

NR:MHW:VN
F. #2019R00138

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

AKMAL NARZIKULOV,
[REDACTED] [REDACTED] and
SHERZOD MUKUMOV,

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

KRISTEN SCHILL, a Special Agent of the Federal Bureau of Investigation
("FBI"), being duly sworn, deposes and states that:

Upon information and belief, in or about and between March 28, 2019 and the
present, both dates being approximate and inclusive, within the Eastern District of New York
and elsewhere, the defendants AKMAL NARZIKULOV, [REDACTED] [REDACTED]
and SHERZOD MUKUMOV, together with others, did knowingly, intentionally and
unlawfully conspire to seize, confine, inveigle, decoy, kidnap, abduct and carry away and
hold for ransom and reward and otherwise a person, and did use the mail and one or more
means, facilities, and instrumentalities of interstate and foreign commerce, to wit: cellular

TO BE FILED UNDER SEAL

COMPLAINT AND AFFIDAVIT IN
SUPPORT OF ARREST WARRANTS

(18 U.S.C. § 1201(c))

Case No. 19-MJ-358

telephones and bank deposits, in committing and in furtherance of the commission of the offense, contrary to Title 18, United States Code, Section 1201(a)(1).

(Title 18, United States Code, Section 1201(c))

The source of your affiant's information and the grounds for her belief are as follows:

1. I am a Special Agent with the FBI, duly appointed according to law and acting as such. I have been a Special Agent with the FBI for approximately four years. I am currently tasked with investigating crimes involving public corruption and other crimes against the government.

2. During my tenure with the FBI, I have participated in numerous investigations, during the course of which I have: (a) conducted physical and wire surveillance; (b) executed search warrants; (c) reviewed and analyzed numerous taped conversations of a criminal nature; (d) debriefed cooperating witnesses and confidential sources; (e) monitored wiretapped conversations and reviewed line sheets prepared by wiretap monitors; and (f) conducted surveillance of individuals engaged in criminal activity, including identity and benefits fraud. Through my training, education and experience, I have become familiar with (a) the manner in which identity frauds and other crimes related to public corruption are committed and concealed; (b) methods of payment for such activity; and (c) the efforts of persons involved in such activity to avoid detection by law enforcement.

3. I have personally participated in the investigation described herein. From my participation in the investigation and from my review of reports made by other

federal agents and local police officers and from my conversations with other law enforcement officers, I am familiar with the facts and circumstances set forth in this Affidavit. Because this Affidavit is being submitted for the limited purpose of establishing probable cause to arrest, I have not set forth each and every fact learned during the course of this investigation, but simply those facts which I believe are necessary to establish probable cause to arrest.

A. The CDL Scheme Investigation

4. I am currently a case agent for an investigation into a group of individuals who have compromised the integrity of the examination process for issuance of New York State commercial driver's permits and licenses.

5. In New York State, drivers of certain commercial vehicles, such as large buses and heavy transportation trucks, are required to possess a commercial driver's license ("CDL"). In order to obtain a CDL in New York, all applicants are required to, among other things, pass a test covering various subjects related to the safe operation of large vehicles.

6. The investigation has identified the defendant AKMAL NARZIKULOV (hereinafter "AKMAL") as part of a conspiracy that assists applicants of CDLs ("CDL Clients") in cheating on written CDL tests (hereinafter, the "CDL Scheme").

7. In 2015, AKMAL was convicted in the Eastern District of New York for conspiracy to commit honest services mail fraud, in violation of Title 18, United States Code Section 1349. United States v. Narzikulov, et al. 13-CR-601 (RJD). This conviction arose from his participation in a scheme similar to that described herein whereby AKMAL

assisted CDL applicants in cheating on the CDL written tests. A copy of the complaint underlying this prior conviction is attached as Exhibit A.¹

B. The Confidential Source

8. During the course of the investigation, I have received information from a confidential source (“CS”) who has acknowledged participation in the CDL Scheme. CS has no prior criminal record and was unknown to FBI investigators until last month. CS began communicating with law enforcement officials after CS was assaulted and kidnapped by AKMAL, SHERZOD MUKUMOV (hereinafter “SHERZOD”) and [REDACTED] [REDACTED] (hereinafter “[REDACTED]”) in an attempt to recover a debt AKMAL claimed was owed by CS. As reflected herein, CS’s information regarding this abduction has been corroborated by, among other evidence, documents and surveillance videos.

9. Unless otherwise noted, any identification of a named defendant referenced herein is based upon CS’s identification of a photograph of that defendant maintained in the records of federal and/or local law enforcement.

10. In or about November and December 2018, CS met and began working for AKMAL as a driver. AKMAL initially employed CS to drive during the evenings to designated residential addresses where CS would pick up cash owed to AKMAL. CS

¹ On November 15, 2015, AKMAL was sentenced to a term of 30 months’ imprisonment and one year of supervised release. On May 31, 2017, following an evidentiary hearing, the Honorable Raymond J. Dearie found that AKMAL had violated the terms of his supervised release. Judge Dearie terminated supervised release and imposed an additional sentence of six months’ imprisonment.

subsequently learned that the funds that CS was retrieving were payments to AKMAL by CDL Clients in connection with the CDL Scheme.

11. During CS's period of employment by AKMAL, which lasted approximately two weeks, CS observed AKMAL and SHERZOD providing CDL Clients with devices to facilitate cheating on CDL tests. Thereafter, CS also began to personally drive CDL Clients to DMV locations and provide devices and instructions to CDL Clients to facilitate the cheating.

12. At the start of CS's second week of employment, AKMAL paid CS approximately \$800 in advance. Before completing the full week of employment, CS decided to cease participation in the CDL Scheme and stopped working for AKMAL, despite having already received a full week's pay. AKMAL demanded that CS return the unearned wages. Following repeated demands by AKMAL for repayment, CS fled New York and resided out of state for several months.

C. The Kidnapping

13. While residing outside of the State of New York, CS received threatening messages via a social media account from AKMAL. CS stopped using the social media account, obtained a new cellular phone number and ceased receiving threatening messages. In or about February 2019, CS returned to New York and began residing in a new location in Brooklyn (the "Brooklyn Residence").

14. On the morning of March 28, 2019, CS left the Brooklyn Residence and began to walk down the street. CS observed AKMAL, SHERZOD and [REDACTED] outside the Brooklyn Residence.

15. CS turned away from the defendants and ran to the door of the Brooklyn Residence. CS was pursued by AKMAL and [REDACTED] CS was unable to get beyond the vestibule of the Brooklyn Residence because AKMAL and [REDACTED] physically restrained CS and tried to pull CS outside and away from the Brooklyn Residence. While CS was clinging to the door of the Brooklyn Residence, CS felt multiple shocks that were administered from a device that [REDACTED] was holding.

16. CS awoke and discovered CS was inside a car being driven by SHERZOD. At this time, CS's hands were bound and CS was flanked in the vehicle's rear seat by AKMAL and [REDACTED] SHERZOD drove the group to a deserted area within a parking garage.

17. At the parking garage, CS was stripped of CS's clothes and searched. AKMAL took possession of CS's green card, watch, cellular phone and other property. AKMAL demanded to know why CS had run and complained that CS had given AKMAL insufficient notice of CS's intent to leave AKMAL's employ. AKMAL demanded that he be paid \$5,000, which purportedly represented interest on the money CS had received for a full week's work and for parking tickets left on a vehicle that CS had used while in AKMAL's employ.

18. While in the parking garage, SHERZOD called CS's mother outside of the United States and demanded that she pay CS's debts. SHERZOD also called an acquaintance of CS who resides in the same country as CS's mother in an attempt to obtain fulfillment of the debt.

19. While in the parking garage, AKMAL searched CS's personal property and discovered a check for \$2,100 that reflected wages that CS had earned for lawful employment. AKMAL demanded that CS immediately cash the check as partial payment for CS's purported debt. Upon learning that CS did not have a bank account in which to deposit the check, AKMAL ordered CS to open a bank account.

20. Thereafter, SHERZOD drove AKMAL, [REDACTED] and CS to a Bank of America branch (the "Bank") on Kings Highway in Brooklyn. While SHERZOD waited outside in the car, CS was escorted by AKMAL and [REDACTED] into the Bank, where CS opened a checking account. The Bank employees were not authorized to immediately cash the CS's check, but issued a Bank card and ten blank temporary checks to CS.

21. Upon leaving the Bank, the defendants drove with CS to a check cashing business also located on Kings Highway in Brooklyn. AKMAL demanded that CS write a check in the amount of \$1,000 and further directed CS to sign and write the dollar amount on the check, but to leave the payee line blank. AKMAL entered the check cashing business and, upon exiting, claimed it would not accept the check.

22. Shortly thereafter, CS was released by the defendants. AKMAL retained all of the property that had been taken from CS, including CS's cellular telephone, driver's license, green card and Bank card.

23. Upon CS's release, CS reported the assault and abduction to the New York City Police Department. On that date, CS identified photographs of AKMAL, SHERZOD and [REDACTED] maintained in the records of local law enforcement, as his kidnappers.

D. Evidence Corroborating CS's Account

24. In the investigation to date, I have reviewed surveillance videos from inside the Brooklyn Residence and from the adjacent street. Video taken from the morning of March 28, 2019 shows CS exiting the Brooklyn Residence carrying a backpack and walking down the street in front thereof. Just as CS was about to leave the field of vision of the Building Residence's camera, CS turned back toward the Brooklyn Residence and began running as CS was chased by two men. The two men caught up to CS and restrained CS from getting beyond the vestibule of the Brooklyn Residence. The two men physically attempted to pull CS away from the Brooklyn Residence while CS held on to the front door. The video also captured the CS slumping and being dragged out of camera range.

25. Similarly, on March 28, 2019, at approximately 11:00 a.m., video cameras inside the Bank where CS stated that CS was forced to open a checking account as AKMAL and [REDACTED] restricted CS's escape, captured the images of all three individuals. Still images of AKMAL and [REDACTED] from that video are attached as Exhibits B and C, respectively. I have compared images of AKMAL and [REDACTED] from the Bank video, with known photographs of each individual and based on my observation they appear to be the same individuals.

26. Further, records subpoenaed from the Bank reflect that CS opened a checking account on March 28, 2019.

WHEREFORE, your affiant respectfully requests that arrest warrants be issued so that the defendants AKMAL NARZIKULOV, [REDACTED] [REDACTED] and SHERZOD MUKUMOV may be dealt with according to law. Your affiant also respectfully

requests that this affidavit and any issued arrest warrants be sealed as the defendants remain at large and public disclosure of this affidavit and/or arrest warrants may lead them to flee or otherwise seek to avoid apprehension.

KRISTEN SCHILL
Special Agent
Federal Bureau of Investigation

Sworn to before me this
16 day of April, 2019

THE HONORABLE CHERYL L. POLLAK
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

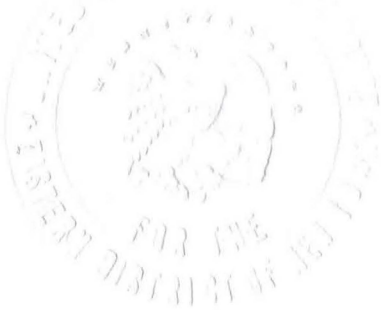


EXHIBIT A

PT:MHW
F. #2013R01534

13-027

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

TO BE FILED UNDER SEAL

- against -

COMPLAINT AND AFFIDAVIT IN
SUPPORT OF ARREST WARRANTS

AKMAL NARZIKULOV,
also known as "Soldier,"
FIRDAVS MAMADALIEV,
DALE HARPER,
also known as "Reds,"
JOACHIM PIERRE LOUIS,
also known as "Jameson,"
LATOYA BOURNE,
MARIE DANIEL,
LUC DESMANGLES,
BEAYAHEH KAMARA,
JOSE PAYANO,
TANAEL DANIEL and
INOCENTE RENE GONZALEZ MARTINEZ,

(T. 18, U.S.C., § 1349)

Defendants,

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EASTERN DISTRICT OF NEW YORK, SS:

KEVIN J. FALK, a Special Agent of the United States
Department of Homeland Security, Immigration and Customs
Enforcement, Homeland Security Investigations ("HSI"), being
duly sworn, deposes and states that:

Upon information and belief, in or about and between
April 2013 and September 2013, both dates being approximate and

inclusive, within the Eastern District of New York and elsewhere, the defendants AKMAL NARZIKULOV, also known as "Soldier," FIRDAVS MAMADALIEV, DALE HARPER, also known as "Reds," JOACHIM PIERRE LOUIS, also known as "Jameson," LATOYA BOURNE, MARIE DANIEL, LUC DESMANGLES, BEAYAHEH KAMARA, JOSE PAYANO, TANAEL DANIEL and INOCENTE RENE GONZALEZ MARTINEZ, together with others, did knowingly and intentionally attempt and conspire to execute a scheme and artifice to defraud the New York State Department of Motor Vehicles ("DMV") of the intangible right to the honest services of its security guard contract employees LATOYA BOURNE, BEAYAHEH KAMARA and INOCENTE RENE GONZALEZ MARTINEZ, by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice did knowingly and intentionally place and attempt to place in a post office and authorized depository for mail matter, one or more matters and things to be sent and delivered by the United States Postal Service, contrary to Title 18, United States Code, Sections 1341 and 1346.

(Title 18, United States Code, Section 1349)

The source of your deponent's information and the grounds for his belief are as follows:

1. I am a Special Agent with HSI, duly appointed according to law and acting as such. I have been a Special Agent with HSI for approximately two years and am currently assigned to the Document and Benefit Fraud Squad, where I am tasked with investigating crimes involving identity fraud and other frauds against the government.

2. During my tenure with HSI I have participated in numerous investigations, during the course of which I have: (a) conducted physical and wire surveillance; (b) executed search warrants; (c) reviewed and analyzed numerous taped conversations of a criminal nature; (d) debriefed cooperating witnesses and confidential sources; (e) monitored wiretapped conversations and reviewed line sheets prepared by wiretap monitors; and (f) conducted surveillance of individuals engaged in criminal activity, including identity and benefits fraud. Through my training, education and experience, I have become familiar with (a) the manner in which identity and benefit frauds are committed and concealed; (b) methods of payment for such activity; and (c) the efforts of persons involved in such activity to avoid detection by law enforcement.

3. I have personally participated in the investigation described herein. From my participation in the investigation and from my review of reports made by other

federal agents and local police officers, and from my review of reports of physical surveillance, I am familiar with the facts and circumstances set forth in this Affidavit. Because this Affidavit is being submitted for the limited purpose of establishing probable cause to arrest, I have not set forth each and every fact learned during the course of this investigation, but simply those facts which I believe are necessary to establish probable cause to arrest.

A. Background

4. In the State of New York, drivers of certain commercial vehicles, such as large buses and heavy transportation trucks, must possess a commercial driver's license ("CDL"). The DMV issues CDLs in the State of New York, in accordance with and subject to regulations issued by the United States Department of Transportation ("DOT"), and in accordance with the New York State Vehicle and Traffic Law and associated regulations.

5. In order to obtain a CDL from the DMV, all applicants must pass a written or audio test covering various subjects related to safely driving large vehicles and must submit to the DMV a federal DOT medical form signed by a physician. The DMV offers these CDL tests in English and Spanish and no other languages. The CDL written tests are in a

multiple choice format; the audio tests consist of true or false questions. The audio tests are listened to by an applicant through headphones. The answers to both the written and audio CDL tests are marked by an applicant on paper.

6. All of these CDL tests are "closed book" tests, meaning that test takers are not permitted to consult notes, books or other written materials while they are taking the test. An applicant who passes a CDL written or audio test is immediately given a temporary CDL learner's permit at the DMV Office where the test was taken. Approximately one week later the DMV sends the applicant by the United States Postal Service a permanent photograph identification permit. Upon receipt of the permit the applicant is eligible to take the CDL road test. CDL permit-holders are also allowed to practice driving commercial vehicles if a CDL-holder is in the vehicle with the CDL permit-holder. After passing the CDL road test, an applicant may immediately obtain a temporary CDL at the road test site from the licensed examiner. The applicant must visit a DMV Office within seven to ten days later to have a license amendment transaction processed before receiving a permanent CDL by mail a couple of weeks later.

7. Security guards are assigned to DMV testing locations. These security guards are employed by a private

security company under contract with the New York State Office of General Services. Bills for the services of security guards stationed at DMV locations are paid by the DMV.

B. The Investigation

8. I am currently one of two federal case agents assigned to an investigation involving a group of individuals, including security guards stationed at DMV Offices, who have compromised the integrity of the examination process for issuance of New York State CDL learner's permits and CDLs. This investigation is being conducted by HSI, in conjunction with the United States Department of Transportation-Office of Inspector General ("DOT-OIG"); the New York City Police Department ("NYPD"); the New York State Inspector General ("NYS-OIG"); the New York State Attorney General ("NYS-AG"); and the DMV.

9. The investigation has identified the defendants AKMAL NARZIKULOV, also known as "Soldier," FIRDAVS MAMADALIEV, DALE HARPER, also known as "Reds," JOACHIM PIERRE LOUIS, also known as "Jameson," LATOYA BOURNE, MARIE DANIEL, LUC DESMANGLES, BEAYAHEH KAMARA, JOSE PAYANO, TANAEL DANIEL and INOCENTE RENE GONZALEZ MARTINEZ, as conspirators in a scheme to compromise the CDL examination process at DMV Offices in Queens, Long Island and Manhattan. As detailed herein, the defendants are involved

in a conspiracy to deprive the DMV of the honest services of its security guard contract employees through mail fraud.

10. More specifically, as set forth herein the investigation has revealed the following:

11. AKMAL NARZIKULOV, also known as "Soldier," aided by coconspirators, including FIRDAVS MAMADALIEV, has provided CDL applicants with a coded pencil containing the answers to audio CDL tests before the applicants take those tests. NARZIKULOV has helped CDL applicants cheat in this manner at DMV offices within the Eastern District of New York.

12. On occasion, NARZIKULOV also brings CDL applicants to a DMV Office at 11 Greenwich Street in lower Manhattan (the "Greenwich Street DMV Office"). At that Office, NARZIKULOV obtains the assistance of a group of coconspirators, including JOACHIM PIERRE LOUIS, also known as "Jameson," JOSE PAYANO, LUC DESMANGLES and TANAEL DANIEL. This group has devised a scheme whereby applicants for CDLs are instructed to leave the testing area and DMV Office, with their uncompleted tests, after receiving surreptitious signals from security guards, LATOYA BOURNE or BEAYAHEH KAMARA, that they may do so. The investigation has revealed that BOURNE and KAMARA have received cash bribes for their assistance in accomplishing the test cheating.

13. Upon exiting the Greenwich Street DMV Office the cheating applicants are met by LOUIS, PAYANO, DESMANGLES or TANAEI DANIEL. The cheating applicant's test is then brought to MARIE DANIEL, who completes the test nearby. Upon MARIE DANIEL's completion of the test LOUIS, PAYANO, DESMANGLES or TANAEI DANIEL return the test to the applicant, who then re-enters the DMV and submits it for grading. On occasion, LOUIS personally has removed an applicant's test from the testing area inside a DMV Office and carried the test to MARIE DANIEL for completion.

14. The investigation has further revealed that DALE HARPER, also known as "Reds," has also employed the services of LOUIS, MARIE DANIEL, PAYANO, DESMANGLES and TANAEI DANIEL to help CDL applicants cheat on the CDL written tests. Moreover, the cheating scheme involving the latter coconspirators is not confined to the Greenwich Street DMV Office but has also occurred at a DMV Office located at 159 East 125th Street in Manhattan's Harlem neighborhood ("the Harlem DMV Office"). At that location another security guard, INOCENTE RENE GONZALEZ MARTINEZ, allows applicants to cheat on CDL written tests by allowing the removal of the tests from the testing area, to be then completed by MARIE DANIEL nearby.

15. Because many of the applicants who have cheated on CDL tests through these schemes reside in the Eastern District of New York, CDL learner's permits or CDLs that these applicants obtained have been mailed or have been designated to be mailed by the DMV to locations in the Eastern District of New York.

C. Sources of Information

16. During the course of the investigation, I have received information from two confidential informants ("CI-1" and "CI-2"). CI-1 has been a confidential informant for one year and several months. CI-1 has consistently provided reliable information and is currently employed in the commercial transportation industry. CI-1 has no criminal history, save a recent arrest for impersonating a police Officer. CI-1 has not been paid for CI-1's information. CI-1 speaks Russian in addition to English.

17. CI-2 has been a confidential informant for one year. CI-2 also has no recorded criminal history, but has voluntarily disclosed to law enforcement that he was involved in a "sham" marriage designed to obtain United States citizenship. CI-2 also speaks Russian and has consistently provided reliable information. CI-2 has not been paid for CI-2's information.

18. In addition to information received from CI-1 and CI-2, I have reviewed reports prepared by two undercover NYPD detectives ("UC-1" and "UC-2"), who have pretended to be applicants seeking assistance in passing written CDL tests, through cheating.

19. I have also participated in surveillance with other members of the investigative team at various DMV Offices where cheating on the CDL tests has occurred. This surveillance has been supplemented by video cameras installed at two of these locations and still photographs taken by members of the surveillance teams.

20. Unless otherwise noted, identification of a named defendant is based upon a comparison of a photograph of that defendant maintained in the records of the DMV or another government agency, with video or in-person observations of that defendant by law enforcement personnel participating in the investigation.

D. CI-1's First Transaction With NARZIKULOV

21. During Spring 2013, both federal and state law enforcement personnel received multiple reports of systematic acts of cheating on New York State CDL tests. One such source of information was CI-1.

22. CI-1 alerted state law enforcement officers that a co-worker had told CI-1 that the co-worker had obtained the answers to a CDL test in advance from a man known as "Soldier," in return for a fee of \$2,000 - \$2,500. The co-worker provided CI-1 with a cellular telephone number used by "Soldier" (hereinafter "NARZIKULOV cellphone 1").

23. On May 12, 2013, CI-1, acting at the direction of law enforcement, called "Soldier" at NARZIKULOV cellphone 1 and informed him that CI-1 wished to obtain a CDL to operate a school bus. "Soldier" told CI-1 that this would cost \$2,500 and directed CI-1 to meet him at 6:30 a.m. the following day at the intersection of 68th Street and 8th Avenue in Brooklyn. This conversation, between "Soldier" and CI-1, as well as all other conversations between them, was conducted in the Russian language.

24. At the designated date and time CI-1 arrived at the designated location, but "Soldier" never arrived. However, around that time CI-1 received several unanswered calls from a restricted number on CI-1's cellular telephone.

25. On May 13, 2013, at approximately 12:20 p.m., at the direction of law enforcement, CI-1 contacted "Soldier" at NARZIKULOV cellphone 1 to reschedule their meeting. This conversation was consensually recorded. "Soldier" instructed

CI-1 to call him that night to confirm a date and time for the meeting. At the approximate time of this conversation between CI-1 and "Soldier," NARZIKULOV was observed by state investigators in conversation with JOACHIM PIERRE LOUIS at Battery Place in the vicinity of the Greenwich Street DMV Office.

26. As directed by "Soldier," on May 23, 2013, at approximately 7:00 a.m., CI-1 went to the intersection of 67th Street and 8th Avenue in Brooklyn for their first meeting. CI-1 was equipped with a hidden recording device provided by law enforcement. At approximately 8:00 a.m., "Soldier," who has been identified as AKMAL NARZIKULOV, arrived on foot and directed CI-1 to NARZIKULOV's car, a white 2009 Toyota that was parked nearby (hereinafter "NARZIKULOV's car").

27. CI-1 and NARZIKULOV spoke briefly outside NARZIKULOV's car. Law enforcement personnel conducting surveillance of the meeting observed NARZIKULOV reviewing the surroundings in what appeared to be an attempt to ascertain whether the meeting was being observed. NARZIKULOV directed CI-1 to enter NARZIKULOV's car. CI-1 complied, and NARZIKULOV asked CI-1 if CI-1 had a copy of the CDL test application for the school bus driver's test. When CI-1 replied that CI-1 did not, NARZIKULOV began to search his car. CI-1 noticed that

NARZIKULOV's car contained numerous blank CDL test applications. NARZIKULOV asked CI-1 for the fee they had previously discussed on the phone. CI-1 counted out \$2,000 in cash, which law enforcement officers had provided to CI-1 for this purpose, and gave it to NARZIKULOV.

28. CI-1 observed NARZIKULOV place the money in the car's glove compartment. NARZIKULOV then made a call on a cellular telephone and spoke in a Russian dialect that CI-1 did not understand. NARZIKULOV then drove his car around the block. NARZIKULOV exited the car and entered the lobby of an apartment building located in Brooklyn. The investigation has determined that NARZIKULOV resides in that apartment building. CI-1 and law enforcement personnel conducting surveillance observed NARZIKULOV have a conversation in the lobby with a woman, who handed NARZIKULOV a plastic bag. NARZIKULOV returned to the car with the bag, which CI-1 noticed contained multiple copies of CDL test applications.

29. Thereafter, NARZIKULOV, accompanied by CI-1, drove to the intersection of 23rd Avenue and 64th Street in Brooklyn, where a man who NARZIKULOV identified as a friend entered NARZIKULOV's car. CI-1 has identified, from a photograph array, a photograph of FIRDAVS MAMADALIEV as NARZIKULOV's friend. During their time in the car, NARZIKULOV

and MAMADALIEV spoke a Russian dialect that CI-1 did not understand.

30. NARZIKULOV drove the group to a DMV Office located at 168-46 91st Avenue in Jamaica, New York (the "Jamaica DMV Office"). According to CI-1, during the drive MAMADALIEV repeatedly looked out the car's rear and side windows as if conducting counter-surveillance.

31. Upon their arrival at the Jamaica DMV Office, NARZIKULOV instructed CI-1 to, when inside, request an audio version of the school bus CDL test. NARZIKULOV told CI-1 that the answers to the test were true or false and that a pencil NARZIKULOV had given CI-1 earlier in the car contained CDL test answers in code on the sides of the pencil. Specifically, the pencil had a series of dots and dashes on its sides. NARZIKULOV explained that these symbols reflected the correct true or false answers for the audio version to a CDL test. After NARZIKULOV instructed CI-1 on how to use the pencil, NARZIKULOV counted out some money, folded the cash and placed a paper clip over it. NARZIKULOV then entered the Jamaica DMV Office, leaving CI-1 and MAMADALIEV inside the car.

32. NARZIKULOV soon returned to the car holding a folded paper that concealed another coded pencil, which NARZIKULOV gave to CI-1. NARZIKULOV instructed CI-1 on where to

go in the Jamaica DMV Office to request the CDL audio test. Accompanied by MAMADALIEV, CI-1 entered the Jamaica DMV Office. While CI-1 waited on line to get the test, MAMADALIEV remained in the vicinity of where CI-1 was standing.

33. Upon reaching the clerk's station, CI-1 requested the audio version of the school bus CDL test. The clerk informed CI-1 that the Jamaica DMV Office had only a Spanish audio version of that test available, and CI-1 would have to go to a different DMV location to obtain the English version. Then, CI-1 and an agent conducting surveillance of the Jamaica DMV Office observed MAMADALIEV apparently sending a text message. Thereafter, CI-1 and the surveillance agent observed NARZIKULOV enter the Jamaica DMV Office and speak to a DMV supervisor.

34. The DMV supervisor then approached the clerk who had interacted with CI-1 and directed the clerk to find the English audio version of the school bus CDL test for CI-1 and to further assist CI-1. The clerk complied, and with the assistance of the coded pencil, CI-1 completed the test. The test was graded in the Jamaica DMV Office, and a clerk informed CI-1 that CI-1 had passed. CI-1 was then given a temporary learner's permit to operate school buses. Approximately two weeks later, CI-1's school bus driver learner's permit was

delivered by United States mail to an address in the Eastern District of New York.

35. Upon returning to NARZIKULOV's car, NARZIKULOV required CI-1 to return the coded pencil back to him.

E. CI-2's Transaction With NARZIKULOV

36. Federal agents received from a confidential source familiar with NARZIKULOV's criminal activities the number for a second cellular telephone used by NARZIKULOV (hereinafter "NARZIKULOV cellphone 2"). Agents gave this number to CI-2 who, under law enforcement supervision, called NARZIKULOV and told him that CI-2 had received the number from a mutual acquaintance and that CI-2 was in need of NARZIKULOV's services.

37. On June 7, 2013, at approximately 6:05 p.m. CI-2 telephoned NARZIKULOV cellphone 2, at the direction of law enforcement. During this conversation, which was consensually recorded, CI-2 stated that CI-2 had been referred by a friend who "told me I could call you with regard to . . . CDLs."¹ NARZIKULOV indicated that he could not speak then and instructed CI-2 to "call later." This conversation, as well as all other

¹ The quoted language herein between CI-2 and NARZIKULOV is taken from consensually recorded conversations that were translated from Russian into English. These draft translations of the recordings are subject to revision.

conversations described herein between NARZIKULOV and CI-2, was conducted in Russian.

38. On June 10, 2013, at approximately 7:20 p.m., at the direction of law enforcement, CI-2 called NARZIKULOV at NARZIKULOV cellphone 1 - a number which NARZIKULOV had given CI-2 during an earlier unrecorded conversation. During the June 10th recorded conversation, CI-2 and NARZIKULOV discussed what CI-2 would have to bring with him when CI-2 and NARZIKULOV finally met. NARZIKULOV said that CI-2 would have to bring "a driver's license and medical certificate." CI-2 asked NARZIKULOV how much his services would cost, and NARZIKULOV replied "two and a half" - an apparent reference, based on NARZIKULOV's interactions with CI-1 described above, to \$2,500.

39. NARZIKULOV and CI-2's first meeting occurred on June 13, 2013, at approximately 9:00 p.m., at the intersection of Avenue N and McDonald Avenue in Brooklyn. NARZIKULOV arrived in NARZIKULOV's car and ushered CI-2, who was equipped with a hidden recording device provided by law enforcement, into the car. NARZIKULOV asked to see CI-2's driver's license and after examining it returned the license to CI-2. NARZIKULOV stated that he could ensure CI-2 would obtain an authentic CDL in return for a fee of \$2,400. CI-2 bargained with NARZIKULOV and negotiated a price of \$2,250.

40. On June 26, 2013, CI-2 and NARZIKULOV met again. During this meeting, which was also the subject of law enforcement surveillance, CI-2 was equipped with a hidden recording device provided by law enforcement.

41. On June 26, 2013, at approximately 1:30 p.m., CI-2 met NARZIKULOV at the intersection of Avenue P and McDonald Avenue in Brooklyn. NARZIKULOV arrived in NARZIKULOV's car, accompanied by a woman.

42. Upon entering NARZIKULOV's car, CI-2 gave NARZIKULOV \$2,300 in cash which had been provided to CI-2 by law enforcement for this purpose. NARZIKULOV returned \$30 to CI-2, explaining that CI-2 would need this money to pay the DMV application fee at the DMV Office. NARZIKULOV then described his system for cheating on the CDL tests. As with CI-1, CI-2 was instructed on how to use a coded pencil that contained a series of dots and dashes on five of the six sides of the pencil, which reflected the correct true or false answers to the audio versions of the three CDL tests CI-2 would be taking. NARZIKULOV's female companion joined him in instructing CI-2 on the cheating system. NARZIKULOV gave CI-2 a practice pencil and test. Once assured that CI-2 was comfortable with his system, NARZIKULOV, accompanied by his female companion, drove CI-2 to a

DMV Office located at 927 Carmans Road in Massapequa, New York (the "Massapequa DMV Office").

43. NARZIKULOV left his car and entered a nearby business, which surveillance personnel were unable to identify because it was located inside a mall. Within minutes, NARZIKULOV returned to his car and handed CI-2 the actual coded pencils CI-2 would use that day. CI-2 was then escorted into the Massapequa DMV Office by the female companion, while NARZIKULOV waited outside.

44. Inside the Massapequa DMV Office, as the female companion waited nearby, CI-2 requested, received and using the pencils NARZIKULOV had provided, successfully completed three different audio CDL tests. The female companion and CI-2 returned to NARZIKULOV's car. NARZIKULOV retrieved the coded pencils from CI-2.

45. On or about July 5, 2013, as a result of passing the three CDL audio tests, CI-2's CDL learner's permit was delivered by mail to an address in the Eastern District of New York.

F. Criminal Activity at the Greenwich Street DMV Office

46. As noted, the investigation has revealed that other individuals in addition to NARZIKULOV have been engaged in fraud with respect to the CDL examination process in New York.

These individuals were first discovered committing fraud at the Greenwich Street DMV Office. Two of these individuals are DALE HARPER and JOACHIM PIERRE LOUIS.

47. On April 5, 2013, UC-1 telephoned HARPER. During this call, they arranged to meet on April 9, 2013, at the Bowling Green subway station for the purpose of assisting UC-1 in obtaining a CDL. This call was in English and consensually recorded.

48. On April 9, 2013, at approximately 9:30 a.m., UC-1, equipped with a concealed recording device, met HARPER in front of a bank branch located at Battery Place and State Street near the Greenwich Street DMV Office. UC-1 observed HARPER then make a call on his cellular telephone for the purpose of summoning LOUIS. Upon his arrival, LOUIS introduced himself as "Jameson." The trio then walked to a nearby sandwich shop.

49. Inside the sandwich shop, LOUIS requested UC-1's driver's license and social security card. Upon receiving these items, LOUIS filled out an application for a New York CDL. LOUIS instructed UC-1 to go inside the Greenwich Street DMV Office and request four written CDL tests: general, air brake, school bus and passenger. LOUIS further instructed UC-1 to leave the Greenwich Street DMV Office upon obtaining a customer number from the information counter. LOUIS stated that he

needed the number so he could send it by text to one of the two security guards inside who were working with LOUIS. LOUIS explained that upon UC-1's reentering the test area and obtaining the tests, one of the security guards would give UC-1 a signal that UC-1 could leave the room. LOUIS further explained that upon receiving this signal UC-1 should conceal the test papers under UC-1's jacket and bring them outside to LOUIS.

50. UC-1 complied with LOUIS's instructions and entered the Greenwich Street DMV Office. Upon obtaining the customer number UC-1 went back outside, and LOUIS wrote the number on a piece of paper. UC-1 then reentered the Greenwich Street DMV Office, and when UC-1's number was called UC-1 received the four tests that LOUIS had instructed that UC-1 request. Soon after, LATOYA BOURNE, a female security guard at the Greenwich Street DMV Office, instructed UC-1 to leave the room. UC-1 did so while concealing the tests as directed by LOUIS.

51. LOUIS met UC-1 outside, at the intersection of Battery Place and Broadway, and UC-1 gave LOUIS the uncompleted tests. LOUIS left the area.

52. A law enforcement surveillance team followed LOUIS to a nearby fast food restaurant where LOUIS met TANAEEL

DANIEL and a woman recognized by a member of the surveillance team as MARIE DANIEL, a suspect in an earlier DMV fraud investigation. Inside the restaurant, law enforcement observed MARIE DANIEL marking the written CDL tests. MARIE DANIEL appeared to be consulting a laptop computer to assist in answering the questions on the test. Upon completion of the tests they were returned to LOUIS.

53. LOUIS met UC-1 at the intersection of Battery Place and Broadway and gave the now-completed tests to UC-1 before they returned to the Greenwich Street DMV Office. As they walked, LOUIS asked how much "Reds" was charging, and UC-1 said \$2,400. LOUIS then placed a call on his cellular telephone to someone he claimed was his "boss" to see if the price could be reduced, because UC-1 was a fellow Haitian. After speaking to the "boss," LOUIS claimed that he could not reduce the agreed-upon price because "Reds" had already negotiated it. UC-1 requested LOUIS's telephone number, and LOUIS entered the number for a cellular telephone (hereinafter "the LOUIS cellphone") into the contact list on UC-1's cellular telephone.

54. Upon returning to the area in front of the Greenwich Street DMV Office, UC-1 and LOUIS met HARPER, who requested the \$2,400 fee. UC-1 complied and gave HARPER cash that had been provided to UC-1 by law-enforcement for this

purpose. UC-1 then reentered the Greenwich Street DMV Office and was met by BOURNE. BOURNE instructed UC-1 to place the completed tests in a nearby basket and wait on a bench inside the office.

55. UC-1 followed BOURNE's instructions and was eventually called again to a counter, where UC-1 was informed by a DMV employee that UC-1 had passed three tests but failed one - the passenger test. UC-1 left the Greenwich Street DMV Office and met HARPER who was waiting nearby. UC-1 complained to HARPER about the failed test. HARPER placed a call on his cellular telephone, and LOUIS returned to the area. LOUIS promised UC-1 that the problem would be fixed and UC-1 could retake the failed test the next week.

56. The investigation has revealed that the cheating at the Greenwich Street DMV Office on April 9, 2013, was not an isolated incident. Indeed, surveillance conducted by law enforcement both in person and by pole camera has revealed an ongoing operation conducted by LOUIS and his confederates at the Greenwich Street DMV Office. Nearly every weekday CDL applicants arrive at that office, and LOUIS and/or his coconspirators assure that the applicants' CDL written tests are removed from the testing area, to then be completed by MARIE DANIEL and then returned to the Greenwich Street DMV Office.

57. DALE HARPER has been observed by surveillance interacting with LOUIS and members of his group on approximately seven dates since April 2013.

G. LOUIS's Failed Attempt To Assist UC-2 In Cheating

58. On May 22, 2013, at approximately 8:00 a.m., UC-1 placed a call to the LOUIS cellphone and told LOUIS that UC-1 was awaiting LOUIS's arrival at a sandwich shop near the Greenwich Street DMV Office. At 8:40 a.m., LOUIS arrived and was introduced by UC-1 to UC-2, who LOUIS was to assist in passing four CDL tests. Both UCs were equipped with hidden recording devices.

59. LOUIS explained the procedure for cheating to UC-2, as he had previously explained it to UC-1. UC-1 and UC-2 then entered the Greenwich Street DMV Office. After UC-2 obtained a customer number, UC-1 stepped outside and told LOUIS the number so LOUIS could text it to one of LOUIS's security guard confederates in the Greenwich Street DMV Office.

60. As UC-1 and LOUIS awaited the return of UC-2 with the blank tests, UC-1 asked LOUIS whether LOUIS knew of a doctor who would guarantee UC-1's passing the medical examination necessary to receive a CDL. LOUIS stated that he would take care of this and brought UC-1 to a nearby electronics store.

61. Inside the electronics store, LOUIS placed on a photocopy machine an authentic medical certificate form, including a physician's stamp certifying the fitness of the individual described therein to drive commercial vehicles. LOUIS photocopied the legitimate medical certification and then cut the physician's stamp portion off of the photocopy. LOUIS placed the copied stamp portion over a blank medical certification form that was in UC-1's possession. LOUIS then wrote UC-1's undercover name and address on the certification containing the photocopied doctor's certification. LOUIS claimed that he normally charged \$200 for this service but was doing it for UC-1 for free.

62. LOUIS and UC-1 then returned to the front of the Greenwich Street DMV Office to await the return of UC-2 with the four blank tests.

63. Meanwhile, inside the Greenwich Street DMV Office, UC-2 had obtained copies of the blank CDL tests and was instructed by a DMV employee to proceed to the testing area. Shortly after UC-2 complied with this instruction, LATOYA BOURNE signaled to UC-2 that UC-2 could leave the room. UC-2 took the tests from the testing area and walked to the area in front of the Greenwich Street DMV Office, where LOUIS took the blank tests and left, leaving UC-1 and UC-2 to await his return.

Surveillance personnel saw LOUIS then enter a nearby fast food restaurant where earlier surveillance showed MARIE DANIEL was inside.

64. A short time later, LOUIS returned with the completed tests and gave them to UC-2. UC-2 reentered the Greenwich Street DMV Office only to return shortly thereafter. UC-2 relayed to LOUIS and UC-1 what had transpired upon UC-2's reentry into the testing area. A supervisor at the Greenwich Street DMV Office had stopped UC-2 and told UC-2 that applicants were not permitted to leave the testing area after receiving their tests. UC-2 explained that the supervisor had told UC-2 that UC-2 would have to retake the CDL tests on another occasion.

65. LOUIS promised that he would assist UC-2 when the opportunity arose for UC-2 to retake the CDL tests.

H. NARZIKULOV Contacts LOUIS

66. On June 11, 2013, at approximately 8:25 a.m., by prearrangement, CI-1 met NARZIKULOV in Manhattan. NARZIKULOV had agreed to assist CI-1 in passing the CDL tests necessary to obtain licenses to drive tow trucks and transport hazardous materials. CI-1 was equipped with a hidden recording device provided by law enforcement, and the meeting was the subject of law enforcement surveillance.

67. NARZIKULOV arrived in NARZIKULOV's car, and CI-1 entered it. MAMADALIEV and another NARZIKULOV Russian-speaking customer (hereinafter "the Russian-speaking applicant") who was seeking a CDL permit were also inside. NARZIKULOV then drove the car to a parking lot near the Greenwich Street DMV Office.

68. NARZIKULOV had earlier quoted \$500 to CI-1 as the price for his assistance, but as NARZIKULOV and CI-1 approached the Greenwich Street DMV Office on foot, NARZIKULOV said the cost to CI-1 would be \$1,000, because he had to pay additional personnel. CI-1 and NARZIKULOV agreed that CI-1 would take the test that day and pay the additional \$500 a month later.

69. Surveillance personnel noticed that LOUIS was standing nearby as NARZIKULOV negotiated with CI-1. NARZIKULOV approached LOUIS and they briefly spoke. The two men then walked over to CI-1 and the other applicant. NARZIKULOV said LOUIS would help the two customers, and LOUIS urged the two to follow LOUIS.

70. LOUIS, CI-1, MAMADALIEV and the Russian-speaking applicant entered the Greenwich Street DMV Office. The Russian-speaking applicant got on line with an already completed test application, while CI-1 filled out a CDL test application. Upon completing the application, CI-1 submitted it and entered a waiting area. Shortly thereafter, MAMADALIEV signaled CI-1 to

approach him. CI-1 complied, and a female security guard who CI-1 described as black and visibly pregnant (a description matching that of LATOYA BOURNE) instructed CI-1 to follow her.

71. CI-1 followed the pregnant security guard, who spoke to a woman at a nearby counter. The woman behind the counter requested CI-1's driver's license and CDL test application. The woman processed the paperwork, and CI-1 was directed to another area to wait. There CI-1 observed the pregnant security guard speaking to another clerk at a nearby counter. Shortly thereafter, this clerk asked the people in the waiting area "who is the guy who is going to take the hazmat and tow truck tests?" CI-1 approached the counter, paid the application fee and was handed the two tests.

72. As CI-1 waited in the area where CI-1 obtained the tests, CI-1 could observe the testing area. There, CI-1 saw LOUIS approach a test taker, cover the test taker's papers with a newspaper and then leave the room with the test papers and the newspaper, while the test taker remained at his desk. Within minutes, LOUIS reentered the testing area with the newspaper and the papers he had taken from this test taker's desk. LOUIS placed these items in front of the test taker, who then approached a counter and handed a clerk the papers that LOUIS

had placed on the desk. Soon thereafter, CI-1 heard the clerk tell the test taker that he had passed.

73. Upon entering the testing area with the tests, CI-1 noticed that the Russian-speaking applicant was already there. CI-1 observed LOUIS enter the room as he had earlier, cover the Russian-speaking applicant's tests with a newspaper and leave the area with that applicant's concealed test papers. Shortly thereafter, LOUIS returned and replaced the test papers and newspaper in front of the Russian-speaking applicant. The Russian-speaking applicant then began to look through the test papers. A female clerk approached the Russian-speaking applicant and asked what tests he was taking. The Russian-speaking applicant appeared to have difficulty communicating with the clerk. The clerk then summoned a male security guard and conferred with him. The guard then approached the Russian-speaking applicant and demanded that he give the guard his tests. The clerk then ordered the Russian speaking applicant to return to the waiting area.

74. Thereafter, CI-1 noticed that the pregnant security guard had returned to the testing area. CI-1 saw the male security guard who had taken the Russian-speaking applicant's test whisper something to her. The pregnant security guard appeared to be visibly upset.

75. Concerned by the Russian-speaking applicant having been caught cheating, CI-1 returned CI-1's unfinished tests to a clerk. CI-1 explained to the clerk that CI-1 was too ill that day to complete the tests.

76. CI-1 left the Greenwich Street DMV Office and met NARZIKULOV and LOUIS nearby. CI-1 explained what had happened regarding the Russian-speaking applicant. LOUIS had the Russian-speaking applicant's test papers in his hands and showed them to CI-1. The Russian-speaking applicant joined the group. LOUIS explained "we work as a team. We are going to work this out." CI-1 asked LOUIS if he knew the clerk who had stopped the cheating and why she would have done this. LOUIS replied he did not know why the clerk had acted as she had, but suggested to CI-1 that CI-1 return the following day to retake the tests. CI-1 demurred, and NARZIKULOV suggested they try again the following week.

77. During the approximate period that CI-1 and the Russian-speaking applicant were inside the Greenwich Street DMV Office, law enforcement surveillance personnel documented LOUIS's repeated entry and departure from that Office, followed by his entry and departure from a nearby fast food restaurant in which MARIE DANIEL was present only to return, thereafter, to the Greenwich Street DMV Office.

I. LOUIS's Operation Moves To Harlem

78. On July 10, 2013, at approximately 10:08 a.m., UC-1 and UC-2 met LOUIS and his confederate LUC DESMANGLES in front of a shoe store located on 125th Street in Manhattan. This meeting, during which both UCs were equipped with hidden recording devices, was designed to procure LOUIS's assistance in UC-2's passing the four tests that the Greenwich Street DMV Office supervisor had precluded UC-2 from submitting to that Office on May 22, 2013. This time the tests would be taken at the Harlem DMV Office.

79. LOUIS filled out the CDL test applications for UC-2 and assured UC-2 that this time LOUIS would personally remove the tests from the testing area. DESMANGLES explained that the layout of the Harlem DMV Office was different than at the Greenwich Street DMV Office. DESMANGLES also instructed UC-2 that upon obtaining the tests UC-2 should sit as close in the testing area as UC-2 could to the separate waiting area. DESMANGLES further explained that they were working with a different security guard at the Harlem DMV Office.

80. At approximately 10:12 a.m., LOUIS, DESMANGLES and the UCs entered the Harlem DMV Office. UC-2 requested the four tests, obtained them and proceeded to the testing area. Meanwhile, UC-1 observed LOUIS standing in the Harlem DMV Office

waiting area. At approximately 11:00 a.m., UC-1 observed a male security guard, who was subsequently identified as INOCENTE RENE GONZALEZ MARTINEZ, place a call on a cellular telephone.

Simultaneously, UC-1 observed LOUIS receive a call on a cellular telephone LOUIS had in his possession. UC-1 observed MARTINEZ make a nodding motion toward LOUIS, at which point LOUIS entered the testing area.

81. Upon entering the testing area, LOUIS took four blank tests from UC-2 and left the building. LOUIS was followed by surveillance personnel to a local fast food restaurant where LOUIS met MARIE DANIEL.

82. Approximately twenty minutes later, LOUIS returned to the Harlem DMV Office, reentered the testing area and returned the four completed tests to UC-2. UC-2 then submitted the tests for grading and was informed that UC-2 had failed the core and combination tests.

83. The UCs, DESMANGLES and LOUIS conferred in front of the Harlem DMV Office. DESMANGLES and LOUIS assured UC-2 that UC-2 could return within a week and that on the next occasion UC-2 would pass. UC-2 then provided DESMANGLES with \$1,400 in prerecorded cash that had been provided by law enforcement as part of the investigation and was the agreed upon

fee for LOUIS and DESMANGLES's services.

J. LOUIS Returns To The Greenwich Street DMV Office

84. On July 23, 2013, at approximately 8:20 a.m., UC-1 and UC-2 met LOUIS at a sandwich shop in lower Manhattan. The purpose of the meeting was to arrange for LOUIS's assistance in helping UC-2 retake the two CDL tests that UC-2 had failed at the Harlem DMV Office.

85. LOUIS requested UC-2's driver's license and then filled out applications for the tests UC-2 wanted to take. LOUIS did the same for another man and a woman, who were both also inside the sandwich shop.

86. Shortly thereafter, UC-2 entered the Greenwich Street DMV Office, requested the two tests that UC-2 wished to take and then waited to be given the tests. While UC-2 waited, UC-2 was summoned by a male security guard, BEAYAHEH KAMARA. UC-2 walked over to KAMARA, who whispered "you know what to do, right?" UC-2 replied "no." KAMARA instructed UC-2 that upon receiving the two tests UC-2 should leave the waiting area and not go to the testing area.

87. Approximately ten minutes later, UC-2 received the two tests and, following KAMARA's instructions, left the building. LOUIS, who was waiting outside, took the two tests from UC-2 and left the area. Surveillance showed LOUIS bringing

the tests to MARIE DANIEL at the intersection of Water Street and Battery Place, where she completed the tests. Then, LOUIS returned the now-completed tests to UC-2 near the Greenwich Street DMV Office.

88. UC-2 reentered the Greenwich Street DMV Office and submitted the tests for grading. Thereafter, a DMV employee informed UC-2 that UC-2 had passed only one of the two tests. When informed of this fact outside, LOUIS simply smiled and shook his head.

K. Evidence Of The Security Guards' Receipt of Cash Bribes

89. Video and in-person surveillance have shown that BOURNE and KAMARA, the security guards at the Greenwich Street DMV Office, have received cash bribes in return for their participation in the CDL test cheating scheme. Below are documented some instances of that surveillance.

90. On April 22, 2013, at approximately 11:00 a.m., a surveillance officer observed LATOYA BOURNE and LUC DESMANGLES in front of the Greenwich Street DMV Office. During their encounter, DESMANGLES placed what appeared to be cash in BOURNE's hand, which she then placed in her pocket.

91. On May 24, 2013, surveillance captured LOUIS placing what appears to be cash into BOURNE's pocket in front of

the Greenwich Street DMV Office. A still photograph of that encounter is attached as Exhibit A.

92. On July 26, 2013, a state investigator observed LOUIS and MARIE DANIEL in front of a building near the Greenwich Street DMV Office. They were speaking to two women, one of whom handed LOUIS cash. LOUIS counted out a portion of the money and placed it in a white envelope. LOUIS then walked to the street in front of the Greenwich Street DMV Office. At approximately 10:46 a.m., KAMARA exited the Greenwich Street DMV Office and met LOUIS, who handed KAMARA the white envelope.

93. On August 15, 2013, at approximately 10:15 a.m., in the vicinity of the Greenwich Street DMV Office a state investigator observed DESMANGLES hand what appeared to be an envelope to BOURNE. After DESMANGLES walked away from her, BOURNE removed the envelope from her pocket and began to count out cash contained therein.

94. On August 26, 2013, at approximately 10:38 a.m., JOSE PAYANO appeared to be passing a possible bribe to LATOYA BOURNE concealed in a folded newspaper PAYANO handed to her in the vicinity of the Greenwich Street DMV Office. A still photograph of that exchange is attached as Exhibit B.

95. On August 30, 2013, at approximately 10:35 a.m., law enforcement surveillance observed TANAEL DANIEL placing what

appears to be money into BOURNE's hand, in front of the Greenwich Street DMV Office. A still photograph of that encounter is attached as Exhibit C.

L. Surveillance Documenting PAYANO and TANAEL DANIEL's Roles

96. In addition to surveillance documenting the receipt of cash by BOURNE and KAMARA, PAYANO and TANAEL DANIEL's knowing participation in the conspiracy described herein also has been documented by surveillance.

97. For example, on August 6, 2013, at approximately 9:55 a.m., video and in-person surveillance of the Greenwich Street DMV Office showed TANAEL DANIEL taking a blue duffel bag from an individual who had just exited that Office. TANAEL DANIEL then carried the bag to MARIE DANIEL, who was sitting near Battery Place. A surveillance agent observed TANAEL DANIEL shortly thereafter return the duffel bag to the individual who had given it to him. That man reentered the Greenwich Street DMV Office.

98. On August 9, 2013, at approximately 9:39 a.m., PAYANO was captured on video and observed by surveillance personnel escorting an applicant into the Greenwich Street DMV Office. The applicant left the DMV Office and handed papers to PAYANO, who then brought the papers to MARIE DANIEL, who was observed sitting on a bench in Bowling Green Park. Soon after,

PAYANO returned the papers to the applicant, who then reentered the Greenwich Street DMV Office.

99. On August 12, 2013, at approximately 9:19 a.m., video and in-person surveillance captured TANAEEL DANIEL taking papers from an applicant who had just exited the Greenwich Street DMV Office. TANAEEL DANIEL then carried those papers to MARIE DANIEL who was sitting on the steps of a nearby building. Soon thereafter, the video surveillance captured TANAEEL DANIEL returning the papers to the applicant, who then reentered the Greenwich Street DMV Office.

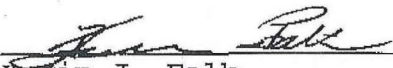
100. Similarly, on August 26, 2013, at approximately 8:37 a.m., video captured, and surveillance personnel saw, PAYANO taking papers from an applicant in the vicinity of the Greenwich Street DMV Office. PAYANO then carried those papers to MARIE DANIEL, who was standing near an open-air phone booth at the intersection of Battery Place and Greenwich Street. Soon thereafter, these papers were returned to the applicant, who then reentered the Greenwich Street DMV Office.

M. Mailings To The Eastern District of New York

101. Through surveillance outside and within the Greenwich Street DMV Office conducted from April 2013 through the present, and through a review of DMV records, the investigation to date has identified approximately sixty-two

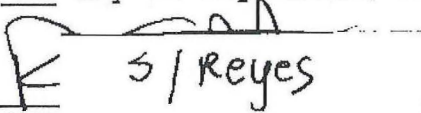
applicants for CDLs who are believed to have been engaged in cheating. Of those cheating CDL applicants, the investigation has identified approximately twenty-four CDL photo identification licenses or learner's permits that were mailed to addresses in the Eastern District of New York as a consequence of that fraud.

WHEREFORE, your deponent respectfully requests that arrest warrants be issued so that the defendants AKMAL NARZIKULOV, also known as "Soldier," FIRDAVS MAMADALIEV, DALE HARPER, also known as "Reds," JOACHIM PIERRE LOUIS, also known as "Jameson," LATOYA BOURNE, MARIE DANIEL, LUC DESMANGLES, BEAYAHEH KAMARA, JOSE PAYANO, TANAEL DANIEL and INOCENTE RENE GONZALEZ MARTINEZ, may be dealt with according to law. Your deponent further respectfully requests that this affidavit and any arrest warrants issued be filed under seal.



Kevin J. Falk
Special Agent
Department of Homeland Security
Homeland Security Investigations

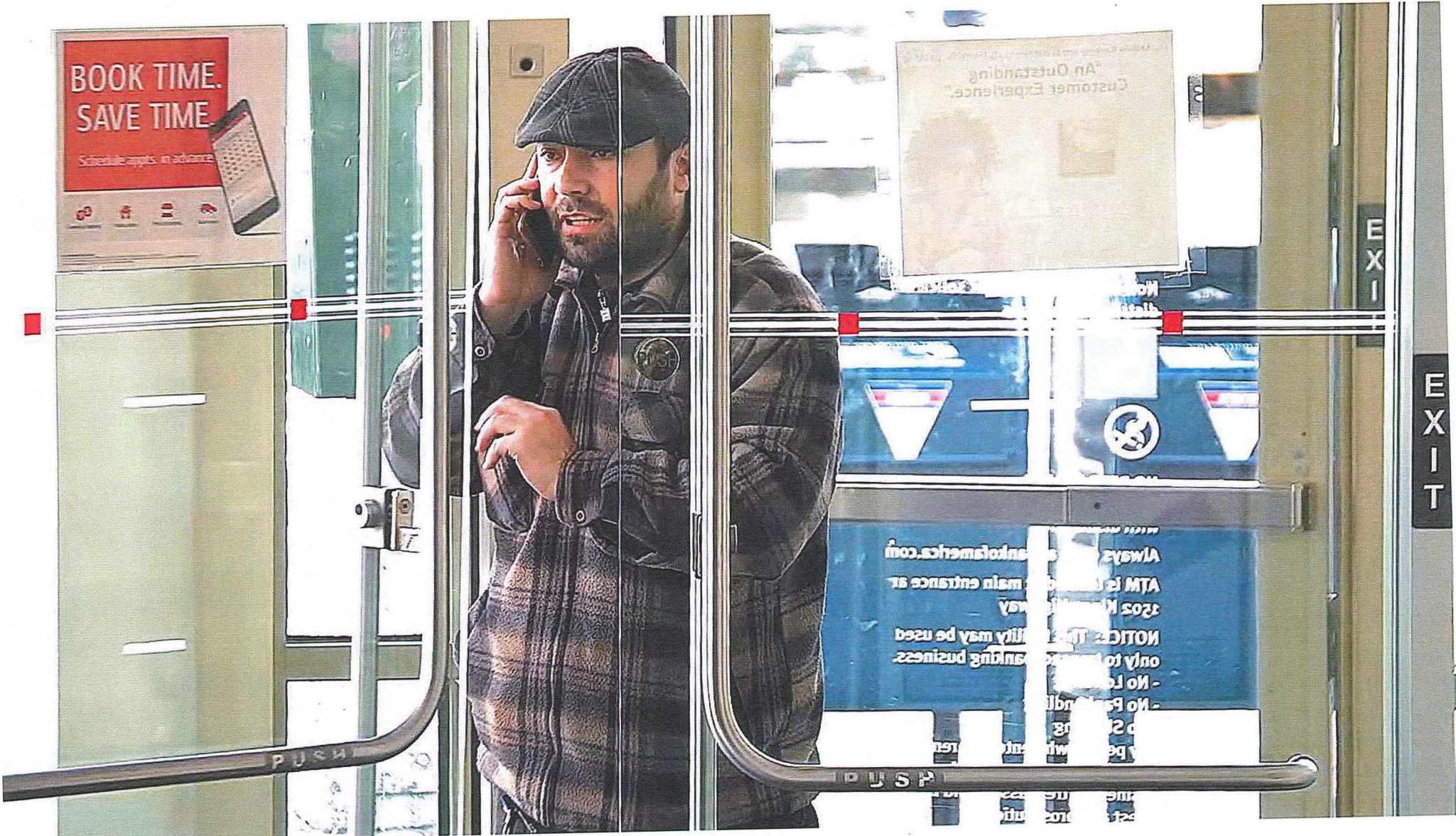
Subscribed and sworn to before me,
this 23 day of September, 2013,



THE HONO
UNITED S
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, JR.
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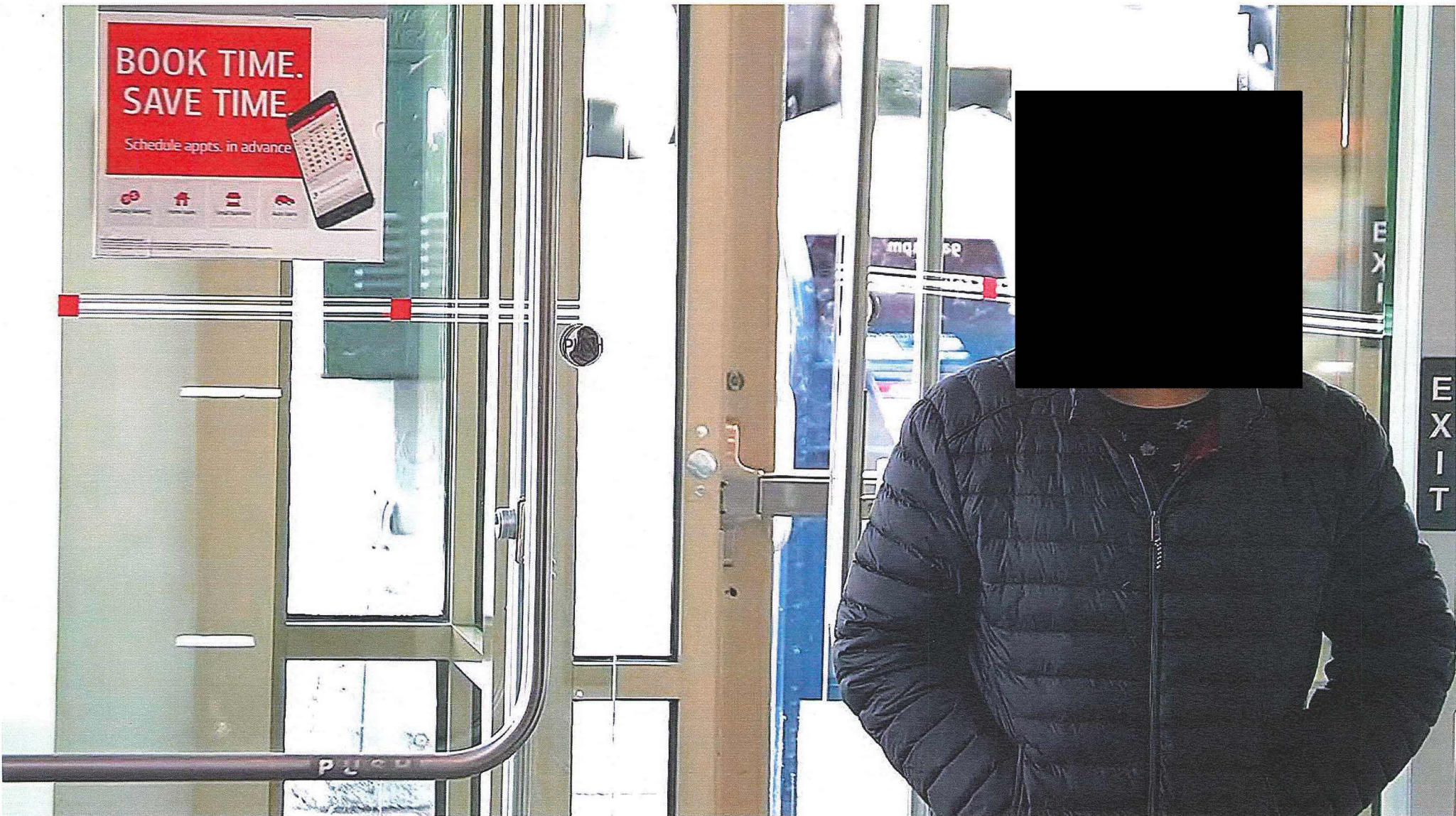
EXHIBIT B



03/28/2019 11:01:26.89
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