

ORIGINAL

Approved: Matthew Hellman / Jacob Warren  
MATTHEW HELLMAN / JACOB WARREN  
Assistant United States Attorneys

Before: THE HONORABLE GABRIEL W. GORENSTEIN  
United States Magistrate Judge  
Southern District of New York

18 MAG 5192

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UNITED STATES OF AMERICA

: SEALED COMPLAINT

- v. -

: Violations of 21 U.S.C.  
§§ 841(a), 841(b)(1)(C),  
841(b)(1)(D) and 18  
U.S.C. § 2

JEFFREY MORALES,

Defendant.

: COUNTY OF OFFENSE:  
BRONX

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SOUTHERN DISTRICT OF NEW YORK, ss.:

GREGORY STEMKOWSKI, being duly sworn, deposes and says that he is a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), and charges as follows:

COUNT ONE

(Distribution and Possession with Intent to Distribute a Controlled Substance)

1. On or about July 20, 2017, in the Southern District of New York, and elsewhere, JEFFREY MORALES, the defendant, intentionally and knowingly did distribute and did possess with intent to distribute controlled substances, in violation of 21 U.S.C. § 841(a)(1).

2. The controlled substances involved in the offense were mixtures and substances containing (1) a detectable amount of cocaine, in violation of 21 U.S.C. § 841(b)(1)(C); (2) a detectable amount of lysergic acid diethylamide, commonly referred to as "LSD", in violation of 21 U.S.C. § 841(b)(1)(C); (3) a detectable amount of marijuana, and (4) a detectable amount of hashish oil, in violation of 21 U.S.C. § 841(b)(1)(D).

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

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

3. I am a Special Agent with HSI and have been so employed for approximately 10 years. I have been involved in the investigation of this matter. My duties and responsibilities include the investigation of firearms and drug offenses, among other crimes. I base this affidavit on that personal 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.

4. I am aware that on or about July 19, 2017, the Honorable Sarah Netburn, United States Magistrate Judge, granted a request for a search warrant (the "Warrant") authorizing a search of a particular address on Marion Avenue in the Bronx, (the "Premises").

5. On or about July 20, 2017, members of HSI, agents from the Drug Enforcement Administration ("DEA"), the United States Postal Inspection Service ("USPIS"), and Customs and Border Protection ("CBP"), executed the Warrant at the Premises. Based on my participation in the investigation, including my involvement in executing the Warrant and my conversations with other agents who executed the Warrant at the Premises, I have learned, among other things, the following:

a. When executing the Warrant at the Premises, I observed JEFFREY MORALES, the defendant, to be inside the Premises.<sup>1</sup> MORALES stated, among other things and in substance

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<sup>1</sup>Another male ("Male-1") was also observed to be present inside the Premises concurrent with the execution of the Warrant. Male-1 fled the Premises immediately upon the execution of the Warrant. As further described in 6(a), below, Male-1 is not believed, based on investigation, to be a resident of the Premises.

and in part, that he was the owner and sole occupant of the Premises.

b. Inside the Premises, I observed, among other things, the following:

i. Four zipper-lock bags, each containing a white, powdery substance, which white powdery substance had an aggregate weight of approximately 94 grams.

ii. One clear plastic bag containing a light, brown, rock-like substance, which rock-like substance had an aggregate weight of 47 grams.

iii. One clear plastic bag containing a crystalline substance, which crystalline substance had an aggregate weight of 33 grams.

iv. One clear plastic bag containing papers with a brightly colored chemical residue.

v. Numerous plastic bags containing an oily substance, which oily substance had an aggregate weight of 80 grams.

vi. Ten glass vials each containing a brown fluid, which vials had an aggregate weight of 174 grams.

vii. Nine bags containing seeds, which seeds had an aggregate weight of 41 grams.

viii. One green plastic bag containing a vegetative substance, which vegetative substance had an aggregate weight of 32 grams.

ix. Mylar covered enclosures standing upright, containing, ultraviolet heat lamps, cooling and dehumidifying atmospheric control interfaces, watering devices, and numerous plants whose vegetation was consistent with that of marijuana, which plants were of an aggregate weight of 877 grams.

x. Two boxes containing vegetative substances in plant form, which plants were of an aggregate weight of approximately 7.5 kilograms.

xi. Numerous jars containing a vegetative substance, each jar covered in foil.

xii. Numerous packaging and storage containers, including, among other things, hundreds of zip-loc plastic bags in varying sizes, numerous plastic and glass jars and containers and packaging materials including aluminum foil and envelopes.

xiii. Glass chemistry equipment including beakers, ring stands, test tubes, funnels, clamps, thermometers, tubes, pipettes, condensers, flasks, and burners.

xiv. Three digital scales.

xv. Paraphernalia including, among other things, pipes, cigarette and cigar rolling papers, a metal grinder, a kit labeled "cocaine purity test kit," and substances designed to promote organic growth.

xvi. Statements, including, among others, a Con Edison utility bill in the name Jeffrey Morales.


xvii. Approximately \$6,500 United States currency.

c. Based on my training and experience, the white powdery substance listed above in (b)(i) appears to be cocaine; the chemical residue listed above in (b)(iv) appears to contain LSD; the oily substance and brown liquid listed above in (b)(v) and (vi) appear to be hashish oil; and the vegetative substances and plants listed in (b)(viii), (ix), (x), and (xi) appear to be marijuana. Furthermore, based on my training and experience, the substances described above are packaged and/or are in preparation for distribution. Moreover, based on my training and experience, I believe the devices described above in (b)(vii) and (b)(ix) are used for growing and harvesting marijuana; that the devices described above in (b)(xiii) are used for combining precursor chemical ingredients and refining them into controlled substances for the purpose of sale, and that the paraphernalia described in (b)(xii) and (b)(xv) above including scales, packaging, and testing materials are used for preparing and packaging controlled substances for distribution.

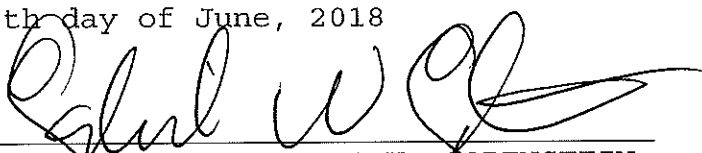
6. On or about July 20, 2017, after executing the Warrant at the Premises, JEFFREY MORALES, the defendant, agreed to answer questions, and, along with other agents, I interviewed MORALES. During that interview, MORALES stated, in substance and in part, the following:

a. MORALES stated that he was the owner and sole occupant of the Premises. MORALES admitted that he was aware of marijuana plants growing in various locations inside the Premises, and stated that he grows the marijuana to use and give to friends. MORALES stated that Male-1, described above, is a friend who was merely staying on the couch temporarily. MORALES further stated that he was aware of the chemistry equipment, which he stated he used to experiment with producing and refining hashish oils and other narcotic chemical compounds. MORALES further admitted to selling cocaine and marijuana, both of which he claimed to distribute in what MORALES defined as personal use amounts. MORALES stated that he purchases marijuana by the pound and divides it for sale in smaller quantities.

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

  
SPECIAL AGENT GREGORY STEMKOWSKI  
DEPARTMENT OF HOMELAND SECURITY  
HOMELAND SECURITY INVESTIGATIONS

Sworn to before me this  
15th day of June, 2018

  
THE HONORABLE GABRIEL W. GORENSTEIN  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK