

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA
v.
DARNELL MCMILLER
also known as "Murder," and
CHARLES KNIGHT

CASE 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 no later than August 17, 2019, continuing until at least December 20, 2019, at Chicago, in the Northern District of Illinois, Eastern Division, defendants DARNELL MCMILLER, also known as "Murder," and CHARLES KNIGHT violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 21, United States Code, Section 841(a)(1) and 846	Conspired to possess with intent to distribute and distribute a controlled substance, namely, 40 grams or more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethy)-4-piperidinyl]propanamide), a Schedule II Controlled Substance, and 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance.

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

SHAMAR BAILEY
Special Agent, Federal Bureau of Investigation
(FBI)

Pursuant to Fed. R. Crim. P. 4.1, this complaint is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: July 27, 2020

Judge's signature

City and state: Chicago, Illinois

BETH W. JANTZ, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, SHAMAR BAILEY, being duly sworn, state as follows:

1. I am a Special Agent with the United States Department of Justice, Federal Bureau of Investigation (“FBI”), and I have been so employed since March 2016. I am currently assigned to the FBI’s Chicago Field Division, Violent Gangs - South. I am an “investigative or law enforcement officer” within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in 18 U.S.C. § 2516.

2. My responsibilities as an FBI Special Agent include the investigation of violent crimes, criminal enterprises, violations relating to the illegal sale and transfer of narcotics and firearms, and violent criminal acts in furtherance of criminal enterprises. In addition, my official FBI duties include the investigation of drug trafficking organizations, firearm offenses, and violations of federal narcotics and money laundering laws, including, but not limited to offenses defined by 21 U.S.C. §§ 841, 843, and 846, and 18 U.S.C. § 922, and 1956. I have received specialized training in the means and methods by which individuals and drug trafficking organizations conduct their illegal drug trafficking activities, as well as in the use of various investigative techniques used to uncover unlawful drug trafficking. I have also participated in multiple investigations involving illegal drug trafficking by drug

trafficking organizations. Based upon my experience and training, I am familiar with the ways in which drug traffickers conduct their unlawful drug trafficking activity, including, but not limited to, their use of code words and numbers to conduct their transactions, their methods for concealing narcotics and narcotics proceeds, and their use of violence and threats of violence to protect their organization. I have received further specialized training concerning the interception of wire and electronic communications.

3. This affidavit is submitted in support of a criminal complaint alleging that DARNELL MCMILLER, also known as "Murder," and CHARLES KNIGHT have violated Title 21, United States Code, Section 841(a)(1) and 846. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging MCMILLER and KNIGHT with conspiracy to possess with intent to distribute and distribute narcotics, 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 offenses alleged in the complaint.

4. This affidavit is based on my personal knowledge, my experience and training, information provided to me by other law enforcement agents and the experience and training of those agents, numerous interviews of a confidential source, review of consensual recordings, and physical surveillance.

5. Reference is made to recorded telephone and in-person conversations in this affidavit. In certain instances, these conversations are summarized and placed

in context, and my interpretations are sometimes noted in brackets. My understanding of these conversations is aided by the contents and context of the conversations, my familiarity with the facts and circumstances of this investigation, my experience as a law enforcement officer, my discussions with other law enforcement officers, the experience of other law enforcement agents and officers in this investigation, and other evidence developed during the course of the investigation. The recorded conversations herein do not represent finalized transcripts. In addition, only portions of the recorded conversations are contained below.

FACTS IN SUPPORT OF PROBABLE CAUSE

Introduction and Background

6. Since early 2018, the Federal Bureau of Investigation (“FBI”), with support from the Drug Enforcement Administration (“DEA”), Bureau of Alcohol Tobacco and Firearms (“ATF”), Internal Revenue Service (“IRS”), and Chicago Police Department (“CPD”) have been investigating criminal activities being conducted by members and associates of the Black Disciples street gang. According to a confidential law enforcement source (“CS-2”),¹ and law enforcement records and

¹ CS-2 is a member of the Black Disciples gang. CS-2 has been arrested 13 times and has 6 criminal convictions, including for multiple prior narcotics offenses. In early 2018, CS-2 was arrested by Chicago Police for firearm and narcotics offenses. CS-2 started cooperating with law enforcement in hopes of receiving a more positive disposition relating to those charges. In approximately early 2019, CS-2 received probation for the narcotics offense, and the firearm offense was dismissed. Further, as of July 9, 2020 CS-2 has been paid a total of \$40,490 in exchange for information and services provided in FBI investigations. Law enforcement believes CS-2 to be a reliable source of information because information provided by CS-2 has been corroborated by intercepted communications and surveillance and has led to the seizure of narcotics and firearms.

reports, the Black Disciples are a national street gang that is prevalent throughout Chicago (located primarily within CPD's 3rd, 5th, and 7th Police Districts), the surrounding suburbs, and other states, including Wisconsin, Minnesota, Tennessee, Texas, Georgia, Alabama, Mississippi, Michigan, and New York. Based on the investigation to date, including information provided by CS-2 and others and from numerous Title III interceptions and consensual recordings over phones used by Black Disciples members (including MCMILLER), law enforcement has identified Darnell MCMILLER as a high-ranking member and the current leader of the Chicago Black Disciples, and KNIGHT as a high-ranking Gangster Disciple and narcotics source of supply for MCMILLER.

7. As detailed below, between August 17, 2019 and September 30, 2019, MCMILLER coordinated with CS-2 and KNIGHT to arrange a September 30, 2019 narcotics transaction at which CS-2 purchased from MCMILLER and KNIGHT approximately 101.4 grams of a mixture of heroin, fentanyl, and diphenhydramine in exchange for \$6,000. Further, between December 5, 2019, and December 10, 2019, MCMILLER coordinated with CS-2 and KNIGHT to arrange for a second narcotics transaction, which took place on December 10, 2019, at which MCMILLER and KNIGHT provided CS-2 with approximately 124 grams of a substance containing a mixture of heroin, fentanyl, and acetaminophen in exchange for \$6,000, which included an amount of narcotics fronted to CS-2 in exchange for a later payment of \$2,500, which CS-2 provided to MCMILLER during a subsequent December 20, 2019 meeting.

Leadup to the September 30, 2019 Fentanyl Transaction

8. CS-2 informed law enforcement that on or about August 17, 2019, CS-2 had an in-person meeting with MCMILLER, a/k/a/ “Murder,” about arranging a narcotics transaction.² Law enforcement had previously directed CS-2 to attempt to arrange narcotics and firearms transactions with members of the Black Disciples street gang. CS-2 informed law enforcement that MCMILLER was the “new king” of the Black Disciples and that MCMILLER was attempting to establish narcotics “supply lines” for the gang.

9. On or about September 12, 2019, Chief Judge Ruben Castillo of the Northern District of Illinois signed an order authorizing for thirty days the interception of wire and electronic communications to and from telephone number 773-595-9394 (“Target Phone 16”) used by MCMILLER.³ Interceptions over Target Phone 16 began on or about September 12, 2019, and concluded on or about October 11, 2019.

² On or about August 17, 2019, CS-2 recorded a communication between CS-2 and MCMILLER, who was using telephone number 773-619-3988 (“MCMILLER Phone A”). MCMILLER has been identified as the user of MCMILLER Phone A based on a voice comparison of the user MCMILLER Phone A to the user of Target Phone 16, which, as described below, has been identified as used by MCMILLER. During the August 17, 2019 communication, CS-2 and MCMILLER made plans to meet that day.

³ Identification of MCMILLER as the user of Target Phone 16 is based, among other things, on the following: CS-2 has indicated that he has communicated with MCMILLER through Target Phone 16. MCMILLER has also been identified as the user of Target Phone 16 based on a voice comparison of the voice of the user of Target Phone 16 to MCMILLER’s voice, which was recorded by covert audio/video recording devices worn by CS-2 during in-person meetings with MCMILLER, including those meetings discussed in this complaint. Law enforcement agents have reviewed the footage from meetings with MCMILLER, and based on a comparison to a driver’s license photograph of MCMILLER, positively identified the person CS-2 met with as MCMILLER, and positively identified MCMILLER’s voice as the same voice as that belonging to the user of Target Phone 16.

10. On or about September 26, 2019, law enforcement met with CS-2 and provided CS-2 with an audio/video recording device for the purpose of recording CS-2's interactions with MCMILLER, and others.

11. On or about September 28, 2019, CS-2 met with MCMILLER in person at a residence in Chicago to plan a heroin transaction. As heard on the covert recording of the meeting, during the meeting, CS-2 told MCMILLER, "Shit, I ain't ready yet [I'm not ready to conduct the transaction yet]." MCMILLER responded, "Aw shit." CS-2 said, "Yeah, I won't be ready yet. I'll be ready Monday. Had to pay this rent real quick so that way." MCMILLER said, "I wish you had told me that . . . Damn." CS-2 told MCMILLER that CS-2 would be ready Monday [September 30, 2019]. MCMILLER responded, "Ok. His ass on the expressway. I don't wanna just tell him to turn around." [MCMILLER did not want to have to tell his narcotics supplier, later identified as KNIGHT, who was en route, that they needed to reschedule the deal.]

12. Shortly thereafter, as partially heard on the covert recording and as intercepted over Target Phone 16, at approximately 12:06 p.m. (TP16, Session 2776), MCMILLER, using Target Phone 16, had a telephone conversation with KNIGHT, who was using telephone number 773-322-2812.⁴ During the call, MCMILLER stated, "I'm finna tell you man just hold off right quick man." [MCMILLER told

⁴ KNIGHT has been identified as the user of the '2812 number as follows: law enforcement has conducted a voice comparison of the user of the '2812 number with the voice of KNIGHT, as captured on CS-2's covert recording equipment during meetings with the individual whom, based on a comparison of the individual seen by surveillance and on the covert recording, to a known photograph of KNIGHT, has been identified as KNIGHT.

KNIGHT to hold off on delivering the narcotics.] KNIGHT asked, "What happen?" MCMILLER answered, "It's got a little hot around here, yeah hold off. It was scorchin' around the neighborhood." [MCMILLER said he could not leave the neighborhood because of police activity.] KNIGHT replied, "That don't make no sense. Don't tell me you can't leave the neighborhood." MCMILLER replied, "Not right now. Not right now I can't." KNIGHT responded, "I'm trying to get this done bro soon [trying to conduct the transaction]." MCMILLER said, "I know, I know bro. I know." MCMILLER continued, "I'm def gonna, by tomorrow, I'll be callin' you to bump up with you. I'll come to you." KNIGHT said, "You said by tomorrow." MCMILLER replied, "Yup. By tomorrow I'll come to you. Just come to you B." KNIGHT said, "Yeah man I'm saying whats going on lil bro I held somebody off too, take care of you you know what I'm saying so . . . Yeah that's what I'm saying I need to go back in you know what I'm saying, but I put you in front cuz you said what you said." [KNIGHT said that he had turned down another potential customer because MCMILLER indicated he was ready for the transaction.] MCMILLER replied, "That was my fault man I apologize man, it things went backwards around this way. I gotta deal with something around here that's why I saying just hold off right quick." KNIGHT said, "Man." MCMILLER replied, "I'ma make it up though big bro." KNIGHT asked, "Yeah but I'm saying do you really want this is what I'm saying?" MCMILLER said, "Yeah I do I do. I really do but I got something going on right now that's why I said give me tomorrow I'll be able to call you if you can hold off for me." KNIGHT agreed.

13. Based on my training and experience, the training and experience of other law enforcement officers involved in the investigation, and the content and context of the communication, I believe that after CS-2 told MCMILLER that CS-2 was not yet ready to conduct the transaction, MCMILLER called KNIGHT to inform KNIGHT, who was en route with a supply of narcotics, that they would have to postpone the deal. MCMILLER told KNIGHT the reason the deal needed to be postponed was because police activity in the neighborhood.

14. As heard on the covert recording, after ending the call, MCMILLER stated to CS-2, "Yeah I'll just go get it from him for you. He [KNIGHT] had that muffucka [heroin] too." [MCMILLER told CS-2 that MCMILLER would simply retrieve the narcotics supply from KNIGHT himself and noted that KNIGHT had the narcotics with him.] CS-2 stated, "I know, I could just imagine folk. You wanna come back with them 6 bucks [\$6,000.00] boy, who wouldn't [CS-2 said KNIGHT was probably upset to be delayed in receiving the \$6,000]?" MCMILLER agreed, "I know. I told him just hold off."

15. Later in the meeting, as heard on the covert recording, MCMILLER reiterated to CS-2 to "let [him] know" in advance if CS-2 didn't have the cash available for the narcotics. CS-2 agreed and stated that CS-2 would be ready by Monday.

16. Additionally, during the meeting, MCMILLER discussed the Black Disciples and his role as a leader of the gang. For example, CS-2 asked MCMILLER, "You ever straighten that shit out on Green? They said something happened out there late at night." MCMILLER responded, "Ah, they straightened that out." CS-2

asked, "So what happened late at night?" MCMILLER replied, "Bro and nem from the 100s came and did that. They from the 100s." [MCMILLER informed CS-2 that individuals from the 100 block in Chicago were responsible for a shooting the previous evening.] Later in the meeting, MCMILLER also informed CS-2 that MCMILLER was making the birthday of former Black Disciples leader "Shorty [Jerome "Shorty" Freeman]" a "holiday" for the Black Disciples "everywhere." MCMILLER explained, "We know David is the king of kings, but shit we know Shorty personally." [MCMILLER explained that he was close with former Black Disciples leader Shorty Freeman in a way he was not close with David Barksdale, one of the founders of the original Black Gangster Disciples Nation with Larry Hoover.] MCMILLER and CS-2 also discussed a possible trip to meet with gang members in Mississippi, with MCMILLER explaining to CS-2 that MCMILLER "got the south." [MCMILLER had authority over the southern factions of the Black Disciples]. CS-2 and MCMILLER continued to discuss common associates before CS-2 departed the residence approximately an hour later.

17. At approximately 3:20 p.m. (TP16, Session 2805), MCMILLER, using Target Phone 16, had a communication with KNIGHT, who was using the '2812 number. During the call, MCMILLER stated, "I'm just keeping it how it is, I like it quiet around here. So I was just givin' them the input on how to keep stuff away and I ain't want you to come around while that was goin' on, you know what I'm sayin'?" KNIGHT replied, "Can get it, I was just feelin' like you was on some other shit."

[KNIGHT indicated that he was concerned MCMILLER was not serious about the deal.]

18. The next day, September 29, 2019, at approximately 12:27 p.m., CS-2 had a recorded telephone conversation with MCMILLER, who was using telephone number 773-619-3988 (“MCMILLER Phone A”). During the call, CS-2 told MCMILLER, “I’ll be ready tomorrow bro. The earlier the better.” MCMILLER responded, “Aight. I’m finna holler at him [MCMILLER’s supplier] tonight then.” CS-2 asked MCMILLER if MCMILLER needed a ride to the transaction and MCMILLER responded, “I’m just have him meet me.”

19. At approximately 5:00 p.m. (TP16, Session 3035), MCMILLER, using Target Phone 16, had a conversation with KNIGHT, who was using the number ending in ‘2812. During the call, KNIGHT and MCMILLER made plans to meet in person that day. Based on my training and experience, the training and experience of other law enforcement officers involved in the investigation, and the context and content of the communication, I believe that MCMILLER—as he had told CS-2 he would do earlier in the day—was meeting with his supplier (KNIGHT) to discuss the planned sale of narcotics to CS-2 the next day.

September 30, 2019 Heroin/Fentanyl Transaction

20. On or about September 30, 2019, at approximately 9:42 a.m. (TP16, Session 3142), MCMILLER, using Target Phone 16, had a conversation with KNIGHT, who was using the number ending in ‘2812. During the conversation,

KNIGHT said, “Whenever you ready call me [call me when you’re ready to conduct the transaction].” MCMILLER replied, “Ok.”

21. At approximately 10:44 a.m., MCMILLER, using Target Phone 16, had a conversation with KNIGHT, who was using the ‘2812 number. During the conversation, KNIGHT asked, “What’s the loco [location]?” MCMILLER replied, “Uh, 66th and Normal.” KNIGHT responded, “Who and Normal? Ok. Ok. Ummmmm, they got a it, uh, gonna be about 11:30, 11:35, naw 11:45 really to be honest.” MCMILLER said, “Ok.” KNIGHT responded, “Alright, what I’m doin, just coming on the block and call you?” MCMILLER answered, “Just call me, I’mma be at my people’s crib right there. Just call.” KNIGHT affirmed.

22. At approximately 11:35 a.m., CS-2 arrived at a predetermined meeting location where CS-2 was searched for contraband and excess U.S. currency with none found. CS-2 was then provided with approximately \$6,000 in FBI funds and equipped with covert audio/video recording devices.

23. At approximately 11:54 a.m.,⁵ CS-2 departed the meet location and, while under constant surveillance, traveled to the area of 70th and Lowe in Chicago, Illinois. As seen on the covert recording, at approximately 12:02 p.m., MCMILLER entered the front passenger side seat of CS-2’s vehicle, which was parked at a Shell gas station on the corner of 67th and Wentworth.

⁵ The timestamp on the covert surveillance camera do not reflect the accurate time.



24. At MCMILLER's direction, CS-2 then drove CS-2's vehicle to a residence on the 7000 block of South Lowe in Chicago, Illinois. During the drive, MCMILLER discussed an individual from whom he purchased firearms. MCMILLER also asked CS-2 "You count it already?" referencing the \$6,000. MCMILLER also stated, "He taught me how to count grams, you know that? Remember that time I sold for Carlos. You was like, where the fuck? And I was gettin' it off though. I wasn't selling it like, I didn't bag it up. I wasn't selling it like grams." CS-2 said, "Right, you was selling it whole." MCMILLER said, "Hell yeah." [MCMILLER said he was selling large quantities of narcotics.]

25. Shortly thereafter, as seen on the covert recording, CS-2 pulled over CS-2's vehicle and MCMILLER exited the vehicle. Based on audio from the covert

recording, law enforcement believes CS-2 provided MCMILLER with the \$6,000 in FBI funds before MCMILLER exited the vehicle.

26. At approximately 12:01 p.m. (TP16, Session 3177), MCMILLER, using Target Phone 16, placed a call to KNIGHT, who was using the '2812 number. During the call, MCMILLER said, "Come outside." KNIGHT responded, "Alright, cause I don't see your car." MCMILLER said, "Alright, I'm finna pull up right up to him. I'm right around the corner." KNIGHT asked, "Like right here?" MCMILLER affirmed.

27. At approximately 12:05 p.m. (TP16, Session 3179), MCMILLER, using Target Phone 16, had a conversation with KNIGHT, who was using the '2812 number. During the call, MCMILLER asked KNIGHT, "You on the block?" KNIGHT replied, "Yea, I'm on 66th now."

28. Several minutes later, as heard on the covert recording, CS-2 had a telephone conversation with MCMILLER. During the call, MCMILLER instructed CS-2 to drive to a second location. As heard on the covert recording, CS-2 subsequently informed law enforcement that MCMILLER was travelling with his source of supply, later identified as KNIGHT, in a white car with yellow lights in the front, to the area of 70th and Lowe. CS-2 explained that CS-2 was following MCMILLER and MCMILLER's source of supply's vehicle.

29. As seen by surveillance, at approximately 12:17 p.m., CS-2 arrived at a residence on the 7000 block of S. Lowe in Chicago, Illinois and, after waiting several minutes, exited CS-2's vehicle and approached then waited outside a residence. In the area of the residence, law enforcement surveillance also observed a white Chevy

Malibu, with license plate BR34203, registered to Charles KNIGHT. After several minutes, as seen on the covert recording, the door to the residence opened and MCMILLER (below right) and KNIGHT (below left) exited the residence and greeted CS-2. According to CS-2, MCMILLER then provided CS-2 with a baggie containing the narcotics.



30. As seen by surveillance, CS-2 then re-entered CS-2's vehicle and traveled, under constant surveillance, to a prearranged meeting location.

31. During CS-2's drive to the meeting location, CS-2 received a call from MCMILLER, who was using the '3988 number. During the call, as heard on the covert recording device, MCMILLER said, "Hey, you in [KNIGHT trusts you to sell to you directly in the future]." CS-2 responded, "Aight." MCMILLER said, "You [unintelligible], you won't have to go through me no more." CS-2 asked, "Aw yeah?" MCMILLER responded, "Yeah, he fuck with how you move, so." CS-2 responded,

“Aight.” MCMILLER continued, “Anytime when I ain’t, I can’t come around just holla. Get up with him, or tell that boy where to meet you at.” CS-2 affirmed. [MCMILLER told CS-2 that if MCMILLER was ever unavailable to just contact KNIGHT directly.]

32. At approximately 12:32 p.m., CS-2 arrived at a predetermined meet location where CS-2 was searched for contraband or excess U.S. Currency with none found. Law enforcement collected the covert recording equipment and CS-2 provided law enforcement with a baggie sold to CS-2 by MCMILLER and KNIGHT containing what was later determined by DEA lab testing to be approximately 101.4 grams of a substance containing a mixture of heroin, fentanyl, and diphenhydramine.

Leadup to the December 10, 2019 Fentanyl Transaction

33. On or about December 5, 2019, CS-2 informed law enforcement that CS-2 had encountered MCMILLER and discussed arranging another narcotics transaction with MCMILLER (as CS-2 had generally been instructed to do should the opportunity arise).

34. On or about December 6, 2019, at approximately 6:32 p.m., CS-2 had a recorded call with MCMILLER, who was using MCMILLER Phone A. During the call, CS-2 asked MCMILLER, “Whattup bro? You ever hit him [You ever contact KNIGHT to arrange another narcotics transaction]?” MCMILLER responded, “I finna um, I’m tweaking. What I’m supposed to be hittin?” CS-2 answered, “You called the old man [KNIGHT].” MCMILLER asked, “You talkin’ bout my old man?” CS-2

answered, "Right. To see when we can go sit down [conduct the transaction]." MCMILLER said, "Oh, you know what, I'mma do that now."

35. On or about December 9, 2019, at approximately 2:27 p.m., CS-2 had a recorded call with MCMILLER, who was using the number 773-398-0787 ("MCMILLER Phone B").⁶ During the call, CS-2 asked, "Did you check on the old head [KNIGHT]? MCMILLER responded, "Yeah, I just got through calling him now. I forgot to send him the new number like I did you, you know what I'm saying? But he still on, everything gonna fall into play." CS-2 said, "yeah, but like I told you, I just wanna get up with him tomorrow." MCMILELR responded, "To see folk. I know, y'all just doing the joint. I know."

36. At approximately 3:00 p.m., CS-2 had a recorded call with MCMILLER, who was using MCMILLER Phone B. During the call, MCMILLER stated, "It's still a go [the deal is still on]. I gotta kick it with him today anyway, so."

December 10, 2019 Fentanyl Transaction

37. On or about December 10, 2019, at approximately 12:49 p.m., CS-2 had a recorded call with MCMILLER, who was using MCMILLER Phone B. During the call, the two agreed to meet.

⁶ MCMILLER Phone B has been identified as used by MCMILLER based on information provided by CS-2, namely, that MCMILLER informed CS-2 to use MCMILLER Phone B to communicate with MCMILLER. Additionally, law enforcement has conducted a voice comparison of the user of MCMILLER Phone B to the voice of the user of Target Phone 16, identified as MCMILLER, and confirmed that MCMILLER is also the user of MCMILLER Phone B.

38. At approximately 1:30 p.m., CS-2 had a recorded call with MCMILLER, who was using MCMILLER Phone B. During the call, MCMILLER indicated that he was en route and that “he,” referring to KNIGHT would meet them. MCMILLER also informed CS-2 during the call that MCMILLER was driving a red Kia.

39. At approximately 1:43 p.m., CS-2 had a call with MCMILLER, who was using MCMILLER Phone B. During the call, CS-2 and MCMILLER agreed to meet on Lowe.

40. At approximately 1:45 p.m., CS-2 arrived at a predetermined meet location where CS-2 was searched for contraband or excess U.S. Currency, with none found. CS-2 was then provided with \$6,000 in FBI funds and equipped with covert audio/video recording devices.

41. At approximately 2:00 p.m., CS-2 departed the meet location and, while under constant surveillance, drove to the area of 70th and Lowe, and parked near the address of the residence on Lowe at which the above-described September 30, 2019 deal occurred.

42. At approximately 2:04 p.m. CS-2 had a conversation with MCMILLER, which was recorded on the covert recording equipment. During the call, CS-2 informed MCMILLER that CS-2 was about to arrive at Lowe in Chicago.

43. At approximately 2:09 p.m., CS-2 was observed by surveillance entering a parked red Kia on the East Side of South Lowe Avenue. Law enforcement later learned that MCMILLER was inside the red Kia. As heard on the covert recording, once inside the car, MCMILLER and CS-2 discussed KNIGHT’s estimated time of

arrival. MCMILLER also informed CS-2 that they had permission to use the residence on the 7000 block of Lowe Avenue for the transaction. MCMILLER additionally discussed previously having sold guns to another individual.

44. At approximately 2:25 p.m., CS-2 was observed by surveillance exiting the red Kia along with MCMILLER and approaching and shaking hands with an individual—whose face surveillance was unable to observe, but who was identified as KNIGHT by CS-2—in the same white Chevy Malibu registered to KNIGHT that was seen in the September 30, 2019 transaction. As heard on the covert recording, CS-2 addressed KNIGHT as “Charles,” and the individual (Charles KNIGHT) affirmed.

45. According to CS-2, and consistent with the covert recording, CS-2, MCMILLER, and KNIGHT entered the residence on S. Lowe Avenue. Once inside, according to CS-2, KNIGHT provided CS-2 with a baggie containing narcotics in exchange for the \$6,000. According to CS-2, KNIGHT subsequently provided CS-2 with an additional baggie of narcotics which KNIGHT indicated KNIGHT was fronting for CS-2 to sell for MCMILLER. This is consistent with CS-2’s covert recording, in which KNIGHT can be heard first stating, “I don’t got no pounds in there, full brick man,” and then “How many? I got some extra gram [additional heroin from the brick] for you,” and “This [heroin] from my place, you know, he’ll [CS-2] owe [CS-2 will owe me for the additional narcotics being fronted].” CS-2 responded, “Soon as I drop this shit off [MCMILLER will owe you once I (CS-2) sell the narcotics].”

46. At approximately 2:30 p.m. CS-2 was observed exiting the residence, entering CS-2’s vehicle, and departing the area.

47. CS-2 then, while under constant surveillance, travelled to a predetermined meeting location and, there, was again searched for contraband or excess U.S. currency, with none found. Law enforcement collected the covert recording equipment, and CS-2 provided law enforcement with two baggies, which DEA lab testing confirmed contained 124 grams of a substance containing a mixture of heroin, fentanyl, and acetaminophen.

48. Following the transaction, while in the presence of law enforcement, CS-2 received an unrecorded telephone call from KNIGHT, who was using telephone number (773) 322-2812. Law enforcement was unable to hear this call, but CS-2 reported that KNIGHT was calling to make sure that CS-2 was safe following the transaction.

December 20, 2019 Payment of Narcotics Proceeds

49. On or about December 20, 2019, at approximately 10:28 a.m., CS-2 had a conversation with MCMILLER, who was using MCMILLER Phone B. During the call, CS-2 and MCMILLER made plans to meet at a location on the Indiana Avenue in Chicago. CS-2 indicated to law enforcement that the purpose of the meeting was for CS-2 to pay MCMILLER and, by proxy KNIGHT, proceeds from the sale of the additional narcotics that CS-2 had been fronted by KNIGHT on December 10, 2019.

50. At approximately 10:40 a.m., CS-2 arrived at a predetermined meeting location where CS-2 was searched by law enforcement for contraband or excess US currency, with none found. CS-2 was provided \$2,500 in FBI funds and equipped with covert audio/video recording equipment.

51. At approximately 10:48 a.m., CS-2 travelled under constant surveillance to the area of the address that CS-2 and MCMILLER had agreed to meet.

52. As seen by surveillance, at approximately 11:00 a.m., CS-2 arrived at the area of the residence and entered the building. As heard on the covert recording, once in front of the residence, CS-2 placed a call to MCMILLER asking MCMILLER to buzz CS-2 into the building. Shortly thereafter, MCMILLER appeared at the door and let CS-2 inside (below top). MCMILLER and CS-2 then walked up together to the second floor of the building (below bottom).





53. As seen and heard on the covert recording, MCMILLER and CS-2 walked up the staircase and entered an apartment on the building's second floor. According to CS-2, and as corroborated by the recording, CS-2 then provided MCMILLER with \$2,500 in payment for the previously fronted narcotics from KNIGHT and MCMILLER. As heard on the recording, in handing the funds to MCMILLER, CS-2 said, "That's for the uh, whatcha ma call . . ." MCMILLER interjected, "Charlie [Charles KNIGHT]"? CS-2 said, "Yeah, that's his name? Charlie?" MCMILLER responded, "Yeah." CS-2 said, "Well, look bro, that's a quarter [\$2,500]. Fifteen for him [\$1,500 for KNIGHT] and a G for you [\$1,000 for MCMILLER]." MCMILLER can be heard on the audio recording counting the money. CS-2 informed MCMILLER that CS-2 expected to be "finished" by "next week"

[finished selling the narcotics and ready for a re-supply]. MCMILLER informed CS-2 that “Old head [KNIGHT] was letting “zips [ounce of crack] go for like \$140.”

54. As seen by surveillance, at approximately 11:05 a.m., CS-2 exited the Indiana residence, returned to CS-2’s vehicle and departed the area. CS-2 then travelled, under constant surveillance, to a predetermined meet location at which time law enforcement collected the covert recording equipment and CS-2 was searched for contraband or excess US currency, with none found.

CONCLUSION

55. Based on the above information, there is probable cause to believe that from no later than August 17, 2019, continuing until at least December 20, 2019, Darnell MCMILLER and Charles KNIGHT conspired to possess with intent to distribute and distribute a controlled substance, namely, 40 grams or more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule II Controlled Substance, and 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance.

FURTHER AFFIANT SAYETH NOT.

SHAMAR BAILEY
Special Agent, Federal Bureau of
Investigation

SUBSCRIBED AND SWORN to before me on July 27, 2020.

Honorable BETH W. JANTZ
United States Magistrate Judge