

Approved: *Amanda Weingarten*

**22 MAG 8912**

AMANDA WEINGARTEN  
Assistant United States Attorney

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

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UNITED STATES OF AMERICA	: <u>SEALED COMPLAINT</u>
	:
- v. -	: Violations of 18
	: U.S.C. §§ 1951,
PABLO ARMANDO VALENZUELA, and	: 924(c), and 2.
AARON MILLER,	:
	:
Defendants.	: COUNTY OF OFFENSE:
	: BRONX
	:
- - - - - X	

SOUTHERN DISTRICT OF NEW YORK, ss.:

PHOENIX ASHTON-BUCKNOR, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

**COUNT ONE**

(Conspiracy to Commit Hobbs Act Robbery)

1. On or about August 10, 2022, in the Southern District of New York and elsewhere, PABLO ARMANDO VALENZUELA and AARON MILLER, the defendants, knowingly did conspire with others, known and unknown, to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, VALENZUELA, MILLER, and at least four other individuals conspired to commit an armed robbery of a jewelry store in the Bronx, New York.

(Title 18, United States Code, Sections 1951 and 2.)

**COUNT TWO**

(Hobbs Act Robbery)

2. On or about August 10, 2022, in the Southern District of New York and elsewhere, PABLO ARMANDO VALENZUELA and AARON MILLER, the defendants, knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, VALENZUELA, MILLER, and others used bear spray, hammers, and a gun to commit an armed robbery of a jewelry store in the Bronx, New York.

(Title 18, United States Code, Sections 1951(a) and 2.)

**COUNT THREE**

(Brandishing of a Firearm)

3. On or about August 10, 2022, in the Southern District of New York and elsewhere, PABLO ARMANDO VALENZUELA and AARON MILLER, the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery charged in Count Two of this Complaint, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was brandished, during the robbery charged in Count Two of this Complaint.

(Title 18, United States Code, Sections 924(c)(1)(A)(i),  
(ii), and 2.)

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

4. I am a Special Agent with the FBI. I have been personally involved in the investigation of this matter, and I base this affidavit on that experience, on my conversations with other law enforcement officials, and on my examination of various documents, videos, reports, and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

## The Robbery

5. Based on my conversations with other law enforcement officers, statements from witnesses, and my review of surveillance video and photographs, I have learned, among other things, the following:

a. On or about August 10, 2022, a crew of at least six individuals armed with at least one firearm, bear spray, and hammers robbed a jewelry store (the "Jewelry Store") on East Fordham Road in the Bronx of over \$800,000 worth of jewelry.

b. Specifically, at approximately 7:11 p.m. and 7:12 p.m., approximately six individuals entered the Jewelry Store. One individual ("Suspect-1"), who was wearing a black shirt with two long gray sleeves, sprayed what appeared to be a can of bear spray into the eyes of Jewelry Store employees, temporarily blinding them. Other individuals, including an individual wearing light gray sweatpants with white writing on the upper left thigh ("Suspect-2"), used hammers to smash glass display cases. At least one of the robbers displayed a firearm. The robbers then grabbed hundreds of thousands of dollars' worth of jewelry from the broken display cases and other locations within the Jewelry Store and fled the Jewelry Store.

### Identification of Suspect-1 as VALENZUELA

6. Based on my review of surveillance video, I have learned, in substance and in part, the following:

a. On August 10, 2022, at approximately 6:38 p.m., Suspect-1 exited a building located on Sheridan Avenue in the Bronx (the "Sheridan Apartment Building"), which is approximately 1.9 miles from the Jewelry Store. Suspect-1 was wearing a black beanie hat, black shirt with two long gray sleeves, long black shorts, black socks, and black shoes. Still photographs from the video surveillance, showing Suspect-1 inside and outside the Sheridan Apartment Building, are shown below:



b. At approximately 6:55 p.m., Suspect-1 walked past a store on East Fordham Road, approximately 200 feet from the Jewelry Store, wearing the same clothing plus a black balaclava ski mask covering his entire face except his eyes. A still photograph of Suspect-1 from video surveillance captured from the store on East Fordham Road is shown below:



c. At approximately 7:11 p.m., Suspect-1 entered the Jewelry Store wearing the same clothing, sprayed a can of bear spray in the face of Jewelry Store employees, and robbed the Jewelry Store. Still photographs from video surveillance in the Jewelry Store, showing Suspect-1 spraying bear spray and carrying a can of bear spray while running towards the glass display cases, are shown below:





7. Based on my review of various law enforcement documents, videos, and databases, I have learned that still images from surveillance video of Suspect-1 on August 10, 2022 match images of PABLO ARMANDO VALENZUELA, the defendant, in law

enforcement databases. Specifically, I have learned, in substance and in part, the following:

a. The photograph on file with the Department of Motor Vehicles ("DMV") for VALENZUELA, the defendant, is shown below:



b. The image above at Paragraph 7(a) resembles Suspect-1 at the Sheridan Apartment Building on August 10, 2022, as shown below and at Paragraph 6(a):





8. Based on my review of T-Mobile historical cell site data for a phone number ending in 8929 subscribed to PABLO ARMANDO VALENZUELA, the defendant, ("Cellphone-1"), I have learned, in substance and in part, that the locations of Cellphone-1 on August 10, 2022, the day of the robbery, are consistent with the involvement of the user of Cellphone-1 in the robbery. Specifically, based on my review of the records described above, I have learned, among other things, the following:

a. On or about August 10, 2022, at approximately 6:36 p.m., Cellphone-1 pinged in the vicinity of the Sheridan Apartment Building, which is approximately 1.9 miles from the Jewelry Store.

b. On or about August 10, 2022, from approximately 6:51 p.m. to approximately 7:12 p.m., Cellphone-1 was located in the vicinity of the Jewelry Store.

9. Based on my review of various documents and records, I have learned, among other things, the following:



a. PABLO ARMANDO VALENZUELA, the defendant, listed the Sheridan Apartment Building as his address in account documents for Cellphone-1.

b. VALENZUELA provided an apartment in the Sheridan Apartment Building as his address to the DMV.

10. Based on the foregoing, I respectfully submit that there is probable cause to believe that PABLO ARMANDO VALENZUELA, the defendant, is Suspect-1, and that he committed the robbery.

Identification of Suspect-2 as MILLER

11. Based on my review of surveillance video, I have learned, in substance and in part, the following:

a. On or about August 10, 2022, at approximately 5:37 p.m., Suspect-2 approached the Sheridan Apartment Building wearing a black baseball cap, black t-shirt, distinctive patterned shorts, white socks, and white shoes. Suspect-2 also was pushing a red moped. A still photograph from the video surveillance, showing Suspect-2 at the Sheridan Apartment Building, is shown below. As described in Paragraph 11(f) below, later that day, at approximately 7:13 p.m., one minute after the robbery, video surveillance captured Suspect-2 running along a sidewalk approximately 0.1 miles from the Jewelry Store carrying stolen items, and then bending over the red moped wearing the distinctive patterned shorts.



b. On or about August 10, 2022, at approximately 5:38 p.m., Suspect-2 stood at the elevator in the Sheridan Apartment Building wearing the same clothing and holding the handle bars of the red moped. A still photograph from the video surveillance of Suspect-2 is shown below:



c. On or about August 10, 2022, at approximately 5:44 p.m., Suspect-2 exited the Sheridan Apartment Building. At this time, Suspect-2 wore the same white socks and white shoes, but wore light gray sweatpants with white writing on the upper left thigh, a dark-colored jacket, and a light-colored balaclava ski mask rolled up across his forehead. Suspect-2 also pushed the same red moped through the lobby of the Sheridan Apartment Building and rode the red moped out of



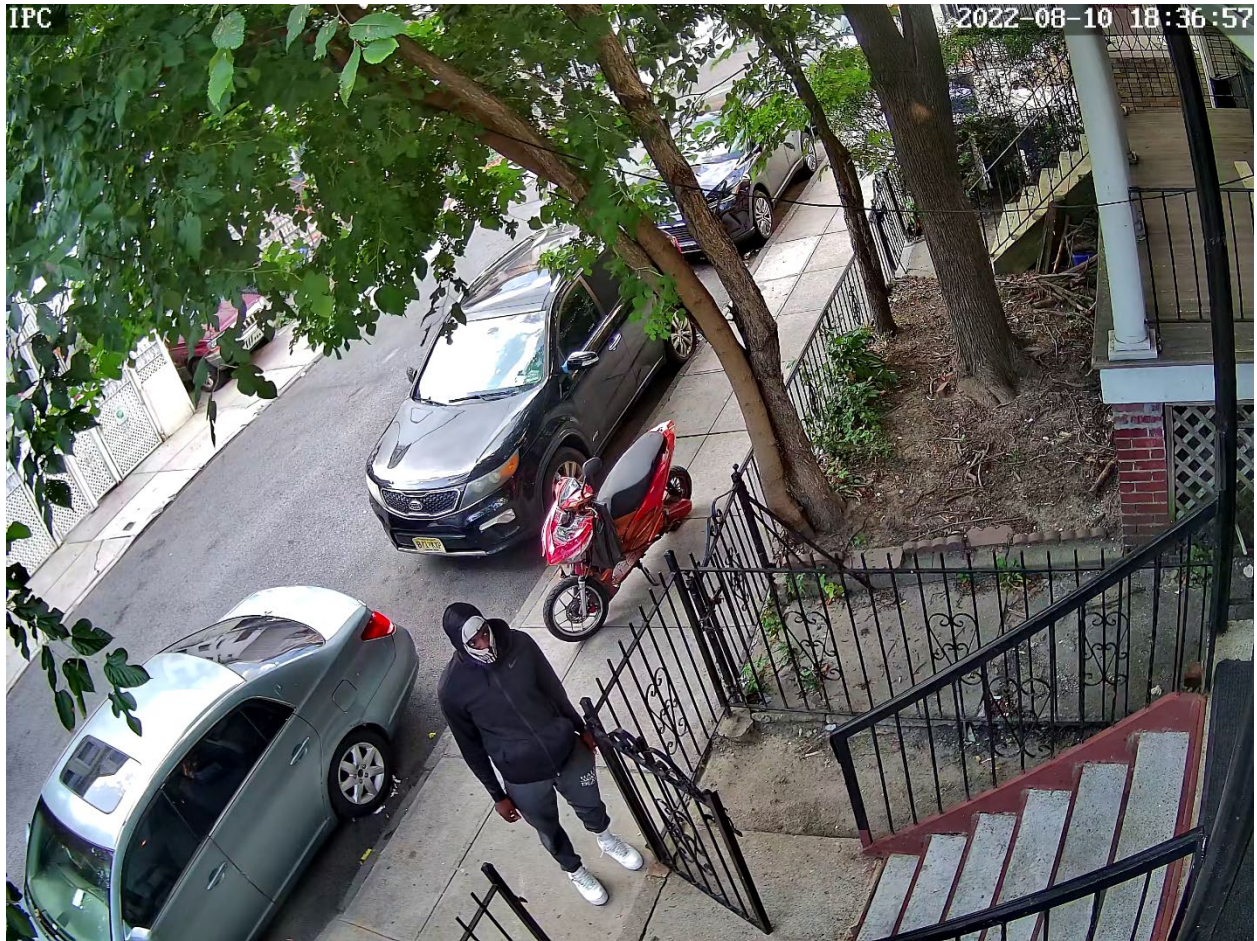
the building. Still photographs from the video surveillance, showing Suspect-2 and the moped, are shown below:





d. On or about August 10, 2022, at approximately 6:36 p.m., Suspect-2 stood on the sidewalk in front of a residence on Elm Place, which is approximately 0.1 miles from the Jewelry Store, next to the red moped. Suspect-2 was wearing the same clothing plus a dark-colored head covering and the light-colored balaclava ski mask rolled down and covering his entire face except his eyes. A still photograph from the video surveillance, showing Suspect-2 standing on the sidewalk in front of the residence on Elm Place, is shown below:

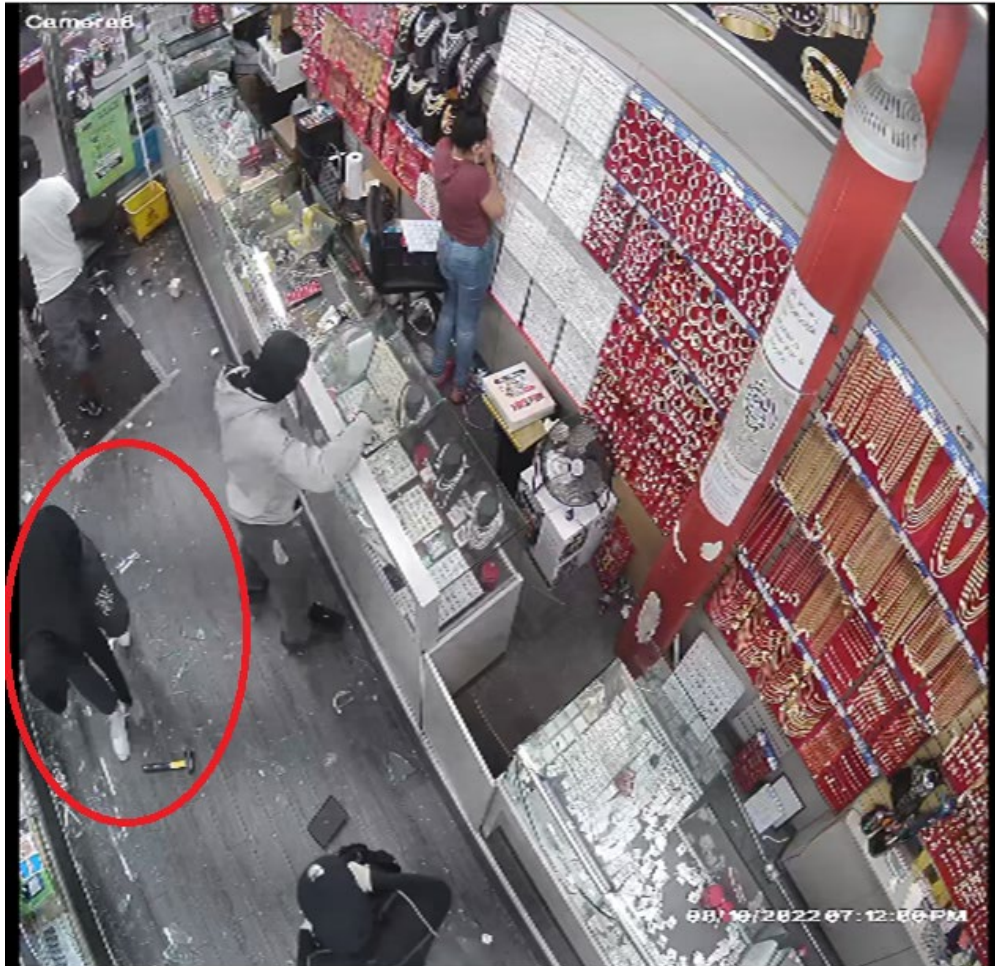




e. At approximately 7:12 p.m., Suspect-2 entered the Jewelry Store wearing the same clothing, used a yellow hammer to smash glass display cases, and robbed the Jewelry Store. Still photographs of Suspect-2 from video surveillance in the Jewelry Store are shown below:







f. On or about August 10, 2022, at approximately 7:13 p.m., Suspect-2 ran along the sidewalk on Elm Place, which is approximately 0.1 miles from the Jewelry Store, while carrying stolen items from the Jewelry Store. Suspect-2 then approached the red moped and bent over it. When Suspect-2 bent over, the distinctive patterned shorts emerged from underneath the light gray sweatpants. Still photographs from video surveillance, showing Suspect-2 running along the sidewalk and bending over the red moped, are shown below:



IPC

2022-08-10 19:12:51



12. Based on my review of AT&T historical cell site data for a phone number ending in 6932 registered to AARON MILLER, the defendant, ("Cellphone-2"), I have learned, among other things, the following:

a. On or about August 9, 2022, the day before the robbery, at approximately 7:43 p.m., Cellphone-1 connected with Cellphone-2 for approximately three seconds and went to voicemail.

b. Also on or about August 9, 2022, at approximately 7:57 p.m., Cellphone-1 connected with Cellphone-2 for approximately six seconds and went to voicemail.

c. On or about August 12, 2022, two days after the robbery, at approximately 3:24 p.m., Cellphone-1 connected with Cellphone-2 for approximately three seconds and went to voicemail.

d. Also on or about August 12, 2022, at approximately 5:10 p.m., Cellphone-1 connected with Cellphone-2 for approximately eight seconds and went to voicemail.

13. Based on my review of an Instagram account associated with Cellphone-2, I have learned the following:

a. The Instagram account depicts a photograph posted on July 21, 2022 of an individual wearing what appear to be distinctive patterned shorts similar to the distinctive patterned shorts that Suspect-2 wore on August 10, 2022, the day of the robbery. The Instagram photograph is shown below, and the photographs of Suspect-2 wearing the distinctive patterned shorts can be found above at Paragraphs 11(a)-(b) and 11(f).





b. The New York Police Department's Facial Identification Section ("FIS") identified the individual's Instagram photograph above at Paragraph 13(a) as a possible match with a photograph of AARON MILLER, the defendant, which was taken in connection with a prior arrest.



14. Based on the foregoing, I respectfully submit that there is probable cause to believe that AARON MILLER, the defendant, is Suspect-2, and that he committed the robbery.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of PABLO ARMANDO VALENZUELA and AARON MILLER, the defendants, and that they be arrested, and imprisoned or bailed, as the case may be.

*s/ Phoenix Ashton-Bucknor by the Court with permission*

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PHOENIX ASHTON-BUCKNOR  
Special Agent  
Federal Bureau of Investigation

Sworn to before me on  
November 4, 2022 by reliable electronic means,  
Pursuant to Federal Rule of Criminal Procedure 4.1



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