

Approved: Jun Xiang
Jun Xiang
Assistant United States Attorney

Before: HONORABLE BARBARA MOSES
United States Magistrate Judge
Southern District of New York

22 MAG 8900

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UNITED STATES OF AMERICA	:	<u>COMPLAINT</u>
	:	
- v. -	:	Violations of
	:	18 U.S.C. §§ 371,
ELVIS GUERRERO	:	922(a)(1)(A),
a/k/a "E,"	:	1512, and 2
JEMYNI TRUE,	:	
a/k/a "Jemy," and	:	COUNTY OF OFFENSE:
TRENTON MICHAEL JUDKINS,	:	NEW YORK
	:	
Defendants.	:	
	:	

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SOUTHERN DISTRICT OF NEW YORK, ss.:

Brian Pastula, being duly sworn, deposes and says that he is a Task Force Officer with Homeland Security Investigations ("HSI") and charges as follows:

COUNT ONE
(Gun Trafficking Conspiracy)

1. From at least in or about August 2022 up to and including in or about October 2022, in the Southern District of New York and elsewhere, ELVIS GUERRERO, a/k/a "E," JEMYNI TRUE, a/k/a "Jemy," and TRENTON MICHAEL JUDKINS, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, trafficking in firearms, in violation of Title 18, United States Code, Section 922(a)(1)(A).

2. It was a part and an object of the conspiracy that ELVIS GUERRERO, a/k/a "E," JEMYNI TRUE, a/k/a "Jemy," and TRENTON MICHAEL JUDKINS, the defendants, and others known and unknown, not being licensed importers, manufacturers, and dealers of firearms

within the meaning of Chapter 44, Title 18, United States Code, would and did willfully and knowingly engage in the business of dealing in firearms, and in the course of such business would and did ship, transport, and receive firearms in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(a)(1)(A), to wit, the defendants worked together to purchase and otherwise obtain firearms in Maine to be transported to New York and shipped from New York to the Dominican Republic by seafaring container vessel.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about August 22, 2022, TRENTON MICHAEL JUDKINS, the defendant, who resides in Maine, purchased a Model APF-15 762 caliber rifle, which JUDKINS resold to ELVIS GUERRERO, the defendant, and the rifle was subsequently transported to New York and unlawfully shipped from New York to the Dominican Republic by seafaring container vessel.

b. In or about August 2022, a resident of Maine sold a .45 caliber pistol to JEMYNI TRUE, a/k/a "Jemy," the defendant, in Maine and the pistol was subsequently transported to New York and unlawfully shipped from New York to the Dominican Republic by seafaring container vessel.

(Title 18, United States Code, Section 371.)

COUNT TWO
(Gun Trafficking)

4. From at least in or about August 2022 up to and including in or about October 2022, in the Southern District of New York and elsewhere, ELVIS GUERRERO, a/k/a "E," JEMYNI TRUE, a/k/a "Jemy," and TRENTON MICHAEL JUDKINS, the defendants, not being licensed importers, manufacturers, and dealers of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully and knowingly engage in the business of dealing in firearms, and in the course of such business did ship, transport, and receive firearms in interstate and foreign commerce, to wit, the defendants worked together to purchase and otherwise obtain

firearms in Maine to be transported to New York and shipped from New York to the Dominican Republic by seafaring container vessel.

(Title 18, United States Code, Sections 922(a)(1)(A), 924(a)(1), and 2.)

COUNT THREE

(Conspiracy to Obstruct Justice)

5. From at least on or about November 2, 2022 up to and including at least November 3, 2022, in the Southern District of New York and elsewhere, JEMYNI TRUE, a/k/a "Jemy," and TRENTON MICHAEL JUDKINS, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to obstruct an official proceeding, in violation of Title 18, United States Code, Section 1512.

6. It was a part and an object of the conspiracy that JEMYNI TRUE, a/k/a "Jemy," and TRENTON MICHAEL JUDKINS, the defendants, and others known and unknown, would and did corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and attempt to do so, with the intent to impair the object's integrity and availability for use in an official proceeding, in violation of Title 18, United States Code, Section 1512(c)(1).

(Title 18, United States Code, Section 1512(k).)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

7. I am a Task Force Officer with HSI and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation, and my conversations with law enforcement officers, law enforcement employees, and witnesses, as well as my review of documents. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

8. Since or about November 2021, law enforcement officers in the United States and the Dominican Republic have identified a number of illegal shipments of firearms, firearm

parts, and ammunition originating from the Red Hook Container Terminal in Brooklyn, New York ("Red Hook") to Puerto Rio Haina, Santo Domingo, the Dominican Republic ("Rio Haina"). Based on my training and experience and conversations with other law enforcement officers, I understand that seafaring container vessels that travel from Red Hook to Rio Haina must pass through the waters that are part of the Southern District of New York, namely, Upper New York Bay and the waters under the Verrazano-Narrows Bridge.

9. Based on my training and experience, I know that, in order to ship cargo by sea, the party that seeks to ship the cargo (the "shipper exporter") engages a shipping company (the "freight forwarder") to arrange for the transport of the cargo inside a shipping container. The shipper exporter provides information to the freight forwarder about the contents of the cargo, which is incorporated into customs paperwork relating to that cargo, which must include, among other things, a manifest of the contents of the cargo and the identity of the shipper exporter.

The Firearms

10. Based on my participation in this investigation, my review of documents and other evidence, and my conversations with other law enforcement officers, I have learned, in substance and in part, the following:

a. A shipping container that left Red Hook was inspected at Rio Haina on or about October 6, 2022 and its cargo included cardboard boxes (the "Boxes") found to contain six handguns and a rifle (the "Firearms"). The Firearms were hidden

among food supplies and toys in the Boxes, and a photograph of the Firearms appears below.



b. Law enforcement identified the freight forwarder responsible for arranging the shipment of that cargo (the "Freight Forwarder") and obtained the receipt used by the shipper exporter to ship the Boxes. That receipt, reproduced below, shows that the shipper exporter identified himself as "Luis Guerrero," but misspelled the last name "Guerrero" at the bottom of the receipt, and that the shipper exporter described the contents of the Boxes, in Spanish, as boxes, tanks, rice, and oil. The shipper exporter ordered that the Boxes be shipped to an address in Santo Domingo in the Dominican Republic (the "DR Address"). A photograph of the receipt appears below:

RECIBO EMBARQUE PATON GOMEZ

FACTURA #: 2492
FULGON: 222

CUENTA BANCO SANTANDER # 8151041390

FECHA: 9/17/22

3115 WASHINGTON STREET, ROXBURY, MA. 02130 Tel: 617-477-9072 781-439-2046

57 CHASE STREET, METHUEN, MA. 01844 Tel: 978-258-0238 978-258-1054

BANI, REPUBLICA DOMINICANA, CALLE ANA PRAVIA # 99 PERKAVA Tel: 809-522-3648 WhatsApp: 849-391-5617

Remitente: Luis Guerrero Destinatario: Yelisa Arias
Dirección: 11 Lowell St Dirección: Resid. BHD
Ciudad: Lawrence, MA Barrio: c/ las margaritas
Código Postal: U.M. ZIP CODE: #15 Ciudad Bani

Teléfono: 978-715-5799 Cel: 829-468-2759

CANTIDAD	DESCRIPCIÓN	\$
2	caja p29	140
2	tanque azul	240
1	caja Jumbo	170
2	Arroz canilla solb	
2	Aceite del pueblo	

Estimado Declarada C/C NO SOMOS RESPONSABLES DE MERCANCIAS POR DAÑOS DE FUEGO O INUNDACIONES. PAGAR RD

PAGAR USA TOTAL # OF PACKAGES/TOTAL de BULTOS: 9

TOTAL \$ 550

DEPOSIT/VALOR PAGADOS \$

BALANCE DUE/PENDIENTES \$

Luis Guerrero Firma del Remitente

Firma del Recibidor

c. Pursuant to legal process authorized by local authorities, law enforcement searched the DR Address and recovered, among other things, a scrap of paper with names and phone numbers, including the phone number for 207-717-6413 (the "6413 Number")--written under the name "Jemy [heart] men." Based on subscriber records provided by the 6413 Number's provider, the subscriber of the 6413 Number is "Sonya True" and an email associated with the 6413 Number is jemyni109@gmail.com.

d. One Firearm recovered from inside the Boxes was a Smith & Wesson M&P Shield .45 pistol (the ".45 Pistol"). Law enforcement database records show that the .45 Pistol was originally purchased from a firearms dealer in Maine by a Maine resident ("Buyer-1") on or about March 11, 2022. On or about October 20, 2022, I and another law enforcement officer interviewed Buyer-1, who stated, in substance and in part, that Buyer-1 resold the .45 Pistol to a woman whom Buyer-1 knew as "Neretrue" and whose phone number was the 6413 Number. Buyer-1 described "Neretrue" as a blond White woman approximately 25 to 30 years old who showed Buyer-1 a Maine driver's license. Buyer-1 recalled that the sale to "Neretrue" occurred in approximately late August 2022. Records maintained by the Maine Department of Motor Vehicles shows that JEMYNI TRUE holds a Maine driver's license and that she was born

in 2001. A photograph of JEMYNI TRUE, as maintained by the Maine Department of Motor Vehicles, appears below:



e. A second Firearm recovered from inside the Boxes was a Glock 9mm pistol (the "9mm Pistol"). Law enforcement databases show that the 9mm Pistol was originally purchased from a firearms dealer in Maine by a Maine resident ("Buyer-2") on or about February 9, 2021. On or about November 4, 2022, I and another law enforcement officer interviewed Buyer-2, who stated, in substance and in part, that Buyer-2 resold the 9mm Pistol to TRUE on or about September 9, 2022.

f. A third Firearm recovered from inside the Boxes was a Model APF-15 762 caliber rifle (the "Rifle"). Law enforcement database records show that the Rifle was originally purchased from a firearms dealer in Maine by TRENTON MICHAEL JUDKINS, the defendant, who is a Maine resident, on or about August 22, 2022.

The TRENTON MICHAEL JUDKINS Interview

11. On or about November 3, 2022, I and another law enforcement officer met with TRENTON MICHAEL JUDKINS, the defendant, for a voluntary interview, which I video-recorded in part. During the interview, JUDKINS stated, in substance and in part, the following:

a. JUDKINS is a drug addict.

b. JUDKINS resold the Rifle to an individual whom JUDKINS knew as "E," whom JUDKINS saved in his phone under the phone number 978-876-2892 (the "2892 Number"). JUDKINS knew "E"¹ to be the boyfriend of JEMYNI TRUE, a/k/a "Jemy," the defendant, whom JUDKINS knows. JUDKINS understood that "E" would be providing the Rifle to a cousin residing in Lawrence, Massachusetts.

c. TRUE recently asked to purchase a second firearm from JUDKINS.

12. During the voluntary interview, JUDKINS showed me contact information saved on his phone and social media for the individual JUDKINS knew as "E"--who, as discussed below, is ELVIS GUERRERO, a/k/a "E," the defendant.

13. During the meeting with JUDKINS, another law enforcement officer served JUDKINS with a subpoena issued by a grand jury sitting in the United States District Court for the Southern District of New York, which stated, among other things, the name of the Assistant United States Attorney in the Southern District of New York responsible for the investigation (the "AUSA") and the federal statute under investigation by the grand jury.

14. Several hours after the voluntary interview with JUDKINS concluded, I called an attorney purporting to represent JUDKINS (the "Attorney") and I told the attorney that JUDKINS should not delete any information stored on his phone. Based on my discussions with the AUSA, I have learned that the Attorney subsequently spoke with the AUSA by telephone and stated, among other things, that the Attorney had instructed JUDKINS not to delete any material on JUDKINS's cellphone and that doing so would constitute obstruction of justice.

The Border Search

15. Based on my participation in this investigation, my review of documents and other evidence, and my conversations with other law enforcement officers, I have learned, in substance and in part, the following:

a. On or about November 3, 2022, ELVIS GUERRERO, a/k/a "E," and JEMYNI TRUE, a/k/a "Jemy," the defendants, flew

¹ As discussed below, the 2892 Number is assigned to a phone that was seized from ELVIS GUERRERO, a/k/a "E," the defendant, on or about November 3, 2022.

together on a flight from Punta Cana in the Dominican Republic to John F. Kennedy International Airport in Queens, New York ("JFK"). Upon arrival at JFK, GUERRERO and TRUE were detained for a border inspection, which included a visual inspection of the contents of cellphones on their persons. At the time of the border inspection, GUERRERO had a blue iPhone (the "Blue iPhone") and a red iPhone (the "Red iPhone") on his person and TRUE had a purple iPhone (the "Purple iPhone") on her person. At the request of law enforcement, GUERRERO and TRUE provided the passcodes necessary to access their respective cellphones.

b. A law enforcement officer (the "Officer") unlocked the Purple iPhone--which was recovered from JEMYNI TRUE--and saw that substantially all of the data on the Purple iPhone had been deleted. From the Purple iPhone, the officer was able to access an Instagram chat between an account with the name "trenton.michael00"--believed to be used by TRENTON MICHAEL JUDKINS, the defendant--and the user of the Purple iPhone, TRUE. In the chat, JUDKINS left TRUE a series of recorded voice notes on November 3, 2022, at approximately 3:24 p.m., which was after JUDKINS had been served with the grand jury subpoena and after JUDKINS had spoken with federal law enforcement officers. Excerpts of JUDKINS's voice notes to TRUE, and surrounding text messages exchanged between JUDKINS and TRUE appear below:

JUDKINS [voice]: I just got back from the sheriff's office in Dover, and I was speaking with two detectives from Homeland Security . . . bro, they know about you and E, and you guys are about to be dragged into some fucking bullshit. **Tell E, that fucking gun I bought him bro got fucking like dragged back into the mix somehow down in New York, and now New York Homeland Security officers are after me and you guys, and they know a lot about you.** They asked me about E . . . and they said something about you, asked if you was a blonde girl . . . but bro, you guys need to be careful, and I just want you guys to know that, do not talk to them without an attorney.

. . . They came up from fucking New York bro, that's how big this is dude.

. . .

JUDKINS [text]: they legit came to my house earlier and handed me a subpoena . . .

TRUE [text]: **Send the subpoena . . .**

TRUE [text]: **Delete all our chats on Facebook and here please / And text / And your shit w e / preciate it**

c. Following the above text messages, JUDKINS texted TRUE photographs of the grand jury subpoena. Their ensuing texts included the following:

TRUE [text]: **make sure u stay delete this shit / Got me bugged**

JUDKINS [text]: **I gotchu / and I know**

. . .

[TRUE forwards a link to Title 18, United States Code, Section 922]

TRUE [text]: **Deadass make sure u delete everything on your phone not jus me but w everyone cuz idk that shit weird everybody associate w deadass**

d. The Officer also unlocked the Blue iPhone-- which was recovered from ELVIS GUERRERO--and, based on a visual inspection of the contents of the phone, saw the following, among other things:

i. The phone number assigned to the Blue iPhone is the 2892 Number, which is the number that TRENTON MICHAEL JUDKINS saved to his phone as "E."

ii. Numerous photographs of firearms, including rifles, including photographs of GUERRERO posing with firearms, an example of which is below:



iii. A video of large sums of U.S. currency being counted through a money counter.

iv. Text communications between the user of the Blue iPhone, GUERRERO, and the phone number 207-278-2689--JUDKINS's number--about JUDKINS selling GUERRERO a firearm in exchange for drugs that GUERRERO would provide JUDKINS, including communications in the days leading up to JUDKINS's purchase of the Rifle on or about August 22, 2022. In those communications, JUDKINS asked: "do you still want my strap or nah . . . I hate sounding like a fiiend / shit homie so I apologize. I'm just sick & tryna find some goods to keep me going." JUDKINS requested, variously, "percs," "blues," "down," and GUERRERO offered to provide "down," "a gram" and "addy," all of which I know from training and experience are slang for various forms of recreational drugs. During this exchange, JUDKINS also referred to GUERRERO and "jem"--that is, JEMYNI TRUE, a/k/a "Jemy," the defendant.

v. Text communications between the user of the Blue iPhone, GUERRERO, and a contact saved as "Jemy"--that is, JEMYNI TRUE--including the exchange of photographs of firearms.

e. The Officer also unlocked the Red iPhone--which was recovered from ELVIS GUERRERO--and, based on a visual inspection of the contents of the phone, saw the following, among other things:

i. Text communications between the user of the Red iPhone, GUERRERO, and a contact saved as "Jem"--that is, JEMYNI TRUE. The phone number saved for "Jem" was the 6413 Number.

ii. Facebook messages with the user of the Facebook account "Trenton Michael"--that is, TRENTON MICHAEL JUDKINS.

iii. Additional photographs of firearms.

iv. A note about "200 gz bad twerk," subdivided into "180gz, good twerk," " 8gz soft" and "26gz hard," which based on my training and experience, I understand to be references to narcotics.

16. Based on my communications with a law enforcement officer with access to the Bureau of Alcohol, Tobacco, Firearms, and Explosives database for licensed firearms importers, manufacturers, and dealers, ELVIS GUERRERO, a/k/a "E," JEMYNI TRUE, a/k/a "Jemy," and TRENTON MICHAEL JUDKINS, the defendants, are not licensed firearms importers, manufacturers, or dealers.

WHEREFORE, I respectfully request that that TRENTON MICHAEL JUDKINS, ELVIS GUERRERO, a/k/a "E," and JEMYNI TRUE, a/k/a

"Jemy," the defendants, be imprisoned or bailed, as the case may be.

s/ Brian Pastula by the Court with permission

BRIAN PASTULA
Task Force Officer
Homeland Security Investigations

Sworn to me through the transmission of this Affidavit by reliable electronic means, pursuant to Federal Rules of Criminal Procedure 4.1 and 41(d)(3), this 4th day of November, 2022



THE HONORABLE BARBARA MOSES
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK