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Approved: David W. Denton, Jr.  
DAVID W. DENTON, JR.  
Assistant United States Attorney

Before: THE HONORABLE HENRY B. PITMAN  
United States Magistrate Judge  
Southern District of New York

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UNITED STATES OF AMERICA : SEALED COMPLAINT

- v. - : Violation of  
21 U.S.C. § 846

ANTHONY DODAJ, :  
Defendant. : COUNTY OF OFFENSE:  
NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

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

COUNT ONE

1. From at least in or about December 2016 through in or about January 2017, in the Southern District of New York and elsewhere, ANTHONY DODAJ, 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 ANTHONY DODAJ, 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 ANTHONY DODAJ, the defendant, conspired to distribute and possess with the intent to distribute was mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(C).

4. The use of such controlled substance on or about January 1, 2017 resulted in the serious bodily injury and death of Ivy Katz in New York, New York.

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

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

5. 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 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.

6. Based on my review of records from a hospital located in New York, New York (the "Hospital"), I have learned that on or about December 12, 2016, Ivy Katz voluntarily entered an inpatient rehabilitation program for opioid dependence at the Hospital. On or about January 1, 2017, at or about 3:15 p.m., Katz was discovered unresponsive in her room at the Hospital, suffering from cardiac arrest. Katz was found with a hypodermic needle in her arm. Subsequent chemical analysis determined that the needle contained heroin. Hospital personnel administered care to Katz, who was resuscitated but remained in a coma due to oxygen deprivation to her brain. On or about January 16, 2017, Katz's family requested that the Hospital withdraw life support for Katz, who died shortly thereafter.

7. Based on my review of the results of a search of a cellular phone belonging to Ivy Katz (the "Katz Phone"), I have learned, among other things, the following:

a. Katz was a heroin user and used the Katz Phone to communicate regarding her plans for acquiring and using heroin.

b. For example, on or about November 19, 2016, prior to Katz' entry of the Hospital inpatient rehabilitation program, Katz communicated with another individual ("Individual-1") who texted Katz that Individual-1 was seeking to "buy 8

buns."<sup>1</sup> Katz then texted an unknown individual that "my friend needs 8, ok? I'm bringing a friend ok?," and "Plus a few for me..." Katz received a response "OK" from an individual ("CC-1") at a phone whose number was stored as a contact in her phone (the "CC-1 Phone").<sup>2</sup> Katz then texted Individual-1 that "I texted the guy and told him you need 8 and he said ok." A short time later, Individual-1 asked Katz "you've tried other stuff and this is good stuff?" Katz responded, "His stuff changes- but I've remained w him because it's consistently good. Never garbage- either it's good or great." Katz texted Individual-1 the contact information for CC-1. Katz then placed a call to CC-1 that lasted approximately 1 minute and 18 seconds. Katz then texted Individual-1, "I told him to expect you and he said ok. Call him to get the exact address where to meet him."<sup>3</sup>

8. Based on my review of records from the Hospital, I have learned that patients in the inpatient rehabilitation program at the Hospital are only allowed to have visitors during certain limited periods, and any visitors must be preapproved by the patient on a form submitted to Hospital personnel (a "Visitor Request Form.") Between on or about December 12, 2016 and on or about December 31, 2016, Katz did not submit any Visitor Request Forms, and did not receive any visitors at the Hospital.

9. Patients in inpatient rehabilitation treatment at the Hospital have access to several payphones in the rehabilitation unit (the "Hospital Payphones"). Based on my review of call detail records for those phones, I have learned, among other things, that between on or about December 30, 2016 and on or about December 31, 2016, several calls were placed from a Hospital Payphone to the CC-1 Phone.

10. Based on my review of call detail records for the CC-1 Phone, I have learned, among other things, that:

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<sup>1</sup> Based on my training and experience, I understand the term "buns" to be short for "bundles," which is slang used by narcotics addicts to refer to packages that typically contain ten glassine envelopes of heroin.

<sup>2</sup> Based on my review of information obtained from a search of an electronic account belonging to CC-1, Katz's number was also stored as a contact by CC-1.

<sup>3</sup> Based on my review of call detail records for the phone number belonging to CC-1, Individual-1 exchanged three calls with CC-1 beginning approximately 49 seconds after Katz instructed Individual-1 to call CC-1.

a. On or about December 30, 2016, CC-1 received five calls from a Hospital Payphone between approximately 5:54 p.m. and approximately 6:21 p.m.

b. At approximately 8:54 p.m., on December 30, 2106, CC-1 called a cellphone registered in the name of ANTHONY DODAJ, the defendant (the "Dodaj Phone").<sup>4</sup> The call lasted approximately two and a half minutes.

c. CC-1 spoke by phone with DODAJ five additional times on December 31, 2016.

d. At approximately 6:36 p.m. on December 31, 2016, CC-1 received a call from a Hospital Payphone that lasted four and a half minutes. The next call that CC-1 placed following the conclusion of the call with the Hospital Payphone was to DODAJ, and they spoke for approximately 44 seconds.

11. On or about December 31, 2016, Ivy Katz completed a Visitor Request Form to permit two individuals to visit her on January 1, 2017. The first individual listed was "Anthony Dordasch." The second individual listed was CC-1.

a. Based on my review of information available in law enforcement and public databases, no individual by the name of "Anthony Dordasch" appears to exist in the New York City area.

b. Based on my training and experience, "Dordasch" appears to be an approximate phonetic spelling of the last name of ANTHONY DODAJ, the defendant.

12. Based on my review of records for the Dodaj Phone, I have learned, among other things, that:

a. At no point prior to January 1, 2017, did the Dodaj Phone have any contact with a Hospital Payphone or with the Katz Phone.

b. On or about the morning of January 1, 2017, ANTHONY DODAJ, the defendant, received a call from CC-1 at 10:48 a.m. that lasted approximately six and a half minutes. The estimated GPS coordinates for DODAJ's phone indicate that the

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<sup>4</sup> Based on my review of subscriber records for this cellular phone and of information available in law enforcement databases, the registration address for this phone is the same address DODAJ has used for his New York State Driver's License.

call was received while the phone was located approximately one block away from the address in the Bronx, New York, listed on CC-1's New York State Driver's License.

13. Based on my review of records and photographs from a license plate reader located on the Madison Avenue Bridge, I have learned that on or about January 1, 2017, at approximately 1:14 p.m., an automobile registered in the name of ANTHONY DODAJ, the defendant, (the "Dodaj Car") crossed from the Bronx into Manhattan.

14. Based on my review of Hospital records, I have learned that on or about January 1, 2017, an individual signed a visitor log located at a security desk in the Hospital indicating that the individual was visiting Katz. The last name of visitor is illegible, but the first name of the individual appears to be "Anthony."

15. Based on my review of records and video surveillance footage from the Hospital, as well as my comparison of that video surveillance with photographs of ANTHONY DODAJ, the defendant, available to law enforcement through various government databases, I have learned, among other things, the following:

a. On or about January 1, 2017, at approximately 2:08 p.m., DODAJ entered the Hospital through a ground floor entrance.

b. At approximately 2:20 p.m., DODAJ entered the inpatient rehabilitation unit at the Hospital. DODAJ met with Ivy Katz, and they remained together in areas of Katz's unit until approximately 2:44 p.m.

c. At approximately 2:44 p.m., DODAJ and Katz began to walk towards the exit from Katz's unit at the Hospital. Katz's patient room was located on the same hallway. While walking with DODAJ, Katz opened the door to her room and entered it momentarily while DODAJ remained in the hallway. Katz escorted DODAJ to the exit door from the Hospital unit, and Katz then returned to her room. DODAJ then left the Hospital through the ground floor entrance. Katz was found comatose in her room with a needle containing heroin in her arm approximately 30 minutes after DODAJ concluded his visit with Katz. Katz did not exit her room between the time that DODAJ left and the time she was discovered comatose.

16. Based on my review of records and photographs from a license plate reader located on the Alexander Hamilton Bridge, I have learned that at on or about January 1, 2017, at approximately 3:06 p.m., the Dodaj Car crossed back from Manhattan into the Bronx.

17. Based on my review of records for the Dodaj Phone, I have learned, among other things, that:

a. On or about January 1, 2017, at approximately 3:18 p.m., ANTHONY DODAJ, the defendant, placed a call to CC-1.


b. On or about January 2, 2017, beginning at approximately 10:40 a.m., DODAJ placed multiple sequential calls to the Hospital. First, DODAJ called two main numbers for the Hospital. Second, DODAJ called the main number for the inpatient rehabilitation unit at the Hospital. Third, DODAJ called the Hospital Payphones.

c. Immediately after the final call with a Hospital Payphone, which lasted 41 seconds, DODAJ sent a text message to CC-1.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of ANTHONY DODAJ, the defendant, and that he be arrested and imprisoned or bailed, as the case may be.

  
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DETECTIVE JAMES ROMANO  
NEW YORK CITY POLICE DEPARTMENT

Sworn to before me this  
20th day of March, 2017

  
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THE HONORABLE HENRY B. PITMAN  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK