
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Mag. No. 20-10131
 :
 v. : Hon. Michael A. Hammer
 :
 BRAD TOBY : **CRIMINAL COMPLAINT**

I, Special Agent Iveliana Diaz-Calderon, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Task Force Officer with the United States Drug Enforcement Administration, and that this complaint is based on the following facts:

SEE ATTACHMENT B

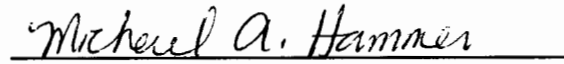
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Iveliana Diaz-Calderon
Special Agent
Drug Enforcement Administration

Agent Diaz-Calderon attested to this Complaint by telephone pursuant to FRCP 4.1(b)(2)(A), on April 2, 2020 in the District of New Jersey

HONORABLE MICHAEL A. HAMMER
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

COUNT ONE

(Conspiracy to Possess with Intent to Distribute Heroin and Cocaine)

On or around April 2, 2020 in Union County, in the District of New Jersey, and elsewhere, defendant,

BRAD TOBY,

did knowingly and intentionally conspire with others to distribute and possess with intent to distribute 1 kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A), and 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B),

In violation of Title 21, United States Code, Section 846.

ATTACHMENT B

I, Iveliana Diaz-Calderon, am a Special Agent with the United States Drug Enforcement Administration ("DEA"). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and other items of evidence. Because this Complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where statements of others are related herein, they are related in substance and part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. Law enforcement has been investigating a drug trafficking and money laundering organization ("DTO/MLO") operating in New Jersey, New York, and elsewhere. During the investigation, law enforcement has learned that Brad Toby ("TOBY") is a member of the DTO who distributes narcotics and launders narcotics proceeds in New Jersey and elsewhere.

2. In or around February 2020, law enforcement established surveillance in the area around TOBY's residence (the "Apartment"), which is an apartment located in Linden, New Jersey inside an apartment building (the "Apartment Building"). During the investigation, law enforcement conducted both physical and electronic surveillance of TOBY.

3. On or about March 31, 2020, law enforcement observed TOBY drive his vehicle (the "Vehicle") from the area around the Apartment Building, make a short stop at an unidentified location in Elizabeth, New Jersey, and return to the area around the Apartment Building. Law enforcement then observed TOBY carry a large box from the Vehicle into the Building.

4. On or about April 1, 2020, law enforcement observed TOBY exit the Apartment Building and place what appeared to be the same box into the Vehicle. Law enforcement then observed TOBY leave the area around the Apartment Building in the Vehicle, make a short stop at an unidentified location in Manhattan, New York, and return to the area around the building. Law enforcement then observed TOBY carry a large plastic garbage bag from the Vehicle into the Apartment Building.

5. On or about April 2, 2020, law enforcement observed TOBY exit the Apartment Building and place a large shopping bag into the Vehicle. Upon approaching TOBY, law enforcement observed in plain view observed in plain view large amounts of U.S. currency in the shopping bag wrapped in small denominations consistent with narcotics proceeds.

6. Law enforcement presented the Vehicle for inspection by a trained narcotics detection canine, who indicated to law enforcement the odor of narcotic

substances on or within the Vehicle.

7. Law enforcement conducted a lawful search on the Vehicle. During that search, law enforcement recovered multiple pictures depicting approximately hundreds of thousands of dollars of United States currency, eight cellular telephones, and two ledgers containing narcotics customers and recipes.

8. Law enforcement also conducted a “trash pull” and looked at the trash associated with the Apartment, i.e., TOBY’s residence. During which time, law enforcement located what appeared to be two kilogram packages, which the trained narcotics canine alerted to law enforcement contained the odor of narcotic residue.

9. Subsequently, law enforcement conducted a lawful search of the Apartment. During that search, law enforcement recovered approximately five kilograms of suspected heroin and four kilograms of cocaine. Law enforcement also recovered from the Apartment approximately \$100,000, drug packaging paraphernalia (e.g., digital scales, kilogram presses), one handgun, and multiple rounds of ammunition. Based on my training and experience, the Apartment was being operated as a drug mill, or a place to package large amounts of narcotics into smaller packages for distribution.