

1 **AFFIDAVIT OF SPECIAL AGENT MATTHEW SHAW**

2 I, Matthew Shaw, a Special Agent of the Drug Enforcement Administration, being first duly
3 sworn, hereby declare as follows:

4 1. I make this affidavit in support of an application for a criminal complaint charging Timothy
5 PEOPLES with distribution and possession with intent to distribute a controlled substance, in violation
6 of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

7 **I. AGENT BACKGROUND**

8 2. I am a Special Agent with the United States Department of Justice, Drug Enforcement
9 Administration (“DEA”), and have been so employed since August 2015. I am currently assigned to the
10 San Francisco Field Division of the DEA, Oakland Resident Office (Oakland RO) in California. I am an
11 “investigative or law enforcement officer of the United States” within the meaning of Title 18, United
12 States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to
13 conduct investigations of, and to make arrest for, offenses enumerated in Title 18, United States Code,
14 Section 2516.

15 3. Once I joined the DEA, I successfully completed an eighteen-week DEA Basic Agent Training
16 Academy at the DEA Academy in Quantico, Virginia. This training included instruction in the
17 investigation of federal drug violations, including, but not limited to Title 21, United States Code,
18 Sections 841 and 846. Additionally, this training included several hundred hours of comprehensive,
19 formalized instruction in, but not limited to, narcotics investigations, drug identification, detection,
20 interdiction, financial investigations and money laundering, identification and seizure of drug related
21 assets, undercover operations, and electronic and physical surveillance procedures.

22 4. During the course of my employment as a DEA Special Agent, I have participated in over ten
23 (10) narcotics investigations either as a case agent or in a supporting role. I have debriefed defendants,
24 confidential sources, and witnesses who had personal knowledge regarding narcotics trafficking
25 organizations. I also have participated in many aspects of drug investigations including, but not limited
26 to, undercover operations, telephone toll analysis, records research, and physical and electronic
27 surveillance. I have assisted in court-ordered wiretap investigations, and I have participated in the
28 execution of numerous federal and state narcotics search and arrest warrants that resulted in the arrest of

1 suspects and seizure of narcotics.

2 5. I have conducted and been involved in numerous narcotics and financial investigations regarding
3 the unlawful manufacture, possession, distribution, and transportation of controlled substances, as well
4 as related money laundering statutes involving the proceeds of specified unlawful activities and
5 conspiracies associated with criminal narcotics. In the course of these investigations, I have investigated
6 crimes in violation of Title 21 of the U.S. Code.

7 6. I have initiated and/or participated in approximately four (4) Organized Crime Drug
8 Enforcement Task Force (OCDETF) investigations. The OCDETF program is part of the United States
9 Attorney General's strategy to reduce the availability of drugs by disrupting major trafficking
10 organizations through joint collaborations across agencies.

11 7. For the past several years, I have worked with other experienced agents, law enforcement
12 officers and prosecutors on cases that apply use of electronic surveillance to investigate drug trafficking
13 organizations that are trafficking narcotics internationally and/or across multiple jurisdictions within the
14 United States.

15 8. Through my training, education, experience, and my discussions with other experienced agents
16 and officers who conduct drug investigations, I have become familiar with narcotics traffickers' use of
17 mobile telephones and mobile telephone applications, Internet applications, social media applications, as
18 well as narcotics traffickers' use of numerical codes and code words to conduct business. Also, I have
19 become familiar with narcotics traffickers' methods of operations, including, but not limited to, the
20 manufacturing, distribution, storage, and transportation of narcotics, and the methods used by drug
21 traffickers to collect, transport, safeguard, remit, and/or launder drug proceeds.

22 9. The facts stated in this affidavit are based on my personal knowledge, on my review of reports
23 prepared by other law enforcement officers and records prepared by others, and on conversations I have
24 had with other law enforcement officers and witnesses involved in this investigation. Because this
25 affidavit is submitted for the limited purpose of securing authorization for a search warrant, I have not
26 included every fact and detail known to me or law enforcement. Rather, I have set forth only those facts
27 that I believe are sufficient to support the requested warrant. Unless otherwise indicated, where actions,
28 conversations, and statements of others are related herein, they are related in substance and in part.

1 **II. STATEMENT OF PROBABLE CAUSE**

2 **A. Seizure of approximately 64 grams of suspected cocaine and \$10,000 from**
3 **PEOPLES's residence on April 30, 2019**

4 10. On April 30, 2019 at approximately 6:00 a.m. DEA agents and other law enforcement officers
5 executed a search warrant at 3605 Baywood Cir., Antioch, California, the residence of Timothy
6 PEOPLES. The search warrant was authorized by the Honorable Jaqueline Scott Corley, United States
7 Magistrate Judge for the Northern District of California, on April 29, 2019 under Case No. 19-70637
8 JSC. At the time of the search, the residence was occupied by Timothy PEOPLES, Cresensia ALLEN
9 (PEOPLES' girlfriend), and their two minor children (approximate ages one and six).

10 11. Agents observed approximately 64 grams (gross weight) of suspected cocaine, a digital scale
11 with suspected cocaine residue, and a blender with suspected cocaine residue, all on the kitchen counter
12 inside the residence. The suspected cocaine was divided into two smaller plastic baggies. Based on my
13 training and experience, I know that drug dealers typically use scales to weigh larger quantities of
14 narcotics into smaller, distribution-size quantities. I also know that drug dealers often use blenders to
15 mix cocaine with a cutting agent, such as white laxative powder, to increase profits by diluting the purity
16 and increasing the weight of the powdered mixture.

17 12. I have examined the 64 grams of suspected cocaine recovered from PEOPLE's residence. I have
18 received training in the identification of numerous narcotics through, among other things, the
19 appearance, texture, packaging, and other characteristics of controlled substances, including cocaine in
20 its various forms. Based on my training and experience, discussions with other experienced agents,
21 knowledge of this investigation, and examination of the suspected cocaine recovered on April 30, 2019,
22 I believe that the substance is powder cocaine. The suspected powder cocaine will be sent to the DEA's
23 Western Laboratory for forensic chemical analysis.¹

24 13. Agents further observed there to be approximately \$10,000 in United States currency inside the
25 master bedroom of the residence. A portion of the cash was divided into smaller increments using

26 _____
27 ¹ Due to the current rise of drug manufacturers lacing narcotics with fentanyl, agents have been
28 advised to no longer field test certain narcotics that by the nature of their appearance may potentially be
laced with fentanyl. Fentanyl is a hazardous transdermal opioid capable of causing death.

1 rubber bands. Based on my training and experience, I know that drug dealing is a cash business and that
2 drug dealers often maintain large amounts of cash proceeds from drug dealing activities inside their
3 residences.

4 **B. Background on PEOPLES' suspected drug trafficking activities**

5 14. As set forth in the original search warrant application (Case No. 19-70637 JSC), agents believe
6 PEOPLES' is a drug dealer and that his cocaine source of supply is the Lorenzo LEE drug trafficking
7 organization (the "DTO"). Agents further believe that that LEE and/or Anthony BROWN (a close
8 associate of LEE and co-conspirator in the DTO) often delivered narcotics to PEOPLES at 3605
9 Baywood Cir. For example, on May 21, 2018, pursuant to a court-authorized wiretap, agents intercepted
10 a call between LEE and PEOPLES. The following is a relevant excerpt from the call:

11 LEE: Hello?

12 PEOPLES: Hey can you bring me two babies?

13 LEE: On my way Tee.

14 PEOPLES: Alright.

15 15. Based on numerous intercepted calls, together with my knowledge of this investigation and the
16 cocaine seized on April 30, 2019, I believe that "babies" is a coded term used by LEE and PEOPLES to
17 refer to ounce quantities of cocaine. Several minutes after the above-referenced call, physical location
18 information for LEE's phone showed that the phone was located in the vicinity of 3605 Baywood Cir.
19 Furthermore, I believe LEE was telling PEOPLES that he could bring the suspected narcotics to
20 PEOPLES when LEE said, "On my way Tee."²

21 16. In a more recent example, on February 5, 2019 at approximately 12:25 p.m., agents intercepted a
22 call between LEE and PEOPLES during which PEOPLES requested "four babies" and LEE responded,
23 "Okay give me a minute Tee." Following the conversation, LEE contacted BROWN and asked
24 BROWN, "We got 4 babies for Tee?" BROWN responded affirmatively. LEE then told BROWN that
25 he would pick up BROWN and then they would go see PEOPLES.

26 17. At approximately 1:17 p.m., surveillance units in the vicinity of 3605 Baywood Cir. observed
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28 ² I believe that "Tee" is an alias for PEOPLES as his first names is Timothy, and PEOPLES' suspected device is registered to "Tee Peoples."

1 BROWN arrive in a Nissan bearing Washington plates, and walk towards the front entrance of 3605
 2 Baywood Cir. Moments later, BROWN walked from 3605 Baywood Cir., entered the Nissan, and
 3 departed the location. Based on a review of the calls and observations made by surveillance units, I
 4 believe that LEE instructed BROWN to deliver cocaine to PEOPLES at 3605 Baywood Cir.

5 18. After the February 5, 2019, PEOPLES continued to order more narcotics (“babies”) from LEE
 6 on the following dates:

Call Date & Time	Summary of Call
02/06/2019 12:30 hours	PEOPLES said he (PEOPLES) needed 4 “babies.” LEE said he (LEE) would be there in a minute.
02/09/2019 19:05 hours	PEOPLES told LEE he (PEOPLES) needed a “baby.” LEE said to give him (LEE) a couple of minutes.
02/09/2019 22:24 hours	PEOPLES said [U/I] three “babies.” PEOPLES asked what time. LEE said he (LEE) would be right there.
02/11/2019 13:43 hours	PEOPLE asked for 3 “babies.” LEE agreed and said to give him (LEE) about 20 to 30 minutes. PEOPLE agreed and LEE said he (LEE) would be right there.
02/15/2019 13:26 hours	LEE said hey, what's up TEE. PEOPLES asked for a “baby.” LEE said to give him (LEE) a minute.
02/15/2019 17:42 hours	LEE greeted PEOPLES. PEOPLES said he (PEOPLES) needed 2 “babies” and asked how long that would take. LEE said about 10 minutes. PEOPLES said okay.
02/16/2019 12:43 hours	PEOPLE said he (PEOPLES) needs 4 “babies.” LEE asked 4 “babies?” PEOPLES said yes and LEE said okay give me a few minutes.

19 19. Based on the foregoing, I believe that PEOPLES regularly purchases ounce quantities of cocaine
 20 from LEE and/or BROWN, which PEOPLES then distributes to others for profit.

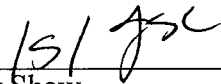
21 20. As set forth in the original search warrant application, I believe that 3605 Baywood Cir. Antioch,
 22 California is the current residence for Timothy PEOPLES. In addition to his presence at 3605 Baywood
 23 Cir. on April 30, 2019, during the course of the investigation, law enforcement successfully surveilled
 24 PEOPLES at 3605 Baywood Cir. on numerous occasions. Law enforcement database queries detail that
 25 3605 Baywood Cir. is an address associated with PEOPLES’ suspected wife/girlfriend, Cresensia
 26 ALLEN.
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III. CONCLUSION

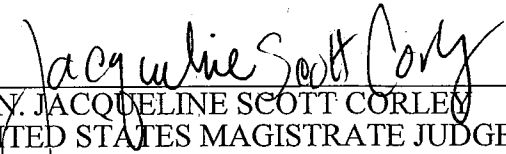
21. Based on the foregoing, I submit that there is probable cause to issue a criminal complaint charging Timothy PEOPLES with one count of distribution and possession with intent to distribute a controlled substance, in violation of 18 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Respectfully submitted,



Matthew Shaw
Special Agent
Drug Enforcement Administration

Sworn to before me over the telephone and signed by me pursuant to Fed.R.Crim.P 4.1 and 4(d) on the day 2nd of April, 2019



HON. JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE