

Approved: Alaine Flodr  
ALINE R. FLODR  
Assistant United States Attorney

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

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 UNITED STATES OF AMERICA : SEALED COMPLAINT  
 :  
 : Violations of 18 U.S.C.  
 - v. - : §§ 1029(a)(5), 1028A,  
 : and 2  
 WILLIE WHITE, :  
 : COUNTY OF OFFENSE:  
 Defendant. : NEW YORK  
 :  
 ----- x

SOUTHERN DISTRICT OF NEW YORK, ss.:

JOHN MCAULIFFE, 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  
(Access Device Fraud)

1. From at least in or about April 2017, up to and including in or about May 2017, in the Southern District of New York and elsewhere, WILLIE WHITE, the defendant, knowingly, and with intent to defraud, and affecting interstate and foreign commerce, would and did effect transactions, and attempted to effect transactions, with one or more access devices issued to other persons, to receive payment and other things of value during a one-year period, the aggregate value of which was equal to and greater than \$1,000.

(Title 18, United States Code, Sections 1029(a)(5),  
(b)(1) and 2.)

COUNT TWO  
(Aggravated Identity Theft)

2. From at least in or about April 2017, up to and including at least in or about May 2017, in the Southern

District of New York and elsewhere, WILLIE WHITE, the defendant, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, WHITE used the names and credit or debit cards of other people during and in relation to the felony violation charged in Count One of this Complaint, knowing that these means of identification belonged to other real people.

(Title 18, United States Code, Sections 1028A and 2.)

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

3. 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 video footage. 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.

#### Overview of the Unauthorized Credit and Debit Card Scheme

4. Based on the facts set forth below, I respectfully submit that there is probable cause to believe that WILLIE WHITE, the defendant, stole or otherwise improperly obtained the credit or debit cards of individuals who he met in Manhattan, and then used the stolen credit or debit cards to make purchases and cash withdrawals (the "Unauthorized Cards") without the authorization or consent of the cards' respective owners. See *infra* ¶¶ 5(a), 6(a), 9-13. As detailed below, WHITE obtained at least some of the Unauthorized Cards by preying on intoxicated victims, obtaining their personal pin numbers after observing the victims engage in certain transactions, and then taking them to an apartment in Brooklyn where he continued to victimize them. See *infra* ¶¶ 5(b) & (c), 6(b) & (c), 9-13. Specifically, at the apartment in Brooklyn, WHITE pressured or forced the victims to inhale a controlled substance the victims believe was crack cocaine. See *infra* ¶¶ 5(d) & 6(f). While the victims were under the influence of the controlled substance, WHITE stole their credit or debit cards and used the Unauthorized

Cards to make purchases and cash withdrawals without the victims' knowledge or consent. See, e.g., *infra* ¶¶ 5(e) - (i), 6(g)-(i), 9-13. WHITE detained the victims without their consent in the apartment in Brooklyn while he completed at least some of these purchases and cash withdrawals. See *id.*

### WHITE's Scheme to Steal Credit and Debit Cards

#### Victim-1

5. Based on my review of law enforcement records of an interview conducted on or about April 29, 2017, of one of WILLIE WHITE, the defendant's, victims ("Victim-1") and conversations with an NYPD Detective who interviewed Victim-1, I have learned among other things, the following:

a. On or about April 23, 2017, in the early morning hours, Victim-1 was at a bar in Manhattan (the "Bar") and at some point began speaking and drinking with WHITE.

b. Victim-1 next remembered sitting in the backseat of a cab with WHITE. Victim-1 swiped his debit card to pay for the cab and entered his pin number to complete the transaction ("Bank Card-1"). Victim-1 believes that WHITE was able to observe his pin number at that time.

c. Victim-1 exited the cab with WHITE who led Victim-1 to an apartment within an unknown apartment building, which Victim-1 was later able to identify. See *infra* ¶ 7(a). Once they entered the apartment, Victim-1 saw two other unidentified individuals, a male and a female.

d. Victim-1 and WHITE sat down at a table where WHITE insisted that Victim-1 take an unknown substance rolled in brownish paper. Victim-1 eventually agreed to smoke the object, which he believed contained crack cocaine, because he was afraid of what WHITE may do if Victim-1 continued to refuse. At some point in time, Victim-1 told WHITE and others in the apartment that he wanted to leave and return to his home. WHITE and the others responded in substance and in part: "No you aren't leaving, lay down, just lay down."

e. Victim-1 woke up at or about 10:00 a.m. the morning of April 23, 2017, in a room in the apartment. When Victim-1 woke up he was no longer in possession of his shoes, belt, wallet or phone.

f. Victim-1 entered the living room and saw the unidentified female. Sometime thereafter, WHITE entered the apartment with shopping bags. Victim-1 asked WHITE for his wallet and phone ("Victim-1's Property") back so that he could leave. WHITE responded in substance and in part that WHITE had stored Victim-1's Property in a safe and would ensure that Victim-1's Property was returned. At some point following this exchange, Victim-1 who was either still under the influence of the controlled substance that WHITE compelled him to ingest earlier, or recovering from being under the influence, fell asleep on a couch at the apartment.

g. Victim-1 woke that same day and saw several individuals in the apartment. Victim-1 asked on several occasions for a phone to order a car to return home. They responded in substance and in part that Victim-1 was WHITE's responsibility and that Victim-1 needed to wait for WHITE before leaving. Victim-1 felt unsafe and believed he would be harmed if he tried to leave.

h. At some point thereafter, WHITE returned to the apartment with additional bags containing clothes and shoes, among other items. Victim-1 saw a receipt from the items and recognized that the last four digits of the credit card on the receipt were the same as the last four digits of Victim-1's credit card ("Credit Card-1").

i. Victim-1 told WHITE that he knew WHITE had used Credit Card-1 but would not report it to law enforcement. Victim-1 asked WHITE again for Victim-1's Property so that he could leave. WHITE screamed at Victim-1.

j. Sometime thereafter, WHITE took Victim-1 out of the apartment to a nearby McDonald's. At some point, when WHITE left the McDonald's, Victim-1 fled without his property, including Bank Card-1, Credit Card-1, his driver's license, or his cellphone, to a subway stop.

k. Victim-1 obtained copies of his bank records from his online accounts for Bank Card-1 ("Bank-1") and Credit Card-1 ("Bank-2"). After Victim-1 reviewed his bank records, he saw numerous unauthorized transactions totaling several thousand dollars from on or about April 23, 2017 to on or about April 24, 2017.

l. Victim-1 reviewed the cell site records of his cell phone from on or about April 23, 2017, to on or about April

24, 2017, and learned that his cell phone was in the vicinity of 1178 Eastern Parkway, Brooklyn, New York, on or about April 23, 2017.

### Victim-2

6. Based on my review of law enforcement records of the interview of another of WILLIE WHITE, the defendant's, victims ("Victim-2") on or about May 10, 2017, my conversations with law enforcement agents who interviewed Victim-2, and my own interview of Victim-2 on or about May 11, 2017, I have learned among other things, the following:

a. On or about May 7, 2017, in the early morning hours, Victim-2 was at the Bar and WHITE began speaking with Victim-2.

b. Sometime thereafter Victim-2 walked across the street with WHITE to a nearby 7-Eleven also located in Manhattan. Victim-2 observed WHITE fidgeting with her bag. Victim-2 paid for cigarettes at the 7-Eleven with her debit card ("Bank Card-2") during which transaction WHITE commanded Victim-2 to put in her pin number to complete the purchase.

c. Thereafter, Victim-2 and WHITE were together in a cab. Victim-2 felt uncomfortable but unable to extract herself. Victim-2 asked WHITE where they were going and he responded in substance and in part that "it was ok."

d. Victim-2 and WHITE exited the cab and walked into a deli and went to an ATM machine. WHITE asked for Victim-2's pin number, and WHITE instructed Victim-2 to withdraw money which WHITE took from Victim-2.

e. WHITE then led Victim-2 to an unknown apartment within an apartment building. Victim-2 observed an unidentified female inside the apartment.

f. Thereafter, WHITE, Victim-2 and the unidentified female went to another residence within the same apartment building. In a room in that residence, WHITE tried to give Victim-2 a substance wrapped in a brownish paper. Victim-2 asked what it was and WHITE responded that it was cocaine. Victim-2 rejected WHITE's attempt to get her to take the substance. WHITE then turned to the unidentified female who was smoking a substance out of a glass pipe, which Victim-2 believes was crack cocaine. WHITE and the female discussed "shot-

gunning" and shortly thereafter the female held Victim-2's nose closed and blew smoke into Victim-2's mouth.

g. Victim-2 told WHITE she wanted to go home. WHITE responded in substance and in part: "No, we're going to drink more and get food."

h. Sometime thereafter, Victim-2 thought that WHITE and the unidentified female had left the apartment. Believing it was safe to leave, Victim-2 left the apartment building, found a cab and arrived home.

i. Victim-2 obtained copies of her bank records from her online account for Bank Card-2. Victim-2 reviewed her bank records and saw that there were unauthorized transactions totaling approximately \$260 from on or about May 7, 2017. Victim-2 called her Bank ("Bank-3") who confirmed that the withdrawals were made at 240 Utica Avenue, Brooklyn, New York.

#### Identification of WHITE

7. Based on my interview of Victim-1, my review of searches of law enforcement records, including a photo array, and my conversations with law enforcement agents, I have learned, among other things, the following:

a. On April 29, 2017, Victim-1 reported to an NYPD Detective that based on his review of his cell site information from April 23, 2017, he believed that the apartment building in which he was detained was in the vicinity of 1178 Eastern Parkway, Brooklyn, New York. The NYPD Detective took Victim-1 to the vicinity of 1178 Eastern Parkway and Victim-1 was able to identify 1196 Eastern Parkway as the apartment building that WILLIE WHITE, the defendant, brought him to on April 23, 2017. Victim-1 did not know which apartment WHITE held him in, but saw apartment "C6" or "6C" listed on the door of a nearby apartment.

b. Using law enforcement databases, an NYPD Detective identified WILLIE WHITE, the defendant, as an individual associated with 1196 Eastern Parkway who matched Victim-1's description.

c. The NYPD Detective created a photo array consisting of six photographs of people similar in appearance to WHITE, including one photograph of WHITE from a law enforcement database (the "Photo Array").

d. On or about April 29, 2017, in the presence of the NYPD Detective, Victim-1 reviewed the Photo Array and identified WHITE as the individual he encountered at the Bar and detained him in the apartment on or about April 23, 2017.

e. On or about May 11, 2017, I showed Victim-2 a copy of the Photo Array and Victim-2 identified WHITE as the individual she encountered at the Bar and detained her at the apartment on or about May 7, 2017.

8. Based on my conversation with a Probation Officer from the New York City Department of Probation, I have learned, among other things, about the following:

a. The Probation Officer met WILLIE WHITE, the defendant, for the first time in her office on or about April 3, 2017.

b. The Probation Officer asked for WHITE's residential address and WHITE provided the Probation Officer with the following address: 1196 Eastern Parkway, Apartment C7.

#### The Unauthorized Purchases and Cash Withdrawals

9. Based on my review of records from Bank-2, my review of law enforcement records of interviews of Victim-1 and my review of video provided by a sports store ("Sports Store") at 271 Utica Avenue, Brooklyn, New York, I have learned, among other things, that WILLIE WHITE, the defendant, made the following unauthorized purchases, among others, using Victim-1's Credit Card-1:

a. In the morning hours, on or about April 23, 2017, Credit Card-1 was used at Sports Store to complete a transaction in the amount of \$455.21 ("Transaction-1").

b. In the early evening hours, on or about April 23, 2017, Credit Card-1 was used at Sports Store to complete a transaction in the amount of \$491.00 ("Transaction-2").

c. I have reviewed surveillance images from Sports Store, which shows an individual matching the description of WILLIE WHITE, the defendant, completing Transaction-1 and completing Transaction-2. I have compared these images with WHITE's photograph from law enforcement databases, and believe they are one and the same person.

d. Victim-1 confirmed that he did not authorize WHITE or anyone else to complete Transaction-1 or Transaction-2 on his behalf.

10. Based on my review of records from Bank-2, my review of law enforcement records of interviews of Victim-1 and my review of video from the Utica Avenue Subway Station provided by the New York City Transit Authority ("Subway Station"), in Brooklyn, New York, I have learned, among other things, the following:

a. In the evening hours, on or about April 23, 2017, Credit Card-1 was used at the Subway Station to complete a transaction in the amount of \$33.

b. I have reviewed surveillance images from the Subway Station, which show an individual matching the description of WILLIE WHITE, the defendant, using a MetroCard vending machine on or about the date and time of the transaction. I have compared these images with WHITE'S photograph from law enforcement databases, and believe they are one and the same person.

c. Victim-1 confirmed that he did not authorize WHITE or anyone else to complete this purchase on Credit Card-1 on his behalf.

11. Based on my review of records from Bank-1, my review of law enforcement records of interviews of Victim-1 and my review of video provided by a grocery store ("Grocery Store-1") at 1122 Eastern Parkway, Brooklyn, New York, I have learned, among other things, the following:

a. In the morning hours, on April 23, 2017, Bank Card-1 was used at Grocery Store-1 to withdraw cash in a transaction amount of \$201.50.

b. I have reviewed surveillance images from Grocery Store-1, which show an individual matching the description of WILLIE WHITE, the defendant, using the ATM Machine on or about the date and time of the withdrawal. I have compared these images with WHITE'S photograph from law enforcement databases, and believe they are one and the same person.

c. Victim-1 confirmed that he did not authorize WHITE or anyone else to withdraw cash from Bank Card-1 on his behalf.



12. Based on my review of records from Bank-1 and my review of law enforcement records of interviews of Victim-1, I have learned, among other things, the following:

a. Bank Card-1 was used at a Bank-1 location in Brooklyn, New York, to withdraw cash in the amount of \$200. The cash withdrawal was posted on or about April 24, 2017.

b. Bank Card-1 was used at a Bank-1 location in Brooklyn, New York, to withdraw cash in the amount of \$400. The cash withdrawal was posted on or about April 24, 2017.

~~c. Bank Card-1 was used at a Bank-1 location in Brooklyn, New York, to withdraw cash in the amount of \$100. The cash withdrawal was posted on or about April 24, 2017.~~

d. Victim-1 confirmed that he did not authorize WHITE or anyone else to withdraw cash from Bank Card-1 on his behalf.

13. Based on my review of records from Bank-3, my review of law enforcement records of interviews of Victim-2, and my review of video provided by a deli (the "Deli") at 240 Utica Avenue, Brooklyn, New York, I have learned, among other things, the following:

a. In the early morning hours, on or about May 7, 2017, Bank Card-2 was used at the Deli to withdraw cash in a transaction amount of \$61.50 ("Cash Withdrawal-1").

b. In the early morning hours, on or about May 7, 2017, Bank Card-2 was used at the Deli to withdraw cash in a transaction amount of \$201.50 ("Cash Withdrawal-2").

c. I have reviewed surveillance images from the Deli, which show an individual matching the description of WILLIE WHITE, the defendant, and Victim-2 using the ATM Machine on or about the date and time of Cash Withdrawal-1. I have also reviewed surveillance images from the Deli, which show an individual matching the description of WHITE using the ATM Machine on or about the date and time of Cash Withdrawal-2. I have compared these images with WHITE'S photograph from law enforcement databases, and believe they are one and the same person.

d. Victim-2 confirmed that she felt compelled by WHITE to complete Cash Withdrawal-1 and did not consensually authorize WHITE or anyone else to withdraw cash from Bank Card-2 on her behalf to complete Cash Withdrawal-2.

#### Interview of Employees of the Bar

14. Based on my interviews of an employee of the Bar ("Employee-1"), I have learned, among other things, the following:

a. On May 13, 2017, Employee-1 stated that from at least February 2017 to on or about May 2017, he had seen WILLIE WHITE, the defendant, at least twenty times in the Bar. He said that WHITE generally arrived at the Bar in the early morning hours and appeared often in the company of intoxicated "college age" or "touristy looking" males and females.

b. Employee-1 stated that WHITE had tried to enter the Bar on or about May 12, 2017, in the early morning hours and Employee-1 had stopped him from coming in. Employee-1 stated that WHITE responded in substance and in part as follows: "Why is this about the girl? Just so you know, she got home safe."

#### Video from the Bar on May 7, 2017

15. Based on my review of video surveillance provided by the Bar, I have learned, among other things, the following:

a. At approximately 3:05 a.m., on May 7, 2017, Victim-2 is seen entering the Bar and stopped at the door by security. Victim-2 was directed to a seat, alone at a table, and given what appears to be water.

b. At approximately 3:27 a.m., on May 7, 2017, WILLIE WHITE, the defendant, is seen entering the Bar holding hands with an unidentified female. I have compared these images with WHITE'S photograph from law enforcement databases, and believe they are one and the same person.

c. At approximately, 3:31 a.m., on May 7, 2017, WHITE is seen approaching Victim-2, sitting in a chair next to her and appears to be speaking to her.

d. At approximately, 3:46 a.m., on May 7, 2017, WHITE and Victim-2 are seen exiting the Bar after speaking with security at the door. Once WHITE and Victim-2 exit the Bar they

appear to be joined by an unidentified female who was standing in front of the Bar and the three of them walk north on the west side of the street.

The Purchase at the 7-Eleven on May 7, 2017

16. Based on my review of records from Bank-3, and video surveillance and records provided by the 7-Eleven across the street from the Bar in Manhattan, I have learned, among other things, the following:

a. At approximately 3:48 a.m., on May 7, 2017, Bank Card-2 was used at the 7-Eleven to purchase cigarettes and receive \$10 in cash back for a total amount of \$25.

b. I have reviewed surveillance images from the 7-Eleven, which show an individual matching the description of WILLIE WHITE, the defendant, and Victim-2 using the Bank Card-2 to complete the purchase. Victim-2 appeared intoxicated throughout the surveillance footage.

c. I have compared these images with the surveillance images provided by the Bar, and believe the individual with Victim-2 is one and the same person, that is, WHITE.

1196 Eastern Parkway Superintendent Interview and Video

17. Based on my interview of the superintendent of 1196 Eastern Parkway, Brooklyn, New York (the "Superintendent"), on or about May 31, 2017, and my review of video surveillance provided by the superintendent from May 7, 2017, I have learned, among other things, the following:

a. After viewing a photograph of WILLIE WHITE, the defendant, the Superintendent stated that WHITE was associated with two apartments in the building: "C7" and "D6." The Superintendent indicated that WHITE had been residing in "C7," but was no longer a tenant because he had been evicted.

b. The Superintendent believed that WHITE was still living in the building as of May 7, 2017.

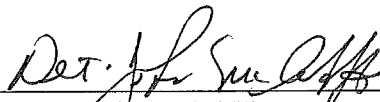
c. The Superintendent stated that even after WHITE had ceased to be a resident of the apartment building, he continued to frequent "D6." The Superintendent also indicated at some point after being evicted WHITE had been found in "C7."

d. I have reviewed internal and external surveillance images from the entranceway to 1196 Eastern Parkway, which show, among other things, that an individual matching the description of WILLIE WHITE, the defendant, and Victim-2 entering the apartment building at approximately 4:55 a.m. on May 7, 2017.

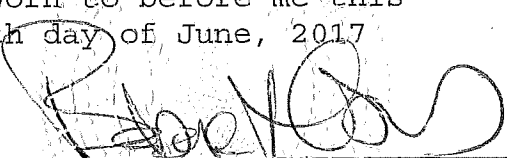
i. At approximately 5:43 a.m., on May 7, 2017, an individual matching the description of WHITE left the apartment building.

ii. I have compared these surveillance images with WHITE'S photograph from law enforcement databases, and believe they are one and the same person.

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

  
\_\_\_\_\_  
JOHN MCAULIFFE  
Detective  
New York City Police Department

Sworn to before me this  
7th day of June, 2017

  
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THE HONORABLE BARBARA C. MOSES  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK