

Approved: Michael Kim Krouse
MICHAEL KIM KROUSE
Assistant United States Attorney

Before: HONORABLE ONA T. WANG
United States Magistrate Judge
Southern District of New York

18 MAG 3204

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: UNITED STATES OF AMERICA : SEALED COMPLAINT
: :
: : Violations of 18 U.S.C. § 2;
- v. - : : 21 U.S.C. §§ 812, 841(a)(1),
: : 841(b)(1)(C), and 846
DANIEL JONES, : :
: :
Defendant. : : COUNTY OF OFFENSE:
: : NEW YORK
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SOUTHERN DISTRICT OF NEW YORK, ss.:

ANTHONY MANGANO, being duly sworn, deposes and says that he is a Detective with the New York City Police Department (the "NYPD"), and charges as follows:

COUNT ONE
(Narcotics Conspiracy)

1. From at least in or about November 2017 through in or about March 2018, in the Southern District of New York and elsewhere, DANIEL JONES, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that DANIEL JONES, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that DANIEL JONES, the defendant, conspired to distribute and possess with intent to distribute was a quantity of mixtures and substances containing

detectable amounts of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

COUNT TWO

(Narcotics Distribution)

4. On or about November 17, 2017, in the Southern District of New York, DANIEL JONES, the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

5. The controlled substance involved in the offense was a quantity of mixtures and substances containing detectable amounts of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(C).

6. The use of such controlled substance resulted in the serious bodily injury and death of Robert Martin Hill on or about November 24, 2017 in Manhattan, New York, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); and Title 18, United States Code, Section 2.)

COUNT THREE

(Narcotics Distribution)

7. On or about March 1, 2018, in the Southern District of New York, DANIEL JONES, the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

8. The controlled substance involved in the offense was a quantity of mixtures and substances containing detectable amounts of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); and Title 18, United States Code, Section 2.)

COUNT FOUR

(Narcotics Distribution)

9. On or about March 6, 2018, in the Southern District of New York, DANIEL JONES, the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a) (1).

10. The controlled substance involved in the offense was a quantity of mixtures and substances containing detectable amounts of heroin, in violation of Title 21, United States Code, Section 841(b) (1) (C).

(Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (C); and Title 18, United States Code, Section 2.)

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

11. I am a Detective with the NYPD, and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with law enforcement agents, witnesses, and others, as well as my examination of reports, records, and recorded conversations. 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 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 Overdose Death of Robert Martin Hill

12. From my involvement in this investigation, including my conversations with other law enforcement officers and my review of hospital and cell phone records, I have learned, among other things, the following:

a. On or about November 18, 2017, Robert Martin Hill ("Hill") suffered a drug overdose in his apartment, which is located in the vicinity of First Avenue and 12th Street in Manhattan, New York (the "Hill Apartment"). At approximately 11:00 a.m. that morning, Hill was admitted in a coma to a hospital in Manhattan. On or about November 24, 2017, at

approximately 2:00 p.m., Hill died at the hospital without ever regaining consciousness. I have reviewed the New York City Office of Chief Medical Examiner's autopsy report for the autopsy conducted on Hill following his death. From my review, I have learned, among other things, that that the cause of Hill's death was "complications of acute opiate intoxication." From my training and experience, I know that heroin is an opiate that can cause death through acute intoxication.

b. From speaking with Hill's wife after Hill's death, I learned that Hill's wife found four empty glassine bags in the pocket of the pants that Hill was wearing when he died, which she provided to NYPD officers. The glassine bags all had the word "Gorilla" and a picture of a gorilla stamped on them in black ink (the "Gorilla Glassines"). In my experience, it is typical for a drug dealer to include an identifying feature on the packaging of his or her drugs sold to customers so that customers can differentiate that dealer's "product" from that of other drug dealers. The Gorilla Glassines appeared to serve that function.

c. The Gorilla Glassines contained a powdery residue. The NYPD drug laboratory tested the residue and determined that it contained heroin.

d. The day before Hill overdosed, on November 17, 2017, Hill, using his cellphone (the "Victim Cellphone"), made six phone calls to another cellphone (the "Subject Cellphone"). Specifically, the Victim Cellphone called the Subject Cellphone at approximately 12:41 p.m., 2:45 p.m., 3:05 p.m., 8:58 p.m., 9:21 p.m., and 9:44 p.m. The call made by the Victim Cellphone to the Subject Cellphone at approximately 9:44 p.m. was the last completed call on the Victim Cellphone before Hill overdosed.

e. Based on my review of call detail records from the Victim Cellphone, I have learned, among other things, that the Subject Cellphone was the Victim Cellphone's second most frequent contact. From on or about June 1, 2017 until on or about November 17, 2017, the Victim Cellphone called the Subject Cellphone approximately 172 times, and the Subject Cellphone called the Victim Cellphone approximately 72 times. Accordingly, the two phones were in contact approximately 244 times over five-and-a-half months - i.e., an average of more than once per day.

Undercover Purchases of Heroin from DANIEL JONES

13. Based on my participation in this investigation, I have learned that the user of the Subject Cellphone is DANIEL JONES, the defendant, and that JONES is the superintendent of the building where the Hill Apartment is located (the "Building"). Inside the Building's lobby, there is a posted sign regarding the Building's heating system, which has JONES's name on it, along with the Subject Cellphone's phone number.

14. As described below, an undercover NYPD officer (the "UC") has purchased heroin from JONES on two occasions. Both times, the UC arranged to purchase heroin by calling JONES on the Subject Cellphone. Based on my conversations with the UC, and my review of law enforcement reports, I have learned, among other things, the following:

a. On or about March 1, 2018, the UC purchased 10 pink glassine bags with no stamp ("Pink Glassines") from JONES (the "March 1 Buy"). The March 1 Buy occurred in the vicinity of First Avenue and 2nd Street in Manhattan, New York. The substance in the Pink Glassines was later tested and determined to contain approximately 0.4 grams of heroin.

b. On or about March 6, 2018, the UC purchased 10 Pink Glassines from JONES (the "March 6 Buy"). The March 6 Buy occurred in the vicinity of First Avenue and 12th Street in Manhattan, New York - *i.e.*, in the immediate vicinity of the Hill Apartment. The substance in the Pink Glassines was later tested and determined to contain approximately 0.4 grams of heroin.

15. The UC videotaped the March 6 Buy with JONES using a concealed camera. Based on my review of the video, I have learned that, after the UC purchased the Pink Glassines from JONES, the UC and JONES had the following conversation:

UC	My friend Jimmy used to live over here.
JONES	Who?
UC	Umm, he's transgender. He's transitioning.
JONES	Yeah, yeah, yeah, yeah, yeah.
UC	Yeah, he used to live right over here. I ain't seen him in a hot minute though. White guy. Older white guy.
JONES	Wears glasses?
UC	Wears glasses.
JONES	He lives down there?

UC	Yeah, yeah, he's right over here, right over here, yeah.
JONES	In magic towers?
UC	Yeah
JONES	He used to hang out right here?
UC	He used to hang out right here.
JONES	Yeah, with the guy that just died.
UC	Uh, uh yeah.
JONES	Rob.
UC	Rob. Is that someone...
JONES	He's a transgender too. He was transitioning to become a woman.
UC	Oh really?

a. Based on my participation in this investigation, I believe that the "Rob" mentioned by JONES is the victim, Robert Martin Hill. Rob a common nickname for Robert. Moreover, I have learned, in the course of this investigation, that Hill was transgender and that he was transitioning to become a woman. JONES also identified "Rob" as the person who recently died ("the guy that just died . . . Rob"). At the time of this conversation, Hill had been dead for only three months. The conversation between the UC and JONES continued as follows:

UC	Real shit, you can get me gorilla?
JONES	Not at the [unintelligible] but the guy I get mine from, he's the one that gets the gorilla.
UC	So, so . . .
JONES	I'm the one that brings that shit up in here. You know where he got it from?
UC	I always kept asking him where he got it from.
JONES	He got it from me because he got it from Rob.
UC	Oh he gets the gorilla from you?
JONES	Rob, rob...
UC	Yo small ass world kid.
JONES	Rob was getting the gorilla from me and sharing it with him.

b. Based on my participation in this investigation, I believe that "gorilla" in the above conversation refers to the glassine bags with the word "Gorilla" and a picture of a gorilla stamped in black ink - *i.e.*, the Gorilla Glassines found in Hill's pants pocket after his death. In this conversation, JONES states that he was the dealer who was responsible for supplying Gorilla Glassines in the area ("I'm the one that brings that shit up in here"). JONES also states that he sold

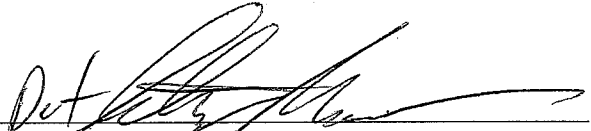
Gorilla Glassines to Rob ("Rob was getting the gorilla from me"). The conversation between the UC and JONES then continued as follows:

JONES	Yeah, he was getting it from me.
UC	Oh, shit.
JONES	The gorilla's the same one as the pink.
UC	Alright, cool so just let me know when you're gonna get again.
JONES	Yeah, he's trying bro, but they been acting up.
UC	Alright, hey I gotta run.
JONES	I blew that shit up. I'm the one that blew it up out here.
UC	I know. I been, I seen you around, I'm just wondering. You know people don't want to give up their sources, right?
JONES	The owners are acting up. The owners are acting up.
UC	Yeah. Alright cool.

c. JONES states again that he was responsible for popularizing Gorilla Glassines in the area ("I blew that shit up. I'm the one that blew it up out here."). JONES explains, however, that he has not been able to get the Gorilla Glassines recently, because the owner of that particular stamp has stopped providing it ("Yeah, he's trying bro, but they been acting up . . . The owners are acting up"). Finally, JONES explains that the heroin contained in the Gorilla Glassines is the same as the heroin contained in the Pink Glassines the UC has been purchasing ("The gorilla's the same one as the pink").

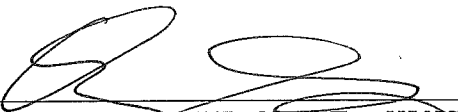
16. Based on the fact that (1) the last call Hill made before he died was to a phone used by DANIEL JONES, the defendant; (2) Gorilla Glassines containing heroin residue were found in Hill's pants pocket after he overdosed; (3) JONES told the UC that JONES sold Gorilla Glassines to a person who fits Hill's description; (4) JONES later sold heroin in Pink Glassines to the UC in the immediate vicinity of the Hill Apartment; and (5) JONES told the UC that the heroin in the Pink Glassines is the same as the heroin in the Gorilla Glassines, there is probable cause to believe that, on or about November 17, 2017, JONES sold the heroin that caused Hill's death.

WHEREFORE, I respectfully request that DANIEL JONES, the defendant, be arrested and imprisoned or bailed, as the case may be.



ANTHONY MANGANO
Detective
New York City Police Department

Sworn to before me this
16th day of April, 2018



THE HONORABLE ONA T. WANG
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

