

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

KALVIN STEWART and  
GREGORY WARFIELDCASE NUMBER:  
**UNDER SEAL**

**CRIMINAL COMPLAINT**

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

From on or about December 14, 2017 to on or about February 21, 2018, at Joliet, in the Northern District of Illinois, Eastern Division, and elsewhere, the defendants violated:

*Code Section*Title 21, United States Code, Section  
846*Offense Description*

did knowingly conspire with each other, and with others known and unknown, to possess with intent to distribute and to distribute a controlled substance, namely, 500 grams or more of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1)

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

\_\_\_\_\_  
BRIAN PROCHASKA

Task Force Officer, Federal Bureau of  
Investigation (FBI)

Sworn to before me and signed in my presence.

Date: August 9, 2018

\_\_\_\_\_  
*Judge's signature*

City and state: Chicago, Illinois

\_\_\_\_\_  
MARIA VALDEZ, U.S. Magistrate Judge  
*Printed name and Title*

**AFFIDAVIT**

I, BRIAN D. PROCHASKA, being duly sworn, state as follows:

**I. INTRODUCTION**

1. I am a Task Force Officer with the Federal Bureau of Investigation (“FBI”) and have been so employed since approximately January 2014. I am currently assigned to the FBI’s South Resident Agency, and my responsibilities include the investigation of violent crimes and narcotics trafficking offenses. I have been employed by the Joliet Police Department for the past 18 years, with over 14 years of experience investigating gang, firearms, and narcotics offenses.

2. I have received specialized training in drug investigations while employed as a Joliet Police Officer and a FBI Task Force Officer. I am familiar with and have participated in all of the normal methods of investigations, including but not limited to undercover purchases of narcotics, visual surveillance, general questioning of witnesses, informant and cooperating witness debriefings, pen registers, document analysis, and utilization of undercover agents/officers. I have been personally involved in investigations of drug-related offenses involving the possession, sale, and distribution of cocaine, heroin, and crack cocaine in the south suburbs of the Chicago metropolitan area, and investigations involving the distribution of these substances by members of street gangs in the south suburbs of the Chicago metropolitan area.

3. I have also received specialized training in the enforcement of federal narcotics laws, and have been involved in numerous aspects of narcotics trafficking investigations, including: (a) the debriefing of defendants, witnesses, and informants, as well as others who have knowledge of the distribution and transportation of controlled substances, and of the laundering and concealing of proceeds from drug trafficking; (b) surveillance; (c) analysis of documentary and physical evidence; and (d) participating in undercover narcotics investigations.

4. This affidavit is submitted in support of a criminal complaint alleging that KALVIN STEWART and GREGORY WARFIELD have violated Title 21, United States Code, Section 846 by knowingly conspiring with each other, and with others known and unknown, to possess with intent to distribute and to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) (the “**Subject Offense**”). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging STEWART and WARFIELD with conspiracy to possess and distribute controlled substances, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendants committed the offense alleged in the complaint.

5. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents, telephone records, court-authorized interceptions of communications and a seizure of cocaine.

## **II. SUMMARY OF THE INVESTIGATION**

6. Law enforcement has been investigating WILLIAM NOBLES, a self-identified Black Gangster Disciple, for trafficking cocaine and other controlled substances in the Joliet, Illinois area.<sup>1</sup> Through court-authorized interceptions of NOBLES's communications and corresponding surveillance, law enforcement identified STEWART as one of NOBLES's cocaine suppliers. On or about December 18, 2017, law enforcement intercepted communications from STEWART and WARFIELD indicating that WARFIELD would be transporting cocaine from STEWART to NOBLES later that day. During a subsequent traffic stop, law enforcement seized approximately one kilogram of cocaine and a loaded pistol from WARFIELD's truck.

## **III. FACTS SUPPORTING PROBABLE CAUSE**

7. On or about December 4, 2017, Chief Judge Ruben Castillo, Northern District of Illinois, signed an order authorizing the interception of wire and electronic

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<sup>1</sup> NOBLES is charged in a separate criminal complaint in the Northern District of Illinois.

communications over 331-300-5062, used by STEWART (“Target Phone 3”),<sup>2</sup> and 779-230-7435, used by NOBLES (“Target Phone 4”).<sup>3</sup>

8. On or about December 14, 2017, at approximately 11:46 a.m. (Session #732), STEWART, who was using Target Phone 3, had a conversation with NOBLES, who was using Target Phone 4. STEWART stated, “I was seein’ when did you want me to send back [send a courier later identified as WARFIELD to deliver cocaine].”<sup>4</sup> NOBLES said, “Uh, shit, I don’t know. Give me, it like hit a brick wall on me [sales are slow]. Give me about another day, what’s today, Thursday? I’m figurin’ probably by Saturday.” STEWART said, “Ok that’s cool.”

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<sup>2</sup> The identification of STEWART as the user of Target Phone 3 is based on the following. First, on or about December 30, 2017, law enforcement conducted a court-authorized search of STEWART’s residence, 1400 Exposition Avenue in Aurora, Illinois. During the search, law enforcement seized the phone number associated with Target Phone 3 from STEWART’s bedroom, which rang in response. Second, an agent familiar with STEWART’s voice from speaking to him during the search warrant execution has positively identified the intercepted voice of the user of Target Phone 3 as STEWART.

<sup>3</sup> The identification of NOBLES as the user of Target Phone 4 is based on the following. On or about March 28, 2018, law enforcement conducted a court-authorized search of NOBLES’s residence at 809 Vine Street, Apartment 2B, in Joliet. An agent familiar with NOBLES’s voice from speaking to him during the search warrant execution has positively identified the intercepted voice of the user of Target Phone 4 as NOBLES.

<sup>4</sup> Throughout this affidavit, I describe various conversations that were intercepted pursuant to court orders. These descriptions often include my understanding of what is being said during such conversations in brackets or otherwise. This understanding and interpretation of the conversations is based on (i) the content and context of the conversations, (ii) my experience and my fellow agents’ experiences as law enforcement officers, including our experience observing written conversations as a whole, and (iii) the investigation to date. The summaries of the conversations set forth in this affidavit are based on draft—not final—transcriptions. Finally, the summaries contained herein do not include all potentially criminal communications intercepted, or topics covered during the course of the intercepted conversations.

***Seizure of Cocaine from WARFIELD Destined from STEWART to NOBLES***

9. On or about December 18, 2017, at approximately 7:13 a.m., toll records indicated that NOBLES, who was using 779-225-2283 (“Target Phone 5”),<sup>5</sup> called STEWART, who was using 662-273-3220 (“Stewart Phone 2”).<sup>6</sup>

10. On or about December 18, at approximately 11:37 a.m. (Session #572), STEWART, who was using Target Phone 3, had a conversation with WARFIELD, who was using 815-329-0312 (“Warfield Phone 1”).<sup>7</sup> WARFIELD asked, “Hey, you got, you got his [NOBLES’s] new number?” STEWART said, “Yeah, he called me today.” WARFIELD asked, “Ok, so when do you want me to go that way [deliver cocaine to NOBLES]?” STEWART said, “Today.”

11. At approximately 12:02 p.m., toll records indicated that STEWART used Stewart Phone 2 to call NOBLES on Target Phone 5.

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<sup>5</sup> On or about January 9, 2018, Chief Judge Ruben Castillo, Northern District of Illinois, signed an order authorizing the interception of wire and electronic communications over Target Phone 5. An agent familiar with NOBLES’s voice from speaking to him during the search warrant execution has positively identified the intercepted voice of the user of Target Phone 5 as NOBLES.

<sup>6</sup> The identification of STEWART as the user of Stewart Phone 2 is based on the following. First, on or about December 30, 2017, law enforcement conducted a court-authorized search of STEWART’s residence, 1400 Exposition Avenue in Aurora, Illinois. During the search, law enforcement seized Stewart Phone 2 from STEWART’s bedroom, which rang when law enforcement called Stewart Phone 2. Second, the user of Stewart Phone 2 was intercepted during court-authorized interceptions; an agent familiar with STEWART’s voice from speaking to him during the search warrant execution has positively identified the intercepted voice of the user of Stewart Phone 2 as STEWART.

<sup>7</sup> The identification of WARFIELD as the user of Warfield Phone 1 is based on the following. First, as discussed below, law enforcement seized Warfield Phone 1 from WARFIELD’s truck following his arrest; that telephone rang when the digits for Warfield Phone 1 were dialed. Additionally, an officer familiar with WARFIELD’s voice from conversation with him during his arrest has positively identified the intercepted voice of the user of Warfield Phone 1 as WARFIELD.

12. At approximately 1:30 p.m., law enforcement surveillance observed WARFIELD walking in the parking lot of a hotel located at 201 Smoketree Lane, Aurora, Illinois and load personal belongings into a blue pickup truck. At approximately 2:09 p.m. (Session #578), STEWART, who was using Target Phone 3, had a conversation with WARFIELD, who was using Warfield Phone 1. WARFIELD stated, “I need a little bit more time before I go over there. . . . It’ll be over a little while before I get ready to go take that trip [deliver cocaine to NOBLES].” They subsequently arranged to meet at a house to help WARFIELD move in there.

13. At approximately 2:31 p.m., law enforcement surveillance observed WARFIELD arrive at 1138 Kane Street in Aurora in the blue pickup truck. At approximately 2:45, law enforcement observed STEWART arrive at that residence. STEWART and WARFIELD then carried personal items from WARFIELD’s truck into the house. At approximately 3:07 p.m., law enforcement surveillance saw STEWART depart in his vehicle followed by WARFIELD in his truck. The two vehicles then traveled to an auto shop located in Aurora. There, STEWART parked his car at the auto shop, and then got into WARFIELD’s truck, which drove away. Law enforcement maintained surveillance on the truck.

14. At approximately 3:58 p.m., surveillance observed WARFIELD and STEWART arrive at STEWART’s residence located at 1400 Exposition Avenue in Aurora.<sup>8</sup> STEWART exited Warfield’s truck and entered the house. STEWART then

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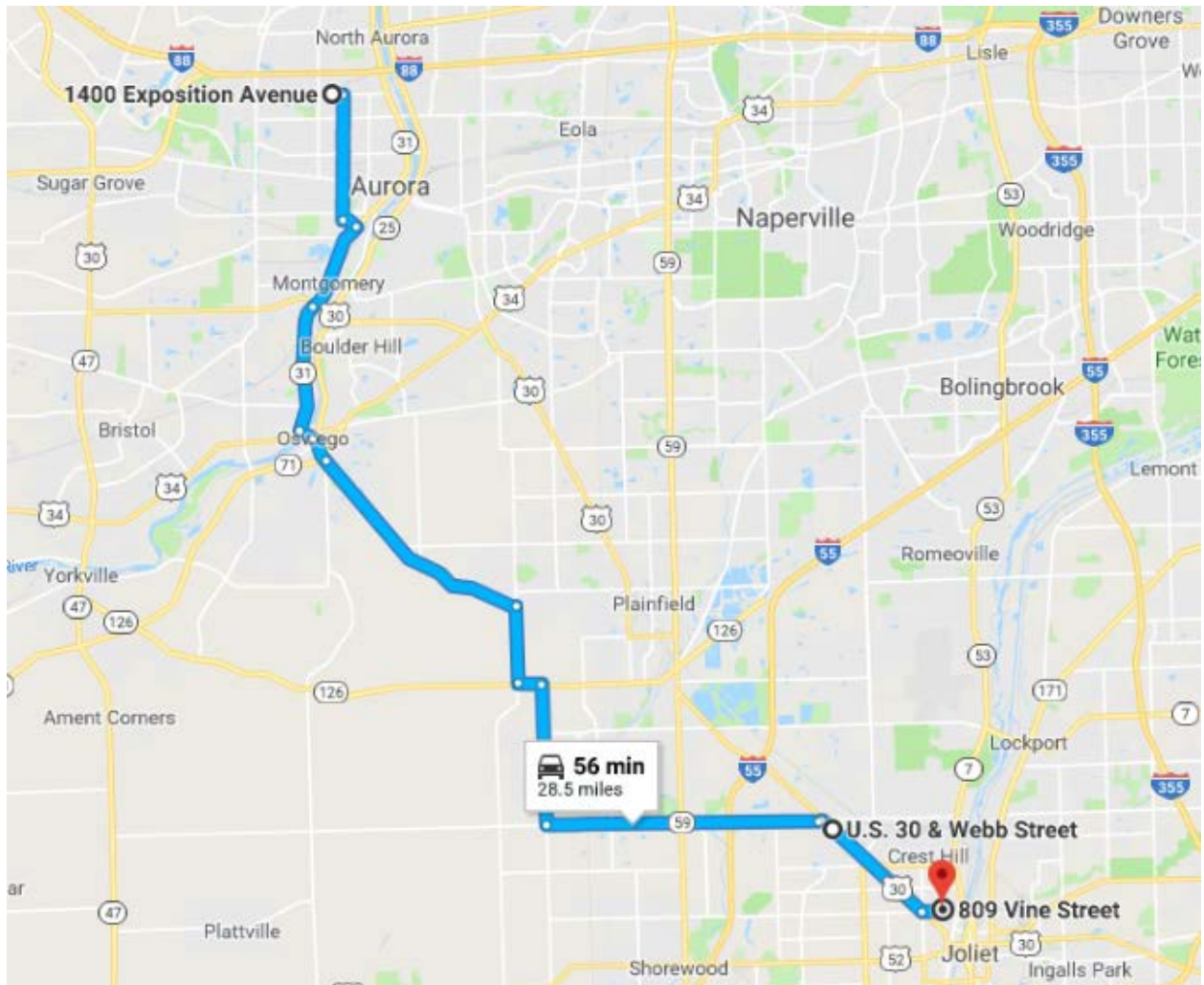
<sup>8</sup> On or about December 30, 2017, law enforcement conducted a court-authorized search of STEWART’s residence, 1400 Exposition Avenue in Aurora, Illinois. STEWART was present during the search, and his belongings were found in a bedroom in that residence.

came out of the house carrying a white bag with green lettering in his hand. STEWART leaned into WARFIELD's truck on the right passenger side, and then exited the vehicle without the bag and with his hands empty.

15. Toll records show that several minutes after loading the bag into WARFIELD's truck, STEWART, using Stewart Phone 2, called NOBLES, who was using Target Phone 5.

16. Law enforcement subsequently observed WARFIELD drive away from the house and drive in the direction of Joliet, Illinois. Law enforcement observed WARFIELD change lanes without using a turn signal, weaving in and out of traffic, and speeding. At approximately 6:05 p.m., law enforcement pulled him over near the intersection of Plainfield Road (US-30) and Webb Street in Joliet, which is approximately three miles away from NOBLES's 809 Vine Street address (as discussed in footnote 3) and is located in between STEWART and NOBLES's residences as pictured below:





17. During the traffic stop, law enforcement determined that WARFIELD did not have a driver's license. WARFIELD consented to a search of the truck, and a narcotics canine indicated positive for the scent of narcotics near the right passenger-side door (the same door that STEWART leaned into with the bag). Law enforcement saw that the plastic molding on the right passenger side was loose, and removed it. In the void between the molding and the body of the truck was a plastic white, tan, and green Aldi shopping bag, which appeared to be the same bag that STEWART put into WARFIELD's truck. The bag contained a brick-like object. According to DEA

North Central laboratory, the object consisted of 1012.6 grams of a mixture and substance containing cocaine. Additionally, law enforcement found in the center console of WARFIELD's truck a silver Deutsche Werke Ortgies .25 caliber semi-automatic pistol, bearing serial number 3856G, with six live rounds in the magazine. Law enforcement also seized Warfield Phone 1 from the truck.

18. Law enforcement subsequently arrested WARFIELD, who was the only occupant of the truck. After WARFIELD's arrest, STEWART, who was using Target Phone 3, made approximately five telephone calls to Warfield Phone 1 with no answer. Toll records show that STEWART then used Stewart Phone 2 to call NOBLES, who was using Target Phone 5, at approximately 7:34 p.m. and 7:59 p.m. At approximately 8:35 p.m., NOBLES, who was using Target Phone 4, called Warfield Phone 1 with no answer.

***Subsequent Calls Between NOBLES and STEWART about WARFIELD***

19. On or about February 5, 2018, at approximately 12:08 p.m. (Session #1020), NOBLES and STEWART had a conversation about WARFIELD, who in the meantime had been charged with state offenses. STEWART asked, "You talked to the old man [WARFIELD]? I ain't talked to him either. He need to call. Motherfucker ain't called, I was trying to see if you had talked to him or not." NOBLES said, "I talked to him about a week ago. Girl take \$100 down there [to put into WARFIELD's jail commissary account]." STEWART said, "Right, right, trying to check and see if the motherfucker is alright [that WARFIELD is not cooperating with law enforcement]. What going on with him." NOBLES replied, "He gotta be alright. He

ain't got another choice, shit. Yeah he got to stand up [refuse to cooperate], bullshit ain't nothing. You know how this shit go." STEWART said, "Right, shit, he acting like he is cool and shit, I'm just trying to make sure, shit. I tell you, did I tell you about the probation officer [STEWART's probation officer]?<sup>9</sup> With what they took from the probation officer. She was going to get a State's Attorney, but she is not pressing the issue for me to get violated until, see what's going on because, right now it ain't, it ain't no charge [STEWART's probation officer had filed a violation report after law enforcement searched STEWART's residence as discussed above in footnote 2, but did not request revocation of his supervised release]. Ain't nothing going on. So I don't know what these motherfuckers [law enforcement] doing man." NOBLES said, "Well, you know, that's how the, that's how the feds is, they move at they own pace, man."

20. On or about February 21, 2018, at approximately 10:36 a.m. (Session #1946), NOBLES, who was using 779-205-9756 ("Target Phone 6"), had a conversation with STEWART, who was using 331-575-6533 ("Stewart Phone 3"). In the conversation, they again discussed WARFIELD. STEWART said, "Yeah, he [WARFIELD] got his discovery. So the lawyer about to go over that. Then he gonna go visit him. He said he gotta be extra careful because it's a super X [WARFIELD was charged with a Class X felony]. He said he trying to beat it. He said there ain't no video or nothing." NOBLES said, "So that goddamn gun [the gun that WARFIELD possessed in the truck], man. That gun just took everything to a whole new level."

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<sup>9</sup> STEWART is currently serving a term of federal supervised release in case 06 CR 737 (NDIL), where he was convicted of distributing crack cocaine and sentenced to 120 months' imprisonment and 60 months' supervised release.

STEWART said, "Yeah. I about to say. I don't know why back using riding with that shit like that, man [STEWART did not know why WARFIELD had a gun in the truck]." NOBLES responded, "Not saying he ain't gonna pop nothing [shoot anyone] but goddamn, man." STEWART said, "Exactly. He ain't no motherfuckin' killer shit. That motherfucker could've jacked me off with that motherfucker [WARFIELD could have robbed STEWART of the cocaine with the gun]." NOBLES replied, "Yeah. You was in there?" STEWART said, "I had him give me a ride to get, uh, my car windshield. Get my window, my window had got fucked up. I had him give me a ride to get the motherfucker [STEWART rode with WARFIELD from the auto shop back to STEWART's house to pick up the cocaine, as law enforcement had observed on December 18]."

**IV. CONCLUSION**

21. Based on the above information, there is probable cause to believe that, from on or about December 14, 2017 to on or about February 21, 2018, at Joliet, in the Northern District of Illinois, Eastern Division, and elsewhere, KALVIN STEWART and GREGORY WARFIELD did knowingly conspire with each other, and with others known and unknown, to possess with intent to distribute and to distribute a controlled substance, namely, 500 grams or more of cocaine, a Schedule II Controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 846.

FURTHER AFFIANT SAYETH NOT.

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BRIAND. PROCHASKA  
Task Force Officer, Federal Bureau of  
Investigation

SUBSCRIBED AND SWORN to before me on August 9, 2018.

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MARIA VALDEZ  
United States Magistrate Judge