

UNITED STATES DISTRICT COURT
for the
District of Maryland

United States of America)
v.)
Hernan Alexis Moreno Mejia)
Edwin Javier Mejia)
Eddy Arias)
Eric Ivan Ayala Olivera)
Rodney Cintron)
Jhonn S. Corona)
Michael Lee Cross)
Jerry Edward Diggs, Jr.)
Rafael Concepcion Feliciano, Jr.)
Jaime Luis Lugo Rivera)
Kelvin Quade Manrich)
Luis Nunez)
Samuel Ocasio)
David Keeping)
Jermaine Rice)
Leonel Rodriguez Torres)
Marcos Fernando Urena)
Osvaldo Valentine)
Henry Yambo)
Defendants

11 0662 PWG

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of at least January 2009 to present in the county of Baltimore City in the District of Maryland, the defendant(s) violated:

| <i>Code Section</i> | <i>Offense Description</i> |
|---------------------------|--|
| 18 U.S.C. Section 1951(a) | Conspiracy to Commit Extortion Under Color of Official Right |

This criminal complaint is based on these facts:

See attached Affidavit in Support of Compliant and Arrest Warrant which is attached hereto and incorporated herein by reference.

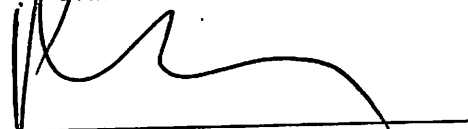
Continued on attached sheet.


Complainant's signature

Robert E. Guynn, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: 2/23/2011


Judge's signature

City and state: Baltimore MD

Paul W. Grimm, Chief United States District Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANTS

Your Affiant, Robert E. Guynn, being duly sworn and appointed a Special Agent of the Federal Bureau of Investigation, hereby makes the following statement in support of the attached complaint and arrest warrants:

1. Your Affiant is an "investigative or law enforcement officer" of the United States, within the meaning of Section 2510(7) of Title 18, United States Code, that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Sections 371, 666, 1341, 1343, 1346, 1951, 1956 and 1957 of Title 18 of the United States Code.

2. Your Affiant has been employed as a Special Agent of the FBI since February 2004, and has participated in numerous criminal investigations involving police corruption, corruption of state and local public officials, white collar crime, bank robberies, fugitive apprehensions, and other unlawful activities. In addition, your Affiant has participated in investigations involving wiretaps and has reviewed taped conversations pertaining to police corruption. Your Affiant has participated in numerous debriefings of individuals involved in corruption, to include confidential human sources. Your Affiant has also participated in numerous searches, arrests and seizure warrants involving a variety of offenses. Through training, education and experience, your Affiant is familiar with investigations involving corrupt police officers.

3. Your Affiant is familiar with the facts and circumstances of this investigation. Your Affiant has personally participated in the investigation of the offense referred to below and has reviewed reports and has discussed with other Special Agents and employees of the FBI and other law enforcement agencies in connection with this investigation.

4. The information detailed herein is known by your Affiant or has been provided to him by other law enforcement officers. All of the relevant facts uncovered by this investigation have not been included. Only those facts necessary for a probable cause determination are included.

5. Your Affiant has reviewed intercepted electronic and oral communications over a cellular telephone used by Hernan Alexis MORENO Mejia. Many of the relevant calls and text messages summarized in this Affidavit were conducted in Spanish. Various FBI Contract Linguists translated the calls and prepared summaries of the calls. Your Affiant reviewed and has relied on the translated summaries provided by the FBI Contract Linguists in preparing this Affidavit.

6. Your Affiant has reviewed a Baltimore Police Department ("BPD") database that contains a listing of cellular telephone numbers for all BPD Officers. The BPD uses that database to contact off duty BPD officers as needed for court appearances and other police


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Exhibit 1.

business. Electronic and oral communications between MORENO's telephone and various cellular telephones listed in the BPD database as belonging to the below-named BPD Officers were intercepted in the course of the investigation.

7. Based on evidence adduced in this investigation, there is probable cause to believe that Hernan Alexis MORENO Mejia and Edwin Javier MEJIA have engaged and are engaging in a conspiracy to commit extortion under color of official right, in violation of 18 U.S.C. § 1951(a), with the following BPD Officers: Eddy ARIAS; Eric Ivan AYALA Olivera; Rodney CINTRON; Jhonn S. CORONA; Michael Lee CROSS; Jerry Edward DIGGS, Jr.; Rafael Concepcion FELICIANO Jr.; Jaime Luis LUGO Rivera; Kelvin Quade MANRICH; Luis NUNEZ; Samuel OCASIO; David REEPING; Jermaine RICE; Leonel RODRIGUEZ Torres; Marcos Fernando URENA; Osvaldo VALENTINE; and Henry YAMBO (hereinafter collectively referred to as "BPD Officers").

RELEVANT PERSONS, ENTITIES AND TERMS

8. **Hernan Alexis MORENO Mejia and Edwin Javier MEJIA** are brothers and co-owners of Majestic Auto Repair Shop LLC ("Majestic") located in Rosedale, Maryland.

9. Majestic is an automobile repair facility that provides both towing and automobile repair services. Since approximately August 2006, Majestic has maintained a business checking account at Bank of America ("BofA"). MORENO and MEJIA both have signature authority on that account. The majority of the deposits into the Majestic checking account between November 2010 and the present are checks from insurance companies that are located outside the State of Maryland, including, but not limited to, Nationwide Insurance, GEICO Insurance, State Farm Insurance, and Allstate Insurance.

10. **CAD:** In response to a 911 call for a motor vehicle accident, BPD dispatch operators dispatch an officer to the accident scene. The accident information is recorded in a Computer Automated Dispatch, also known as CAD. CAD lists, among other things, the time of the accident call to 911, the time the call is relayed to BPD dispatch, the time BPD dispatches the call to the officer, the ID number of the officer reporting to the scene, and the time the call is "cleared," meaning when the officer informs BPD dispatch that the officer is available for another call.

11. **MAARS report:** BPD officers are required to fill out a State of Maryland Motor Vehicle Accident Report (hereinafter "MAARS report") when an accident involves injury to a person or a disabled vehicle that is obstructing a roadway. The MAARS report lists the authoring officer's name, the vehicles and persons involved in the accident, and a narrative describing the accident. In addition, the MAARS report has a box for the officer responding to the accident to state by whom the vehicle was removed. BPD officers are required to submit the MAARS report to their immediate supervisor for processing and filing in a BPD database. The

MAARS report is then forwarded to the Maryland State Police for filing as an official record for the State of Maryland.

12. **Exchange of Information Form:** If a MAARS report is not required to be filled out at an accident scene, BPD officers often fill out an Exchange of Information Form when two or more vehicles are involved to facilitate the exchange of operator insurance and registration information to be used for insurance claims for damage. These forms are not filed with the BPD or maintained by the issuing officer.

13. **“Medallion” tow companies** are towing companies that are under contract with the City of Baltimore to provide towing services at accident scenes for the BPD. Medallion tow companies receive a numbered medallion sticker that is issued by the Traffic Unit’s Towing Office that they are required to affix to the left cowl of the towing vehicle(s). Majestic is not an authorized medallion tow company.

BALTIMORE POLICE DEPARTMENT GENERAL ORDERS

14. The Police Commissioner of the BPD is authorized to pass General Orders that regulate BPD business. BPD officers are required to follow the General Orders in the course of their employment. BPD General Orders are communicated to BPD Officers through various means, including, but not limited to, departmental mail and e-mail.

15. BPD General Order C-2 (Rules and Regulations), published July 15, 2003, specifically provides that “no member of the Department shall violate any Federal or State law, or City ordinance,” (Rule 1, Section 18), and that “no compensation, reward, gift, or other consideration, shall be solicited or accepted by members without special permission of the Police Commissioner.” (Rule 1, Section 30).

16. The stated purpose of BPD General Order I-2 (Towing Procedures), published April 23, 2010, is to reaffirm the BPD’s policies and procedures for the towing of civilian vehicles and is designed to safeguard the public interest against fraud, deception and similar abuses. BPD General Order I-2 requires that when police request vehicle towing services, BPD Officers will only use medallion tow companies for police tows as authorized by the Communications Section. General Order I-2 specifically states that non-medallion tow companies are not authorized to tow for the BPD. General Order I-2 requires that when a BPD officer arrives at the scene of an accident, disability or emergency, the investigating officer at the scene shall promptly determine if a disabled vehicle needs to be towed from a city street. That determination is based on whether the vehicle is impeding the free flow of traffic or movement of pedestrians or if an emergency exists. If the vehicle must be towed, the investigating officer shall request, via the Communications Section, a medallion towing vehicle to remove the vehicle. In all non-emergency situations, the officer shall permit the operator or owner of the car to contact a bona fide automobile or motor club of his choice, of which she or he is a member, an automobile insurance company with which he is insured, or a licensed towing vehicle. If the owner declines,

is unable to do so, or the towing vehicle does not respond within twenty minutes, then the officer shall call, via the Communications Section, a medallion towing company.

The Extortion Scheme

17. Your Affiant believes that MORENO, MEJIA and the BPD Officers are engaged in an extortion scheme in which the BPD Officers arrange for Majestic or a company used by Majestic, rather than a medallion company, to tow or otherwise obtain vehicles from accident scenes or other locations in exchange for money. Based on the investigation to date, the general pattern of the scheme, with some variations, consists of the following:

(a) Shortly after the BPD dispatches a BPD Officer to an accident scene or a BPD Officer otherwise arrives at an accident, the BPD Officer contacts MORENO or the BPD Officer uses the vehicle owner's cellular telephone to contact MORENO;

(b) The BPD Officer provides MORENO with the relevant details about the potential vehicles for MORENO, including the type and extent of the damage, whether the air bag deployed, the type of insurance on the car and the insurance carrier, whether the car is driveable, the location of the vehicle, and the contact information for the car's owner;

(c) The BPD Officer informs the owner of the vehicle that Majestic can tow the car, provide auto repair services, help with the insurance claim, assist in getting a rental car, waive the deductible, and that the owner must not call their insurance company until after speaking with MORENO;

(d) a Majestic truck, or a truck from another towing company used by Majestic, arrives at the scene and tows the vehicle to Majestic, even if the vehicle is not actually disabled; in some instances, the vehicle is driven to Majestic by MORENO or the owner;

(e) the BPD Officer falsely states in his MAARS report, if one is prepared, that the vehicle owners arranged for their own tow or the BPD Officer intentionally leaves the box blank in the report as to towing or vehicle removal methods;

(f) a claim is submitted to the insurance company for payment for repairs allegedly made by Majestic to the towed vehicle; and,

(g) if the car stays at Majestic, MORENO and the BPD Officer later arrange to meet so that MORENO can pay the BPD Officer in cash or check for steering the car owner to use Majestic for tow and automobile repair services.

SELECTED INCIDENTS BY BPD OFFICER

18. Based on evidence adduced in this investigation, there is probable cause to believe that the following individuals have engaged and are engaging in a conspiracy to commit extortion under color of official right, in violation of 18 U.S.C. § 1951(a).

A. **Eddy ARIAS**

19. Eddy ARIAS is employed as an active duty police officer with the BPD, assigned to patrol in the Southeastern District.

20. According to the CAD, on January 23, 2011 at approximately 4:45 p.m., a call was dispatched for a hit and run accident in the area of 1820 East Pratt Street in Baltimore City. The caller made reference to his 1998 Toyota Four Runner that was involved in a hit and run. Approximately eighteen minutes later at 5:03 p.m., ARIAS called MORENO. ARIAS asked someone in the background if they had done the report already, where the car was, and how old it was. ARIAS then told MORENO that there was a hit and run and the truck was a 98 Toyota Four Runner that did not have much damage. MORENO replied that was fine and that it could be done. ARIAS said that the owner might only have liability, referring to the type of insurance, and MORENO replied maybe. ARIAS said that he would go talk to the people, and that if MORENO saw a strange number, it might be that person's number if ARIAS managed to convince him.

21. Approximately five minutes later at 5:08 p.m., ARIAS called MORENO. ARIAS told MORENO that he had a guy that needed a tow truck and that his car needed to be fixed. Another male then got on the telephone and told MORENO that he had a Toyota Four Runner. At this time the call dropped and there was no further conversation.

22. Approximately five minutes later at 5:13 p.m., ARIAS called MORENO. MORENO told ARIAS to tell the guy that MORENO was sending the tow truck. MORENO then told ARIAS that the guy should tell the insurance...“well you know what has to be said.” ARIAS replied that he had told the guy that MORENO would do the claim, but that the guy had to make the call. At this time there was no further conversation because the call dropped.

23. Approximately eighteen minutes later at 5:31 p.m., ARIAS called MORENO. ARIAS recounted a conversation that he had with the wife of the owner of the Toyota Four Runner. ARIAS explained that he told her, “All I’m saying is, you’re a victim of a hit and run, um, I’m giving your husband some information of a body shop that took care of me when I had an accident, we’ll put the claim in, um, um, the owner of the body shop himself will work with your husband, and um, he’ll, he’ll do all the paperwork necessary, and he’ll even put your husband in a rental, and the insurance will probably take care of most of that...and you pay minimal amount for a rental, until the car is done.” ARIAS said the wife replied that she did not have any problems with what her husband did, as long as he understood because his English was

not too good. ARIAS said that he told the wife that the people at the body shop speak Spanish and she said that was great.

24. ARIAS then said that he told the wife that her husband could go with the tow driver to see the shop and that there would be no problem getting a ride back home. ARIAS said that he was able to get the wife's phone number but that she told him that she would call ARIAS back. MORENO then said that he had the number. ARIAS told MORENO the guy's name and said that he would call him in a minute to see what he says. MORENO said, "What a shit and an idiot." ARIAS replied, "This is good; he is a shit, I said to him, '[name omitted], I would not let anything bad happen to you, I am a policeman. I am not here to fuck up your life.'" ARIAS added that what he really meant was, "I am here to earn myself some \$300.00, you son of a bitch."

25. According to fixed video surveillance, later that same day at approximately 6:55 p.m., a vehicle, believed to be a Toyota Four Runner, was towed to Majestic.¹

26. On January 24, 2011, between approximately 8:03 p.m. and 8:27 p.m, the following text messages were exchanged between MORENO and ARIAS:

MORENO to ARIAS: Can you come by the shop tomorrow morning?

ARIAS to MORENO: What time?

MORENO to ARIAS: Asshole, anytime.

ARIAS to MORENO: Ha-ha-ha... that's fine. I will come around 8:00 AM.

MORENO to ARIAS: stroke my cock very early.

ARIAS to MORENO: 10am?

MORENO to ARIAS: Kool

27. On January 25, 2011, surveillance was initiated by a law enforcement surveillance squad at 7:18 a.m. in the vicinity of Majestic. At 10:50 a.m., ARIAS sent a text message to

Video surveillance times are approximate, because the cameras in operation each have an internal clock that is not exactly synchronized with the internal clocks of the other two cameras. The difference between the three clocks, however, is less than two minutes. The surveillance times are also not synchronized exactly with the clock on the system used to intercept the electronic and oral communications on MORENO's telephone. The difference between the camera times and the interception times is about one minute.

Handwritten initials/signature

MORENO saying, "I am outside." According to the surveillance log, at approximately 10:52 a.m., a Nissan Versa, bearing a Maryland tag which is registered to ARIAS, was parked next to Majestic. An individual, believed to be ARIAS, exited his vehicle and entered Majestic. At approximately 10:59 a.m. MORENO arrived at Majestic. At approximately 11:07 a.m., MORENO and ARIAS got into ARIAS' Nissan Versa and drove to the BofA branch located in the area of 4214 Frankford Avenue, Baltimore, Maryland. At approximately 11:17 a.m. they left BofA and returned to Majestic. At approximately 11:22 a.m., ARIAS dropped MORENO off at Majestic and ARIAS departed the area.

28. Your Affiant has also reviewed ATM video surveillance obtained from BofA for that location and time period. The ATM video shows that ARIAS and MORENO pulled up to the ATM at 11:15 a.m. ARIAS, who was driving the vehicle, used MORENO's BofA ATM card to withdraw cash from the ATM while MORENO sat in the passenger seat talking on a cell phone. BofA records confirm that \$300 was withdrawn from the Majestic bank account in that transaction.

B. Eric Ivan AYALA Olivera

29. Eric Ivan AYALA Olivera is employed as an active duty police officer with the BPD, assigned to patrol in the Northern District.

30. On November 8, 2010, at 4:10 p.m., an individual named "Roca" called MORENO. Roca asked MORENO, "How much do you pay to refer a crashed car?" MORENO replied, "You already know." Roca replied that he did not and MORENO responded, "Two fifty." Roca asked how it is done. MORENO replied, "it is not just a matter of calling me, you have to make sure that the car gets to the shop." Roca then said, "I am sending a friend who wants to talk to you; a policeman. He is also Puerto Rican. His name is Eric." Roca then passed the phone to "Eric," who was later determined to be BPD Officer Eric AYALA.

31. AYALA then said to Moreno, "The man here tells me that the way you work is that if I get you a little car with a little soup on it, then you release something on the side?" MORENO replied, "yes, yes, but it's better that we speak in person," and asked him when he could come by the shop. AYALA told MORENO that he works in the Northern District. MORENO responded that he works in the Northern and that to get business, he would send his tow truck to Puerto Rico. MORENO laughed and then added, "I don't have agents in the Northern yet, but I have many agents." MORENO also said, "I have agents in the Southeast, Eastern, Northeast, all of that." AYALA stated that he would get MORENO's number and address from Roca and that they were passing by the shop then and would stop in.

32. That same day, at 4:33 p.m., MORENO called BPD Officer LUGO (see infra at ¶ 102). MORENO asked LUGO to call AYALA, who MORENO said was standing next to him at that moment, to get him in the "Untouchables Group." LUGO responded that he would hook AYALA up. LUGO asked how AYALA got there. MORENO joked that maybe AYALA was a

spy, and then said "But another friend brought him." LUGO replied that AYALA "is one of the good ones," and MORENO replied "he is one of the good ones. Call him."

33. The following day, at approximately 5:17 p.m., MORENO sent a text message to AYALA stating, "Dude, I am inviting you to come on Saturday. My mom is having a birthday. Lugo is coming on Saturday at 6 pm. Food and Beer, dude." On November 10, 2010, AYALA sent a text message to MORENO indicating that he would be at the party.

34. On December 2, 2010, at approximately 5:20 p.m., AYALA called MORENO. AYALA said that at last, he found something for MORENO, and they both laughed. AYALA told MORENO that while on 83, a badly driven car struck a 2007 Kia Sedona minivan with GEICO insurance. AYALA stated that it only had a scratch and that he gave the woman MORENO's phone number. AYALA also stated that there was another one, a 2000 Corolla that was hit heavily in the back, but he thought the insurance company already called a tow truck for that one. MORENO told AYALA to talk to the guy and tell him to cancel that shit, referring to the tow truck, and laughed. AYALA said he would check on it.

35. At approximately 5:34 p.m., AYALA called MORENO back and said that the tow truck already arrived and because the accident was on 83, he could not wait for MORENO to come. AYALA told MORENO that he told the woman that MORENO would not charge her for the deductible and they would wait to see what happened.

36. On December 15, 2010, at approximately 5:00 p.m., AYALA called MORENO. MORENO asked AYALA whether he had a car for him. AYALA responded by asking whether they could do an insurance claim without a police report number. MORENO answered yes. AYALA then stated that he had an old lady that had two of her windows broken and she wanted a report written for it. MORENO told AYALA to talk to the woman and that he could pick it up without a report. MORENO asked whether the car had scratches or dents that were related and AYALA responded, no. MORENO joked to AYALA that he should get close to the car to see the windows and then to scratch it with the keys.

37. On February 9, 2011, at approximately 4:06 p.m., MORENO sent a text to AYALA stating, "you disappeared, where did you go?" AYALA responded by text, "Son of a bitch, I am fine. A few days ago I was thinking the same about you. How are things?" MORENO responded, "The same, working. Asshole, did anything come in for you?" AYALA then responded by text, "No. The problem is that people don't want to do anything before contacting their insurance and insurance wants to see the vehicle before any shop." MORENO responded by text, "Asshole, yes but...When you get a moment, come by the shop." AYALA responded, "k."

C. Rodney CINTRON

38. Rodney CINTRON was employed as a police officer with the BPD, assigned to patrol in the Northeast District until July 19, 2010, when he was placed on disciplinary suspension regarding an investigation into an unrelated criminal allegation. Since that date, CINTRON has been relieved of his police powers and is assigned to Central Records at BPD Headquarters.

39. According to the CAD report, on January 1, 2010 at 9:18 p.m., BPD dispatched CINTRON to a vehicle accident with personal injury at 5600 Cedonia Avenue in Baltimore City. FELICIANO responded to this location as well. FELICIANO's MAARS report stated that a vehicle was traveling in the 5600 block of Cedonia Avenue when the vehicle lost control and damaged three other vehicles. The MAARS report also stated that all vehicles involved in the incident were removed by their respective owners who made their own tow arrangements.

40. Toll records show that CINTRON's cellular telephone contacted MORENO's cellular telephone at 9:21 p.m., three minutes after CINTRON was dispatched to the accident scene. Telephone contacts continued between the two cellular telephones until January 2, 2010 at 2:11 a.m. FELICIANO's cellular telephone contacted MORENO's cellular telephone at 11:33 p.m. and there were 20 total contacts between them on January 1, 2010.

41. One of the owners involved in that accident subsequently contacted BPD-IID. The owner indicated that he/she did not make tow arrangements for his/her vehicle. The owner further said that FELICIANO contacted MAJESTIC to tow the vehicle.

42. BofA records reflect that CINTRON received at least 18 checks from Majestic in 2009 and 4 checks in 2010 as follows:

| DATE | AMOUNT | MEMO LINE |
|-----------------|--------|-----------|
| January 7, 2009 | \$650 | parts |
| March 16, 2009 | \$500 | parts |
| March 18, 2009 | \$600 | parts |
| April 29, 2009 | \$250 | parts |
| May 5, 2009 | \$450 | parts |
| May 5, 2009 | \$1450 | parts |
| May 12, 2009 | \$900 | parts |
| May 19, 2009 | \$500 | parts |

| | | |
|-------------------|--------|----------------------|
| June 23, 2009 | \$1000 | parts |
| July 2, 2009 | \$400 | parts |
| July 15, 2009 | \$1000 | parts |
| July 29, 2009 | \$800 | |
| August 4, 2009 | \$600 | |
| August 11, 2009 | \$750 | |
| August 17, 2009 | \$800 | |
| August 25, 2009 | \$250 | |
| August 26, 2009 | \$500 | |
| December 31, 2009 | \$550 | sublet. |
| January 25, 2010 | \$450 | refears. |
| January 25, 2010 | \$250 | refears |
| May 14, 2010 | \$400 | Rental Reimbursement |
| June 24, 2010 | \$350 | refears. |

43. Since the date of CINTRON's suspension, the investigation has not uncovered any further kickback payments to CINTRON. Since November 5, 2010, there have been no telephone conversations on MORENO's cellular telephone with CINTRON regarding vehicles, accidents, towing services, or payments.

D. Jhonn S. CORONA

44. Jhonn S. CORONA is employed as an active duty police officer with the BPD, assigned to patrol in the Eastern District.

45. At 8:45 a.m. on December 16, 2010, CORONA called MORENO to discuss cars. CORONA first discussed an owner of a Volvo that CORONA said would call MORENO soon. CORONA also told MORENO that he was trying to get him the Honda that hit the Volvo but that it was probably a total loss. CORONA also told MORENO that he was going to work overtime in the afternoon because it was supposed to snow, and that he would call him if anything happened.

46. According to the CAD, at 2:34 p.m. that same day, a call was dispatched for an automobile accident at Ensor and Eager Streets in Baltimore City. CORONA responded to the call and prepared the MAARS report for the incident. One of the cars listed in CORONA's

MAARS report was a black Chevrolet Trailblazer. The MAARS report indicated that the Trailblazer was removed by owner.

47. [redacted] Surveillance shows that at about 4:31 p.m., a black Chevrolet Trailblazer with the same license tag as the truck listed on Corona's MAARS report arrived at Majestic. The driver, believed to be CORONA, was dressed in a dark coat with white lettering across the back, and wearing a skull cap. He and the female passenger got out of the Trailblazer. They both entered Majestic. The male driver retrieved something from the Trailblazer and went back into Majestic.

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48. At 5:39 p.m., the male driver, believed to be CORONA, got in to the Trailblazer, and he and the female passenger drove off the Majestic lot.

49. At about 6:29 p.m., CORONA called MORENO and asked if MORENO was "still" at the shop. MORENO replied yes sir. CORONA asked again, whether he was at the shop still. MORENO replied yes. CORONA then stated, ok, "we are on our way." CORONA then said, "it took so fucking long." MORENO agreed and laughed. CORONA then asked what the insurance woman said and MORENO replied, nothing, and added that she was just frustrated. CORONA then commented that someone was trying to pass him, indicating that he was driving.

50. According to the CAD, CORONA cleared this call at 6:29 p.m.

51. [redacted] Surveillance shows that at 6:41 p.m., the Trailblazer returned to the Majestic lot, and the male driver, believed to be CORONA, exited the Trailblazer. The Trailblazer was followed by a rental car. A female driving the rental car got out of the rental car, removed various items from the Trailblazer, and went back into Majestic. The female eventually drove away in the rental car at 7:22 p.m.

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52. At 7:25 p.m., a male who cannot be identified because of the angle and time of night got into the driver's seat of the Trailblazer and the male believed to be CORONA got into the passenger's side of the Trailblazer and drove off the Majestic lot. The Trailblazer returned at 7:30 p.m. with only one occupant.

53. At 7:47 p.m., MORENO drove the Trailblazer to his house. MORENO left his house at 8:02 p.m. driving the Trailblazer.

54. At 8:44 p.m., CORONA called MORENO. CORONA said that he left his accident book at "your place." MORENO said that it was in the shop. CORONA stated that he needed the accident book and that the report he prepared was at Majestic and that he needed to turn that in the next day. MORENO said that he was not at the shop, so he could not help him. MORENO said that he was at the hospital with his father. MORENO said he would call back.

55. At 8:52 p.m., CORONA called MORENO. CORONA asked him whether there was anybody at the shop to give him the accident book. MORENO said no and that the shop was locked. MORENO told CORONA that he would call him back later.

56. The next day beginning at 7:45 a.m., CORONA and MORENO exchanged text messages to arrange for MORENO to bring CORONA the accident book. Surveillance was initiated. MORENO eventually met CORONA at approximately 9:45 a.m. at a Family Dollar store to give CORONA his accident book. MORENO was driving a black BMW and CORONA was driving a marked patrol car.

57. Between February 12, 2011 at 12:40 a.m. and 1:10 a.m., CORONA and MORENO exchanged the following text messages:

MORENO to CORONA: Dude, are you working?

CORONA to MORENO: Yeah, I am at a shooting. We have a second shooting maybe a homicide

MORENO to CORONA: Fuck, Edwin told me you wanted the \$1000?

CORONA to MORENO: Yeah, I'm going to get a truck or better. The minivan with traction control will not go up the fucking hill with snow on it. So a 4 x 4 is better for me.

CORONA to MORENO: I should get it in two weeks, hoping to get the difference to go get it with the tax return.

CORONA to MORENO: If you want we can meet tomorrow.

MORENO to CORONA: Oh no problem when you want it and I'll give it to you.

MORENO to CORONA: No problem. Dude have you gotten anything around there.

CORONA to MORENO: I don't have good luck.

CORONA to MORENO: My pay made me cry, with that 2 percent cut, which is less 100 from my check. I killed myself just to take home 1100 I was mad

CORONA to MORENO: This job is so ... that I almost want to leave here.

MORENO to CORONA: Bitch, that would be a loss. Since there's no one at night, it's easy to do. Yesterday this guy called at night and I thought it was you but it wasn't.

MORENO to CORONA: It was a client who had an accident at 2 am

CORONA to MORENO: Shit but a loss nonetheless

MORENO to CORONA: Keep an eye out for cars that's where you'll make it

MORENO to CORONA: You know how it is

CORONA to MORENO: That's what I'm doing

CORONA to MORENO: But these fucking cars, every time I go, they're a total loss. Oh well, have you seen the pictures.

MORENO to CORONA: It was a good 08

CORONA to MORENO: That's what I'm doing

MORENO to CORONA: That's just shit. But they do come dude, like before when you used to get like 4 a week, fuck those were the days.

CORONA to MORENO: I know that was good but man I turned into a block of salt

CORONA to MORENO: Until the bad luck takes you.

MORENO to CORONA: Well and it did get hot too but fucker now everything is calm

MORENO to CORONA: And I owe you that then.

CORONA to MORENO: Alright yes if you will

CORONA to MORENO: Oh yeah if you're at the shop tomorrow let me know I've got something to tell you

MORENO to CORONA: I'll call you when I get there. Maybe something will come to you, call me. Are you in the same sector as always?

CORONA to MORENO: Well, it looks like the other shooting will be a homicide, 2nd one for the night in 2 hours

CORONA to MORENO: In the same sector. Cool, call me then

MORENO to CORONA: K

CORONA to MORENO: ok start to iron some ears [To straighten something out]

CORONA to MORENO: What you know how to do best

CORONA to MORENO: lol

58. Later that same afternoon at 11:54 a.m., CORONA sent a text message to MORENO asking, Hello are you there? MORENO did not respond.

59. Two days later, on February 14, 2011, CORONA tried to call MORENO. The call went to voice mail, but CORONA did not leave a message. At 12:07 p.m., MORENO sent a text message to CORONA saying to give him a moment; he was busy. A few hours later, at 3:30 p.m., CORONA sent a text message to MORENO asking whether he was at the shop. MORENO responded by text message that he was not at the shop, he was picking up a car. CORONA responded, nice.

60. Two days later, on February 16, 2011, at 11:39 a.m., MORENO sent a text message to CORONA stating that he would be at the shop that afternoon. Then at 11:56 a.m., MORENO sent another text message stating, so you can stop by. CORONA responded, ok. CORONA then sent a text message stating that he would stop by around 2 or 3.

61. CORONA arrived at MAJESTIC at 5:17 p.m. driving a black Mazda and went into Majestic. At 5:40 p.m., MORENO and CORONA got into CORONA's Mazda car and exited Majestic.

E. Michael Lee CROSS

62. Michael Lee CROSS is employed as an active duty police officer with the BPD, assigned to patrol in the Northeast District.

63. According to the CAD, at 9:38 a.m. on January 31, 2011, CROSS was dispatched to an accident scene in the 3400 block of Parklawn Avenue. Also according to the CAD, at 10:07 a.m. CROSS changed the location to 4802 Truesdale Avenue and the call type from an accident to a hit and run. CROSS prepared a MAARS report indicating that a 2006 Chevrolet Malibu was involved in a hit and run.

64. At 9:49 a.m., CROSS called MORENO. CROSS stated, "You up? I got one for you, yo." MORENO said that he had been up since last night. CROSS replied, "I got one for you, yo." MORENO asked, "Ok, what do you want me to do?" CROSS said to come get it right now. MORENO asked, "Ok, can you text me the address so I can come there?" CROSS replied, "How long you gonna be puta?" MORENO repeated for CROSS to text him the address and that he would be ten or fifteen minutes. CROSS said, "Alright, I'll text it to you."

65. Approximately two minutes later at 9:51 a.m., CROSS sent a text message to MORENO as follows: "4802 truesdale."

66. Approximately nine minutes later at 10:00 a.m., CROSS called MORENO. MORENO said that he was on his way. MORENO then asked, "Hey, I don't need a tow truck, right?" CROSS replied, "No." [REDACTED] at 10:04 a.m., a male matching MORENO's description got into the silver Mercedes that MORENO was driving during that time frame.

According to video surveillance,

*PM
NEG*

67. Approximately fourteen minutes later at 10:14 a.m., MORENO called CROSS. MORENO said, "I'm outside puto."

68. Between approximately 10:39 a.m. and 10:50 a.m., MORENO and CROSS exchanged the following text messages:

CROSS to MORENO: U good

MORENO to CROSS: Almost

CROSS to MORENO: Were my money

69. Later that same morning at approximately 11:49 a.m., CROSS called MORENO. MORENO answered, "Yo what's up?" CROSS replied, "Where money at man?" MORENO said, "Yeah I call you, I call you back." CROSS replied, "Whatever yo."

70. Between approximately 12:37 p.m. and 1:04 p.m. that same day, MORENO and CROSS exchanged the following text messages:

MORENO to CROSS: Relax, asshole.

CROSS to MORENO: Relax nigga I am broke

MORENO to CROSS: Lol

71. At 2:09 p.m., a gold Chevrolet Malibu matching the description in the MAARS report arrived at Majestic.

72. At approximately 3:30 p.m. that same day CROSS called MORENO. MORENO answered, "Hey puto what's up?" CROSS asked, "Where my money at man? I got a flat tire, I need to buy a jack to get this car up, man where money at yo?" MORENO asked CROSS where he was and CROSS said that he was in the district trying to get his tire fixed. MORENO replied, "I see you when you get there." CROSS asked where. MORENO replied, "To the shop." CROSS asked MORENO if he had any used tires at the shop. MORENO said that he was not sure. CROSS said that he would call MORENO back.

73. According to BofA records, at 3:57 p.m. on January 31, 2011, \$1500 in cash was withdrawn from the Majestic account at the BofA located at Golden Ring Plaza, which is 2.4 miles away from Majestic.

74. At approximately 4:37 p.m., MORENO called CROSS and said that he was just pulling in and would be there in two minutes. CROSS told MORENO to hurry up, that he had to go to work.

75. [REDACTED] ^{Video surveillance} reflects that at about 4:34 p.m., CROSS arrived at Majestic in a gray pickup truck bearing a temporary Delaware license plate. CROSS got out of the truck and walked in to the shop. Approximately four minutes later, at 4:38 p.m., MORENO arrived at the Majestic lot in a silver BMW and went in to the shop. Two minutes later, CROSS left the shop and drove away at about 5:00 p.m.

Handwritten initials: P REC

76. In addition, BofA records reflect that CROSS received at least 2 checks from Majestic in 2010 as follows:

| DATE | AMOUNT | MEMO LINE |
|-----------------|--------|-----------|
| June 29, 2010 | \$250 | Referral |
| August 10, 2010 | \$300 | parts |

F. Jerry Edward DIGGS, Jr.

77. Jerry Edward DIGGS, Jr. is employed as an active duty police officer with the BPD, assigned to patrol in the Northeast District.

78. On November 16, 2010 at 3:29 p.m., DIGGS called MORENO. DIGGS stated that he would have a car, a 2005 Dodge Avenger, for MORENO the following day. MORENO replied, "You the man." DIGGS told MORENO that he would be at work tomorrow so the car would be brought in by his nephew. DIGGS further stated that the car belonged to his nephew's

girlfriend. DIGGS was not sure how much damage there was to the car. MORENO told DIGGS to make sure that they did not call the insurance company. DIGGS replied that hopefully, they did not, but that he would check. DIGGS said that he did not write the report but he would try to pull it.

79. At approximately 3:36 p.m., seven minutes after the last call ended, DIGGS called MORENO back on a three-way call and introduced a female, who was on the line, as his sister-in-law "Ally" (hereinafter "A.T.") A.T. said that someone hit her car and drove off, but that she did not get the tag number. A.T. stated that she had not obtained a police report because she was not sure if her insurance would go up if she did. MORENO told A.T. that she had to get a police report first and A.T. said that she would. MORENO then said that DIGGS could get the report. DIGGS stated that he could not get the report tomorrow because he was working another matter, and instructed A.T. to call the police and to tell them, when they got to her house, that Officer DIGGS was her brother, and they would take care of her. DIGGS also told A.T. to call him when she got the report and that he would call "Alex" to set up an appointment. MORENO then repeated DIGGS's instructions to A.T., telling her to call the police when she got home. MORENO instructed A.T. to tell the police that the car was hit, that it looked like a hit and run, and that the guy took off. MORENO told A.T. to get a police report and then she should meet with him tomorrow when he would explain to her how to complete the claim. DIGGS then said to A.T. that a lot of police officers would not give her a police report, but if she told them that she was his sister, they would give her one because they would look out for him. A.T. then asked DIGGS, "What's your last name Jerry?" DIGGS replied, "Diggs." MORENO then told A.T. that he would explain how to do it so her insurance will not go up. A.T. agreed, stating that she would call when "Lydell" (hereinafter "L.P.") got back. DIGGS and MORENO remained on the line after A.T. hung up. DIGGS said, "Alex, she gonna, she gonna go through with it." MORENO told DIGGS to make sure that she did not call the insurance company and DIGGS agreed. DIGGS stated that he would call her then and call MORENO back.

80. At 9:33 a.m. the following day, which was November 17, 2010, a female called MORENO. Prior to MORENO answering, the female could be heard stating, "at first she said it was just a scratch." When MORENO answered, the caller identified herself as A.T.'s mother and advised that A.T. had given her his telephone number in reference to fixing her car. When she asked the identity of the person who answered the telephone, MORENO replied, "this is Alex." A.T.'s mother asked whether he was the person her daughter had talked to, and MORENO replied "yes." A.T.'s mother asked whether this was a business, because she did not understand how MORENO could pay the deductible. MORENO asked if he was correct that the caller's daughter was Officer DIGGS's cousin. She replied that DIGGS was connected to her daughter through her daughter's boyfriend. MORENO then advised that, "this is how it works, um, your car gets fixed in the shop right, the insurance is not going to go up because it is a hit and run, it's under comprehensive. Now when the car is finished, you supposed to pay the deductible to the shop but you not gonna, you know, you not gonna pay me the deductible. You know you because your suppose to pay it to the shop, so I'm not gonna get it from you. And then if it when, the insurance call me if you guys pay the deductible, I gonna say yes." A.T.'s mother

then stated that this just did not sound right. MORENO told her that the deductible would be \$250.00 because it was a hit and run, and that he would waive the deductible in order to obtain business. She then asked the name of the body shop, and MORENO advised Majestic Body Shop. MORENO also told her that the insurance company would pay for the rental car. A.T.'s mother stated that initially her daughter told her that the damage was just scratches, but later said something was wrong with the bumper, but advised that she had not seen the vehicle because she was in DC. She stated that she would call MORENO back after she obtained more information about the car.

81. Starting at 9:38 a.m., approximately two minutes after the call with A.T.'s mother ended, DIGGS and MORENO exchanged the following text messages:

DIGGS to MORENO: Did they call u

MORENO to DIGGS: Yes her mom call me and she say she ill call me back. Can u find out.

DIGGS to MORENO: How long ago was that

DIGGS to MORENO: I talked to them the police is on their way to the location

82. According to the CAD report, on November 17, 2010 at approximately 11:16 a.m., L.P. called 911 to report a hit and run accident that he said had just occurred. L.P. reported that a yellow vehicle had just hit his blue Dodge and left the scene, traveling westbound on Woodbourne Avenue. Two BPD Officers were dispatched to 5206 Loch Raven Boulevard, located in Baltimore, Maryland. The MAARS report, prepared by one of the officers, indicated that a 2008 Dodge Avenger owned by A.T. was struck by an unknown vehicle and that the driver of A.T.'s Dodge Avenger at the time of the accident was L.P. The MAARS report also indicated that the vehicle was removed by its owner who had made her own tow arrangements.

83. At approximately 12:06 p.m., DIGGS called MORENO. DIGGS told MORENO that the police were on their way. DIGGS stated that he had already explained to "them" to just get the complaint number and that they should not call the insurance company. MORENO then said that the mother had called him. MORENO started to explain that conversation, but DIGGS interrupted and said they think it is a scam. MORENO then asked if she was going to come to the shop. DIGGS advised, "yeah, I should know in a little while." MORENO said "ok".

84. Twenty-three minutes after the previous call, at approximately 12:30 p.m., DIGGS called MORENO again. DIGGS advised that they would be there in 15 to 20 minutes. DIGGS asked whether MORENO would take them to get a rental car and MORENO said yes. At the end of the call, DIGGS told MORENO that he would be over there after he got off work, "so he can get that." MORENO said "alright" and indicated that he would call DIGGS as soon as they came over.

85. Later that same day at 4:42 p.m., DIGGS called MORENO. DIGGS said that there was a problem. He stated that when they got up there, "the girl's fucking license is suspended." DIGGS said that the boyfriend was not on her insurance so he could not get a rental car. MORENO asked what they were going to do. DIGGS replied that he was going to pick them up and that he did not know of any other options because that was the only car they had. DIGGS told MORENO that he did not remember them running his licenses for the rental car, and that they only made a copy. MORENO said that they can try Hertz on Belair and Monravia. DIGGS said ok, he will take them up to Hertz. DIGGS then asked MORENO if all rental car places look at your license and check. MORENO said no, they do not check, just Enterprise does. DIGGS said ok, he would let them know.

86. At 4:57 p.m., DIGGS sent MORENO the following text message: "Call the 202 number." At 4:59 p.m., DIGGS called MORENO and told him to call A.T. back because she kept trying to call him. MORENO said "alright." At 5:09 p.m., MORENO tried to call A.T. but the call went to voice mail.

87. At 5:14 p.m., MORENO called A.T. again. A male believed to be L.P. answered the telephone. L.P. told MORENO they were leaving Enterprise. L.P. stated that Enterprise would not give them a rental car because A.T.'s license was expired and L.P. was not on her insurance policy. MORENO asked him if he had spoken to DIGGS about going to the other place. L.P. replied that the insurance company said that they had to go through Enterprise. MORENO disagreed and told him that they could go to anybody. A.T. then got on the telephone. MORENO told her that she could go anywhere to get a rental car and that it did not have to be Enterprise. She said that was not the point, her license was not valid so anyone that checked her license would not let her drive off with a car. MORENO told her to go to the Hertz at Belair and Milton. She advised that she would call him back.

88. At 5:21 p.m., MORENO called DIGGS and asked him, "are you taking them to that other place?" DIGGS replied yes, he was taking them to Hertz now. DIGGS asked MORENO whether he was sure they were going to be able to get it. MORENO said to go try, she was not going to lose anything if she did not. DIGGS agreed.

89. Starting on November 18, 2010, at 12:03 p.m. and concluding at 2:48 p.m., DIGGS and MORENO exchanged the following text messages:

- DIGGS to MORENO: Can I come to get it when I get off I need it!!
- MORENO to DIGGS: Yes sr
- DIGGS to MORENO: Ok
- DIGGS to MORENO: I'll be there in 25 mins r u gonna be there

MORENO to DIGGS: Yes

90. [REDACTED] November 18, 2010, at 3:19 p.m., DIGGS was observed driving a gold Chevy Malibu bearing a Maryland license plate that is registered to DIGGS. After arriving at Majestic, DIGGS walked over and met MORENO for several minutes before leaving at approximately 3:22 p.m. *According to video surveillance, on*

reb

91. In addition, BofA records reflect that DIGGS received at least 9 checks from Majestic in 2010 as follows:

| DATE | AMOUNT | MEMO LINE |
|----------------|--------|-----------|
| March, 24 2010 | \$750 | Refear. |
| March 29, 2010 | \$500 | Refears. |
| April 12, 2010 | \$500 | Refear |
| April 14, 2010 | \$300 | Refears. |
| May 18, 2010 | \$300 | Refear. |
| July 7, 2010 | \$300 | Refears |
| July 9, 2010 | \$300 | Refear. |
| July 12, 2010 | \$300 | Refears |
| July, 14 2010 | \$300 | Refears. |

G. Edwin Javier MEJIA and Rafael Concepcion FELICIANO Jr.

92. Rafael Concepcion FELICIANO Jr. is employed as an active duty police officer with the BPD, assigned to patrol in the Northeast District.

93. According to the CAD report, on December 8, 2010 at approximately 12:09 a.m., a call was dispatched for a vehicle accident in the area of 4500 Bowleys Lane in Baltimore City.

94. On December 8, 2010, at 12:12 a.m., FELICIANO called MORENO. FELICIANO told MORENO that he needed him to bring a tow over to Bowleys Lane near Moravia. MORENO advised that he was at BWI and that he would call "Edwin" for the tow truck right then.

95. Between approximately 12:18 a.m. through 1:29 a.m., FELICIANO and MORENO exchanged the following text messages:

MORENO to FELICIANO: Can u call the tow guy [telephone number redacted] hes on his way to u. And edwin is going to call u now.

FELICIANO to MORENO: Call me when you get a chance.

FELICIANO to MORENO: [Name hereinafter referred to as "J. T." and a telephone number] lives at [address omitted]. 07 Altima Geico Ins. Needs you to pick him up in the morning at 10:30am to do the claim at the shop.

MORENO to FELICIANO: No a problem..

MORENO to FELICIANO: What kind of car?

FELICIANO to MORENO: You mean not a problem?

FELICIANO to MORENO: 07 Nissan Altima. Call me if you can homo.

96. At approximately 10:18 a.m. that same day, FELICIANO sent the following text message to MORENO: "Hey have you called the guy for the altima."

97. At approximately 10:36 a.m., MORENO called the telephone number that FELICIANO had texted to MORENO earlier. MORENO asked if he could speak to "T" and a male, believed to be J.T. said yes. MORENO asked J.T. if he wanted MORENO to pick him up so that J.T. could make the claim. J.T. responded yes and MORENO advised that he would call J.T. when he got closer.

98. At approximately 11:55 a.m., MORENO called J.T. again. MORENO advised that he was at J.T.'s complex and that he was driving a grey BMW. J.T. then gave MORENO directions to his house.

99. Between approximately 2:38 p.m. and 3:05 p.m., FELICIANO and MORENO exchanged the following text messages:

FELICIANO to MORENO: Hey bro, did everything go through with both cars cause I need some cash today? Im tight with money and want to get some things before work later.

MORENO to FELICIANO: Nissan yes. Still waiting for the other lady to come. But one is good.

FELICIANO to MORENO: Cool. Just let me know when I can come through to pick that up if possible?

100. [REDACTED] ^{Video} surveillance shows that at 10:16 a.m. on December 10, 2010, a vehicle known to investigators as FELICIANO's personal vehicle, arrived at Majestic. The driver, believed to be FELICIANO, went into the shop and at 10:23 a.m., left the shop with another male. Both men got into FELICIANO's vehicle and drove off the lot. At 12:15 p.m., a male believed to be MEJIA returned to Majestic driving a Scion that FELICIANO called MORENO about earlier that day.

Handwritten initials/signature

101. On December 10, 2010, at 2:01 p.m., MORENO called MEJIA and they discussed FELICIANO. MORENO asked MEJIA if he had talked to FELICIANO. MEJIA described FELICIANO as a beggar and MORENO agreed. MEJIA then told MORENO that FELICIANO told MEJIA to take him to the ATM. MORENO laughed. MEJIA told MORENO that he paid FELICIANO \$600.00 for the [Nissan] Altima and the car from that day. MORENO asked MEJIA about the other two cars. MEJIA said they should be careful with FELICIANO because he was very aggressive about getting paid. MEJIA then recounted a conversation he had with FELICIANO where FELICIANO told him that "this is how I do it with Alex." MEJIA explained that FELICIANO was talking about a Honda Accord that had small damage to the hood and bumper, where the woman's deductible was \$500.00. MEJIA told MORENO that he explained to FELICIANO that Majestic had to cover \$500.00 for the deductible, \$300.00 for FELICIANO, and that the damage was \$1000.00. MEJIA said he told FELICIANO that they could not fix the car with \$200.00. MEJIA said that FELICIANO replied to him that was how he did it with "Alex." MEJIA then told MORENO that FELICIANO suggested that they would have to do some more damage to the vehicle. MEJIA said no to FELICIANO, because there were eyewitnesses because it was an accident, not a hit and run. MEJIA said that they could get in more trouble and MORENO agreed. MEJIA said that FELICIANO did not understand, and that FELICIANO was just looking at how to get the car. MEJIA told MORENO that FELICIANO suggested that Majestic figure it out and then not pay him for the next car. MEJIA said that he told FELICIANO that was impossible, but FELICIANO replied that he had done it like that before with MORENO. MORENO laughed and said that was a lie. MEJIA advised that he was not going to give money away.

102. In addition, BofA records reflect that FELICIANO received at least 7 checks from Majestic in 2009 as follows:

| DATE | AMOUNT | MEMO LINE |
|------------------|--------|-----------|
| January 20, 2009 | \$750 | parts. |
| January 28, 2009 | \$250 | parts. |

| | | |
|-----------------|-------|--------|
| May 19, 2009 | \$750 | parts. |
| May 27, 2009 | \$450 | parts. |
| August 3, 2009 | \$500 | |
| August 14, 2009 | \$750 | |
| August 15, 2009 | \$500 | cars |

H. Jaime Luis LUGO Rivera

103. Jaime Luis LUGO Rivera is employed as an active duty police officer with the BPD, assigned to patrol in the Community Stabilization Unit.

104. According to the CAD, at 12:08 p.m. on November 16, 2010, a call was dispatched for an automobile accident involving two cars in the location of Frankford Avenue and Moravia Park Drive. The CAD indicates that one of the vehicles involved was a Suzuki.

105. At 12:16 p.m., LUGO sent a text message to MORENO saying that he was checking another one in Frankford/Moravia Park Drive. At 12:20 p.m., LUGO called MORENO and left him a voice mail message asking him to pick up the phone. LUGO and MORENO attempted to contact one another from 12:23 p.m. until 12:37 p.m. At 12:38 p.m., LUGO called MORENO and asked if he was there. MORENO replied yes. LUGO instructed MORENO to park behind him, then talk to the female, and that he had already talked to her about it. LUGO instructed MORENO to try to talk to her without the guy there hearing him. He then added that "it's the black one."

106. At 12:48 p.m., MORENO called LUGO. LUGO asked whether "it" came in. MORENO replied that it was on its way to the shop and that he was going to do the claim. LUGO told MORENO that "you will see it when it arrives, green."

Video surveillance shows that

107. At 12:50 p.m., [REDACTED] female drove a dark-colored Suzuki onto the Majestic lot. MORENO and the female spent several minutes looking at the exterior of the vehicle. The female removed various items from the vehicle at 1:45 p.m. and then left the vehicle at Majestic.

M. R. R.

108. At 2:13 p.m., LUGO sent a text message to MORENO saying that he was "going to the other one." At 2:17 p.m., MORENO sent a text message to LUGO asking what happened "with the other one." At 3:11 p.m., LUGO called MORENO. MORENO told LUGO to go to the repair shop and wait for him because he was still at the school.

109. *Video* [REDACTED] surveillance shows that at 3:25 p.m., MORENO arrived at Majestic. At 3:30 p.m., a man driving a gold Hyundai, arrived at Majestic. The license plate on that

M. R. R.

Hyundai is registered to a female residing at the same address that LUGO provided to BPD as his home address. MORENO approached the gold Hyundai and appeared to speak to the man driving the gold Hyundai. MORENO then entered Majestic. At 3:35 p.m., MORENO exited Majestic, got into the passenger seat of the gold Hyundai and the car drove away. At 3:56 p.m., the gold Hyundai returned to Majestic, and MORENO got out of the car.

110. According to BofA records, \$300.00 was withdrawn from the Majestic account at 3:48 p.m. from the ATM located at the Royal Farm store at 6435 Pulaski Highway, which is approximately 1.4 miles from Majestic.

111. In a conversation between LUGO and MORENO on November 29, 2010, LUGO and MORENO discussed a damaged BMW that was owned by a Brazilian man who had already made an insurance claim and the insurance company believed had already been fixed. LUGO told MORENO that he had given MORENO's number to the guy and suggested that the car just needed "a little soup." Your Affiant believes that LUGO was speaking in code and that "soup" meant further damage to the car. At the end of that conversation, LUGO stated to MORENO that he was going to be on the street for another hour and that maybe something will come in. He then added, something has to come in, the piggy bank is empty.

I. Kelvin Quade MANRICH

112. Kelvin Quade MANRICH is employed as an active duty police officer with the BPD, assigned to patrol in the Northeast District.

113. According to the CAD, on December 10, 2010 at approximately 4:37 p.m., a call was dispatched for a hit and run involving a Lexus in the area of Simms Avenue and Belair Road in Baltimore City. MANRICH is listed as responding to the call at 4:37 p.m.

114. At approximately 5:21 p.m., MANRICH sent a text to MORENO that said "we just lost a 04 Lexus." MANRICH sent this same text to MORENO two more times over the next eight minutes.

115. ^{Video} [redacted] surveillance reflects that on December 14, 2010, at about 8:57 a.m., a female drove a Lexus onto the lot at Majestic. At about 9:04 a.m., MEJIA called MORENO and told him that the Lexus that MANRICH had sent was there. Later that day, between approximately 1:57 p.m. and 2:29 p.m., MANRICH and MORENO exchanged the following text messages:

MANRICH to MORENO: Call [name and phone number redacted] 2002 lexus

MORENO to MANRICH: I got it.

MANRICH to MORENO: Did she come?

Handwritten signature/initials

MORENO to MANRICH: Yes I got it.

MANRICH to MORENO: Good

116. At approximately 5:52 p.m. that same day, MANRICH called MORENO. MORENO told MANRICH that the Lexus was in. MANRICH then asked MORENO if BPD Officer VALENTINE (see infra ¶ 184) had picked up the money yet. MORENO responded no and then asked whether the money was for VALENTINE or MANRICH. MANRICH stated that it was "half and half," and that he and VALENTINE were going to split the money because they were riding together.

117. ^{Video} [redacted] surveillance shows that on the following day, December 15, 2010, at approximately 11:36 a.m., MANRICH's personal vehicle stopped outside of Majestic. At about 11:44 a.m., a male matching the description of MORENO came out of the shop and got into the passenger seat of MANRICH's car. The vehicle then drove away. At approximately 12:09 p.m., MANRICH's vehicle returned to Majestic. The individual matching MORENO's description got out and went in to the shop. MANRICH's car then drove away.

Handwritten mark resembling a stylized '7' or 'g' with 'REB' written vertically next to it.

118. BofA records reflect that on December 15, 2010, \$400 and \$200 were withdrawn at 12:01:05 and 12:01:59, respectively, from the Majestic account at an ATM located at Golden Ring Plaza, which is approximately 2.4 miles from Majestic. ATM video surveillance obtained from BofA shows MORENO conducting that transaction from 12:01:28 until 12:02:56.

J. Luis NUNEZ

119. Luis NUNEZ is employed as an active duty police officer with the BPD, assigned to patrol in the Northeastern District.

120. According to the CAD, on January 1, 2011 at approximately 9:17 a.m., a call was dispatched for an auto accident in the area of 5400 Cedonia Avenue in Baltimore City. The CAD placed NUNEZ at the scene at 9:26 a.m. NUNEZ completed and submitted the MAARS report related to this accident.

121. At approximately 9:41 a.m., NUNEZ called MORENO. NUNEZ mentioned the location of 5400 Cedonia and then he gave MORENO directions and told him to bring the tow truck.

122. That same day at 10:09 a.m., NUNEZ called MORENO again. NUNEZ told MORENO that the vehicle was a Trailblazer. NUNEZ said, "When you arrive, act like you don't know me. There are two buzzards here." NUNEZ then said, "I spoke with the woman; she is OK, and you can talk with her. Oh, there is another car here; a guy here, you can talk to him, too. But there are two fools present. I told them that she had called you, you know." NUNEZ told

MORENO that the woman was Hispanic and spoke Spanish, and that she was Dominican. MORENO said ok.

123. At approximately 10:20 a.m., NUNEZ called MORENO again. NUNEZ said that the vehicle was a red Ford Explorer,² and that the woman owner was there waiting. NUNEZ then told MORENO that the officer with him at the scene knew about "the guy that was doing all those things." NUNEZ also said that his partner knew that anybody could call MORENO. NUNEZ told MORENO that he would have an Explorer with the woman waiting and MORENO replied ok, that he understood.

124. According to ~~video surveillance~~ ^{video surveillance,} that same day at approximately 10:48 a.m., a Chevy Trailblazer was towed to Majestic and dropped off in the front parking lot. The MAARS report prepared by NUNEZ stated that the vehicle was removed by the owner to an unknown location.

Handwritten marks: a vertical line with a hook at the top and the initials "PEB" below it.

125. On January 21, 2011, at between approximately 2:38 p.m. and 3:51 p.m., MORENO and NUNEZ exchanged the following text messages:

- NUNEZ to MORENO: Alex, what happened with the Domicans Trail Blazer the 57 Cedonia, you towed it on 1/1/11?
- MORENO to NUNEZ: Why? It's getting fixed, why are you asking what happened?
- NUNEZ to MORENO: Ha, ha, you forgot my commission.
- MORENO to NUNEZ: I didn't invite you for coffee? My bad, then tell me when we can go get a coffee?
- NUNEZ to MORENO: Whenever you want.
- MORENO to NUNEZ: I'll let you know then and sorry dude.
- NUNEZ to MORENO: No problem, don't worry.

126. Five days later, on January 26, 2011, MORENO and NUNEZ exchanged the following text messages:

- MORENO to NUNEZ: Tell me, when do I bring you the coffee?

² Your Affiant believes that NUNEZ mistakenly referred to the Trailblazer as a Red Explorer during this conversation.

NUNEZ to MORENO: As of now, I work tomorrow.

MORENO to NUNEZ: We will do it tomorrow.

NUNEZ to MORENO: Ok.

127. The following day, between 4:28 p.m. and 4:38 p.m. on January 27, 2011, NUNEZ and MORENO exchanged the following text messages:

NUNEZ to MORENO: Tell me.

MORENO to NUNEZ: Dude, where are you?

NUNEZ to MORENO: At the 7-11 on Pulaski.

MORENO to NUNEZ: I will see you in a few minutes.

NUNEZ to MORENO: Ok.

128. [REDACTED] ^{video} surveillance shows MORENO leaving Majestic at about 4:18 p.m.

REC

K. Samuel OCASIO

129. Samuel OCASIO is employed as an active duty police officer with the BPD, assigned to patrol in the Southern District.

130. According to the CAD, on January 15, 2011 at approximately 2:10 a.m., a call was dispatched for an auto accident in the area of 1700 Russell Street in Baltimore City.

131. On January 15, 2011, at approximately 2:26 a.m., OCASIO called MORENO but the call went to MORENO's voice mail. OCASIO did not leave a message.

132. Approximately two minutes later at 2:28 a.m., MORENO called OCASIO. OCASIO said that he needed a tow truck at Russell Street, in front of the Holiday Inn. MORENO replied that he would send one right away. At approximately 2:31 a.m., MORENO called R.H., a person known to provide towing services for Majestic. MORENO told a male, believed to be R. H., that there was an accident and that he was going to send him a cell phone number. MORENO instructed R.H. to call a cop named Samuel and R.H. replied ok. Within the same minute, MORENO sent the following text to R.H., a person affiliated with a towing company with which MORENO subcontracts to tow cars, "Call Samuel: [OCASIO telephone number redacted]"

133. At approximately 3:54 a.m., a Nissan vehicle with a license tag identified in the CAD arrived at Majestic by tow. The MAARS report, completed by another officer on the scene, indicated that a private towing company removed the vehicle.

134. Later that day, between approximately 5:58 p.m. and 6:26 p.m, MORENO and OCASIO exchanged the following text messages:

- OCASIO to MORENO: Can I come and get the money today before going to work since early tomorrow I have something to do and I'm going a long way?
- MORENO to OCASIO: Call me when you're close.
- OCASIO to MORENO: Ok bro, I'm leaving the house around 9:20.
- MORENO to OCASIO: Stop by the house instead, [MORENO's address redacted].
- OCASIO to MORENO: Ok

135. On January 15, 2011, at 9:59 p.m., OCASIO called MORENO. OCASIO asked MORENO what the house number was. MORENO provided the house number and then told OCASIO to come back because he had gone too far. MORENO directed OCASIO back and then told him that he would be right out.

136. According to ^{video surveillance,} [REDACTED] at approximately 10:04 p.m., a vehicle, believed to be driven by OCASIO, drove past MORENO's residence, then backed up and parked next to MORENO's house. An individual, believed to be MORENO, came out from MORENO's residence and walked to the passenger side of the parked vehicle. The individual leaned into the passenger side window and then walked back into MORENO's residence. The vehicle then left.

ref

L. David REEPING

137. David REEPING is employed as an active duty police officer with the BPD, assigned to patrol in the Central District.

138. According to the CAD, on December 21, 2010, at approximately 10:57 p.m., a call was dispatched for an automobile accident with injury at 300 South Charles Street in Baltimore City. At 10:58 p.m. the CAD places REEPING on the scene. Another officer prepared and submitted the MAARS report.

139. At 11:07 p.m., REEPING called MORENO. The telephone call was not intercepted in time to hear the entire conversation, but in the portion that was intercepted,

MORENO told REEPING that he would give the "towing guys" REEPING's telephone number so that REEPING could give directions to his location.

140. Within one minute of that conversation, MORENO called R.H. and told him to call REEPING in order to make arrangements for R.H. to tow the vehicle to Majestic.

141. At 11:17 p.m., according to the CAD, REEPING informed dispatch that the owner of the vehicle would make his own [towing] arrangements.

142. ^{Video} [redacted] surveillance shows that at approximately 1:14 a.m. on January 22, 2011, a car matching the description of the damaged car from the MAARS report arrived at Majestic by tow. The MAARS report states that the vehicle was removed by owner.

143. Between approximately 9:01 and 9:04 the next morning, REEPING and MORENO exchanged the following text messages:

- REEPING to MORENO: What's up with you bro. Are you in the shop yet. If you need that ladies insurance info I have it.
- MORENO to REEPING: I am going to the shop now.
- REEPING to MORENO: Ok should I stop by when. I hopefully will get some more this week. Xmas money.

144. BofA records indicate that at about 1:46 p.m., \$300 was withdrawn from the Majestic account from the ATM located at the Royal Farm store at 6435 Pulaski Highway.

145. Later that afternoon, at approximately 2:13 p.m. on December 22, 2010, MORENO sent a text message to REEPING as follows: "yes sir ... That car is bery bad can u do half on it. Cus it's a total loss also I got to take care the towin." One minute later, at 2:14 p.m., Reeping replied in a text message: "ok. I will be over. I can never tell." At 2:16 p.m., Reeping again texted MORENO, this time indicating "Be there in 30 mins."

146. ^{Video} [redacted] surveillance shows that at 2:58 p.m. on December 22, 2010, REEPING arrived at Majestic in his personal vehicle. REEPING walked into the shop and shortly thereafter, REEPING and MORENO came out of the shop and walked over to the vehicle that had been towed in the night before. The two men appear to look over the vehicle for a moment and REEPING then got in his car and drove away.

M. Jermaine RICE

147. Jermaine RICE is employed as an active duty police officer with the BPD, assigned to patrol in the Northeast District.

REEG

REEG

148. On December 13, 2010, between 1:29 p.m. and 1:38 p.m., RICE and MORENO exchanged the following text messages:

RICE to MORENO: You still out off town

MORENO to RICE: Yes but ill be at the shop tomorrow morning I just go to miami fron honduras

RICE to MORENO: Ok I'll call edwin

MORENO to RICE: U got his cell ride [number redacted]

RICE to MORENO: Yeah I got it

MORENO to RICE: U have a car?

RICE to MORENO: Yeah

MORENO to RICE: Let me know when the get it.

149. Approximately five minutes later, MORENO called RICE. MORENO asked RICE if he had "Edwin." RICE replied, no, that he was going to call him in a minute. RICE then told MORENO that he had a female friend with a 2000 Solara with full coverage. RICE said his friend already called her insurance company and told them that the damage was on the right side. RICE asked MORENO whether his friend could tell the insurance company that her mirror fell off if she did not feel comfortable driving her car. MORENO replied, "right." RICE then asked MORENO if they could "still work with that." MORENO instructed RICE to call MEJIA because MORENO was in Florida. MORENO said that MEJIA could work it out, but if the owner could wait until tomorrow, he would be back. RICE replied that the owner could wait and that he just wanted to run it by MORENO to see if they could still take care of it or not. MORENO said yes that he could take care of it tomorrow. RICE advised that he would call MORENO tomorrow.

150. According to the CAD, the next day, on December 14, 2010 at approximately 8:06 a.m., a call was dispatched for a hit and run accident to the area of 1246 Rossiter Avenue in Baltimore City. Also in the CAD, it was reported that the caller had a 1999 Lincoln Town Car, white in color.

151. Twenty-five minutes later, at approximately 8:31 a.m., RICE called MORENO. RICE advised MORENO that he had a 99 Lincoln Town Car that was involved in a hit and run. RICE further advised that the Lincoln had full coverage and that the damage was to the rear

quarter panel. MORENO asked if RICE wanted him to pick up the Lincoln. RICE replied yes and then he gave MORENO directions.

152. Later that same day, between 3:26 p.m. and 4:17 p.m., RICE and MORENO exchanged the following text messages:

RICE to MORENO: Yo youtake care of dude can I come holla at you now

MORENO to RICE: Hes going to bring the car tomorrow.

RICE to MORENO: Ok

MORENO to RICE: Cus tomorrow he will get a renta car.

RICE to MORENO: Cool I need to get you 5 more cars by the end of the week

MORENO to RICE: Did you check with edwin about the 05 toyota solara cause he didn't text me back

MORENO to RICE: Yes we let her a massage but she havent call us back

RICE to MORENO: Ok I will ride pass there tomorow

MORENO to RICE: Cool and I let u know about the one from today.

RICE to MORENO: Ok

153. ^{Video} [redacted] surveillance shows that at approximately 9:30 a.m. the next day, a white Lincoln vehicle was driven to Majestic.

154. Between 10:52 a.m. and 11:04 a.m., RICE and MORENO exchanged the following text messages:

RICE to MORENO: [name and telephone number redacted]
07 honda accord. Destrction of property whole car was keyed [address redacted]

MORENO to RICE: Tomorrow morning. U can stop by today. For the other one is here now.

REC

RICE to MORENO: Ok

155. The following day, December 16, 2010, between 3:15 p.m. and 3:22 p.m., RICE and MORENO exchanged the following text messages:

RICE to MORENO: Are you in the shop?

MORENO to RICE: Whos this

RICE to MORENO: Rice

MORENO to RICE: Yes I am here puto

RICE to MORENO: In route.

156. At 5:10 p.m., MORENO called MEJIA. MORENO told MEJIA that he needed the "card." MEJIA responded, "again?" MEJIA commented that MORENO was paying out a lot but there were no cars. MORENO said there were eight cars. MEJIA said he was coming over.

157. ~~Video~~ surveillance shows that at 5:06 p.m., a Cadillac matching the description of RICE's personal car arrived at Majestic. The driver went in to the shop. At 5:14 p.m., a black BMW, believed to be driven by MEJIA, arrived at Majestic, parked out front with the engine running and entered the business. Two minutes later, two individuals, believed to be RICE and MORENO, came out of the shop and got into the black BMW, which left Majestic. The black BMW returned at 5:27 pm and the individual believed to be RICE got in to the Cadillac and drove away.

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158. BofA records reflect that at about 5:22 p.m., \$300 was withdrawn from the Majestic account at an ATM located at the Royal Farm store at 7950 Pulaski Highway.

159. According to BofA records, Jermaine Rice received at least one check from Majestic on September 4, 2010 in the amount of \$300. The word "parts" is written on the memo line of the check and is endorsed in the name of Jermaine Rice.

N. Leonel RODRIGUEZ Torres

160. Leonel RODRIGUEZ Torres is employed as an active duty police officer with the BPD, assigned to patrol in the Northeast District.

161. According to the CAD, on November 25, 2010 at approximately 10:22 p.m., a BPD officer (hereinafter referred to as "Officer 1") was dispatched to a vehicle accident in the

area of 1130 East Cold Spring Lane in Baltimore City. Also according to the CAD, Officer 1 arrived on the scene at 10:23 p.m. Officer 1 completed the MAARS report for the incident.

162. At approximately 10:35 p.m., MORENO called RODRIGUEZ. RODRIGUEZ passed the phone to a female, who identified herself as "Miss [name redacted]" (hereinafter "Miss H."). Miss H. advised MORENO that she had been in an accident and that her car had sustained body damage. Miss H. stated that Officer 1 gave her MORENO's name and number for the body work. MORENO asked Miss H. if the vehicle was driveable. Miss H. replied that the vehicle was driveable and described it as a 2005 Chevrolet Uplander. Miss H. then told MORENO there was damage along the passenger side rear door and that the door would not open. MORENO asked how much Miss H.'s deductible was and she replied that it was either \$250.00 or \$500.00. MORENO told Miss H. that she would not have to pay the deductible to his body shop. MORENO also advised that he would help her obtain a rental car if she had coverage for one. Miss H. replied that she did not need a rental car, as she had a second car. MORENO told her that he could meet with her tonight or tomorrow morning at her house or the shop. MORENO said that he would assist her with filing an insurance claim and then he gave her directions to the body shop. Miss H. said that she would talk with her husband and the insurance company, and then she would call him back in the morning. MORENO reminded her that he would help her with the deductible.

163. At approximately 10:51 p.m., RODRIGUEZ called MORENO. RODRIGUEZ told MORENO that the van is a good one. RODRIGUEZ explained to MORENO that other officers completed their reports differently by first writing the report and then talking to the drivers. RODRIGUEZ said that he talked to the drivers first before writing the report, so that MORENO would have time to get there. MORENO then told RODRIGUEZ that the car door would not open, and, therefore, the car was not driveable. MORENO said that he did not have the woman's telephone number. RODRIGUEZ instructed MORENO to call Officer 1 who gave her MORENO's number and that Officer 1 would text that information to MORENO. Later that night, Officer 1 sent MORENO a text message with Miss H's contact information.

164. The following day, on November 26, 2010, at 10:11 a.m., RODRIGUEZ called MORENO and asked whether the woman with the Uplander had called. MORENO said that she had not called. MORENO then asked RODRIGUEZ whether he was coming by. RODRIGUEZ responded, yes, he was coming down and asked if MORENO was alone. MORENO responded, no. MORENO stated that he needed to go to the bank and that he would be back in 10 to 15 minutes. RODRIGUEZ asked whether the bank was on Golden Ring, and MORENO responded, yes. RODRIGUEZ then stated, "well, if you are going to the bank anyway, get me my ...to save time." RODRIGUEZ stated that he'd meet him there.

165. At approximately 10:13 a.m., MORENO called Miss H, but the call went to voice mail. MORENO left a message indicating that he was calling Miss H back regarding her car accident last night. MORENO stated that he had talked with her last night, and then he asked her to call him back.

166. At approximately 10:26 a.m., MORENO sent a text message to RODRIGUEZ stating "Motherfucker, I am already here. I have been waiting for you for one hour."

167. At 10:28 p.m., RODRIGUEZ called MORENO but MORENO did not answer. Then MORENO called RODRIGUEZ but RODRIGUEZ did not answer.

168. BofA ATM surveillance video shows that at 10:30:01 a.m. on November 26, 2010, an individual that appears to be MORENO conducted a transaction at the Golden Ring Plaza ATM, which is 2.4 miles from Majestic. BofA records confirm that \$300 was withdrawn from the Majestic account in that transaction.

169. In addition, BofA records reflect that RODRIGUEZ received at least 14 checks from Majestic in 2010 as follows:

| DATE | AMOUNT | MEMO LINE |
|----------------------|---------|---------------|
| January 4, 2010[sic] | \$500 | Sublet Refeas |
| March 16, 2010 | \$1,500 | Refears. |
| March 29, 2010 | \$300 | Refears. |
| April 8, 2010 | \$600 | Refears. |
| June 1, 2010 | \$600 | Refears |
| June 3, 2010 | \$450 | Refears. |
| June 11, 2010 | \$600 | Referral |
| June 16, 2010 | \$300 | Refears. |
| June 22, 2010 | \$900 | Refears. |
| July 12, 2010 | \$600 | Parts/Refears |
| July 16, 2010 | \$300 | Reimbursement |
| August 4, 2010 | \$300 | parts. |
| August 20, 2010 | \$600 | |
| August 27, 2010 | \$900 | parts. |

O. Marcos Fernando URENA

170. According to the CAD, on December 24, 2010 at 2:21 p.m., URENA was dispatched to an automobile accident at the intersection of Harlem Avenue and Eversley Street in Baltimore City. At 2:35 p.m. and at 2:42 p.m., URENA requested an NCIC check for the two drivers involved, Y.G. and S.W. At 3:01 p.m., URENA did an Exchange of Information form instead of a MAARS report.

171. At 3:01 p.m, URENA attempted to call MORENO; the call went to voicemail. At 3:03 p.m., URENA texted MORENO and said, "Listen, call those two women." MORENO responded by text, "did you call me?" URENA then sent a text message to MORENO with the names Y.G. and S.W. that were involved in the accident, with their phone numbers and the model of the cars they were driving. MORENO responded that he would call them.

172. At 3:12 p.m., S.W. called MORENO and left a message. In the message she stated that Officer URENA had given her his phone number in reference to getting her car fixed. At 3:30 p.m., MORENO called S.W. MORENO told S.W. not to make the insurance claim until after she spoke to him so that she would not have to pay her deductible. They agreed to meet at the shop the next day at noon.

173. At 4:40 p.m., URENA sent MORENO a text message asking whether he had talked to the women. MORENO responded that he had spoken to one with the Honda and that she was coming to the shop tomorrow and that he left a message for the other one. URENA responded ok.

174. On December 25, 2010, MORENO called Y.G. and made plans to meet with her about her car as well.

175. On December 26, 2010 at 1:11 p.m., URENA sent a text message to MORENO inquiring whether he got either of the two cars. MORENO responded that he had talked to them both and they were coming the next day.

176. On December 27, 2010 at 12:14 p.m., URENA called MORENO. MORENO answered and told URENA to give him a minute because he was working with the lady on her claim on the CRV. URENA said he would call him later. At 3:06 p.m., MORENO sent a text message to URENA stating, "I have one of yours. At this time, the Honda does not have full coverage."

177. At 5:03 p.m., URENA called MORENO. MORENO told URENA that one of the cars did not have full coverage but that the other car (the CRV) stayed. MORENO told URENA to come by the shop tomorrow. URENA responded that he would be in New York until Friday (December 31st). MORENO responded that he was not sure whether he needed it. URENA said that he would wait to settle up on Friday. MORENO said he would still work on the Honda.

178. At 1:57 p.m. on January 1, 2011, URENA sent a text message to MORENO stating, "Happy New Year, are you working today?" MORENO responded, "Happy New Year ass, and this 2011 you send many cars." URENA responded, "from your mouth to God's ears he-he-he, are you working?" MORENO responded, "As always." At 2:38 p.m., URENA responded, "I can come by now." MORENO responded that the shop was closed but that he was in White Marsh if anything came in. URENA asked him to let him know when he can come over.

179. At approximately 2:13 p.m. on January 4, 2011, URENA sent a text message to MORENO asking whether he was at the shop. MORENO responded that he was on his way over. URENA responded, "what time?" MORENO responded that he would be there in 10 minutes. URENA responded he would call MORENO around 5 or 6. MORENO then asked whether he could come right then and URENA responded, "around 5." MORENO responded ok.

180. At 5:43 p.m., MORENO can be seen ^{by video} [redacted] surveillance looking out of the front door of Majestic.

181. That same night, at 6:49 p.m., URENA sent a text to MORENO asking him whether he left yet. MORENO responded at 6:52 p.m., "I'm here fucker." URENA responded at 6:52 p.m. that he was on his way.

182. ^{Video} [redacted] surveillance shows that at 7:06 p.m., a man appearing to be URENA arrived at Majestic and walked inside. At 7:43 p.m., the man appearing to be URENA and MORENO came out of Majestic. They got into the black BMW and left Majestic. URENA's car remained parked at Majestic.

183. According to BofA records, \$300 was withdrawn from the Majestic account at 7:54 p.m. at the Royal Farms located at 6435 Pulaski Highway.

184. ^{Video} [redacted] surveillance shows that at 7:58 p.m., a car arrived back at Majestic and pulled up to the door. URENA got into his car and MORENO walked into the front door of Majestic.

P. Oswaldo VALENTINE

185. Oswaldo VALENTINE is employed as an active duty police officer with the BPD, assigned to patrol in the Northeast District.

186. According to the CAD, on December 15, 2010 at 4:22 p.m., a call was dispatched for a stolen vehicle that had just crashed into a pole in the area of Lakeside Avenue and Loch Raven Boulevard in Baltimore City.

Handwritten notes:
PEL
PEL
PEL

187. At approximately 4:58 p.m., VALENTINE called MORENO's cell phone twice, but did not leave a message. About one minute later, MORENO called VALENTINE. VALENTINE told MORENO that he had a Nissan Murano and requested that MORENO come talk to the guy. MORENO asked if he could just come pick up the car. VALENTINE responded that the car was driveable and that MORENO should come over to Lakeside and Loch Raven. About twenty minutes later, MORENO called VALENTINE again. In addition to giving MORENO directions to Lakeside and Loch Raven, VALENTINE told MORENO that DIGGS said that MORENO is coming with money. MORENO laughed and said yes.

188. ^{Video} [redacted] surveillance reflects that at 8:35 a.m. the next day, MORENO drove a Nissan Murano matching the description of the vehicle that crashed at Lakeside and Loch Raven onto the Majestic lot. The MAARS report, prepared by VALENTINE, states that the Nissan Murano, while parked, had been hit by a stolen vehicle and that the Nissan Murano was removed by "owner."

189. At approximately 1:46 p.m. the same day, MORENO called VALENTINE. VALENTINE told MORENO that he was going to come over to the shop. VALENTINE also said that DIGGS had sent a text to VALENTINE stating that he [DIGGS] wanted his part too.

190. ^{Video} [redacted] surveillance shows that at approximately 2:23 pm, a dark SUV matching the description of VALENTINE's personal vehicle arrived at Majestic. An individual matching the description of VALENTINE got out of the vehicle and went into the shop. At 2:27, two individuals come out of the shop and drove away in the dark SUV. At 2:38 p.m., the SUV returned and dropped off the passenger at the shop before driving away.

191. Two minutes later, at about 2:40 p.m., VALENTINE called MORENO and asked how much MORENO was giving to DIGGS. MORENO responded "three." VALENTINE stated "Ah, ok. I saw two packages."

192. According to BofA records, at 2:32:52 p.m. and 2:33:50 p.m. on December 16, 2010, \$400 and \$200, respectively, were withdrawn from an ATM located at the Royal Farm store at 6435 Pulaski Highway.

193. In addition, BofA records reflect that VALENTINE received at least 26 checks from Majestic in 2010 totaling \$14,400 as follows:

| DATE | AMOUNT | MEMO LINE |
|------------------|--------|-----------|
| January 11, 2010 | \$750 | Refears. |
| January 13, 2010 | \$750 | Refears. |
| January 29, 2010 | \$300 | Refear. |

| | | |
|--------------------|--------|------------|
| February 1, 2010 | \$600 | Refears. |
| February 2, 2010 | \$300 | Refear |
| February 5, 2010 | \$600 | Refear. |
| February 19, 2010 | \$300 | Refears. |
| February 21, 2010 | \$1200 | Refears. |
| February 25, 2010 | \$300 | Refear. |
| March 24, 2010 | \$300 | Refear |
| April 10, 2010 | \$600 | Refears |
| April 23, 2010 | \$300 | Refear |
| April 28, 2010 | \$600 | Refears. |
| May 4, 2010 | \$600 | Refears. |
| May 12, 2010 | \$300 | Refear. |
| May 22, 2010 | \$600 | Refears. |
| May 31, 2010 | \$1200 | Refears. |
| June 30, 2010 | \$300 | Refear |
| July 1, 2010 | \$600 | Refears. |
| July 15, 2010 | \$300 | Refears. |
| July 26, 2010 | \$300 | parts. |
| July 30, 2010 | \$300 | car parts. |
| August 4, 2010 | \$300 | sublet. |
| August 16, 2010 | \$300 | parts. |
| August 27, 2010 | \$300 | parts. |
| September 10, 2010 | \$600 | referral |

Q. Henry YAMBO

194. Henry YAMBO is employed as an active duty police officer with the BPD, assigned to patrol in the Northeast District.

195. According to the CAD, on January 31, 2011 at 4:39 p.m., YAMBO was dispatched for an automobile accident in the 2400 block of Belair Road. According to the CAD, YAMBO was in route to the scene at 4:39 p.m. and cleared the scene at 5:04 p.m. YAMBO did not prepare a MAARS report for this incident.

196. At 5:01 p.m., YAMBO called MORENO. YAMBO told MORENO that he would put the woman on the phone and that it was a 2008 Toyota Camry. After discussing other cars, YAMBO asked MORENO whether the shop was open and MORENO said yes. YAMBO asked, "then I can tell the girl to go there today?" MORENO responded yes. YAMBO then asked MORENO whether he would be able to get her a rental car and MORENO responded yes. YAMBO said that is what he would tell her then, and when she came over, he would let her speak with MORENO. YAMBO then told MORENO that there was no report and MORENO said for YAMBO to call him when she got there. YAMBO then passed the phone to the woman, who spoke directly to MORENO. The woman told MORENO that she was involved in an accident that was the other person's fault. She agreed to come down to Majestic in an hour.

197. At 5:14 p.m., YAMBO sent MORENO a text message that asked MORENO to call him if "she goes. Do you know what time your friend will come?" At 5:17 p.m. MORENO responded, "I told you in one hour we see."

198. At 6:38 p.m., MORENO sent a text message to YAMBO stating, "I got ur ricket...ill ge ur coffe tomorrow" Yambo responded, "The first one camry?" MORENO responded, Yep .. I got the ticket ..we meet for coffee puto." YAMBO responded, "Ok cabron."

199. The next day, after exchanging text messages about another woman who did not leave her car at the shop, YAMBO and MORENO exchanged the following text messages between 6:05 p.m. and 6:30 p.m.:

YAMBO to MORENO: Where's my money?

MORENO to YAMBO: Asshole, I have not taken out the coffee.

YAMBO to MORENO: I need my caffé today I'm thirsty

MORENO to YAMBO: Fuck u puto.

YAMBO to MORENO: When I'm gonna see you today

MORENO to YAMBO: Stroke my cock.

YAMBO to MORENO: Omg

YAMBO to MORENO: Where bitch

MORENO to YAMBO: Don't know yet

YAMBO to MORENO: I need it today man I do this to get caffe

MORENO to YAMBO: Fucker, I will. Relax son of a bitch.

YAMBO to MORENO: I jus need it today

MORENO to YAMBO: I got you puto where you at

YAMBO to MORENO: Ill meet you bel air erdman

200. At 7:27 p.m., YAMBO called MORENO and told him that he was "in the district right now" but that he was heading to Bel Air and Erdman. YAMBO told MORENO that his phone was about to die. MORENO told YAMBO to hurry up.

201. At 7:37 p.m., an unknown female called 911 from MORENO's cellular telephone. Before the caller reached 911, YAMBO can be heard in the background stating, "this is not my area." The female caller then told the 911 dispatcher that she needed "another officer" to come to the CVS on Bel Air and Erdman, because she had just been robbed by her ex-boyfriend. The 911 dispatcher questioned her about needing "another" officer. The female caller responded that there were officers there but that "he said" that "this isn't his area." At this point in the call, a police radio can be heard playing in the background of the call. The 911 dispatcher continued to ask questions about the alleged assault, but the caller hung up.

202. According to the CAD related to the alleged assault, a female called 911 from MORENO's cellular telephone number. Also according to the CAD, YAMBO was in route to the scene at 7:45 p.m. As of the time of the completion of this Affidavit, the police report related to the alleged assault was not yet available for review.

203. Between 11:07 p.m. and 11:38 p.m., the following text messages were exchanged between MORENO and YAMBO:

YAMBO to MORENO: I'm still stuck with this bitch

MORENO to YAMBO: Where at

YAMBO to MORENO: 500 north calvert writing reports
this stupid white bitch

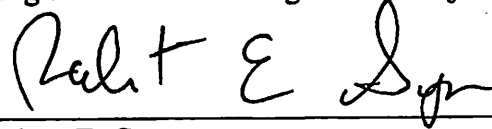
MORENO to YAMBO: Omg

204. According to BofA records, Henry Yambo received at least four checks from Majestic as follows:

| DATE | AMOUNT | MEMO LINE |
|-------------------|--------|---------------|
| April 8, 2010 | \$300 | parts/sublet. |
| April 20, 2010 | \$300 | Refears |
| August 10, 2010 | \$600 | parts |
| September 9, 2010 | \$300 | parts |

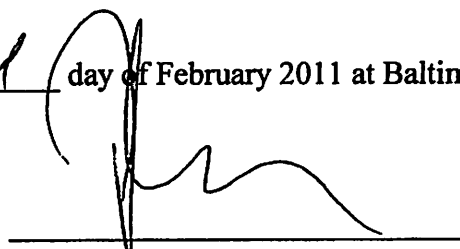
CONCLUSION

205. Based upon the aforementioned facts, your Affiant believes that Hernan Alexis MORENO Mejia and Edwin Javier MEJIA have engaged and are engaging in a conspiracy to commit extortion under color of official right, in violation of 18 U.S.C. § 1951(a), with the following BPD Officers: Eddy ARIAS; Eric Ivan AYALA Olivera; Rodney CINTRON; Jhonn S. CORONA; Michael Lee CROSS; Jerry Edward DIGGS, Jr.; Rafael Concepcion FELICIANO Jr.; Jaime Luis LUGO Rivera; Kelvin Quade MANRICH; Luis NUNEZ; Samuel OCASIO; David REEPING; Jermaine RICE; Leonel RODRIGUEZ Torres; Marcos Fernando URENA; Osvaldo VALENTINE; and Henry YAMBO. Your affiant respectfully requests that a criminal complaint and warrant be issued for the defendants charging them with violating 18 U.S.C. § 1951(a).



Robert E. Guynn
Special Agent, Federal Bureau of Investigation

Sworn to and subscribed before me this 22 day of February 2011 at Baltimore, Maryland.



Paul W. Grimm
Chief United States Magistrate Judge

Robert E. Guynn

2/23/2011

PAUL W. GRIMM
CHIEF MAGISTRATE JUDGE
U.S. COURTHOUSE BLDG. RM 810
101 W. LOMBARD ST.
BALTIMORE, MD. 21201