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Approved:

Jacob Warren / Dominic Gentile

JACOB WARREN / DOMINIC GENTILE
Assistant United States Attorneys

Before: HONORABLE KEVIN NATHANIEL FOX
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.
	:	§§ 371, 922(a)(1)(A),
	:	922(a)(3), and 2.
MORRIS WILSON,	:	
	:	COUNTY OF OFFENSE:
Defendant.	:	NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

SCOTT MARTIN, being duly sworn, deposes and says that he is a Task Force Officer with the ATF/NYPD Firearms Task Force, and charges as follows:

COUNT ONE
(Firearms Trafficking Conspiracy)

1. From at least in or about January 24, 2018 up to and including at least in or about February 1, 2018, in the Southern District of New York and elsewhere, MORRIS WILSON, the defendant, 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 object of the conspiracy that MORRIS WILSON, the defendant, and others known and unknown, not being licensed importers, licensed manufacturers, and licensed 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).

Overt Acts

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

a. On or about January 24, 2018, WILSON, at the direction of a co-conspirator not named herein ("CC-1"), sent a text message to an undercover New York City Police Department Officer ("UC-1") with a picture of seven firearms that were available for purchase.

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

COUNT TWO
(Firearms Trafficking)

4. From at least in or about January 24, 2018 up to and including at least in or about February 1, 2018, in the Southern District of New York and elsewhere, MORRIS WILSON, the defendant, not being a licensed importer, licensed manufacturer, and licensed dealer 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, WILSON illegally sold firearms in Manhattan.

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

COUNT THREE
(Interstate Transportation and Receipt of Firearms)

5. From at least in or about January 24, 2018, up to and including at least in or about February 1, 2018, in the Southern District of New York and elsewhere, MORRIS WILSON, the defendant, not being a licensed importer, licensed manufacturer, licensed dealer or licensed collector of firearms within the meaning of Chapter 44, Title 18, United States Code, willfully and knowingly did transport into and receive in the State of New York, firearms purchased and otherwise obtained by the defendant outside the State of New York, to wit, WILSON transported firearms from Florida to New York.

(Title 18, United States Code, Sections 922(a)(3) and 2.)

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

6. I have been involved in the investigation of this matter, and I base this affidavit on that experience, as well as on my conversations with other law enforcement agents, and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all 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.

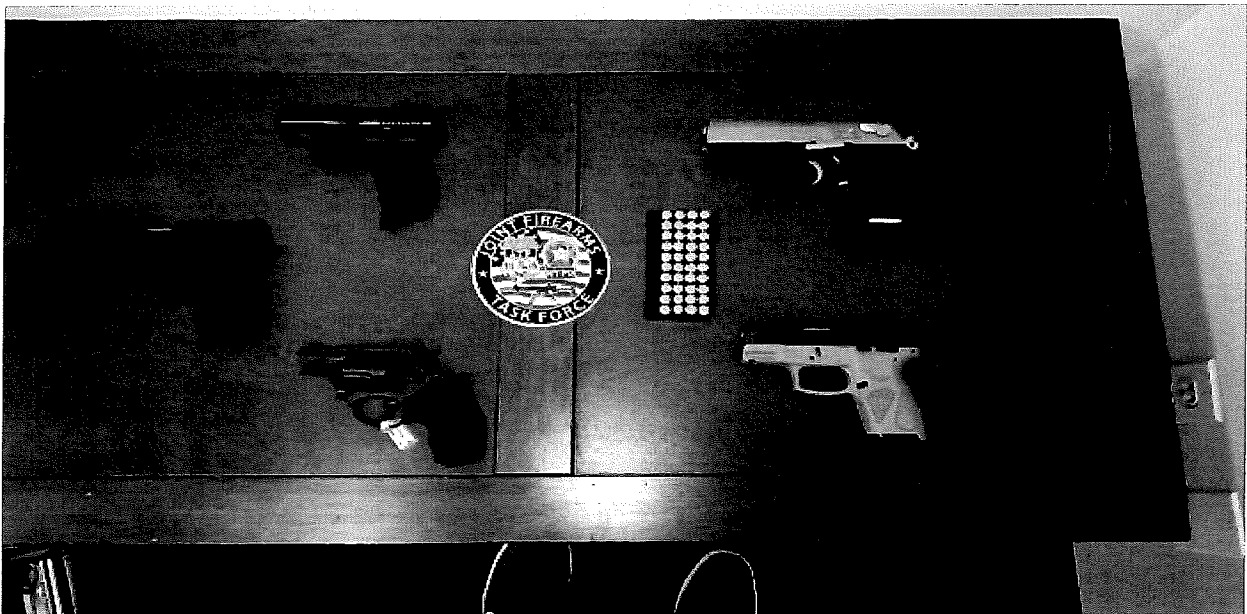
7. In the course of this investigation, I have learned, among other things, the following:

a. On or about November 28, 2017, CC-1, met with UC-1 near the intersection of Fulton Street and Malcom X Boulevard in Brooklyn (the "November 28, 2017 Meeting"). During the November 28, 2017 Meeting, CC-1 informed UC-1, among other things, that CC-1 had an out of state connection with access to firearms. CC-1 also showed UC-1 a photograph of multiple firearms on CC-1's cellphone that could potentially be available for purchase as well as the prices at which those firearms could be purchased.

b. On or about December 13, 2017 (the "December 13, 2017 Meeting"), CC-1 met UC-1 at a location, chosen by CC-1, in downtown Manhattan (the "Downtown Manhattan Location") and sold UC-1 the four firearms pictured below. The December 13, 2017 Meeting was video and audio recorded.



c. On or about December 26, 2017 (the "December 26, 2017 Meeting"), CC-1 met UC-1 at the Downtown Manhattan Location and sold UC-1 the five firearms pictured below. The December 26, 2017 Meeting was video and audio recorded.



d. On or about January 3, 2018 (the "January 3, 2018 Meeting"), CC-1 met UC-1 at the Downtown Manhattan Location

and sold UC-1 the nine firearms pictured below. The January 3, 2018 Meeting was video and audio recorded.

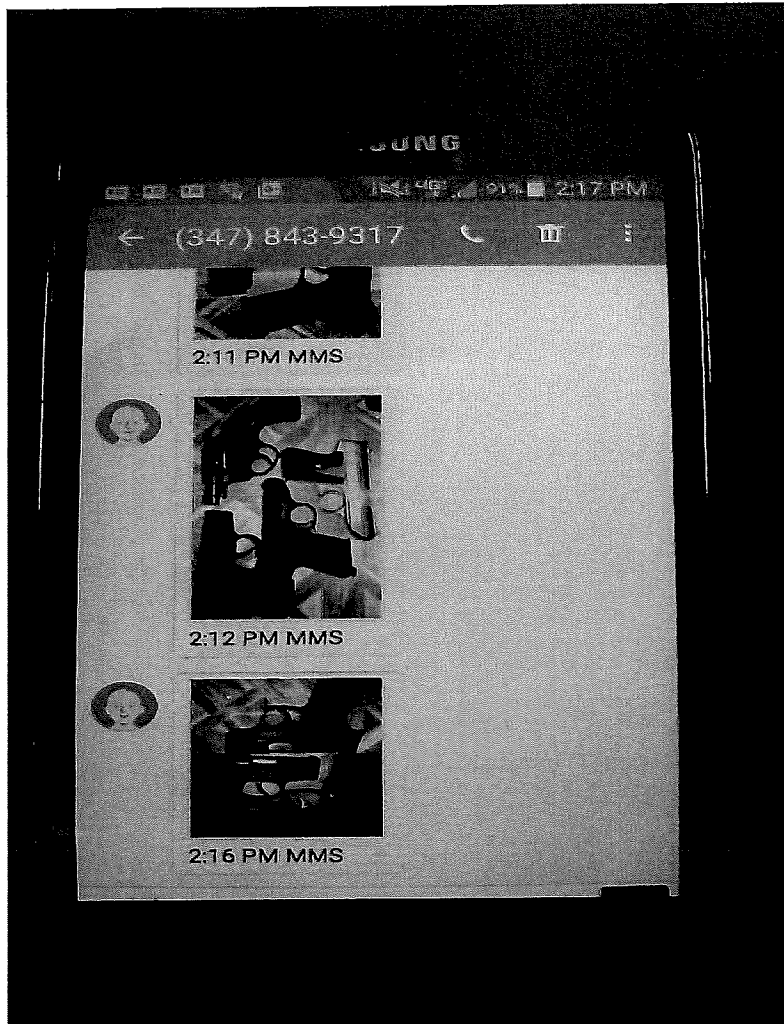


e. On or about January 10, 2018 (the "January 10, 2018 Meeting"), CC-1 met UC-1 at the Downtown Manhattan Location and sold UC-1 the nine firearms pictured below. The January 10, 2018 Meeting was video and audio recorded. One of the firearms CC-1 sold UC-1 at the January 10, 2018 Meeting was a MAC-10 (the "MAC-10"), circled in red below, which is considered an assault weapon under New York state law, in violation of New York Penal Law Section 265.02.¹ The MAC-10 was manufactured by Cobray outside the state of New York.

¹ In addition, CC-1's possession and sale of the firearms referenced herein, including the MAC-10, without any New York state permits, also violates New York Penal Law Section 265.01.



f. On or about January 23, 2018, CC-1 sent a text message to UC-1 that stated "I got half ya sneakers . . . 7 for 5 soon as u ready." Based on my training and experience and participation in this investigation, I believe that CC-1 is telling UC-1 that CC-1 has half of the firearms UC-1 previously requested (seven firearms) at a price of \$5,000. On January 24, 2018, CC-1 directed a co-conspirator, later determined to be MORRIS WILSON, the defendant, to send UC-1 a picture of the seven firearms that were available for purchase. WILSON then sent UC-1 a picture of the seven firearms that were available for purchase from his cellphone (the "WILSON Cellphone"), which is copied below (the "January 24, 2018 Text Message").



g. After UC-1 received the above picture from the WILSON Cellphone, the Honorable Andrew J. Peck authorized a search warrant for prospective and historical location information for the WILSON Cellphone. See 18 Mag. 0703.

8. CC-1 subsequently agreed to sell UC-1 twenty-one firearms for \$18,000 on February 1, 2018. CC-1 and UC-1 agreed to meet at the Downtown Manhattan Location at approximately 6:00 P.M. on February 1, 2018. Based on my review of the prospective location information for the WILSON Cellphone, I know that MORRIS WILSON, the defendant, began traveling up from the Orlando, Florida area on the evening of January 31, 2018. Based on the route the WILSON Cellphone was traveling north, and based on my review of bus schedules for February 1, 2018 that were arriving in Manhattan, it appeared likely that WILSON would arrive in downtown Manhattan on a bus destined for Chinatown at approximately 11:00 A.M. Accordingly, ATF and NYPD set up surveillance in Chinatown and observed WILSON get into a cab

with what appeared to be a bag shortly after 11:30 A.M. on February 1, 2018.

9. Later the same day, CC-1 and UC-1 met at approximately 6:00 P.M. at the Downtown Manhattan Location and CC-1 sold UC-1 twenty firearms. After CC-1 left the Downtown Manhattan Location, CC-1 was arrested walking with MORRIS WILSON, the defendant. Both WILSON and CC-1 were taken to the ATF's Offices in Brooklyn, and WILSON had in his possession the WILSON Cellphone at the time of his arrest. In an audio and video recorded interview, WILSON was advised of his Miranda rights and subsequently waived those rights and agreed to speak with me. WILSON informed me, in substance and in part, that he comes up from Florida to sell sneakers, not firearms; WILSON admitted that he was looking out for CC-1 on this occasion and other occasions in case there was trouble, but WILSON said he did not know what CC-1's activities included.

10. Finally, based on my review of the firearms in the January 24, 2018 Text Message, it appears that at least three of the firearms in the January 24, 2018 Text Message were sold to UC-1 by CC-1 on February 1, 2018~~9~~ i.e., WILSON brought those firearms from Florida to New York.² 87

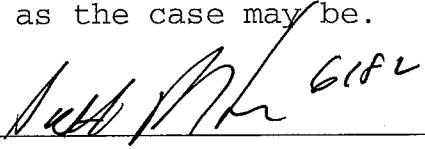
COUNT FOUR
(Felon in Possession)

11. On or about February 1, 2018, in the Southern District of New York, MORRIS WILSON, the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, willfully and knowingly, did possess in and affecting commerce, a firearm, to wit, WILSON illegally sold firearms in Manhattan, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

² In addition, based on my review of the prospective and historical location information associated with CC-1's cellphone, I know that CC-1 has not been outside the state of New York since at least January 10, 2018.

WHEREFORE, deponent prays that MORRIS WILSON, the defendant, be imprisoned or bailed, as the case may be.

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SCOTT MARTIN
Task Force Officer, ATF/NYPD
Joint Firearms Task Force

Sworn to before me this
2nd day of February, 2018

S/Kevin Nathaniel Fox

HONORABLE KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK