee, the black Honda Accord, and the persons of Emilio GARCIA and Sebastien BEJIN.

**1. Search of 363 Broadway**

36. On November 1, 2023, at approximately 4:15 PM, investigators observed GARCIA arrive at 363 Broadway in the white Jeep Cherokee. Investigators executed the warrants to search GARCIA and the vehicle. On GARCIA's person, investigators located a bag containing a white substance in a plastic bag that investigators believe to be cocaine base, otherwise known as crack-cocaine, and \$20,165 cash. The white substance weighed approximately 491.8 grams with packaging and field-tested positive for cocaine base on a TruNarc device. GARCIA was also in possession of numerous keys on a keyring. GARCIA was placed under arrest on state charges of trafficking over 200 grams of a class B substance, and appeared in Lynn District on November 1, 2023, for this offense and others related to the drugs seized during the search of the premises.

37. Investigators proceeded to the basement, where they knocked and announced their presence. After waiting a reasonable amount of time with no response investigators used a battering ram to force entry. Investigators entered the basement and forced entry into multiple locked doors. At the end of the hallway was a locked room, hereafter "Room C" containing numerous black and yellow boxes. When investigators entered the room, they observed drug mixing and distribution tools, as well as large quantities of drugs in plain view. Investigators completed a safety sweep of the residence and secured the scene in order to conduct the court-authorized search. As noted above, during GARCIA's arrest, he was found to have a key that was determined to unlock the rear basement door, and a key that was determined to unlock the door leading into Room C.

38. Once inside Room C, investigators observed storage racks and multiple black and yellow storage bins. Within the storage bins were controlled substances, to include tens of thousands of counterfeit Adderall pills believed to contain methamphetamine, hundreds of thousands of counterfeit Percocet pills believed to contain fentanyl, and other controlled substances. Investigators also located four firearms, three of which were loaded. Investigators also located packaging material, and other paraphernalia associated with the packaging and distribution of controlled substances on an industrial level. In the corner of the room, a desk contained scales, heat sealers, packaging materials.

39. In total, investigators seized over 100 kilograms of suspected controlled substances from the room rented to GARCIA in the basement of 363 Broadway. This is believed to be one of the largest single-location seizures of fentanyl and methamphetamine in the history of New England. The amount of seized methamphetamine and fentanyl is believed to be comprised of hundreds of thousands of counterfeit pills. Specifically, investigators estimate the totals as follows:<sup>4</sup>

- a. Approximately 28 kilograms of counterfeit Percocet pills believed to contain fentanyl. Each counterfeit Percocet pill weighs approximately 0.10 grams. Accordingly, investigators estimate, by weight, that 283,600 individual pills were seized. The street value of this quantity of pills is believed to range from approximately \$1,480,000 to \$7,090,000.
- b. Approximately 27 kilograms of counterfeit Adderall pills believed to contain methamphetamine. Each counterfeit Adderall pill weighs approximately 0.3 grams. Accordingly, investigators estimate, by weight, that 91,900 individual pills were seized. The street value of this quantity of pills is believed to range from approximately \$162,000 to \$405,500.
- c. Approximately 1.8 kilograms of brown rock and powder-like substances. Samples of these narcotics field tested positive for cocaine, fentanyl, and methamphetamine

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<sup>4</sup> These totals are based on initial estimates and are subject to change following laboratory analysis. Investigators utilized the United States Customs and Border Patrol Illicit Drug Seizure Conversion Tool to calculate street values and estimated dosage amounts.

compounds. The street value of this quantity of fentanyl is believed to range from approximately \$54,000 to \$70,200, and to comprise approximately 900,000 individual doses.

- d. Approximately 4.4 kilograms of green pills believed to contain fentanyl.
- e. Approximately 9.2 kilograms of pink heart-shaped pills which field tested positive for fentanyl and methamphetamine compounds.
- f. Approximately 64 grams of pink powder that field tested positive for MDMA and cocaine HCl.
- g. Approximately 2.7 kilograms of purple pills that investigators believe contain methamphetamine and MDMA.
- h. Approximately 307 grams of purple powder that field tested positive for methamphetamine and MDMA.
- i. Approximately 10.7 kilograms of white powder and rock like substances. Samples of these substances field tested positive for methamphetamine and cocaine base. The street value of this quantity of fentanyl is believed to range from approximately \$321,000 to \$417,300, and to comprise approximately 5,350,000 individual doses.
- j. Approximately 110 grams of green bars which investigators believe are counterfeit Xanax bars.
- k. Approximately 17.6 kilograms of suspected raw methamphetamine packaged in green cellophane. The street value of this quantity of methamphetamine is believed to range from approximately \$105,600 to \$264,000, and to comprise approximately 3,520,000 individual doses.

40. The firearms were located in a black and yellow box containing thousands of counterfeit Percocet pills. Three of the four firearms were loaded. The firearms are described as follows:

- a. A Glock 27, .40 caliber pistol with obliterated serial numbers.
- b. An SCCY, CPX-2, 9mm caliber pistol.

- c. A Glock 43, 9mm pistol.
- d. A Glock 23, .40 caliber pistol. A search of law enforcement databases indicates that this firearm was stolen in Georgia.

41. Photographs of Room C, and the controlled substances and firearms seized from 363

Broadway follow:



Room C: Yellow and black storage bins and storage racks with boxes of plastic bags and packaging materials



Room C: Yellow and black storage bins, work station with money counter, heat sealer, scales, and packaging materials



Bags containing thousands of blue counterfeit Percocet pills believed to contain fentanyl located within a storage bin



Bottles of lactose located within a storage bin





Bags containing tens of thousands of counterfeit Adderall pills believed to contain methamphetamine located within a storage bin



Heat sealed bags believed to contain fentanyl within located within a storage bin





Bags containing thousands of blue counterfeit Percocet pills believed to contain fentanyl and four firearms, three were loaded with ammunition, located within a storage bin



Bags containing thousands of green and blue counterfeit Percocet pills believed to contain fentanyl located within a storage bin



Bags containing thousands of blue counterfeit Percocet pills believed to contain fentanyl, and thousands of counterfeit Adderall pills believed to contain methamphetamine located within a storage bin



Green cellophane wrapped bundles believed to contain raw methamphetamine located within a storage bin





Bags containing thousands of pink heart-shaped pills, believed to contain fentanyl, located within a storage bin



Totality of items seized from 363 Broadway arranged by type: visible are green cellophaned-wrapped packages of suspected raw methamphetamine, heat-sealed packages believed to contain fentanyl, and lactose that is a common cutting agent (full size follows on final page)

42. Of particular note to investigators were the pink heart-shaped pills. These heart-shaped pills resembled Valentine's Day "Sweethearts" candies, also known as "conversation hearts." A close-up image of these pills follow:



43. These pills were field-tested on a TruNarc device and were determined to contain methamphetamine and fentanyl. These pills appeared particularly pernicious as they are not meant to resemble any pharmaceutical and appeared to be designed to resemble a candy. The nature of this design would (1) facilitate the marketing of these controlled substances to teenagers, and (2) allow an individual

to more readily and easily possess them in a controlled environment, such as a school, because they would be mistaken for simple candies.

44. Shortly after GARCIA arrived, BEJIN was observed in the area operating the black Honda Accord. BEJIN passed 363 Broadway, where investigators were outside and clearly identifiable as law enforcement officers, and turned onto Richardson Road, which is one street over from 363 Broadway. Investigators executed the federal search warrant for his person and the vehicle. During the search of BEJIN's black Honda Accord, investigators located approximately 5 grams of a white powdery substance that investigators believe to be fentanyl or cocaine within the center. For this, and the quantities of controlled substances described above that were located in 363 Broadway, BEJIN was placed under arrest for state drug charges.

45. As noted above, there were numerous bottles of lactose located by investigators, which is a common agent used to adulterate drugs prior to distribution. During the search of the black Honda Accord operated by BEJIN, investigators located a bottle of lactose in the trunk that was identical to the lactose located in the basement of 363 Broadway.

46. Following the conclusion of the search, investigators noted the presence of extensive residual powder and airborne particles throughout Room C and in the basement area. As noted above, investigators know that multiple children reside in the apartments on the first and second floors of 363 Broadway. As a result, investigators requested the assistance of the Massachusetts Department of Fire Services, Hazardous Materials Emergency Response Division to conduct a decontamination of the premises.

## **2. Search of 341 Western Avenue**

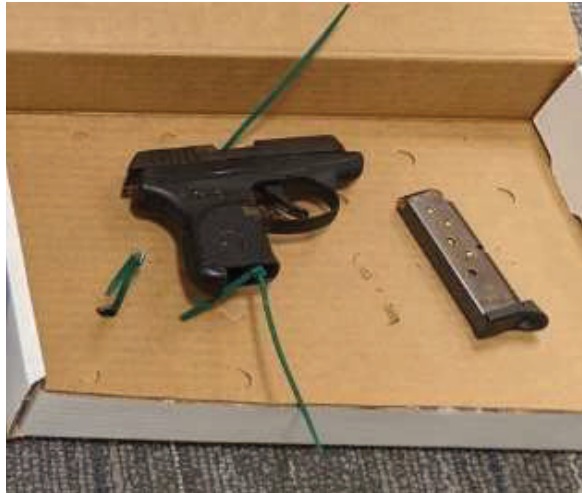
47. Also on November 1, 2023, investigators executed a federal search warrant at 341 Western Avenue, Lynn, Massachusetts for the second-floor unit. During the course of entering into 341 Western Avenue, investigators located the unit on the second floor occupied by Deiby FELIX, who had been previously identified during surveillance as meeting with GARCIA. Additionally, FELIX had been

observed operating a red Jeep Gladiator vehicle that was observed parked at this residence on numerous days of surveillance over the past 60 days.

48. During the search of the second floor 341 Western Avenue, investigators located FELIX inside of his residence. After securing him during the search, investigators located approximately 3.5 kilograms of controlled substances, and a firearm. These controlled substances were located in the kitchen in a cabinet underneath the sink. The controlled substances were comprised of counterfeit Adderall pills believed to contain methamphetamine, and blue counterfeit Percocet pills believed to contain fentanyl. The counterfeit Adderall pills believed to contain methamphetamine weighed approximately 1,833 grams. The counterfeit Percocet pills believed to contain fentanyl weighed approximately 1,337 grams. Investigators also found smaller amounts of suspected Xanax bars, heroin, and cocaine. The seized drugs from FELIX's residence were identical to the pills and packaging found at 363 Broadway.

49. The firearm was located in the bedroom in a shoebox. The firearm was determined to be a loaded .380 caliber Ruger LCP.

50. Photographs of the seized items follows:







51. No other individuals were identified as residing in the residence with FELIX. During the search, FELIX was the only individual present.

CONCLUSION

52. Based on the foregoing, there is probable cause to believe that Emilio GARCIA, a/k/a “6,” and Sebastian BEJIN, a/k/a “Bash,” violated 21 U.S.C. § 846, by conspiring to distribute controlled substances and possess controlled substances with intent to distribute, and 21 U.S.C. § 841(a)(1), by possessing controlled substances with intent to distribute.

53. Based on the foregoing, there is probable cause to believe that Deiby FELIX violated 21 U.S.C. § 841(a)(1), by possessing controlled substances with intent to distribute.

Signed electronically and sworn to via telephone in accordance with Fed. R. Crim. P. 4.1, on November 3rd, 2023.

Eric D. Poalino /by Paul G. Levenson  
Special Agent Eric D. Poalino  
Federal Bureau of Investigation

Electronically subscribed and telephonically sworn to before me, in accordance with Fed. R. Crim. P. 4.1, on November 3rd, 2023.



Paul G. Levenson  
PAUL G. LEVENSON  
UNITED STATES MAGISTRATE JUDGE





Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency FBI

City Lynn

Related Case Information:

County Essex

Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_

Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_

Magistrate Judge Case Number 23-1493-DLC

Search Warrant Case Number see attached

R 20/R 40 from District of \_\_\_\_\_

Defendant Information:

Is this case related to an existing criminal action pursuant to Rule 40.1(h)? If yes, case number \_\_\_\_\_  Yes  No

Defendant Name Emilio Garcia

Juvenile:  Yes  No

Is this person an attorney and/or a member of any state/federal bar:  Yes  No

Alias Name: Six

Address: Lynn, MA

Birth date (Yr only): 1998 SSN (last 4#): 9765 Sex: M Race Hisp Nationality: \_\_\_\_\_

Defense Counsel if known: \_\_\_\_\_ Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

U.S. Attorney Information

AUSA: Philip A. Mallard Bar Number if applicable: 679138

Interpreter:  Yes  No List language and/or dialect: \_\_\_\_\_

Victims:  Yes  No If yes, are there multiple crime victims under 18 USC§3771(d)(2)  Yes  No

Matter to be SEALED:  Yes  No

Warrant Requested  Regular Process  In Custody

Location Status: \_\_\_\_\_

Arrest Date: \_\_\_\_\_

Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_

Already in State Custody at Essex HOC  Serving Sentence  Awaiting Trial

On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_

Charging Document:  Complaint  Information  Indictment

Total # of Counts:  Petty \_\_\_\_\_  Misdemeanor \_\_\_\_\_  Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 11/3/2023

Signature of AUSA: Philip A. Mallard

**District Court Case Number** (To be filled in by deputy clerk): \_\_\_\_\_

**Name of Defendant** Emilio GARCIA, a/k/a "Six"

**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. § 846</u>	<u>Conspiracy to Distribute Controlled Substances and Possess Controlled Substances with Intent to Distribute</u>	<u>1</u>
Set 2	<u>21 U.S.C. § 841(a)(1)</u>	<u>Possession of Controlled Substances with Intent to Distribute</u>	<u>2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

**ADDITIONAL INFORMATION:**

Search Warrant Case Number Attachment

23-MJ-1417-DLC  
23-MJ-1422-DLC  
23-MJ-1423-DLC  
23-MJ-1429-DLC  
23-MJ-1430-DLC  
23-MJ-1439-DLC  
23-MJ-1445-DLC  
23-MJ-1471-DLC  
23-MJ-1472-DLC  
23-MJ-1473-DLC  
23-MJ-1474-DLC  
23-MJ-1475-DLC  
23-MJ-1476-DLC  
23-MJ-1477-DLC  
23-MJ-1478-DLC  
23-MJ-1479-DLC  
23-MJ-1480-DLC

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency FBI

City Lynn

Related Case Information:

County Essex

Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_

Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_

Magistrate Judge Case Number 23-1493-DLC

Search Warrant Case Number see attached

R 20/R 40 from District of \_\_\_\_\_

Defendant Information:

Is this case related to an existing criminal action pursuant to Rule 40.1(h)? If yes, case number \_\_\_\_\_  Yes  No

Defendant Name Sebastien BEJIN

Juvenile:  Yes  No

Is this person an attorney and/or a member of any state/federal bar:  Yes  No

Alias Name: Bash

Address: Lynn, MA

Birth date (Yr only): 1990 SSN (last 4#): 5931 Sex: M Race Black Nationality: \_\_\_\_\_

Defense Counsel if known: \_\_\_\_\_ Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

U.S. Attorney Information

AUSA: Philip A. Mallard Bar Number if applicable: 679138

Interpreter:  Yes  No List language and/or dialect: \_\_\_\_\_

Victims:  Yes  No If yes, are there multiple crime victims under 18 USC§3771(d)(2)  Yes  No

Matter to be SEALED:  Yes  No

Warrant Requested  Regular Process  In Custody

Location Status: \_\_\_\_\_

Arrest Date: \_\_\_\_\_

Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_

Already in State Custody at Essex HOC  Serving Sentence  Awaiting Trial

On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_

Charging Document:  Complaint  Information  Indictment

Total # of Counts:  Petty \_\_\_\_\_  Misdemeanor \_\_\_\_\_  Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

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Date: 11/3/2023

Signature of AUSA: Philip A. Mallard

**District Court Case Number** (To be filled in by deputy clerk): \_\_\_\_\_

**Name of Defendant** Sebastien BEJIN, a/k/a "Bash"

**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. § 846</u>	<u>Conspiracy to Distribute Controlled Substances and Possess Controlled Substances with Intent to Distribute</u>	<u>1</u>
Set 2	<u>21 U.S.C. § 841(a)(1)</u>	<u>Possession of Controlled Substances with Intent to Distribute</u>	<u>2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

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23-MJ-1445-DLC  
23-MJ-1471-DLC  
23-MJ-1472-DLC  
23-MJ-1473-DLC  
23-MJ-1474-DLC  
23-MJ-1475-DLC  
23-MJ-1476-DLC  
23-MJ-1477-DLC  
23-MJ-1478-DLC  
23-MJ-1479-DLC  
23-MJ-1480-DLC

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency FBI

City Lynn

Related Case Information:

County Essex

Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_

Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_

Magistrate Judge Case Number 23-1493-DLC

Search Warrant Case Number see attached

R 20/R 40 from District of \_\_\_\_\_

Defendant Information:

Is this case related to an existing criminal action pursuant to Rule 40.1(h)? If yes, case number \_\_\_\_\_  Yes  No

Defendant Name Deiby Felix

Juvenile:  Yes  No

Is this person an attorney and/or a member of any state/federal bar:  Yes  No

Alias Name: \_\_\_\_\_

Address: Lynn, MA

Birth date (Yr only): 1983 SSN (last 4#): 8724 Sex: M Race Black Nationality: \_\_\_\_\_

Defense Counsel if known: \_\_\_\_\_ Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

U.S. Attorney Information

AUSA: Philip A. Mallard Bar Number if applicable: 679138

Interpreter:  Yes  No List language and/or dialect: \_\_\_\_\_

Victims:  Yes  No If yes, are there multiple crime victims under 18 USC§3771(d)(2)  Yes  No

Matter to be SEALED:  Yes  No

Warrant Requested  Regular Process  In Custody

Location Status: \_\_\_\_\_

Arrest Date: \_\_\_\_\_

Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_

Already in State Custody at Essex HOC  Serving Sentence  Awaiting Trial

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Charging Document:  Complaint  Information  Indictment

Total # of Counts:  Petty \_\_\_\_\_  Misdemeanor \_\_\_\_\_  Felony 1

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Date: 11/3/2023

Signature of AUSA: Philip A. Mallard



**District Court Case Number** (To be filled in by deputy clerk): \_\_\_\_\_

**Name of Defendant** Deiby Felix

**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	21 U.S.C. § 841(a)(1)	Possession of Controlled Substances with Intent to Distribute	3
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
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23-MJ-1471-DLC  
23-MJ-1472-DLC  
23-MJ-1473-DLC  
23-MJ-1474-DLC  
23-MJ-1475-DLC  
23-MJ-1476-DLC  
23-MJ-1477-DLC  
23-MJ-1478-DLC  
23-MJ-1479-DLC  
23-MJ-1480-DLC