

UNITED STATES DISTRICT COURT
for the
Middle District of Florida

United States of America
v.
LEONARD CHARLES AGEE JR.
BENJAMIN JENKINS
Defendant(s)

Case No.
6:16-mj- 1343, 01, 02

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 April 2015 to on or about June 2016 in the county of Brevard in the
Middle District of Florida, the defendant(s) violated:

Code Section 21 U.S.C. § 846 and 841(a)(1)
Offense Description Conspiracy and Possession with Intent to Distribute a Controlled Substance.

This criminal complaint is based on these facts:

[X] Continued on the attached sheet.

[Signature]
Complainant's signature
Jerry W. Pergerson, Task Force Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: 6-24-2016

[Signature]
Judge's signature
Thomas B. Smith, United States Magistrate Judge
Printed name and title

City and state: Orlando, Florida
United States District Court
Middle District of Florida

By: [Signature]
Deputy Clerk

SEALED

STATE OF FLORIDA

Case No. 6:16-mj-1343, 01, 02

COUNTY OF ORANGE

1344

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AFFIDAVIT

I, Jerry W. Pergerson III, Task Force Agent (TFA), U.S. Drug Enforcement

Administration (DEA), United States Department of Justice, being duly sworn, state as

follows:

Introduction

1. I make this affidavit in support of the following:
 - a. a criminal complaint and arrest warrants for **Leonard Charles AGEE Jr.**, and **Benjamin JENKINS**; and
 - b. search warrants for the following residences: (i) **1200 Pine Valley Lane, Titusville, Florida** (the residence of **Essie EVANS**); (ii) **148 McNeela Drive, Titusville, Florida**, (the residence of **Quantavius BLOUNT**); (iii) **121 Bryan Avenue, Apartment #9, Titusville, Florida**, (the residence of **Jerry PICKENS Jr.**); (iv) **2939 Jefferson Street, Mims, Florida** (the residence of **Leonard Charles AGEE Sr.** and **Voncille AGEE**); and (v) **1604 Fuji Drive, Titusville, Florida** (the residence of **Leonard Charles AGEE Jr.**), as further described in Attachment A for each respective location.

2. Based on the following facts, there is probable cause to believe that **Leonard Charles AGEE Jr. (AGEE Jr.)**, and **Benjamin JENKINS (JENKINS)** have committed violations of Title 21, United States Code, Sections 841(a)(1) and 846, distribution, possession with intent to distribute and conspiracy to distribute controlled

substances. Furthermore, I have probable cause to believe and I do believe that fruits, instrumentalities and evidence of violations of Title 21, United States Code 841(a)(1) and 846, distribution of controlled substances, including but not limited to cocaine, heroin, and marijuana, and conspiracy to distribute controlled substances, including but not limited to cocaine, heroin, and marijuana, will be found at the addresses listed above.

3. The information set forth in this affidavit is based upon my own personal knowledge as well as information provided to me by other law enforcement officers and additional sources identified in this affidavit, and is provided solely for the purpose of establishing probable cause in support of the requested arrest warrants and search warrants. Because this affidavit is submitted for the limited purpose of establishing such probable cause, it does not include all of the details of this investigation of which I am aware.

Agent Background and Items to Be Seized

4. I, Jerry W. Pergerson III, am presently employed by the City of Titusville Police Department, Titusville, Florida and have been so since June, 2010. In July, 2015 I was assigned to the United States Department of Justice, Drug Enforcement Administration, Orlando District Office as a Task Force Agent. During the course of my employment as a law enforcement officer, I have received specialized training in the area of narcotics investigations from various training schools, including the DEA Task Force Agent School. The training seminars and schools I have attended consisted of comprehensive classroom training in specialized narcotics investigative matters, including, but not limited to, drug interdiction, drug detection, money laundering

techniques, locating hidden assets derived from narcotics trafficking, and the investigation of individuals involved in the smuggling, cultivation, manufacturing and illicit trafficking of controlled substances. In the course of my employment I have been involved in investigations involving drug trafficking offenses, and been involved in the arrest of drug trafficking violators. Being duly sworn, I represent the following facts to the court:

5. In a substantial number of residential searches executed in connection with the drug investigations in which I have been involved, the following kinds of drug-related evidence have typically been recovered:

- a. Controlled substances;
- b. Paraphernalia for packaging, processing, diluting, weighing, and distributing controlled substances, for example: scales, funnels, sifters, grinders, glass panes and mirrors, razor blades, plastic bags, heat-sealing devices, and diluents;
- c. Books, records, receipts, notes, ledgers and other papers relating to the distribution of controlled substances;
- d. Personal books and papers reflecting names, addresses, telephone numbers, and other contact/identification data relating to the distribution of controlled substances;
- e. Cash, currency, and records relating to income and expenditures of money and wealth relating to controlled substances, for example, money orders, wire transfer and cashier's check receipts, bank statements, passbooks, checkbooks, and check registers; and

- f. Firearms, including, but not limited to, handguns, rifles, shotguns, munitions, and explosives.

6. During the course of said residential searches, agents have also found items of personal property with tend to identify the person(s) in residence, occupancy, control or ownership of the subject premises. Such identification evidence is typical of the articles people commonly maintain in their residences, such as canceled mail, deeds, leases, rental agreements, photographs, personal telephone books, diaries, utility and telephone bill statements, identification documents, and keys. In addition, agents have also found items such as handwritten notes, telephone toll records, travel and hotel receipts, as well as other receipts linking individuals together in past, present and future scheduled narcotics activities.

7. Based upon my experience and training, as well as the knowledge and experience of other agents and police officers with whom I work, I am aware that it is a common practice for drug traffickers to store their drug inventory and drug-related paraphernalia (as described above) in and around their residences. Furthermore, it is generally a common practice for drug traffickers to maintain in their residence records relating to their drug trafficking activities.

8. Because drug traffickers in many instances will "front" (i.e., sell on consignment) controlled substances to their clients, or alternately, will be "fronted" controlled substances from their suppliers, such record-keeping is necessary to keep track of amounts paid and owed, and such records will also be maintained close at hand so as to readily ascertain current balances. Additionally, telephone/address listing of clients and suppliers necessarily must be maintained and immediately available in order

to efficiently conduct their drug trafficking business. Moreover, it is also a common practice for traffickers to conceal at their residences large sums of money, either the proceeds from drug sales or money to be used to purchase controlled substances. In this connection, drug traffickers often make use of wire transfers, cashier's checks, and money orders to pay for controlled substances. Evidence of such financial transactions and records relating to income and expenditures of money and wealth in connection with drug trafficking would also typically be maintained in residences.

9. My awareness of these drug trafficking practices, as well as my knowledge of drug use and distribution techniques as set forth in this affidavit, arise from the following: (a) my own involvement in prior drug investigations and searches during my career as a law enforcement officer, as previously described; (b) my involvement on a number of occasions in debriefing confidential informants and cooperating individuals in prior drug investigations, as well as what other agents and police officers have advised me when relating the substance of their similar debriefings and the results of their own drug investigations; and (c) other intelligence information provided through DEA channels.

Probable Cause

10. In the paragraphs that follow, I first give a brief background of the investigation. I then detail purchases of controlled substances from **AGEE Jr.** and **JENKINS** in support of the complaint and arrest warrants for them before describing a pattern of drug trafficking activity that involved all of the residences for which I am seeking search warrants. I then address evidence from intercepted conversations and surveillance involving each residence separately before concluding this affidavit.

Background of the Investigation

11. Agents began gathering information in January 2015 regarding **AGEE Jr.** of Titusville, Florida and his criminal associates. Based upon this information, agents formed the opinion that **AGEE Jr.** is a large scale drug distributor who employs others in the Titusville/Mims, Florida area and elsewhere to distribute controlled substances, including but not limited to cocaine, heroin, and marijuana.

12. At the onset of the investigation, **JENKINS** was believed to be a co-conspirator of **AGEE Jr.** in the distribution of drugs in Titusville and Brevard County. Telephone toll analysis had shown that **JENKINS** communicated with **AGEE Jr.** on a regular and on-going basis. Surveillance investigations showed that **AGEE Jr.** and **JENKINS** frequented the same addresses at unusual times such as late at night or in the early morning hours. Both **AGEE Jr.** and **JENKINS** had been the targets of previous investigations conducted by DEA and local law enforcement agencies in Brevard County.

13. On April 14, 2016, the Honorable Paul G. Byron, U.S. District Judge for the Middle District of Florida, authorized the interception of wire and electronic communications over (540) 759-4634 (SUBJECT TELEPHONE-1) and (321) 914-9502 (SUBJECT TELEPHONE-2), and further authorized interception of communications over other telephones for a period of 30 days. **AGEE Jr.** uses SUBJECT TELEPHONE-1. **JENKINS** uses SUBJECT TELEPHONE-2. In the interception order at pages two and three, the Court determined that there was probable cause to believe that **AGEE Jr.**, **JENKINS**, **Essie EVANS** and others were committing offenses involving drug trafficking, in violation of 21 U.S.C. §§ 841, 843(b), and 846 (collectively, the SUBJECT

OFFENSES). This affidavit incorporates and adopts the statements made in the Affidavit filed as Exhibit "B" to the Application for Interception of Wire and Electronic Communications (filed as Exhibit "B" and executed April 14, 2016) in sealed case Misc. No.: 6:16-mc-20-Orl-40GJK. Disclosure of the materials in the above-identified wiretap case and information obtained through the wire interception over SUBJECT TELEPHONE-1 and SUBJECT TELEPHONE-2 is authorized by 18 U.S.C. § 2517.

14. As set forth in greater detail in the attached affidavit in support of interception of wire and electronic communications to and from the telephones of **AGEE Jr.** and **JENKINS**, agents and officers conducted purchases of controlled substances from **AGEE Jr.** and **JENKINS** in advance of intercepting their communications pursuant to the Court's Order. A summary of controlled substance purchases and other pertinent information follows:

September 2015 Controlled Purchase of Heroin from AGEE Jr.

15. On September 1, 2015, a confidential source (CS-4) contacted **AGEE Jr.** to arrange a heroin purchase. **AGEE Jr.** agreed to sell heroin to CS-4 on September 2, 2015.

16. On September 2, 2015, CS-4 sent a text message to **AGEE Jr.**, "Bro plz." **AGEE Jr.** replied, "U Home." In response, CS-4 sent a text message to **AGEE Jr.**, "Yea." **AGEE Jr.** asked, "Vicky?" CS-4 replied, "if not than a ball." Based on confidential source debriefings, agents learned that a "Vicky" or "Vick" is a term used by **AGEE Jr.** and **JENKINS** to refer to 7 grams of cocaine or heroin. A "Vick" is a football reference to Michael Vick, a NFL quarterback who wore a number 7 jersey. The term "Ball" is a common street term for an eighth of an ounce of cocaine or heroin.

17. That same day, agents provided CS-4 with \$450 cash to purchase heroin from **AGEE Jr.** Agents then watched CS-4 at a residence in Titusville, Florida. **AGEE Jr.** arrived at the residence driving a Beige 1996 Ford Explorer SUV, registered to Leonard Charles AGEE Sr., a vehicle that law enforcement had seen **AGEE Jr.** drive in the past.

18. Agents saw a front seat passenger in the vehicle with **AGEE Jr.** Agents later learned that the passenger was a high school student and football player at Titusville High School, coached by **AGEE Jr.** and **JENKINS.**

19. **AGEE Jr.** exited the vehicle and walked inside the residence followed by the CS-4. **AGEE Jr.** sold approximately four grams of heroin to CS-4 for \$450 cash.

20. Following the sale, **AGEE Jr.** and CS-4 left the residence. **AGEE Jr.** drove away in the 1996 Force Explorer **AGEE Jr.** arrived in. Agents followed CS-4 to a safe location and received the heroin that CS-4 purchased from **AGEE Jr.**

21. The heroin purchased from **AGEE Jr.** was sent to the DEA Southeast Regional Laboratory (SERL) for analysis. On November 18, 2015, the DEA Southeast Regional Laboratory (SERL) issued an analysis report that identified the substance purchased from **AGEE Jr.** was 3.3 grams of heroin.

Debriefing of CS-5 in February, 2016

22. On February 18, 2016, a confidential source (CS-5) was debriefed by agents. CS-5 told agents that CS-5 knew **AGEE Jr.** was a distributor of heroin, cocaine and marijuana. CS-5 told agents that CS-5 had, in the recent past, seen **AGEE Jr.** sell heroin to another person in Brevard County.

23. CS-5 stated that **AGEE Jr.** supplies drugs to other drug buyers who in turn

sell **AGEE Jr.'s** drugs to others. CS-5 identified one such drug buyer as "Big Boy." "Big Boy's" last name was Oliver, according to CS-5. This information was corroborated by information already known to agents. Allen Lee Oliver is a known drug distributor in Titusville, Florida. Agents know from previous confidential source debriefings that Oliver directed others to receive shipments of marijuana through the United States Postal Service to be later picked up by Oliver and delivered to **AGEE Jr.**

24. CS-5 also explained that, in the summer of 2014, CS-5 was recruited by **AGEE Jr.** to help **AGEE Jr.** ship packages of marijuana through the United States Postal Service, from Colorado to Florida, for cash payment. CS-5 accepted **AGEE Jr.'s** offer and traveled to Colorado where CS-5 received packages of marijuana from a source of supply to **AGEE Jr.** CS-5 told agents that **AGEE Jr.** directed CS-5 to mail USPS packages to named persons at addresses in Florida. The names and addresses were provided by **AGEE Jr.** CS-5 told agents that, between August 2014 and May 2015, CS-5 traveled to Colorado approximately one time per month to mail packages of marijuana to Florida recipients at the direction of **AGEE Jr.** CS-5 told agents **AGEE Jr.** would provide CS-5 with \$25,000 to \$40,000 in cash on average in large bills to purchase packages of marijuana from the source of supply for marijuana in Colorado.

*April 2015 Controlled Purchase from **JENKINS***

25. In April 2015, a confidential source (CS-1) was debriefed by agents. CS-1 stated that CS-1 had previously purchased diverted prescription oxycodone tablets from **JENKINS**. At the direction of controlling agents, CS-1 contacted **JENKINS** to arrange the purchase of oxycodone. CS-1 later met with **JENKINS** in a parking lot, in Titusville, Florida. The meeting occurred inside **JENKINS's** car, a green 2000 Pontiac sedan

registered to **Benjamin S. Jenkins**, at 1440 Lark Court, Titusville, Florida 32780. Agents conducted surveillance and saw CS-1 meeting with **JENKINS**.

26. During the meeting, CS-1 introduced a second confidential source (CS-2), to **JENKINS** as a drug buyer. CS-1 purchased 10 tablets, represented as oxycodone from **JENKINS** and left **JENKINS'** vehicle.

27. CS-2 remained inside **JENKINS'** vehicle and discussed future drug transactions with **JENKINS**. **JENKINS** provided CS-2 with **JENKINS'** telephone number to contact **JENKINS**.

28. The tablets, sold by **JENKINS**, represented as oxycodone, were sent to the DEA Southeast Regional Laboratory (SERL) for analysis. On June 11, 2015, the DEA Southeast Regional Laboratory (SERL) issued an analysis report that identified the substance purchased from **JENKINS** as N-(Phenethylpiperidin-4-yl)-N-phenylbutyramide also known as Butyryl Fentanyl. Butyryl Fentanyl is a chemical analog of the drug Fentanyl. Fentanyl is a substance that is known to mimic some of the effects of opiate drugs.

May 2015 Controlled Purchase Controlled Purchase from JENKINS

29. On May 7, 2015, CS-2 contacted **JENKINS** by phone call and by text message, to arrange the controlled purchase of 10 oxycodone tablets for \$350. **JENKINS** agreed to meet CS-2 and sell CS-2 oxycodone pills.

30. CS-2 met with **JENKINS**, inside **JENKINS'** vehicle, in a parking lot in Titusville, Florida. **JENKINS** sold 10 tablets, represented as oxycodone, to CS-2.

31. CS-2 left **JENKINS'** vehicle and met with controlling agents to turn over the tablets sold by **JENKINS**. Other agents followed **JENKINS** as **JENKINS** drove

directly to Titusville High School to coach football practice.

32. During a debriefing, CS-2 told agents that **JENKINS** told CS-2 that **JENKINS** had a “clean line” (meaning that CS-2 could speak or text openly with **JENKINS** without fear that the conversation would be intercepted by the law enforcement). **JENKINS** also told CS-2 that in future transactions, **JENKINS** was willing to meet CS-2 half-way or drive to Orlando, Florida to sell oxycodone tablets to CS-2. CS-2 asked **JENKINS** if **JENKINS** had cocaine to sell. **JENKINS** told CS-2 that **JENKINS** knew cocaine suppliers, but the cocaine **JENKINS**' supplier currently had cost too much for the low purity level. **JENKINS** stated that **JENKINS** did not want to invest money in a substance that was not good.

33. The tablets sold by **JENKINS** and represented as oxycodone were sent to the DEA Southeast Regional Laboratory (SERL) for analysis. On June 11, 2015, the DEA Southeast Regional Laboratory (SERL) issued an analysis report that identified the substance purchased from **JENKINS** as N-(Phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as Butyryl Fentanyl.

July 2015 Controlled Purchase from JENKINS

34. On July 28, 2015, CS-2 contacted **JENKINS** by voice call and by text message to arrange the purchase of 10 oxycodone tablets. **JENKINS** agreed to sell the oxycodone tablets to CS-2 for \$350 cash.

35. Later that day, CS-2 met with **JENKINS**, inside **JENKINS**' vehicle, in a parking lot in Titusville, Florida. **JENKINS** sold 10 tablets, represented as oxycodone, to CS-2.

36. During this meeting, CS-2 introduced to **JENKINS** a third confidential source (CS-3), as a drug buyer.

37. Following the sale of 10 tablets represented as oxycodone, CS-3 and **JENKINS** discussed future cocaine sales. **JENKINS** told CS-3 that **JENKINS** would sell cocaine to CS-3 for \$1,200 to \$1,300 per ounce. **JENKINS** provided CS-3 with a telephone number as a contact number for **JENKINS** for future cocaine sales.

38. Following the purchase, CS-2 turned over the 10 tablets, purchased from **JENKINS**, to controlling agents. The tablets were sent to the DEA Southeast Regional Laboratory (SERL) for analysis. On July 31, 2015, the DEA Southeast Regional Laboratory (SERL) issued an analysis report that identified the substance purchased from **JENKINS** as N-(Phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as Butyryl Fentanyl.

October 2015 Controlled Purchase from **JENKINS**

39. On October 11, 2015, CS-2 contacted **JENKINS** by voice call and by text message to arrange the purchase of 28 grams of cocaine hydrochloride. CS-2 called **JENKINS** as instructed by agents to arrange for a controlled purchase of cocaine. **JENKINS** did not answer the call from CS-2, however **JENKINS** called CS-2 back. CS-2 told **JENKINS**, "I need to see you, you got something?" referring to purchasing cocaine. **JENKINS** told CS-2, "Yea." CS-2 asked **JENKINS** if it was the same price and **JENKINS** replied "yea if that." CS-2 asked **JENKINS** "is it good?" and **JENKINS** replied, "bet, I know I aint fitna play, I ain't fitna lie to you." Based on **JENKINS'** statements and responses to CS-2, agents understood **JENKINS** agreed to sell cocaine to CS-2 for \$1,300, a previously announced price. **JENKINS** and CS-2 later discussed

a meeting location for the controlled purchase of cocaine.

40. CS-2 met **JENKINS** inside **JENKINS'** vehicle in a parking lot in Titusville, Florida to purchase the cocaine. Following the purchase, CS-2 met with agents to turn over the cocaine purchased from **JENKINS**. There, CS-2 told agents that during the time that CS-2 was inside **JENKINS'** vehicle, and while **JENKINS** sold cocaine to CS-2, **JENKINS** had a handgun lying on his lap in open view. CS-2 described the handgun as a "Glock."

41. The cocaine was sent to the DEA Southeast Regional Laboratory (SERL) for analysis. On January 4, 2016, the DEA Southeast Regional Laboratory (SERL) issued an analysis report that identified the substance purchased from **JENKINS** on October 11, 2015 as 28.3 grams of cocaine hydrochloride, phenyltetrahydroimidazothiazole, and lidocaine.

*February 2016 Controlled Purchase from **JENKINS***

42. On February 16, 2016, CS-1 arranged the purchase of five tablets of oxycodone from **JENKINS** in Titusville, Florida. CS-1 placed two voice calls to **JENKINS**, but **JENKINS** did not answer. At the direction of controlling agents, CS-1 sent a text message to **JENKINS** asking **JENKINS** to call CS-1. Approximately one minute later, **JENKINS** called CS-1.

43. During the phone conversation CS-1 asked **JENKINS**, "How many you got?" referring to Oxycodone tablets. **JENKINS** replied to CS-1, "How many you want?" CS-1 told **JENKINS**, "give me five." CS-1 asked **JENKINS** "where you want me at?" **JENKINS** told CS-1 "come to me."

44. While under the control and observation of agents and detectives, CS-1 met **JENKINS** inside **JENKINS'** vehicle in Titusville, Florida to conduct the purchase. **JENKINS** sold CS-1 five tablets of suspected oxycodone for \$150 cash. Immediately following the purchase, CS-1 met with controlling agents and turned over the tablets purchased from **JENKINS**. The tablets were sent to the DEA Southeast Regional Laboratory (SERL) for analysis. On April 14, 2016, the DEA Southeast Regional Laboratory (SERL) issued an analysis report that identified the substance purchased from **JENKINS** as N-(Phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as Butyryl Fentanyl.

Evidence from Intercepted Wire and Electronic Communications and Surveillance

Pattern of Drug-Trafficking Activity

45. On April 14, 2016, United States District Judge Paul G. Byron signed an order authorizing the interception of wire and electronic communications occurring over mobile telephones being used by **AGEE Jr.** and **JENKINS**. Interception of wire and electronic communications over those telephones commenced on April 15, 2016 and ended on May 14, 2016. Surveillance has continued up until the present time, including continuous surveillance of **AGEE Jr.'s** rental vehicle pursuant to a tracking warrant signed by United States Magistrate Judge David A. Baker (case no. 6:16-mj-1239) from May 10, 2016 until June 8, 2016, when **AGEE Jr.** returned the rental vehicle to the Hertz rental corporation at a location in Titusville, Florida. During the interception of wire and electronic communications described above and surveillance of **AGEE Jr.** and other subjects of the investigation, agents gathered evidence of drug trafficking by several other persons and at several locations in Brevard County.

46. Agents conducting electronic and visual surveillance throughout this investigation noticed and documented a pattern of activity involving **AGEE Jr.** and other subjects of the investigation and their residences that occurred when **AGEE Jr.** was distributing controlled substances or picking up controlled substances or proceeds. As corroborated by intercepted communications, the pattern of drug trafficking activity involved **AGEE Jr.** traveling to residences of subjects of the investigation, including **EVANS**, **Quantavious BLOUNT (BLOUNT)**, **Jerry PICKENS Jr. (PICKENS Jr.)** and the house of his parents, often in succession and for very brief visits.

47. As mentioned above, during the 30 day period in which communications were intercepted over **AGEE Jr.'s** telephone and continuing until June 8, 2016, I monitored the locations **AGEE Jr.** traveled using court-authorized tracking.

48. On June 7, 2016, I observed a pattern of activity seen repeatedly during the period of electronic and wire interception in which **AGEE Jr.** traveled to many of the locations where **AGEE Jr.** conducts drug business.

49. With the GPS tracking device attached to the vehicle **AGEE Jr.** was using on June 7, 2016, I documented **AGEE Jr.'s** vehicle travel to **1200 Pine Valley Lane, Titusville, Florida (EVANS' residence)**. **AGEE Jr.** arrived at **1200 Pine Valley Lane, Titusville, Florida** at 9:56pm.

50. Five minutes later, at approximately 10:01pm, **AGEE Jr.** left **1200 Pine Valley Lane, Titusville, Florida** and traveled directly to **148 McNeela Drive, Titusville, Florida (BLOUNT's residence)**, arriving at 10:06pm.

51. Sixteen minutes later, at approximately 10:22pm, **AGEE Jr.** left **148 McNeela Drive, Titusville, Florida** and drove directly to **1306 Tropic Street, Titusville,**

Florida (the residence of a subject who was arrested during this investigation with cocaine in his vehicle just after meeting **AGEE Jr.**, as described further below), arriving at 10:24pm.

52. Two minutes later, at approximately 10:26pm, **AGEE Jr.** left 1306 Tropic Street, Titusville, Florida and drove directly to **121 Bryan Avenue, Titusville, Florida** (**PICKENS Jr.**'s residence), arriving at 10:28pm.

53. Three minutes later, at approximately 10:31pm, **AGEE Jr.** left **121 Bryan Avenue, Titusville, Florida** and drove to **2939 Jefferson Street, Mims, Florida** (the residence of **AGEE Jr.**'s parents), arriving at 10:42pm. **AGEE Jr.** stayed at **2939 Jefferson Street, Mims, Florida** overnight and left the following morning, June 8, 2016 at approximately 11:48am. Further information regarding each residence follows:

**Narcotics Trafficking by Essie EVANS and AGEE Jr. from
1200 Pine Valley Lane, Titusville, Florida**

54. During intercepted conversations between **AGEE Jr.** and **EVANS**, I learned that **EVANS** packages, processes, dilutes, weighs, and distributes drugs and keeps drug proceeds and drug ledgers at **1200 Pine Valley Lane, Titusville, Florida** for **AGEE Jr.**

55. For example, on April 28, 2016, **AGEE Jr.** called **EVANS**. During this intercepted telephone conversation, **AGEE Jr.** told **EVANS**, "I'll probably have that chick drop stuff off... I'll probably have her drop that off... Two and a half hours or something." **EVANS** replied, "Alright." **AGEE Jr.** then said, "And we're paid!" **EVANS** said, "oh yeah, okay, okay, about time." **AGEE Jr.** then began laughing as **EVANS** said, "'bout fucking time." **AGEE Jr.** told **EVANS**, "That bitch got stamps all over that biiiiiiittttttccccchhhh." **EVANS** said, "Oh, I love that." **AGEE Jr.** then said, "It should

be...It should be twelve of 'em." This conversation ended with EVANS telling **AGEE Jr.**, "I'll be waitin' bro."

56. Although agents initially believed this conversation referred to 12 ounces of cocaine, I believe, based on **AGEE Jr.** referring to "stamps," which typically reference markings on kilogram quantities of cocaine, and proffers suggesting **AGEE Jr.** to be a kilogram-level cocaine distributor, that **AGEE Jr.** may have obtained 12 kilograms of cocaine (rather than 12 ounces) while in Ft. Lauderdale, Florida (see below) and that **AGEE Jr.** then instructed the female to transport the cocaine to EVANS at **1200 Pine Valley Lane, Titusville, Florida.**

57. During this intercepted telephone conversation between **AGEE Jr.** and EVANS, agents were conducting visual surveillance of **AGEE Jr.** at the Florida High School Athletics Association (FHSAA) 2016 Regionals Track Meet at the Cavalry Christian Academy in Fort Lauderdale, Florida. In addition to being a football coach, **AGEE Jr.** is also a track coach for Titusville High School in Titusville, Florida and was at the track meet to coach the Titusville High School girls track team. A female student athlete travelled to this event with **AGEE Jr.**

58. I was aware, based on intercepted telephone conversations the previous day between **AGEE Jr.** and EVANS that **AGEE Jr.** had made arrangements to pick up more cocaine from a source of supply while in Fort Lauderdale for the track meet. Although no direct conversations between **AGEE Jr.** and **AGEE Jr.'s** drug source-of-supply were intercepted (**AGEE Jr.** has more than one telephone), conversations between **AGEE Jr.** and EVANS indicated **AGEE Jr.** intended to acquire drugs while in Fort Lauderdale coaching at the track meet.

59. At approximately 2:49pm, two hours and thirty-nine minutes after **AGEE Jr.** told **EVANS** the unknown female would be there in about two and a half hours with what I believed to be twelve kilograms of cocaine, **AGEE Jr.** called **EVANS** and told **EVANS**, "She out there bro." **EVANS** said, "Ok....I'm walking out." Agents conducting surveillance saw a 2003 Green Nissan four door sedan arrive park along the roadside at **1200 Pine Valley Lane, Titusville, Florida**, stay for a few moments and leave. The registered owner of this vehicle, **Brittany Shantell OLIVER** is a person previously identified as a girlfriend of **AGEE Jr.**

60. After **OLIVER** left **EVANS'** location, **AGEE Jr.** called **EVANS** again. During this intercepted conversation, **AGEE Jr.** told **EVANS** "she said it was a F-150... when she was backing out." **AGEE Jr.** told **EVANS**, "She said they came down off Deleon." "She said it was so dark she couldn't...she just seen a white hand."

61. In this conversation, I believe **AGEE Jr.** and **EVANS** were discussing **OLIVER** identifying one of the agents conducting surveillance at **1200 Pine Valley Lane, Titusville, Florida** as **OLIVER** delivered drugs to **EVANS** at the direction of **AGEE Jr.** One of the law enforcement officers conducting surveillance was indeed driving a truck similar to a Ford F-150 truck.

62. **AGEE Jr.** and **EVANS** discussed the F-150, the driver and where the F-150 was last seen by **OLIVER**. **EVANS** then told **AGEE Jr.** that **EVANS'** probation officer was coming to visit **EVANS** in the morning. **EVANS** told **AGEE Jr.** that the last time probation officers visited **EVANS**, they arrived in an F-150. **AGEE Jr.** told **EVANS** "So if they comin' tomorrow, then just clean yourself up then." **EVANS** replied "Yea, yea, yea, so I just took everything until you figure out what's going on, until late

night like I always do after twelve, they can't touch me anyways...see what I'm sayin."

AGEE Jr. told **EVANS** "Right, well let's just go ahead and put everything on...just chill for the day" and "clean up and put everything up." As the conversation continued, **AGEE Jr.** and **EVANS** discussed getting a vacuum sealer and bag sizes needed for the vacuum sealer. **EVANS** told **AGEE Jr.** "I got your sealer here; it's in the garage. You forgot you dropped that off." **AGEE Jr.** told **EVANS** "Ok, you need to go ahead (inaudible) store so you can go ahead and seal that and put that in the shed."

63. Agents followed **AGEE Jr.** on multiple occasions traveling to and from **1604 Fuji Drive, Titusville, Florida** to **1200 Pine Valley Lane, Titusville, Florida** and other locations in the Titusville, Florida area to engage in illegal drug related activities.

64. I believe based on intercepted communications that **AGEE Jr.** arrived to and/or left from **1604 Fuji Drive, Titusville, Florida** with drugs and or drugs proceeds.

65. Additional corroborating information regarding the cocaine trafficking at **1604 Fuji Drive, Titusville, Florida**, and **1200 Pine Valley Lane, Titusville, Florida**, on April 28, 2016 was received two days later, on April 30, 2016, as **AGEE Jr.** was still discussing the same delivery with associates over the telephone, and **AGEE Jr.** called a number identified as being used by J.S. J.S. has been identified during this investigation by United States Department of Homeland Security Investigations (HSI) agents as receiving kilogram quantities of cocaine from a South Florida supplier and distributing the drugs in the Central Florida area. During his conversation with J.S., **AGEE Jr.** talked with J.S. about **AGEE Jr.** picking up cocaine while at the track meet in Fort Lauderdale, Florida. J.S. asked **AGEE Jr.** if **AGEE Jr.** got the "whitey whitey or goldie", meaning did **AGEE Jr.** get cocaine (whitey whitey) or heroin (goldie). **AGEE Jr.**

told J.S. that **AGEE Jr.** got "whitey whitey."

66. I am aware based on this investigation and intercepted communications between **AGEE Jr.** and **EVANS** that **EVANS** stores drugs for **AGEE Jr.** in a shed located in the back yard of **1200 Pine Valley Lane, Titusville, Florida**. In intercepted conversations on April 25, 2016, **AGEE Jr.** and **EVANS** spoke of retrieving drugs from the shed, and in the conversation recounted above on April 28, 2016, **AGEE Jr.** and **EVANS** spoke of having drugs sealed up and placed in the shed. In a coded conversation on May 4, 2016, when **AGEE Jr.** asked if drugs were in the shed, **EVANS** told **AGEE Jr.** that they were not in the shed, they were in "the hole." I am also aware that **EVANS'** collects and stores drug proceeds for **AGEE Jr.** at **1200 Pine Valley Lane, Titusville, Florida**. For example, in intercepted conversations on April 21, 2016, **AGEE Jr.** directed **Ronald Grant Jr.** to drop off money for drug purchases at **1200 Pine Valley Lane, Titusville, Florida**, and **AGEE Jr.** then called **EVANS** to inform him that money would be dropped off there. During the 30-day period of interception, **AGEE Jr.** and **EVANS** had more than a hundred conversations.

67. **EVANS** is currently on state probation and community control related to cocaine trafficking convictions out of Brevard County in August 2014. Some of the charges against **EVANS** arose from cocaine being found in a camper in the back yard at **1200 Pine Valley Lane, Titusville, Florida**, where **EVANS** was living at the time, while his mother and sister lived in the house. **EVANS** now lives in the house on the same property, and the camper is no longer there.

**Narcotics Trafficking by Quantavious BLOUNT from
148 McNeela Drive, Titusville, Florida**

68. During the 30 day period of intercepted communications over **AGEE Jr.'s** telephone, agents intercepted telephone communications between **AGEE Jr.** using a telephone number identified as being used by **BLOUNT**.

69. On May 12, 2016, at approximately 7:37pm, law enforcement personnel monitoring telephone communications intercepted a coded conversation between **AGEE Jr.** and **BLOUNT**. During this conversation **BLOUNT** told **AGEE Jr.**, "Oh, what's up, hey um, 'Granddad' home, man." **AGEE Jr.** then asked, "you got some weight...he heavy...he weighin' a lot?" **BLOUNT** replied, "He brought four of his grandkids, that's all." **AGEE Jr.** asked, "About fourteen kids you said?" **BLOUNT** replied, "Nah, four of his grandkids; there's four of them... and was told that I was gonna let babysit one of them if you wanted to, you know, just like, you know, the two-fifty an hour... gonna charge me two-fifty an hour, I'll let you babysit one." **AGEE Jr.** replied, "Okay," and **BLOUNT** continued, "If you wanted, yea, ok, yea, holla at me when you close by you need me to be to the house, cause we out and about so." **AGEE Jr.** told **BLOUNT**, "Alright, yeah, I'm down here in Melbourne right now. I'll hit you up."

70. I believe **BLOUNT** to be **AGEE Jr.'s** source of supply from whom **AGEE Jr.** receives marijuana shipped from California. During this conversation, I believe **BLOUNT** was telling **AGEE Jr.** that **BLOUNT** had four pounds of marijuana and was willing to sell on consignment to **AGEE Jr.** a pound for \$2500. During previous intercepted communications over **AGEE Jr.'s** telephone, I learned that **AGEE Jr.** and other drug trafficking associates would discuss lesser amounts of currency when referring to large sums. For example, when **BLOUNT** told **AGEE Jr.** that **BLOUNT**

would front **AGEE Jr.**, the marijuana for "two-fifty," I believe **BLOUNT** was telling **AGEE Jr.** that **BLOUNT** would front **AGEE Jr.** the marijuana for \$2500.

71. On May 13, 2016 at approximately 8:56pm, law enforcement personnel monitoring telephone communications intercepted a conversation between **AGEE Jr.** and **BLOUNT**. During this conversation **AGEE Jr.** and **BLOUNT** discussed **BLOUNT** being at home and **AGEE Jr.** coming by to see **BLOUNT**.

72. Following this conversation between **AGEE Jr.** and **BLOUNT**, I observed a black Nissan Titan truck arrive at **148 McNeela Drive, Titusville, Florida**

73. At approximately 9:56pm, I saw the truck leave from **148 McNeela Drive, Titusville, Florida.**

74. Prior to this vehicle leaving from **148 McNeela Drive, Titusville, Florida,** I contacted Titusville Police Department K9 Officer Mark Jennings to attempt to retrieve the Nissan Titan's license plate information in order to identify the registered owner and/or occupants of the Nissan Titan once the vehicle left **148 McNeela Drive, Titusville, Florida.**

75. When the Nissan Titan left **148 McNeela Drive, Titusville, Florida,** I saw two black males approach and enter the vehicle. Due to the time of day, I was unable to identify the two males.

76. Officer Jennings was waiting in the area of **148 McNeela Drive, Titusville, Florida** and followed the Nissan Titan onto Garden Street from McNeela Drive. The Nissan Titan then turned from Garden Street onto North Williams Avenue with Officer Jennings following. The Nissan Titan ultimately turned onto Jennifer Drive, Titusville, Florida and pulled into the driveway of 330 Jennifer Drive, Titusville, Florida.

77. I know that 330 Jennifer Drive, Titusville, is the residence of Keri DOBBS, the mother to a child of **AGEE Jr.** The Nissan Titan was determined to be owned by Andrew MAJOR of Carolina Circle, Titusville, Florida. MAJOR is a known associate of **AGEE Jr.**, and **AGEE Jr.** has been observed traveling to MAJORS' residence on multiple occasions during the month of May 2016.

78. After Officer Jennings watched the Nissan Titan pull into the driveway of 330 Jennifer Drive, Titusville, Florida, he saw two black males quickly exit the Nissan Titan and enter 330 Jennifer Drive. Officer Jennings believed the passenger of the Nissan Titan to be **AGEE Jr.**, based on his size and appearance, including his full beard.

79. After the Nissan Titan pulled into the driveway of 330 Jennifer Drive, law enforcement personnel monitoring communications to and from **AGEE Jr.**'s telephone intercepted a call from **AGEE Jr.** to BLOUNT. During this conversation, **AGEE Jr.** told BLOUNT about the K9 Officer (Officer Jennings) turning around on Garden Street, referring to the officer as "a cracker," and told BLOUNT it looked like the police officer was "waiting on us." **AGEE Jr.** told BLOUNT "I got all the weed out... god damn, I ain't remember to zip the damn bag back up... cause I got off, I got off good enough... I threw the weed out... I had enough time to put all the shit in one bag, but I never zipped it up." **AGEE Jr.** then told BLOUNT "I ain't lose but three out the whole bag."

80. Agents searched along the roadside between McNeela Drive and Jennifer Drive but were unable to locate any marijuana along the roadside.

81. During an additional intercepted conversation between **AGEE Jr.** and BLOUNT, BLOUNT told **AGEE Jr.** "I just snapped on the dude that came before you... I

say let me tell you something, my people just left here... I'm, I ain't bull shittin... I said my people just left here, bruh... First of all you ain't supposed to come back, and second of all, quit talking like you talking on the phone... I'm just tellin' you what time it is with me." BLOUNT told AGEE Jr. the person that BLOUNT was talking about said, "Nah man, it's me." BLOUNT then told AGEE Jr., "I say, well ok, quit talking on the phone... cause what you sayin' is on tape, it ain't hard to convince a jury, bruh, you feel me?... Watch what you're doing... Don't call me asking me for shit... Just say is I'm home?... Yea... then come through, that's it." AGEE Jr. said, "That's it, exactly. Got to tighten up on that... Yep, all that. All that shit matters. Got to pay attention to details."

82. I believe based on the intercepted conversations between AGEE Jr. and BLOUNT and the surveillance of AGEE Jr. traveling to BLOUNT's residence at **148 McNeela Drive, Titusville, Florida**, that AGEE Jr. picked up marijuana from BLOUNT at **148 McNeela Drive, Titusville, Florida**, which was pre-packaged for distribution. Once AGEE Jr., (the passenger in the Nissan Titan seen leaving **148 McNeela Drive, Titusville, Florida**), noticed the Titusville Police K9 Officer following, AGEE Jr. threw the packaged marijuana out the window and then returned a short time later to retrieve the marijuana from the roadside.

*Narcotics Trafficking by Jerry PICKENS Jr. at
121 Bryan Avenue, Apartment #9, Titusville, Florida*

83. On April 21, 2016, AGEE Jr. placed an outgoing call to PICKENS Jr. During this conversation AGEE Jr. and PICKENS Jr. discussed how much cocaine PICKENS Jr. had left. AGEE Jr. told PICKENS Jr., "I was just checkin on you." PICKENS Jr. replied to AGEE Jr., "Yea everything still... almost there... If you need your hand I got your hand already." I know based on intercepted conversations that

AGEE Jr. sells cocaine on consignment to **PICKENS Jr.** and **PICKENS Jr.** will pay **AGEE Jr.** when **PICKENS Jr.** needs more cocaine from **AGEE Jr.** In this conversation, I believe, **PICKENS Jr.** told **AGEE Jr.** that **PICKENS Jr.** has money that **PICKENS Jr.** owes to **AGEE Jr.** for cocaine that **AGEE Jr.** previously provided **PICKENS Jr.**

84. On April 22, 2016, at approximately 12:23pm, **PICKENS Jr.** sent a text message to **AGEE Jr.** stating, "I got that for you cuz and I need a bucket of chicken." Based on previous conversations and coded language, I know that **PICKENS Jr.** was telling **AGEE Jr.** again that **PICKENS Jr.** had money **PICKENS Jr.** owed **AGEE Jr.** and that **PICKENS Jr.** needed more cocaine.

85. Based on intercepted communications, I know that a "bucket" or "bucket of chicken" is code for a specific amount of cocaine. I have learned through this investigation, as described in the attached affidavit in support of wire and electronic interception, that **AGEE Jr.** uses the term "Vick" for 7 grams of cocaine or heroin. From listening to intercepted communications over **AGEE Jr.'s** telephone, I know a "bucket" is a reference for "5." I know from these intercepted communications a "bucket" or "bucket of chicken" is more than a "Vick" or 7 grams.

86. At approximately 7:57pm, after agents conducting surveillance saw **AGEE Jr.** leave **1200 Pine Valley Lane** (The residence of **EVANS**), **AGEE Jr.** called **PICKENS Jr.** stating, "Cuh, I'm on my way." **PICKENS Jr.** replied, "Shi....hit me when you down there, so I know you down there. Just don't want to go down there right now and be sittin' there."

87. Five minutes later, at approximately 8:02pm, **AGEE Jr.** called **PICKENS Jr.** stating, "I'm down here." **PICKENS Jr.** replied, "Alright cuz."

88. Agents conducting surveillance on this date followed **AGEE Jr.** to **121 Bryan Avenue, Titusville, Florida** and watched **AGEE Jr.** meet with **PICKENS Jr.** for approximately three minutes in the parking lot of **121 Bryan Avenue, Titusville, Florida.** Following the meeting with **AGEE Jr.**, **PICKENS Jr.** returned to **Apartment #9.**

89. On May 4, 2016 at approximately 2:29pm, **AGEE Jr.** called **PICKENS Jr.** stating, "I'm on my way to pick up the girls now... I'm gonna have to get with you when I drop them off." **PICKENS Jr.** replied, "That's cool I got a little food left." I believe that during this conversation, **AGEE Jr.** was telling **PICKENS Jr.** that **AGEE Jr.** would be coming by to pick up money owed to **AGEE Jr.** by **PICKENS Jr.** for cocaine previously provided by **AGEE Jr.** to **PICKENS Jr.** **PICKENS Jr.** told **AGEE Jr.** that **PICKENS Jr.** had "a little food left" meaning **PICKENS Jr.** had a little cocaine left. **PICKENS Jr.** then told **AGEE Jr.**, "I still got like a little half of piece, not half piece, but a quarter of a leg of chicken left." I believe **PICKENS Jr.** was telling **AGEE Jr.** that **PICKENS Jr.** had approximately a quarter ounce of cocaine left.

90. At approximately 6:04pm, **AGEE Jr.** called **EVANS** and **AGEE Jr.** asked **EVANS**, "Can I get two?" **EVANS** asked, "Two of em...whole ones?" **AGEE** replied, "Yeah," and **EVANS** said, "Alright." As mentioned elsewhere, I know **AGEE Jr.** has **EVANS** store **AGEE Jr.'s** drugs for **AGEE Jr.** at **1200 Pine Valley Lane, Titusville, Florida** and I believe **AGEE Jr.** was asking **EVANS** to get two ounces of cocaine together for **AGEE Jr.** to come pick up for **PICKENS Jr.**

91. At approximately 6:10pm, **AGEE Jr.** called **PICKENS Jr.** and told **PICKENS Jr.**, "I was getting ready to come by." **PICKENS Jr.** replied, "Alright I'm here."

92. At approximately 6:14pm, **PICKENS Jr.** sent a text message to **AGEE Jr.** stating, "Cuz wanna come up."

93. Then, at approximately 6:23pm, **AGEE Jr.** called **PICKENS Jr.** and **AGEE Jr.** asked **PICKENS Jr.**, "Where you at, cuz?" **PICKENS Jr.** replied, "I'm at the crib, cuz." **AGEE Jr.** asked, "You asked me did I want to come pick you up?" **PICKENS Jr.** replied, "Nah, I said do you want to come up?" **AGEE Jr.** replied, "Oh yeah, I can... It's no problem if you don't feel like coming down, it's fine."

94. At approximately 6:29pm, law enforcement personnel conducting surveillance of **AGEE Jr.** saw **AGEE Jr.** arrive at **121 Bryan Avenue, Titusville, Florida** driving a Silver Nissan Sentra rental vehicle bearing Texas plates that agents knew **AGEE Jr.** to be using during this time.

95. Surveillance personnel watched **AGEE Jr.** park the vehicle in front of **121 Bryan Avenue, Titusville, Florida**, get out of the vehicle and walk upstairs to **Apartment #9** where **PICKENS Jr.** resides. **AGEE Jr.** then met with **PICKENS Jr.** briefly at the front door of **Apartment #9**. **AGEE Jr.** then walked back downstairs to the vehicle **AGEE Jr.** arrived in and left the area while **PICKENS Jr.** went back inside **121 Bryan Avenue, Apartment #9, Titusville, Florida**.

96. Based on the telephone conversations between **AGEE Jr.** and **PICKENS Jr.** and **AGEE Jr.** travelling to **PICKENS Jr.**'s residence at **121 Bryan Avenue, Apartment #9, Titusville, Florida** on May 4, 2016, meeting very briefly with **PICKENS Jr.** and leaving, I believe **AGEE Jr.** delivered more cocaine to **PICKENS Jr.**

97. On May 10, 2016 at approximately 9:43pm, law enforcement personnel monitoring communications over **AGEE Jr.**'s telephone intercepted a conversation between **AGEE Jr.** and **PICKENS Jr.**

98. During this conversation, **AGEE Jr.** asked **PICKENS Jr.**, "How you looking over there, cuz?" **PICKENS Jr.** replied, "Shit, I still got uhh like, a whole bucket of chicken and a vick... But if you need that, I can, I can, you can slide over here and grab it." **AGEE Jr.** replied, "Yeah, yeah, I'll try to go ahead and get ready so."

99. At approximately 9:35pm, law enforcement personnel conducting surveillance on **AGEE Jr.** watched **AGEE Jr.** arrive at **121 Bryan Avenue, Titusville, Florida** and briefly meet with **PICKENS Jr.** in front of **Apartment #9**. **AGEE Jr.** then returned to the vehicle **AGEE Jr.** arrived in and left the area. **PICKENS Jr.** went back inside **Apartment #9**.

100. Based on the conversation between **AGEE Jr.** and **PICKENS Jr.**, and the brief meeting between **AGEE Jr.** and **PICKENS Jr.** in front of **121 Bryan Avenue, Titusville, Florida, Apartment #9** on May 10, 2016, I believe **AGEE Jr.** picked up cocaine from **PICKENS Jr.**, which **PICKENS Jr.** had not sold yet that was previously fronted to **PICKENS Jr.** by **AGEE Jr.** on May 4, 2016.

**Drug Trafficking of AGE E Jr. at
2939 Jefferson Street, Mims, Florida**

101. During this investigation I discovered, as a result of surveillance, and from intercepted conversations, proffers with federal inmates and confidential source debriefings that **AGEE Jr.** conducts drug business at **2939 Jefferson Street, Mims, Florida**, the residence of **AGEE Jr.**'s parents.

102. During a federal proffer with M.S. on August 8, 2014 and August 13, 2014 and DEA Agents, M.S. identified **AGEE Jr.** as "Chuck" (a known nickname of **AGEE Jr.**) and said that **AGEE Jr.** was a source of supply of cocaine and heroin for M.S.

103. M.S. stated he has purchased approximately 12 kilograms of cocaine from **AGEE Jr.** and would regularly get 4 to 6 ounces of heroin from **AGEE Jr.**

104. M.S. said that **AGEE Jr.** travels to Miami to get cocaine and heroin and M.S. was expected to pay for the drugs upon delivery.

105. M.S. stated that M.S. paid \$33,000 per kilogram of cocaine to **AGEE Jr.**, who obtained the drugs somewhere in Liberty City, Florida.

106. M.S. stated C.P. would travel with M.S. to Miami to courier the money and drugs back and forth.

107. M.S. stated that C.P. would add diluents to the heroin that was purchased from **AGEE Jr.** to make larger profits.

108. M.S. said that **AGEE Jr.** was one of the football coaches for Titusville High School.

109. M.S. also stated sometime during September 2013, while at **2939 Jefferson Street, Mims, Florida**, M.S. saw a Titusville police officer meet **AGEE Jr.** at **2939 Jefferson Street, Mims, Florida** when approximately two ounces of cocaine and heroin were in plain view and **AGEE Jr.** was smoking marijuana. M.S. gave a detailed description of the officer.

110. M.S. did not know what type of relationship or agreement **AGEE Jr.** had with the officer, but **AGEE Jr.** was not arrested.

111. During a federal proffer with C.P. on December 2, 2014, C.P. stated that M.S. bought heroin from "Chuck," identified as **AGEE Jr.**, an assistant football coach at Titusville High School.

112. C.P. had seen **AGEE Jr.** deliver heroin to M.S. Some of this heroin was given to C.P. by M.S.

113. The heroin deals occurred in the months prior to the proffer with C.P. and were normally at **AGEE Jr.'s** mother's house at **2939 Jefferson Street, Mims, Florida.**

114. C.P. said that **AGEE Jr.** had a cocaine and heroin source of supply in the Miami, Florida, area.

115. C.P. recalled one trip during which M.S. and C.P. followed **AGEE Jr.** to Miami to purchase heroin from the un-identified source.

116. During the trip, C.P. drove M.S. and followed **AGEE Jr.** to Miami.

117. M.S. carried the money with him until M.S. gave the money to **AGEE Jr.** in Miami for the purchase.

118. After the purchase, C.P. and M.S. followed **AGEE Jr.** back to **2939 Jefferson Street, Mims, Florida** where M.S. got the heroin from **AGEE Jr.**

119. During the debriefing of CS-5 on February 18, 2016 described above, CS-5 told agents that **AGEE Jr.** always made CS-5 meet **AGEE Jr.** at **2939 Jefferson Street, Mims, Florida**, to pick up the currency for marijuana trafficking. This occurred between August 2014 and May 2015, and ended after law enforcement officers intercepted and seized approximately six pounds of marijuana that had been mailed to Florida from Colorado. CS-5 met **AGEE Jr.** each month during this time period in the garage area at **2939 Jefferson Street, Mims, Florida** in order to receive \$25,000 to

\$40,000 in cash in large bills to purchase packages of marijuana from the source of supply for marijuana in Colorado.

120. CS-5 also told agents that CS-5 knew **AGEE Jr.** to sell other drugs from **2939 Jefferson Street, Mims, Florida**, and had recently seen **AGEE Jr.** sell heroin from **2939 Jefferson Street, Mims, Florida**. CS-5 told agents that **AGEE Jr.** stored drugs in "a red and black tool chest in the garage" at **2939 Jefferson Street, Mims, Florida**.

121. On May 1, 2016, **AGEE Jr.** called a subject of the investigation, Arthur Lee **OSTEEN Jr.** During several intercepted telephone communications on this date, **AGEE Jr.** and **OSTEEN Jr.** arranged for **AGEE Jr.** to travel to **OSTEEN Jr.**'s residence located at 3465 Old Dixie Highway, Mims, Florida for **AGEE Jr.** to provide **OSTEEN Jr.** with drugs.

122. Following the meeting and delivery of the drugs by **AGEE Jr.**, **OSTEEN Jr.** called **AGEE Jr.** and told **AGEE Jr.**, "Hey bro, I appreciate that shit... Really that's good stuff right there, boy... That's good stuff. I appreciate that shit... You're keeping this shit right." **AGEE Jr.** said, "Yea man, you know I always do." **OSTEEN Jr.** replied, "Man, I'm glad I'm going to be making that money now boy."

123. I believe based on the intercepted communications between **AGEE Jr.** and **OSTEEN Jr.** that **AGEE Jr.** delivered drugs to **OSTEEN Jr.** at 3465 Old Dixie Highway, Mims, Florida.

124. Prior to, during, and after these intercepted communications with **OSTEEN Jr.**, agents conducted electronic surveillance on **AGEE Jr.** by use of a GPS mobile tracking device attached to **AGEE Jr.**'s vehicle, and agents saw that **AGEE Jr.** traveled

directly from OSTEEN Jr.'s residence to **2939 Jefferson Street, Mims, Florida**, with the proceeds of the drug transaction that had just taken place, I believe. **AGEE Jr.** stayed at **2939 Jefferson Street, Mims, Florida** for only about 15 minutes before returning to Titusville.

**AGEE Jr.'s residence at
1604 Fuji Drive, Titusville, Florida**

125. During this investigation and over the 30 day period of intercepted communications over **AGEE Jr.'s** telephone, **AGEE Jr.** has resided at **1604 Fuji Drive, Titusville, Florida.**

126. Agents conducting electronic and visual surveillance throughout this investigation followed **AGEE Jr.** on multiple occasions travelling to and from **1604 Fuji Drive, Titusville, Florida** to **1200 Pine Valley Lane, Titusville, Florida** and other locations in the Titusville, Florida area to engage in illegal drug related activities.

127. During the 30 day period in which communications were intercepted over **AGEE Jr.'s** telephone as well as after the interception ended on May 14, 2016, I monitored the locations **AGEE Jr.** has traveled by the use of a GPS electronic mobile tracking device attached to the vehicle **AGEE Jr.** has been driving. I believe based on intercepted communications and surveillance that **AGEE Jr.** arrived at and/or left from **1604 Fuji Drive, Titusville, Florida** with drugs and or drugs proceeds when the pattern of activity of short visits to the residences of known drug associates previously described was seen during surveillance.

128. On May 10, 2016, agents intercepted communications between **AGEE Jr.** and Andrew ARCE, a subject of this investigation.

129. At approximately 9:14pm, agents intercepted a text message from **AGEE Jr.** to ARCE stating, "Bra no min on other." I believe that in this text message, **AGEE Jr.** was telling ARCE that **AGEE Jr.** had no minutes left on another phone used by **AGEE Jr.** to communicate with ARCE.

130. At approximately 9:15pm, ARCE sent a text message back to **AGEE Jr.**, "Who dis white truck?" **AGEE Jr.** replied back, "Astro." (I learned "white truck" was a reference to J.S. and that **AGEE Jr.** was identifying himself using the term "Astro," a reference to Astronaut High School in Titusville.) After no response from ARCE for a few minutes, **AGEE Jr.** sent another text message to ARCE stating, "School bra."

131. At approximately 9:23 p.m., agents intercepted an incoming text message from ARCE stating, "In bath room give me a few" sent to **AGEE Jr.**

132. At approximately 9:30 p.m., agents intercepted an incoming call to **AGEE Jr.**, from ARCE. ARCE asked **AGEE Jr.** "Do you want to hang out?" **AGEE Jr.** replied "Yea. Gotta make a stop first though."

133. At approximately 9:40pm, a GPS mobile tracking device attached to **AGEE Jr.**'s vehicle showed **AGEE Jr.** at **1604 Fuji Drive, Titusville Florida.**

134. **AGEE Jr.** then left from **1604 Fuji Drive, Titusville, Florida** and drove to **121 Bryan Avenue, Titusville, Florida** (the residence of **PICKENS Jr.**), where a previous intercepted communication (described above in the section centered on **PICKENS Jr.**'s residence) indicated drug activity was occurring. **AGEE Jr.** arrived at **121 Bryan Avenue, Titusville, Florida** at approximately 9:48pm and left just four minutes later, at approximately 9:52pm. **AGEE Jr.** then drove to **1200 Pine Valley Lane, Titusville, Florida**, arriving at approximately 9:58pm.

135. **AGEE Jr. left 1200 Pine Valley Lane, Titusville, Florida 24 minutes later, at approximately 10:22pm and drove to Fairlane Drive, Titusville, Florida where AGEE Jr. parked along the roadside.**

136. **Agents and officers conducting surveillance then observed AGEE Jr. sitting on Fairlane Drive, Titusville, Florida in the vehicle AGEE Jr. was driving.**

137. **At approximately 10:31 p.m., agents intercepted an incoming call to AGEE Jr., from ARCE. AGEE Jr. told ARCE, "I'm here," and ARCE replied, "Alright, be there in a second."**

138. **Agents and officers conducting surveillance then watched ARCE travel directly from ARCE's residence at 180 Jackson Street, Titusville, Florida to meet with AGEE Jr. for a short period of time, despite ARCE having asked AGEE Jr. if AGEE Jr. wanted to "hang out" during an earlier call, which I believe was merely a euphemism for conducting a drug deal.**

139. **Following the meeting with AGEE Jr., ARCE drove directly back in the same direction toward ARCE's residence followed by agents and officers, and a traffic stop was conducted and ARCE was identified as the driver.**

140. **During the traffic stop, which took place less than one block away from ARCE's residence at 180 Jackson Street, Titusville, Florida, officers discovered a Crown Royal fabric bag with approximately \$17,500 in cash in the center console lying on top of ARCE's telephone, an indication he had just received the cash from AGEE Jr.**

141. **Officers asked ARCE, the sole occupant of his vehicle, about the currency found inside the bag, and ARCE denied knowledge of the currency and told officers that the currency must have been left in the vehicle by another person.**

142. Immediately following the meeting between **AGEE Jr.** and **ARCE**, **AGEE Jr.** drove directly to **1200 Pine Valley Lane, Titusville, Florida**, (**EVANS'** residence), arriving at approximately 10:52pm.

143. Twenty-six minutes later, **AGEE Jr.** left **1200 Pine Valley Lane, Titusville, Florida** at approximately 11:18pm.

144. I believe based on (1) the intercepted communications on May 10, 2016 between, **AGEE Jr.** and **ARCE** while **AGEE Jr.** was at his residence, **1604 Fuji Drive, Titusville, Florida**, (2) the intercepted communications between **AGEE Jr.** and **PICKENS Jr.**, followed by **AGEE Jr.** travelling to **PICKENS Jr.'s** residence, **121 Bryan Avenue, Titusville, Florida** and being observed by surveillance personnel meeting with **PICKENS Jr.**, (3) intercepted communications between **AGEE Jr.** and **EVANS**, followed by **AGEE Jr.** travelling to **EVANS'** residence, **1200 Pine Valley Lane, Titusville, Florida**, (4) **AGEE Jr.'s** meeting with **ARCE** coupled with the subsequent seizure of \$17,500 from **ARCE**, and (5) **AGEE Jr.** travelling back to **EVANS'** residence, **1200 Pine Valley Lane, Titusville, Florida**, that **AGEE Jr.** gathered drug proceeds from **1604 Fuji Drive, Titusville, Florida**, **121 Bryan Avenue, Titusville, Florida**, and **1200 Pine Valley Lane, Titusville, Florida** before meeting with **ARCE** to purchase \$17,500 worth of drugs, equivalent to the cost of a half kilogram of cocaine, and that **AGEE Jr.** then returned to **1200 Pine Valley Lane, Titusville, Florida** with the drugs purchased from **ARCE**.

145. As mentioned above in the section on **AGEE Jr.'s** pattern of drug trafficking activity, on June 7, 2016, **AGEE Jr.** continued a pattern seen throughout this investigation, where **AGEE Jr.** would travel to many of the locations in which **AGEE Jr.**

conducts drug business and stay at each for very short periods of time.

146. Based on the GPS tracking device attached to the vehicle **AGEE Jr.** was using, I saw that **AGEE Jr.**'s vehicle traveled to **1200 Pine Valley Lane, Titusville, Florida** (**EVANS'** residence). **AGEE Jr.** arrived at **1200 Pine Valley Lane, Titusville, Florida** at 9:56pm.

147. Five minutes later at approximately 10:01pm, **AGEE Jr.** left **1200 Pine Valley Lane, Titusville, Florida** and traveled directly to **148 McNeela Drive, Titusville, Florida** (**BLOUNT's** residence), arriving at 10:06pm.

148. At approximately 10:22pm, **AGEE Jr.** left **148 McNeela Drive, Titusville, Florida** and drove directly to 1306 Tropic Street, Titusville, Florida arriving at 10:24pm.¹

149. At approximately 10:26pm, **AGEE Jr.** left 1306 Tropic Street, Titusville, Florida and drove directly to **121 Bryan Avenue, Titusville, Florida** (**PICKENS'** residence), arriving at 10:28pm.

150. At approximately 10:31pm, **AGEE Jr.** left **121 Bryan Avenue, Titusville, Florida** and drove to **2939 Jefferson Street, Mims, Florida** (the residence of **AGEE Jr.'s** parents), arriving at 10:42pm. **AGEE Jr.** stayed at **2939 Jefferson Street, Mims, Florida** overnight and left the following morning on June 8, 2016 at approximately

¹ On May 11, 2016, following an intercepted conversation between **AGEE Jr.** and Kendall **BROWN**, I observed **AGEE Jr.** meet with **BROWN** at 1306 Tropic Street, Titusville, Florida. I know 1306 Tropic Street, Titusville, Florida to be the residence of **BROWN's** child's mother and a location where **AGEE Jr.** has met **BROWN** on previous occasions. Following this meeting, **AGEE Jr.** and **BROWN** left 1306 Tropic Street, Titusville, Florida, in separate vehicles. Titusville Police conducted a traffic stop on the vehicle being driven by **BROWN**, finding **BROWN** to have a suspended license and an active warrant for his arrest. Subsequent to a consensual search of the vehicle **BROWN** was driving, Titusville Police found cocaine and marijuana inside the vehicle. The passenger/owner of the vehicle **BROWN** was driving was also in possession of cocaine and claimed to have been provided the cocaine by **BROWN** prior to the stop.

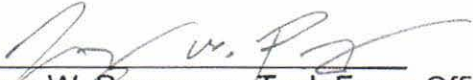
11:48am.

151. **AGEE Jr.** drove from **2939 Jefferson Street, Mims, Florida** to **1604 Fuji Drive, Titusville, Florida** (**AGEE Jr.'s** residence), arriving at 11:55am.

152. I know **1604 Fuji Drive, Titusville, Florida** to be **AGEE Jr.'s** primary place of residence and believe evidence of **AGEE Jr.'s** drug trafficking activities will be discovered within the residence.

Conclusion

153. Based on the foregoing facts and opinions, my experience and training, and consultation with other law enforcement agents experienced in drug investigations, I believe that there is probable cause to believe **Leonard Charles AGEE Jr.**, and **Benjamin JENKINS** have committed violations of Title 21, United States Code, Sections 841(a)(1) and 846, distribution, possession with intent to distribute and conspiracy to distribute controlled substances. Furthermore, I believe that the items set forth in Attachment B constitute fruits, instrumentalities and evidence of violations of Title 21, United States Code, 841(a)(1) and 846, and that there is probable cause to believe that those items will be found in the areas to be searched described in Attachment A.


Jerry W. Pergerson, Task Force Officer
Drug Enforcement Administration

Subscribed and sworn to before
me this 24 day of June, 2016.


Thomas B. Smith
United States Magistrate Judge

I certify the foregoing to be a true
and correct copy of the original.

SHERYLL LOESCH, Clerk
United States District Court
Middle District of Florida

By: 
Deputy Clerk