

Approved: Adam S. Hobson
Adam S. Hobson
Assistant United States Attorney

Before: THE HONORABLE KATHARINE H. PARKER
United States Magistrate Judge
Southern District of New York

18 MAG 9 136

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UNITED STATES OF AMERICA
- v. -
ALAN ARIAS,
WALTHER CASTILLO,
a/k/a "Walter," and
RUDY DELGADO,
Defendants.
----- x

: SEaled
: COMPLAINT
:
: Violation of 21 U.S.C.
: § 846
:
: COUNTY OF OFFENSE:
: BRONX
:
:
:

SOUTHERN DISTRICT OF NEW YORK, ss.:

JULIAN HUR, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA") and charges as follows:

COUNT ONE

1. In or about April 2018 until the present, in the Southern District of New York and elsewhere, ALAN ARIAS, WALTHER CASTILLO, a/k/a "Walter," and RUDY DELGADO, the defendants, 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 ALAN ARIAS, WALTHER CASTILLO, a/k/a "Walter," and RUDY DELGADO, the defendants, 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 ALAN ARIAS, WALTHER CASTILLO, a/k/a "Walter," and RUDY DELGADO, the defendants, conspired to distribute and possess with intent to distribute was 280 grams and more of mixtures and substances containing a detectable amount of crack cocaine, in violation of Title 21, United States Code, Section 841(b) (1) (A).

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

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

4. I am a Special Agent with the DEA. 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 and records. 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.

5. Based on my review of law enforcement records and reports and my participation in this investigation, I have learned, among other things, the following:

a. On or about April 23, 2018, a confidential source ("CS-1")¹ and an undercover New York City Police Department ("NYPD") officer ("UC-1") drove to an address in the Bronx, New York (the "Bronx Address") to purchase narcotics. The NYPD provided CS-1 with \$420.00 of pre-recorded buy money. Once they arrived at the Bronx Address, CS-1 met WALTHER CASTILLO, a/k/a "Walter," the defendant. During the course of this meeting, CASTILLO used CS-1's phone to call an unknown person and engage that person in narcotics-related conversation. At one point, CASTILLO also went to another location, where CASTILLO said the

¹ CS-1 is cooperating with law enforcement in exchange for financial remuneration. CS-1 has a 2003 conviction for criminal possession of a weapon in the fourth degree, a 2001 conviction for attempted robbery in the second degree, and a 2001 conviction for possession of stolen property in the fifth degree. To date, CS-1's information has been credible and reliable and corroborated by independent investigation.

source of the crack cocaine was located. CASTILLO then sold CS-1 and UC-1 two plastic twists of what CASTILLO said was crack cocaine. The substance was subsequently tested by the NYPD lab and was determined to be approximately 8.186 grams of crack cocaine.

b. On or about April 30, 2018, CS-1 and UC-1 went to the Bronx Address to purchase narcotics. Once they arrived at the Bronx Address, CS-1 met CASTILLO, who told CS-1 that they would be getting the drugs from a person named "Rudy." UC-1 then drove CS-1 and CASTILLO to another location a short distance away where CASTILLO said that "Rudy" was based. CS-1 gave CASTILLO \$1,050 in pre-recorded buy money. CASTILLO then left the vehicle and was observed meeting with an individual later identified as RUDY DELGADO, the defendant.² CASTILLO then brought DELGADO over to the vehicle and introduced DELGADO as "Rudy" to CS-1 and UC-1. CASTILLO gave CS-1 two twists of what CASTILLO said was 25 grams of crack cocaine. The substance was subsequently tested by the NYPD lab and was determined to be approximately 24.437 grams of crack cocaine.

c. On or about May 9, 2018, CS-1 and UC-1 went to the Bronx Address to purchase narcotics. At the Bronx Address, CS-1 and UC-1 met with CASTILLO and DELGADO, who sold them what CASTILLO and DELGADO said was 25 grams of crack cocaine. The substance was subsequently tested by the NYPD lab and was determined to be approximately 24.818 grams of crack cocaine.

d. On or about May 16, 2018, UC-1 contacted CASTILLO and arranged to meet him at the Bronx Address to purchase narcotics. At the Bronx Address, UC-1 met with CASTILLO and DELGADO, who sold UC-1 what CASTILLO and DELGADO said was 25 grams of crack cocaine. The substance was subsequently tested by the NYPD lab and was determined to be approximately 25.195 grams of crack cocaine.

e. On or about May 29, 2018, UC-1 contacted CASTILLO and arranged to meet him at the Bronx Address to purchase narcotics. At the Bronx Address, UC-1 met with CASTILLO and DELGADO, who sold UC-1 what CASTILLO and DELGADO said was 25 grams of crack cocaine. The substance was subsequently tested by the NYPD lab and was determined to be approximately 24.777 grams of crack cocaine.

² On or about May 17, 2018, UC-1 was shown a photo array and identified RUDY DELGADO, the defendant, as the person known as "Rudy" who had been involved in the narcotics transactions with WALTHER CASTILLO, a/k/a "Walter," the defendant.

f. On or about June 5, 2018, UC-1 contacted CASTILLO and arranged to meet him at the Bronx Address to purchase narcotics. At the Bronx Address, UC-1 and a second undercover NYPD officer ("UC-2") met CASTILLO, who entered UC-1's vehicle. UC-1, UC-2, and CASTILLO then drove to a second location in the Bronx, where they met DELGADO. DELGADO handed CASTILLO two plastic twists, which CASTILLO handed to UC-1 and UC-2. CASTILLO and DELGADO told UC-1 and UC-2 that one of the plastic twists contained 25 grams of crack cocaine and one of the plastic twists contained five grams of heroin. The substances were subsequently tested by the NYPD lab and were determined to be approximately 25.131 grams of crack cocaine and approximately 4.837 grams of heroin and fentanyl.

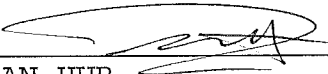
g. On or about June 19, 2018, UC-1 contacted CASTILLO and arranged to meet him at the Bronx Address the next day to purchase narcotics. On or about June 20, 2018, UC-1 and UC-2 met CASTILLO at the Bronx Address. CASTILLO entered UC-1's vehicle, and UC-1, UC-2, and CASTILLO then drove to a second location in the Bronx. CASTILLO then exited the vehicle and was observed meeting with DELGADO. CASTILLO then returned to the vehicle and gave UC-1 and UC-2 two clear plastic twists which, according to CASTILLO, consisted of 25 grams of crack cocaine and 10 grams of heroin. The substances were subsequently tested by the NYPD lab and were determined to be 25.505 grams of crack cocaine and 9.758 grams of fentanyl.

h. On or about July 3, 2018, UC-2 contacted CASTILLO and arranged to meet him at the Bronx Address to purchase narcotics. At the Bronx Address, CASTILLO entered UC-2's vehicle and UC-2 and CASTILLO then drove to a second location in the Bronx. CASTILLO then exited the vehicle and was observed meeting with DELGADO. CASTILLO then returned to the vehicle and gave UC-2 two clear plastic twists which, according to CASTILLO, consisted of 60 grams of crack cocaine. The substance was subsequently tested by the NYPD lab and was determined to be 59.679 grams of crack cocaine.

i. On or about July 18, 2018, UC-2 contacted CASTILLO and arranged to meet him at the Bronx Address to purchase narcotics. At the Bronx Address, CASTILLO entered UC-2's vehicle and told UC-2 that a male unknown to UC-2 would be supplying the narcotics. CASTILLO stated that the source would be able to supply UC-2 with 80 grams of crack cocaine. CASTILLO then directed UC-2 to drive them to another location in the Bronx. After waiting approximately one hour, UC-2 told CASTILLO that UC-2 had to leave, and CASTILLO agreed to conduct the transaction the next day.

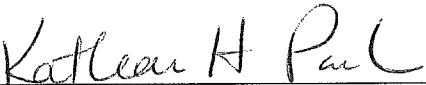
j. On or about July 26, 2018, UC-2 contacted CASTILLO and arranged to meet him at the Bronx Address to purchase narcotics. At the Bronx Address, CASTILLO entered UC-2's vehicle and used UC-2's phone to call the person who was going to be supplying the narcotics. UC-2 then heard CASTILLO engage in a narcotics-related conversation with the person on the phone. A short time later, a car pulled up at the Bronx Address. The driver of the car was later identified as ALAN ARIAS, the defendant.³ CASTILLO exited UC-2's vehicle, engaged in a conversation with ARIAS, and then returned to UC-2's vehicle and told UC-2 to follow ARIAS's car. UC-2 and CASTILLO then proceeded to follow ARIAS to another location in the Bronx. At that location, ARIAS entered the back seat of UC-2's vehicle and showed UC-2 two clear plastic twists that ARIAS said contained crack cocaine. UC-2 then placed the twists on a scale in the vehicle and ARIAS weighed the two bags separately. The scale indicated that the bags together weighed approximately 75 grams. The substance was subsequently tested by the NYPD lab and was determined to be 75.492 grams of crack cocaine.⁴

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of ALAN ARIAS, WALTHER CASTILLO, a/k/a "Walter," and RUDY DELGADO, the defendants, and that they be imprisoned or bailed, as the case may be.



JULIAN HUR
Special Agent
Drug Enforcement Administration

Sworn to before me this
October 26, 2018



THE HONORABLE KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

³ On or about August 8, 2018, UC-2 was shown a photo array and identified ALAN ARIAS, the defendant, as the person who was involved in the July 26, 2018 narcotics sale with CASTILLO.

⁴ The total amount of crack cocaine for the buys discussed in paragraphs 5(a)-(j) is 293.22 grams.