

**TO: Clerk's Office
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**APPLICATION FOR LEAVE
TO FILE DOCUMENT UNDER SEAL**

UNITED STATES OF AMERICA

-v.-

20-MJ-507

Docket Number

RAYVAUGHN WILLIAMS

SUBMITTED BY: Plaintiff Defendant DOJ

Name: Robert M. Pollack

Firm Name: USAO-EDNY

Address: 271-A Cadman Plaza East

Brooklyn, NY 11201

Phone Number: 718.254.6232

E-Mail Address: robert.pollack@usdoj.gov

INDICATE UPON THE PUBLIC DOCKET SHEET: YES NO
If yes, state description of document to be entered on docket sheet:



A) If pursuant to a prior Court Order:

Docket Number of Case in Which Entered: _____

Judge/Magistrate Judge: _____

Date Entered: _____

B) If a new application, the statute, regulation, or other legal basis that authorizes filing under seal

All Writs Act: risk of flight, destruction of evidence

ORDERED SEALED AND PLACED IN THE CLERK'S OFFICE, AND MAY NOT BE UNSEALED UNLESS ORDERED BY THE COURT.

DATED: Brooklyn, NEW YORK

July 7, 2020

/s/ Roanne L. Mann

U.S. MAGISTRATE JUDGE

RECEIVED IN CLERK'S OFFICE July 7, 2020

DATE

MANDATORY CERTIFICATION OF SERVICE:

A.) _____ A copy of this application either has been or will be promptly served upon all parties to this action, B.) _____ Service is excused by 31 U.S.C. 3730(b), or by the following other statute or regulation: _____; or C.) This is a criminal document submitted, and flight public safety, or security are significant concerns. (Check one)

July 7, 2020

DATE


SIGNATURE

PTH:RMP
F. #2019R01682

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

RAYVAUGHN WILLIAMS,

Defendant.

----- X

EASTERN DISTRICT OF NEW YORK, SS:

AYESHA R. WINSTON, being duly sworn, deposes and states that she is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), duly appointed according to law and acting as such.

On August 12, 2019, within the Eastern District of New York and elsewhere, the defendant RAYVAUGHN WILLIAMS did knowingly and intentionally attempt to obstruct, delay and affect commerce and the movement of articles and commodities in commerce, by robbery, to wit: the attempted robbery of Canarsie Plaza Pharmacy at 8721 Flatlands Avenue in Brooklyn, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

The source of your deponent’s information and the grounds for her belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware. Based upon some of the facts included in this

TO BE FILED UNDER SEAL

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF
APPLICATION FOR AN
ARREST WARRANT

(18 U.S.C. §§ 1951(a) and 3551 et seq.)

Case No. 20-MJ-507

1. I am a Special Agent with the ATF and I have participated in numerous investigations of violent crimes, including robberies, among other crimes. I am familiar with the facts and circumstances set forth below from my participation in this investigation, including my personal observations and my training and experience; my review of the investigative files, surveillance camera videos, and business records; and from reports of other law enforcement officers involved in the investigation.

The Pharmacy Robbery

2. The Canarsie Plaza Pharmacy (“the Pharmacy”) is located at 8721 Flatlands Avenue in Brooklyn, New York, within the Eastern District of New York.

3. On August 12, 2019, an individual, whom I believe to be RAYVAUGHN WILLIAMS, committed an attempted robbery of the Pharmacy (the “Robbery,” or the “Pharmacy Robbery”) between approximately 12:40 p.m. and 12:50 p.m.

4. I have watched several video recordings of the Robbery. These videos were created by one of the investigating New York City Police Department (“NYPD”) detectives by recording the playback of the Pharmacy’s video surveillance system, which captured video of the Robbery from several vantage points.

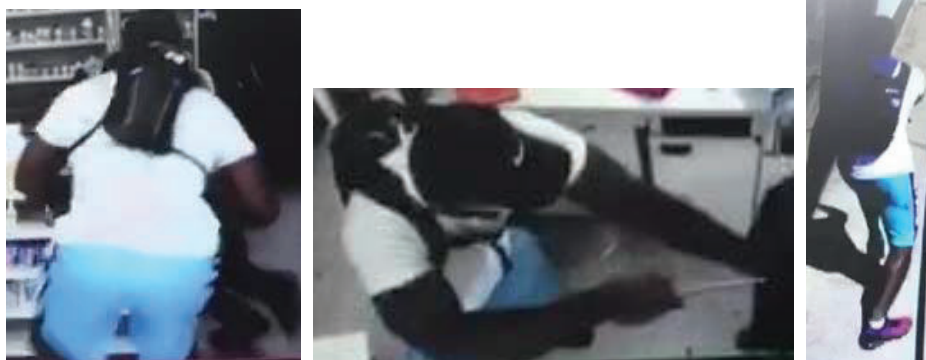
5. Based upon my review of these recordings and my review of statements that two employees of the Pharmacy (hereinafter, “Employee A” and “Employee B”) made to the NYPD, I know that the attacker initially claimed to be there to pick up a prescription, but the

Complaint, United States Magistrate Judge Roanne L. Mann signed on April 24, 2020 a warrant authorizing the search of information, including location data, associated with a certain cellular device. See 20-MC-906. Additional facts are included in this application that were not included in that one, including some facts that were discovered as a result of that search warrant. This Complaint is submitted contemporaneously with an affidavit in support of an application for a premises search warrant.

Pharmacy had not received any prescription in the name he gave. The attacker subsequently brandished a knife, which he removed from a dark plastic bag that he had carried into the store, and he demanded money. When Employee A attempted but failed to open the register, the attacker vaulted the service counter and stabbed Employee A numerous times with the knife, causing serious injuries. Most, if not all, of the attacker's knife thrusts are captured on the surveillance videos.

6. Based upon the video recordings, the attacker appears to have been an African-American male, wearing a white t-shirt; a black baseball-style cap with a white Nike logo clearly visible above the brim; a narrow black backpack with areas of white print, which, based upon its narrowness, appears to be a "hydration"-type pack rather than a common backpack or book bag; bright, light blue (or azure) basketball-style shorts, with a thick black vertical stripe on each side, and a white geometrical design atop each black stripe; and dark sneakers with a predominantly purple upper portion. The attacker also wore what appeared to be a white medical mask, which obscured the lower portion of his face. Images of the attacker and his clothing as they appear in these recordings are below.





7. After stabbing Employee A repeatedly, the attacker vaulted back over the counter and fled from the Pharmacy through the front door. He ran left from the Pharmacy and around the corner of East 88th Street and Flatlands Avenue, headed north on East 88th Street. Employee B then called 911.

8. During the subsequent investigation, the NYPD canvassed the area around the Pharmacy for surveillance cameras and recovered numerous surveillance videos, which I have reviewed. Through those videos, which are described below, investigators were able to trace the movements of the attacker prior to the Pharmacy Robbery back to a particular bus; and then, from Metropolitan Transit Authority (“MTA”) surveillance video, MTA customer data, and bank customer records, which I have also reviewed, the attacker was identified as RAYVAUGHN WILLIAMS.

Rayvaughn Williams’s Movements on August 12, 2019

9. At approximately 8:40 a.m. on the morning of August 12, 2019, according to MTA and bank records, the MTA farecard identified by number 2966800998 was purchased from a vending machine at the Flatbush Avenue subway station with a debit card linked to a

bank account owned by RAYVAUGHN WILLIAMS. The Flatbush Avenue subway station is less than half a mile away from WILLIAMS's home address at the time of the Robbery.²

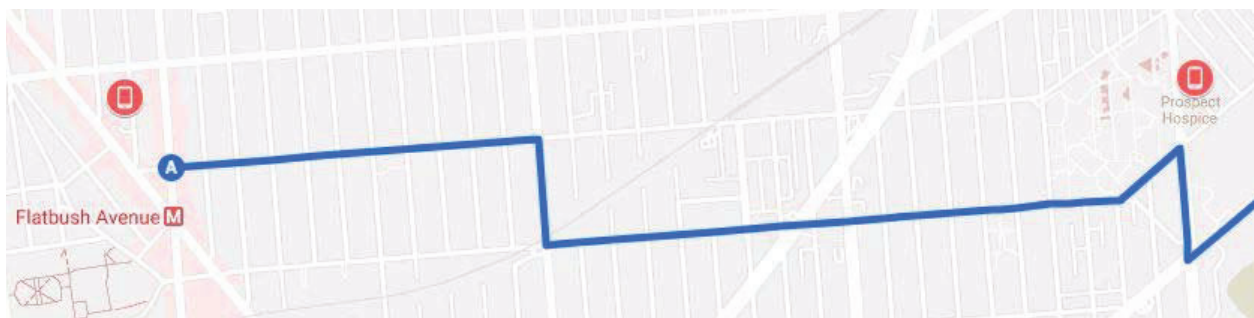
10. At approximately 11:56 a.m., according to the records of a cellphone service provider, a cellphone registered to RAYVAUGHN WILLIAMS was used to place a phone call that was routed from a cellular tower on East 29th Street between Farragut Road and Flatbush Avenue, near the Flatbush Avenue subway station. According to MTA records, within a few minutes after that phone call and approximately one block away from that cellular tower, farecard number 2966800998 was "dipped" into a farecard reader for entry into bus number 7145, headed eastbound on the B6 route, at the Glenwood Road and Nostrand Avenue bus stop.

11. That farecard dip was recorded by a surveillance camera inside bus number 7145. Indeed, at approximately 12:02 p.m., the dashboard camera and interior surveillance cameras on bus number 7145 recorded the individual I believe to be WILLIAMS waiting at the bus stop, boarding the bus, dipping his farecard, and taking a seat in the rear of the bus. He was wearing the same clothes that he was wearing a short time later during the Robbery—white t-shirt, light blue shorts with vertical black stripes at the sides and white design atop the black stripes, black baseball cap with prominent Nike logo, black "hydration"-style backpack, and purple-top sneakers—and he was already carrying the dark plastic bag that he brought into the Pharmacy and from which he removed the knife that he used to repeatedly stab Employee A. Images of WILLIAMS taken from those videos are below.

² Williams's home address at the time of the Robbery is known from bank, cellphone, and law enforcement records.



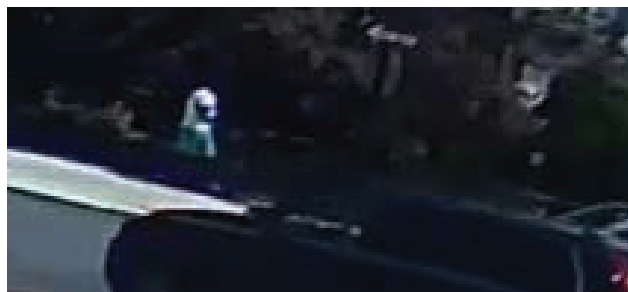
12. At approximately 12:17 p.m., according to cellphone records, WILLIAMS received a phone call that was not answered, but it reached his phone by means of a cellular tower on Ralph Avenue between East 76th Street and Glenwood Road. That cellular tower is approximately two miles east of the bus stop where WILLIAMS boarded bus number 7145 and less than a block away from the B6 bus route along which that bus traveled. The map below, generated from Google Maps, shows a portion of the path of the B6 route from the bus stop—designated point “A”—where WILLIAMS boarded the bus at approximately 12:02 p.m. The red cellphone symbol nearest point A designates the location of the cellular tower associated with the 11:56 a.m. call from WILLIAMS’s phone; and the red cellphone symbol near Prospect Hospice designates the location of the cellular tower associated with the 12:17 p.m. phone call.



13. At approximately 12:25 p.m., bus number 7145 stopped at a bus stop on Flatlands Avenue between East 89th Street and Remsen Avenue. The bus's internal cameras recorded WILLIAMS exiting the bus onto Flatlands Avenue and walking westbound, as depicted in the images below.



14. A surveillance camera on a storefront on Flatlands Avenue captured video of bus number 7145 pulling up to that bus stop, stopping, and pulling away. As the bus pulls away, a person I believe to be WILLIAMS can be seen walking away from the bus westbound and turning south onto East 89th Street. WILLIAMS is distant from the camera but is clearly wearing a white t-shirt, and bright, light blue shorts, as seen in the image from the video below.



15. A few minutes after that video captured WILLIAMS turning south from Flatlands Avenue onto East 89th Street, he appeared on the video of multiple surveillance

cameras one block south, on Avenue J, as seen in the images below. WILLIAMS crossed Avenue J and then went off-camera for several minutes, during which time he evidently remained in the vicinity of East 89th Street and Avenue J.



16. Several minutes later, WILLIAMS appeared again on the surveillance videos of multiple buildings on Avenue J, walking westbound on Avenue J toward East 87th Street, and now wearing the white medical mask that he wore during the Robbery, as seen in the images below.



17. Moments after WILLIAMS appeared on those videos walking westbound on Avenue J toward East 87th Street, he appeared on a surveillance video taken from a

residence on East 87th Street walking northbound back toward Flatlands Avenue, from the direction of Avenue J, as seen in the image below.



18. At approximately 12:36 p.m., according to cellphone records, WILLIAMS's cellphone received another call that was not answered, but which reached his phone by means of a cellular tower on East 87th Street and Flatlands Avenue. The Canarsie Plaza Pharmacy is less than a block away from that tower, on Flatlands Avenue at East 88th Street.

19. Moments after WILLIAMS appeared on surveillance video walking northbound on East 87th Street toward Flatlands Avenue, he was recorded by a westward-facing storefront camera on Flatlands Avenue, turning right from East 87th Street onto Flatlands Avenue. An eastward-facing camera on that same storefront recorded WILLIAMS continuing to walk eastbound on Flatlands Avenue, crossing from the south side to the north side of the street, and entering the Canarsie Plaza Pharmacy, where he committed the Robbery. The same camera captured his flight from the Pharmacy approximately seven and a half minutes later. Images from those videos are below.



Personal Identifications

20. I am familiar with WILLIAMS's criminal history, and, in my capacity as an ATF agent, I participated in his arrest in 2016.³ I recognize the person in the videos

³ I participated in the investigation and prosecution of WILLIAMS in the matter of United States v. Williams, et al., Criminal Docket No. 16-114 (ERK) (E.D.N.Y.).

described above, and in the images taken from those videos and included above, as WILLIAMS.

21. Detective Ellis DeLoren of the NYPD-ATF Joint Robbery Task Force also participated in WILLIAMS's 2016 arrest and prosecution. I have reviewed some of the surveillance videos described above with Detective DeLoren, and he also recognizes the person in the videos as WILLIAMS.

22. Following the 2016 arrest, WILLIAMS was convicted of one count of attempted Hobbs Act robbery in violation of 18 U.S.C. § 1951(a), and sentenced to a term of imprisonment of time served, followed by three years of supervised release. Based upon my review of the judgment imposed by the presiding United States District Judge, the Honorable Edward R. Korman, WILLIAMS was on supervised release on the date of the Pharmacy Robbery.⁴ I have reviewed some of the surveillance videos described above with WILLIAMS's assigned United States Probation Officer, Michelle Powell, and she also recognizes the person in the videos as WILLIAMS.

Facebook

23. A Facebook account under the name RAYVAUGHN WILLIAMS, which contains publicly visible photographs of a person I recognize as WILLIAMS, contains several photographs posted on December 12, 2019 of WILLIAMS wearing purple sneakers that appear to be the same as those worn during the Robbery. The leftmost image below is taken from the WILLIAMS Facebook account. For comparison, the middle image is taken from a surveillance video outside the Pharmacy recording the perpetrator's flight, and the

⁴ See Williams, Criminal Docket No. 16-114, ECF No. 130.

rightmost image is taken from a surveillance video recorded on Avenue J a few minutes before the Robbery.



Conclusion

24. Based on the foregoing facts, I submit that there is probable cause to believe that RAYVAUGHN WILLIAMS was the perpetrator of the August 12, 2019 Pharmacy Robbery.

WHEREFORE, your deponent respectfully requests an arrest warrant for the defendant RAYVAUGHN WILLIAMS so that he may be dealt with according to law.

Sealing Request

I further request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the investigation, including by

giving the defendant an opportunity to flee from prosecution, or destroy or tamper with evidence.

**Ayesha R.
Winston**

 Digitally signed by Ayesha R.
Winston
Date: 2020.07.07 11:34:39 -04'00'

AYESHA R. WINSTON
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to before me by telephone
this 7th day of July, 2020

/s Roanne L. Mann

THE HONORABLE ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

United States of America

v.

RAYVAUGHN WILLIAMS

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Case No. 20-MJ-507

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) RAYVAUGHN WILLIAMS,
who is accused of an offense or violation based on the following document filed with the court:

- Indictment
 Superseding Indictment
 Information
 Superseding Information
 Complaint
 Probation Violation Petition
 Supervised Release Violation Petition
 Violation Notice
 Order of the Court

This offense is briefly described as follows:

Attempted Hobbs Act robbery in violation of 18 U.S.C. § 1951

Date: July 7, 2020

/s Roanne L. Mann

Issuing officer's signature

City and state: Brooklyn, New York

Hon. Roanne L. Mann, U.S.M.J.

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title