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JUL 24 2017

AO 91 (Rev. 11/11) Criminal Complaint

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

JAVIER MORENO, AURELIO
ABREGO, JOSE MIGUEL PEREZ,
FERNELLY LLANOS, a/k/a "Calero",
and "Calerito," RICHARD ALVARADO,
FERNANDO GOMEZ and PEDRO
SAAVEDRA-FITZ

CASE NUMBER:

17CR 509

UNDER SEAL

MAGISTRATE JUDGE MASON

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Count One

Code Section

Title 21, United States Code,
Section 846

Offense Description

Beginning no later than in or about September 27, 2015, and continuing to in or about October 24, 2015, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, defendants JAVIER MORENO, AURELIO ABREGO, JOSE MIGUEL PEREZ, and FERNELLY LLANOS did conspire with each other and with others known and unknown to knowingly and intentionally distribute controlled substances, namely, 1 kilogram or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846.

Count Two

Code Section

Title 21, United States Code,
Section 846

Offense Description

Beginning no later than in or about September 23, 2015, and continuing to in or about September 25, 2015, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, defendants AURELIO ABREGO, JOSE MIGUEL PEREZ and RICHARD ALVARADO did conspire with each other and with others known and unknown to knowingly and intentionally distribute controlled substances, namely, 500 grams or more of mixtures and substances containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846.

Count Three

Code Section

Title 21, United States Code,
Section 841(a)(1)

Offense Description

On or about September 25, 2015, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, defendant FERNANDO GOMEZ did knowingly and intentionally possess with the intent to distribute a controlled substance, namely, a quantity of mixtures and substances containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

Count Four

Code Section

Title 21, United States Code,
Section 846

Offense Description

Beginning no later than in or about July 16, 2015, and continuing to in or about July 17, 2015, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, defendants AURELIO ABREGO, JOSE MIGUEL PEREZ, and PEDRO SAAVEDRA-FITZ did conspire with each other and with others known and unknown to knowingly and intentionally distribute controlled substances,

namely, 1 kilogram or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846.

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

JOHN GILDEIN, Special Agent
Drug Enforcement Administration
(DEA)

Sworn to before me and signed in my presence.

Date:

Michael T. Mason

Judge's signature

City and state: Chicago, Illinois

Hon. Michael T. Mason, U.S. Magistrate Judge

Printed name and Title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

ss

AFFIDAVIT

I, JOHN GILDEIN, being duly sworn, state as follows:

I. INTRODUCTION

1. I am a Special Agent with the United States Department of Justice, specifically the Drug Enforcement Administration, and have been so employed since approximately September 2012. I am currently assigned to a joint FBI/DEA Organized Crime Drug Enforcement Task Force. Prior to working for the DEA, I was a police officer for approximately nine years with the Porter County, Indiana, Sheriff's Department.

2. My official duties include the investigation of drug trafficking organizations and violations of federal narcotics laws, including offenses defined by 21 U.S.C. §§ 841, 843 and 846. I have received specialized training in the methods by which individuals and drug trafficking organizations conduct their illegal drug trafficking activities, as well as in the use of various investigative techniques used to uncover unlawful drug trafficking. I have also participated in multiple investigations involving illegal drug trafficking by drug trafficking organizations. Through my experience and training, I am familiar with the ways in which drug traffickers conduct their unlawful drug trafficking activity, including their use of code words and numbers to conduct their transactions, their methods for concealing narcotics and narcotics proceeds and their use of violence and threats of violence to protect their

organization. I have received further specialized training concerning the interception of wire and electronic communications.

3. Because this Affidavit is being submitted for the limited purpose of establishing probable cause to support the criminal complaint and the issuance of arrest warrants against the proposed defendants, it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and events described in this Affidavit.

4. The statements contained in this Affidavit are based in part on: (a) my personal participation in this investigation; (b) information provided by other federal and local law enforcement officers ("Agents"); (c) review of conversations intercepted pursuant to order authorizing the interception of wire and electronic communications¹; (d) surveillance reports; (e) criminal history records; (f) information from cooperating sources, including recordings made by such sources; and (g) my training and experience and the training and experience of other law

¹ To the extent that recorded communications are summarized in this Affidavit, those summaries do not include references to all of the topics covered during the course of the conversation that was recorded. In addition, the summaries do not include references to all statements made by the speakers on the topics that are described. All quotations from recorded conversations are based upon preliminary transcriptions of those conversations and/or from your affiant having personally listened to the recordings. The times listed for the recorded conversations are approximate. At various points in the Affidavit, I included in brackets my interpretation of words and phrases used in the recorded conversations. My interpretations are based on the contents and context of the recorded conversation, my knowledge of the investigation as a whole, my experience and training, and the experience and training of other Agents in this investigation. Unless otherwise noted, the intercepted conversations contained herein are all in the Spanish language. For these interceptions, I have relied on draft—not final—Spanish-to-English translations of the conversations done by Agents and/or interpreters contracted by Agents. Italicized words appearing in such summaries were spoken in English.

enforcement Agents.

5. This Affidavit is made in support of a multi-count complaint that charges as follows:

a. From on or about September 27, 2015, and continuing until at least October 24, 2015, at Chicago, in the Northern District of Illinois and elsewhere, defendants JAVIER MORENO, AURELIO ABREGO, JOSE MIGUEL PEREZ, and FERNELLY LLANOS, a/k/a "Calero" and "Calerito," did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 1 kilogram or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846. *See* Paragraphs 10 through 37, *infra*.

b. From in or about September 23, 2015, and continuing until at least September 25, 2015, at Chicago, in the Northern District of Illinois and elsewhere, defendants AURELIO ABREGO, JOSE MIGUEL PEREZ and RICHARD ALVARADO, did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 500 grams or more of mixtures and substances containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846. *See* Paragraphs 38 through 78, *infra*.

c. On or about September 25, 2015, defendant FERNANDO GOMEZ, did knowingly possess with intent to distribute a controlled substance, namely a quantity of mixtures and substances containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of 21 U.S.C. § 841(a)(1). *See* Paragraphs 38 through 78, *infra*.

d. From in or about July 16, 2015, and continuing until at least July 17, 2015, at Chicago, in the Northern District of Illinois and elsewhere, defendants AURELIO ABREGO, JOSE MIGUEL PEREZ, and PEDRO SAAVEDRA-FITZ, did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 1 kilogram or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846. *See* Paragraphs 79 through 102 *infra*.

II. OVERVIEW OF THE INVESTIGATION

6. The complaint is based on a joint investigation by FBI and DEA agents (“Agents”) into defendants’ distribution of heroin and cocaine in the Chicago area. The investigation included the court-authorized interceptions of communications over various cellular telephones used by the following individuals:²

Target Phone	Phone Number	User	Intercept Period
Target Phone 3	(XXX) XXX-5420	AURELIO ABREGO	07/06/15 to 07/23/15
Target Phone 5	(XXX) XXX-3694	JOSE MIGUEL PEREZ	08/13/15 to 09/11/15 09/11/15 to 10/10/15

² Chief Judge Ruben Castillo, as well as Acting Chief Judges, authorized 30-day interception periods for each of the above-described Target Phones.

Target Phone 6	(XXX) XXX-9274	JOSE MIGUEL PEREZ	08/13/15 to 09/11/15 9/11/15 to 9/17/15
Target Phone 7	(XXX) XXX-8131	AURELIO ABREGO	09/16/15 to 10/05/15
Target Phone 8	(XXX) XXX-6704	JAVIER MORENO	10/22/15 to 11/19/15 11/19/15 to 12/18/15
Target Phone 9	(XXX) XXX-0412	JAVIER MORENO	10/22/15 to 11/10/15

A. The Drug Trafficking Operation and the Defendants' Roles

7. AURELIO ABREGO and JOSE MIGUEL PEREZ worked together to obtain wholesale quantities of cocaine and heroin from others and distribute the cocaine and heroin to their wholesale customers.

8. JAVIER MORENO, RICHARD ALVARADO, and others, supplied ABREGO and PEREZ with wholesale quantities of cocaine and heroin, on credit, a practice known as "fronting," for distribution to ABREGO and PEREZ's customers.

9. ABREGO and PEREZ, along with brokers FERNELLY LLANOS and PEDRO SAAVEDRA-FITZ, among others, supplied smaller distribution quantities of the cocaine and heroin to various wholesale customers. Two of the wholesale customers were GOMEZ and INDIVIDUAL C. ABREGO, PEREZ, and LLANOS would often front and sell, distribution quantities of cocaine and heroin, and collect proceeds from the customers after the customers sold the narcotics.

III. FACTS SUPPORTING PROBABLE CAUSE

A. Between September 27, 2015, and October 24, 2015, MORENO, ABREGO, and PEREZ Conspired to Distribute 1 Kilogram of Heroin to LLANOS and INDIVIDUAL C.

10. As set forth in detail in paragraphs 11 through 37 below, on September 27, 2015, JAVIER MORENO fronted (supplied on credit) approximately 1,920 grams of heroin to ABREGO and PEREZ. On September 29, 2015, PEREZ and ABREGO distributed approximately one kilogram of that heroin to FERNELLY LLANOS, who then delivered the vehicle containing the heroin to INDIVIDUAL C. Minutes after taking control of the vehicle containing the heroin, INDIVIDUAL C was stopped by law enforcement officers and the heroin was seized. In the following days and weeks of the seizure of the one kilogram of heroin by law enforcement, MORENO asked ABREGO and PEREZ to provide proof of the seizure and payment for the seized heroin so that MORENO could pay his heroin supplier.

1. On September 27, 2015, JAVIER MORENO fronted 1,920 grams of heroin to PEREZ and ABREGO.

11. On September 27, 2015, at approximately 1:27 p.m. (TP7, Session 760), ABREGO³, using Target Phone 7, called PEREZ⁴ on (XXX) XXX-8658. ABREGO

³ The identification of ABREGO and his voice in this Affidavit is based on the following: (a) Illinois Secretary of State records indicate that an address on the 3100 block of N. Kilbourn in Chicago, was ABREGO's home address in 2015; (b) on July 7, 2015, at approximately 2:00 p.m., law enforcement surveillance of ABREGO's residence on the 3100 block of N. Kilbourn observed a person matching the Illinois Secretary of State driver's license photo for ABREGO exit the residence and stand on the front porch, at which time the person removed a cellular telephone from his front pants pocket and dialed the telephone; at the same time, the male user of Target Phone 3 made an outgoing phone call that was intercepted by law enforcement (TP3, Session 341); (c) on July 7, 2015, at approximately 3:14 p.m., surveillance Agents observed ABREGO in front of his residence enter the passenger seat of a mini-van; surveillance Agents followed the mini-van and observed it arrive at a Wal-Mart in Chicago at approximately 3:21 p.m., at which time ABREGO was observed entering the Wal-Mart; at approximately the same time as ABREGO was in the Wal-Mart, according to interceptions over Target Phone 3, the male user of Target Phone 3 was intercepted telling an unknown individual that he was "by the store now" (TP3, Session 342); (d) as described further in this Affidavit, on September 25, 2015, at approximately 3:32 p.m., the user of Target Phone 7, whose voice was identified by Spanish-speaking linguists monitoring the wire as the same voice as the user of Target Phone 3, told "Richard," the user of XXX-XXX-1181, that he would "head on over there to speak with you [in person] instead" (TP7, Session 579), and at approximately 3:56 p.m., a person matching an Illinois Secretary of State driver's license photo for ABREGO and wearing a blue shirt was observed on a pole camera emerging from the garage behind ABREGO's address on the 3100 block of N. Kilbourn Ave., and spoke to the driver of a Nissan Murano, which was registered to Richard Freddison ALVARADO; (e) also as described further in this Affidavit, on September 25, 2015, at approximately 5:38 p.m., the user of Target Phone 7 asked GOMEZ to "pick [him] up...I am wearing a blue tee shirt" (TP7, Session 623), and at approximately 5:41 p.m., a person matching ABREGO's Illinois Secretary of State driver's license photo and wearing a blue tee shirt was observed on the pole camera in the alley behind ABREGO's house in the 3100 block of N. Kilbourn Ave., exiting a black Range Rover registered to GOMEZ and entering the garage behind ABREGO's residence.

⁴ The identification of PEREZ and his voice in this Affidavit is based on the following. According to phone records, telephone number XXX-XXX-3694 (Target Phone 5) is subscribed to MIGUEL PEREZ at 4501 W. Belmont Ave, Chicago, IL, which is the address of El Alteño. According to records maintained by the Illinois Secretary of State, the name of the business associated with this address is Frank and Rose Tavern, Inc., with the assumed name of Bar and Mariscos "El Alteño," and the agent's name and president is MIGUEL PEREZ. On August 13, 2015, at approximately 8:35 pm (TP5, Session 47), Target Phone 5 received an incoming call. The call went to voice mail, and the voice mail greeting was "you are calling Miguel Perez. Please leave your message. Thank you." Further, on September 1, 2015, at

asked, "Where are you?" PEREZ replied, "I'm here on the roof at... El Alteño."

ABREGO asked, "Did Javier [MORENO] call you?" PEREZ responded, "No, not yet."

12. At approximately 2:35 p.m. (TP7, Session 768), JAVIER MORENO,⁵ using telephone number XXX-XXX-6667, called ABREGO on Target Phone 7. MORENO said, "I'm here in the front, come out." ABREGO responded, "Okay."

13. At approximately 2:35 p.m. (TP5, Session 4796), PEREZ, using Target Phone 5, called MORENO on Target Phone 8. During the call, PEREZ said, "What's

approximately 4:14 p.m. (TP6, Session 136), PEREZ, calling from Target Phone 6, called INDIVIDUAL B, using XXX-XXX-0821. PEREZ greeted INDIVIDUAL B, and then stated, "It is Miguel from El Alteño." Spanish-speaking linguists compared the voice of the user of telephone number XXX-XXX-3694 (Target Phone 5) to the voice of the user of telephone number XXX-XXX-9274 (Target Phone 6) and determined that the user of both phones is the same person. In addition, on June 30, 2017, an Agent contacted telephone number XXX-XXX-3694 (Target Phone 5). A male subject answered the phone and was asked if it was "Jose Miguel PEREZ?" The person who answered said, "Yes."

⁵ The identification of JAVIER MORENO and his voice is based on the following: (a) the Illinois Secretary of State identification card for JAVIER MORENO lists his address as a residence in the 3700 block of W. Wrightwood, Chicago, IL; (b) on September 17, 2015, Agents observed MORENO enter that residence while carrying a grocery bag. Agents determined that the person they saw during surveillance on that date was MORENO based on a comparison with the Illinois Secretary of State photograph for JAVIER MORENO; (c) on September 17, 2015, Agents observed MORENO driving a white Chevrolet Tahoe bearing Illinois license plate N800793, which is registered to JAVIER MORENO at the same address on the 3700 block of Wrightwood Ave., Chicago, IL.; (d) telephone number (XXX) XXX-6704 (Target Phone 8) is subscribed to JAVIER MORENO at the same residence on the 3700 block of W. Wrightwood Ave., Chicago, IL; (e) on September 1, 2015, at approximately 8:06 p.m. (TP6, Session 143), ABREGO, using (XXX) XXX-8658, called PEREZ on Target Phone 6, and during the call asked him to call "Javier." Later on September 1, 2015, at approximately 8:49 p.m., PEREZ, using Target Phone 5, called MORENO, on Target Phone 8. During the call, PEREZ called the user of Target Phone 8 "Javiercito"; (f) On September 3, 2015, at approximately 1:38 p.m. (TP8, Session 1547), the user of Target Phone 8 told PEREZ that he would arrive at El Alteño in "about 15 minutes." At approximately 2:00 p.m., LEOs conducting surveillance at El Alteño observed the white Chevrolet Tahoe registered to MORENO arrive at El Alteño. LEOs then observed MORENO exit the vehicle and enter El Alteño; (g) Spanish speaking linguists assigned to this investigation have compared the voice of the user of Target Phone 8 with the user of Target Phones 9, and determined that they are the same person.

happening Javier?" MORENO replied, "I'm here talking to Aurelio [ABREGO] already. I'll arrive soon."

14. At approximately 2:49 p.m. (TP7, Session 769), ABREGO, using Target Phone 7, called PEREZ on (XXX) XXX-8658. PEREZ said, "Cousin, *sorry* I got a little busy. What happened [during your conversation with MORENO]?" ABREGO said, "That man [MORENO] is saying that he will call me right away when he/it [MORENO/the heroin⁶] is ready."

15. At approximately 3:35 p.m. (TP5, Session 4807), PEREZ, using Target Phone 5, called MORENO on Target Phone 8. PEREZ said, "Javi! [nickname for MORENO]." MORENO stated, "I told Aurelio [ABREGO] already [so that] you can go over there." PEREZ asked, "What time?" MORENO said, "I'm there now." PEREZ said, "I am going to call him [ABREGO] and pick him up." PEREZ asked, "What is the address?" MORENO answered, "I already gave it to him [ABREGO]."

16. At approximately 3:40 p.m. (TP7, Session 776), MORENO, using telephone number XXX-XXX-6667, called ABREGO on Target Phone 7. ABREGO stated that he and PEREZ would arrive "in twenty minutes." MORENO stated, "Listen to what I'm telling you. Go to the back [of the house]." ABREGO said, "*Okay.*"

⁶ The identification of the controlled substance as heroin is based on ABREGO's and PEREZ's subsequent delivery of one kilogram of heroin to LLANOS on September 29, 2015 (two days after taking this 1,920 gram delivery from MORENO), the seizure of that kilogram of heroin from INDIVIDUAL C, and MORENO's subsequent conversations with ABREGO and PEREZ regarding the seizure of the heroin, all of which is set forth below in paragraphs 25 through 37.

17. At approximately 4:12 p.m. (TP5, Session 4812), ABREGO, using (XXX) XXX-6522, called PEREZ on Target Phone 5. ABREGO told PEREZ that he was "almost in front of El Alteño" and later said, "Pick me up there in front." PEREZ responded, "Okay, bye."

18. At approximately 4:17 p.m. (TP7, Session 781), ABREGO, using Target Phone 7, called MORENO on telephone number XXX-XXX-6667. ABREGO said, "We [ABREGO and PEREZ] are already by here, in the back [of the residence]." ABREGO asked, "You told me 4033, right?" MORENO indicated that this was correct and stated that an unidentified female he sent to meet ABREGO and PEREZ was already waiting for them in the alley.

19. At approximately 4:21 p.m. (TP7, Session 782), ABREGO, using Target Phone 7, called MORENO.⁷ ABREGO said, "Dude, it's done." Later MORENO stated, "Oh, be careful [driving with the heroin in your possession]."

20. At approximately 4:32 p.m. (TP7, Session 785), MORENO, using telephone number XXX-XXX-6667, called ABREGO on Target Phone 7. MORENO said, "Look, the dude [my supplier] called me right now. [noise] He says that it is not the two [two full kilograms]." ABREGO asked, "It's not two [kilograms]?" MORENO confirmed, stating, "Huh, huh. It's one thousand- nine hundred-twenty [grams] almost the two [kilograms]. Do [you] understand me?" ABREGO stated, "Okay, I will check anyway later." MORENO added that "eighty [grams] are missing" and later

⁷ Due to a malfunction associated with this call, no direction and digits were received. MORENO was identified by voice identification.

said, "he [MORENO's supplier] says that he took it out [the 80 grams], *okay?*" ABREGO responded, "Alright then."

21. At approximately 4:40 p.m. (TP7, Session 789), MORENO, using telephone number XXX-XXX-6667, called ABREGO on Target Phone 7. MORENO said, "Dude, like at what time are you going to do it [weigh the narcotics] so I can check it with you?" ABREGO said, "Right now." MORENO added that he wanted ABREGO and PEREZ to "check it [the weight] because you know that later on people [customers] come out with... Do you understand me? [It's better to check the weight as soon as possible]." ABREGO said, "Huh, huh." MORENO asked, "Where's it [the heroin] going to be?" ABREGO replied, "There at Miguel's."

22. At approximately 4:58 p.m. (TP7, Session 791), ABREGO, using Target Phone 7, called MORENO on telephone number XXX-XXX-6667. ABREGO asked, "Where are you?" MORENO responded, "I'm here." ABREGO asked, "Are you here at the bar [El Alteño, which, as explained above, is owned by MIGUEL PEREZ]?" MORENO confirmed that he was, and they agreed to meet outside.

23. At approximately 5:18 p.m. (TP7, Session 792), ABREGO, using Target Phone 7, called PEREZ on (XXX) XXX-8658. During the call, ABREGO asked "Are you almost here [El Alteño]?" PEREZ responded, "Yes." ABREGO said, "I did this [weighed the heroin] already." PEREZ asked, "Oh yeah?" ABREGO responded, "It's one thousand-nine hundred-twenty dollars [grams of heroin]." PEREZ responded, "*Okee dokee*" and "I'll see you—I'll see you there [at El Alteño] shortly." ABREGO

added, "He [MORENO] already came too [to confirm the weight], he left already."

PEREZ responded, "Okay."

24. Based on my training and experience, the training and experience of other Agents involved in this investigation, as well as my interpretation of the calls summarized above, MORENO met with ABREGO in person in the early afternoon and agreed to deliver heroin to ABREGO and PEREZ later that day. Later in the day, at MORENO's direction, PEREZ and ABREGO obtained 1,920 grams of heroin from a female at an address specified by MORENO. Further, while MORENO had agreed to supply ABREGO and PEREZ with 2,000 grams of heroin, the delivery was short by 80 grams.

2. On September 29, 2015, PEREZ and ABREGO distributed one kilogram of heroin to FERNELLY LLANOS, who then distributed the heroin to INDIVIDUAL C.

25. On September 29, 2015, at approximately 2:53 p.m. (TP7, Session 1010), LLANOS, using (XXX) XXX-1709,⁸ called ABREGO on Target Phone 7. During the call, ABREGO said, "I have some there for you [ABREGO has heroin to provide to

⁸ The identification of LLANOS, a/k/a "Calero," and his voice in this affidavit is based on the following: (a) at approximately 12:15 pm on March 2, 2016, Agents conducting surveillance observed LLANOS park the car he was driving in the area of the 2100 block of W. Farragut, Chicago, Illinois. Agents approached LLANOS and identified themselves as federal agents and asked if they could speak with him about drug trafficking in the area. LLANOS agreed to speak with the Agents, and suggested that it would be better if the meeting took place out of public view. Agents suggested speaking in a private room at the 20th Chicago Police District. LLANOS agreed, and asked to ride with the Agents, because he said he did not want anyone to see his car parked at the police station. At the police station, LLANOS spoke with Agents for several minutes and told Agents that his nickname is "Calero"; (b) based on a comparison of the Illinois Secretary of State photograph of FERNELLY LLANOS, Agents confirmed that the person they interviewed on March 2, 2016 was LLANOS; (c) Agents also compared the voice of the person interviewed on March 2, 2016, with the voice of the user of phone (XXX) XXX-1709 and determined they are the same person.

LLANOS].” LLANOS replied, “Ah, good.” ABREGO said, “So that Usab [PH], you’re your friend [narcotics customer]...continues, continues, continues working [selling narcotics].” LLANOS said, “*Okay*, no that’s fine, that’s fine.” LLANOS later said, “And we can come to an agreement for later on today [LLANOS will retrieve the heroin later in the day].” ABREGO replied, “Yes, please so that you can give me a hand with that [distributing the heroin].”

26. At approximately 5:59 p.m. (TP7, Session 1028), ABREGO, using Target Phone 7, called LLANOS on (XXX) XXX-1709. ABREGO asked LLANOS, “Will you take long?” LLANOS answered, “No, I’m on my way already.” ABREGO said, “No, no – *okay* that’s -- why I was asking because I have some things to do, that’s why I am asking. I was calling you right now.” LLANOS said, “No, no, I don’t think I will take long. No just in what it takes me to...I’m over here by, I’m going over by Pulaski and Lawrence.” ABREGO said, “Ah, *okay*.” LLANOS later said, “I will meet my friend, get his car and I will head over towards you.” ABREGO responded, “*Okay!* That’s fine.”

27. At approximately 6:02 p.m. (TP7, Session 1029), ABREGO, using Target Phone 7, called PEREZ on (XXX) XXX-8658. During the conversation, ABREGO said, “What do you think...Should I give ah, Calerito [LLANOS⁹] the whole one or should

⁹ Agents concluded that “Calerito” is a nickname for LLANOS based on the following. At approximately 5:59 p.m. (TP7, Session 1028), ABREGO called LLANOS on (XXX) XXX-1709. ABREGO asked LLANOS, “Will it take long [for you to arrive at my house]?” LLANOS responded, “I will meet my friend, get his car, and I will head over towards you.” At approximately 6:02 p.m. (TP7, Session 1029), ABREGO, using Target Phone 7, called PEREZ on (XXX) XXX-8658, and stated, that Calerito “is coming in half an hour, he already called me.” Approximately 30 minutes later, at approximately 6:32 p.m. (TP 7, Session 1033), LLANOS, using (XXX) XXX-1709, called ABREGO and stated, “I’ll arrive there in a minute.”

I only give him the half [should I give LLANOS an entire kilogram of heroin or just half?]” PEREZ stated, “Ask him how long it will take him [to sell the entire kilogram] so that he can take all of it [the entire kilogram].” PEREZ added, “Not a long time, like the other time, no [LLANOS must pay the kilogram back quicker than he did the last time he took heroin from them].” ABREGO later said, “It will take him [LLANOS] longer than a week [to pay for the fronted narcotics] with a whole one, Cuz.” PEREZ responded, “*Okay*, a week—give him a week and a half—a week and a half. Or just tell him-- tell him-- tell him by such a day. Tell him by what day, by what day [to pay for the fronted heroin].” ABREGO said, “He [LLANOS] is coming in half an hour, he already called me” and later said “he [LLANOS] is going to want the whole one [the entire kilogram], Cuz. It’s better for him.” PEREZ responded, “*Okay!* That is why I’m telling you...give him the whole one [entire kilogram] but only give him a week and a half [to pay for the fronted narcotics].” PEREZ added, “But have it be for sure” and “So that I can let Javi [MORENO] know that by such a day [he will have the payment for the kilogram].”

28. At approximately 6:32 p.m. (TP7, Session 1033), LLANOS, using (XXX) XXX-1709, called ABREGO on Target Phone 7. During the conversation, LLANOS said, “I’ll arrive there in a minute.” ABREGO responded, “*Okay...Fine.*”

29. Agents conducted surveillance of ABREGO and LLANOS on September 29, 2015. At approximately 6:32 p.m., using a pole camera installed facing the alley

In addition, when interviewed by Agents on March 2, 2016, LLANOS stated that his nickname is “Calero.”

behind ABREGO's residence, Agents observed ABREGO open the overhead garage door and stand outside. At approximately 6:33 p.m., a gray Infiniti, bearing Illinois license plate V955452, pulled up to ABREGO's garage. ABREGO met with the driver of the vehicle through the open passenger window. Shortly thereafter, the vehicle departed.

30. Agents conducted mobile surveillance of the gray Infiniti from the garage until the vehicle parked on the north side of W. Nelson Street in Chicago, IL, west of the intersection with N. Lamon Avenue. Agents observed a male, later identified as INDIVIDUAL C, the registered owner of the gray Infiniti, approach the vehicle. Shortly thereafter, Agents observed LLANOS exit the driver's seat of the Infiniti, and INDIVIDUAL C enter the driver's seat of the Infiniti. INDIVIDUAL C then drove away by himself in the Infiniti, and Agents conducted mobile surveillance of the Infiniti.

31. At approximately 6:58 p.m., based upon INDIVIDUAL C's suspected involvement in the distribution of one kilogram of heroin, Agents conducted a traffic stop of the Infiniti in the area of N. Cicero Ave. and W. Wellington Ave. INDIVIDUAL C provided officers with an Illinois Driver's License bearing his name and photograph. While conducting the traffic stop, Agents observed a box sitting on the floor of the front passenger seat. INDIVIDUAL C indicated that the box was not his and said Agents could look inside the box. Agents took custody of the box, and discovered that inside the box was a brown/white hard substance. The brown/white

hard substance was later tested by the DEA North Central Forensics Laboratory and was determined to contain heroin, with a net weight of approximately 941 grams.

32. At approximately the same time as the traffic stop of INDIVIDUAL C, LLANOS was observed walking towards a black Audi bearing Illinois license plate E744386. At approximately 6:58 p.m., LLANOS was approached by Agents. LLANOS was transported to the Chicago Police Department. LLANOS declined to provide a statement and was released from custody and no charges were filed at that time in order to maintain the covert nature of the investigation.

33. After the seizure of approximately one kilogram of heroin from INDIVIDUAL C on September 29, 2015, toll records revealed that ABREGO ceased using Target Phone 7, and toll records further confirmed that after October 6, 2015, MORENO stopped using telephone number XXX-XXX-6667.

34. Based on the intercepted calls and surveillance set forth above, as well as my training and experience and the training and experience of other Agents involved in this investigation, on September 29, 2015, LLANOS received at least 1,000 grams of heroin from PEREZ and ABREGO and then distributed the heroin, to INDIVIDUAL C.

3. PEREZ and ABREGO discuss repayment for the seized kilogram of heroin with MORENO.

35. On October 1, 2015, at approximately 11:13 a.m. (TP5, Session 5261), ABREGO, using (XXX) XXX-6522, called PEREZ on Target Phone 5. During this conversation, ABREGO stated, "He [LLANOS] is waiting on his friend [INDIVIDUAL C] to get some paper so he can show it to the friend in case he doesn't believe them

[LLANOS is waiting for INDIVIDUAL C to provide paperwork showing that the kilogram of heroin was seized by law enforcement to prove that neither LLANOS nor INDIVIDUAL C stole the heroin]. Later during the call, ABREGO asked, "He's [MORENO] already called you?" PEREZ responded in the affirmative. ABREGO stated, "Tell him [MORENO] that I spoke with the dude [LLANOS] and he is going to come today [so that] we can reach an agreement." ABREGO added, "He [LLANOS] is going to try and get the paper that he [MORENO] wants [so that] he [MORENO] sees that it is true what we are telling him." ABREGO added, "He [LLANOS] is waiting for his friend [INDIVIDUAL C] to get him that paper [LLANOS is trying to get paperwork from INDIVIDUAL C that law enforcement seized the kilogram of heroin].

36. On October 24, 2015, at approximately 10:49 a.m., (TP9, Session 38), ABREGO using phone number XXX-XXX-8016, called MORENO, using Target Phone 9. During this conversation, MORENO stated, "I am not going to lose my horses for some people that I don't even know." [MORENO is not going to sell/give up his horse to cover PEREZ/ABREGO's debt for the kilogram of heroin seized from INDIVIDUAL C]. MORENO later stated, "[Your] friend does not face me and bring the proof [that law enforcement seized the one kilogram of heroin]." ABREGO said, "In any case the friend did not come to an agreement with you but [did with] us [PEREZ/ABREGO]." MORENO said, "Clearly but I'm asking you [PEREZ and ABREGO] for the proof" and "you are not give me the proof." ABREGO said, "The friend [LLANOS and/or INDIVIDUAL C] is not bringing it to us." MORENO said, "I

am being asked for the proof [by the suppliers]." Later, MORENO said, "They have the name of a lawyer and bam bam right away [the lawyer will check and find out information about the seizure]." Also later in the call, MORENO said, "The friend [the supplier] has not bothered me but it has been about 3 weeks [since the seizure from INDIVIDUAL C]" and "the friend [supplier] will start to hassle me." MORENO added, "I am not going to lose my horses for a guy I do not even know."

37. Based on my training and experience and the training and experience of other Agents involved in this investigation, as well as the facts set forth above in paragraphs 11 through 36, the one kilogram of heroin that ABREGO and PEREZ distributed to LLANOS on September 29, 2015, came from the 1,920 grams of heroin that MORENO distributed to ABREGO and PEREZ on September 27, 2015.

B. On September 25, 2015, ABREGO and ALVARADO Distributed Cocaine to GOMEZ.

38. ABREGO and PEREZ distributed controlled substances on other occasions in addition to those described above. As described in further detail below, on September 25, 2015, ABREGO obtained cocaine from ALVARADO and provided part of that cocaine to GOMEZ, a customer referred to him by Individual A.

39. On September 22, 2015, at approximately 2:19 p.m. (TP7, Session 367), ABREGO, using Target Phone 7, called INDIVIDUAL A on telephone number XXX-XXX-7017. INDIVIDUAL A said, "I think my buddy [later determined to be Fernando GOMEZ, as described below] will be able to get more [narcotics] out [sold] faster." INDIVIDUAL A added, "I would like for you to talk with him [so that] I will not be the middle man." INDIVIDUAL A explained, "I will hook you up with him [GOMEZ]

and if you want to give me something [money] for that [introducing you to him], then it'll be good and if not it will be okay." ABREGO asked, "Is your buddy trustworthy?" INDIVIDUAL A answered, "Yes." The conversation continued briefly before the call was disconnected.

40. The next day, September 23, 2015, at approximately 8:34 p.m. (TP7, Session 435), INDIVIDUAL A, using telephone number XXX-XXX-7017, called ABREGO, on Target Phone 7. INDIVIDUAL A said, "My friend [GOMEZ] called me a bit ago" and "he said he wanted to work [obtain narcotics] tomorrow." INDIVIDUAL A added, "If you want, I can swing by there tomorrow morning; we can call him and we can talk." ABREGO said, "It would have to be after noon [because] I am working in the morning." INDIVIDUAL A said, "That would be fine" and "If [everyone] agrees to work [sell narcotics] then he can go ahead and see." ABREGO said, "We will have a good chat tomorrow."

41. At approximately 8:38 p.m. (TP7, Session 437), ABREGO, using Target Phone 7, called RICHARD ALVARADO,¹⁰ on telephone number XXX-XXX-1181.

¹⁰ The identification of RICHARD ALVARADO and his voice in this Affidavit is based on the following: (a) in September 2015, phone number XXX-XXX-1181 was subscribed in the name of "Richa5d Alvarado;" (b) according to law enforcement databases, the number XXX-XXX-1181 was the phone number registered to RICHARD ALVARADO; (c) records received from Facebook indicate that XXX-XXX-1181 was directly linked to a Facebook profile for "Richi RG" and a profile photograph was shown on the public Facebook account of "Richi RG" that matches an Illinois Secretary of State photograph for RICHARD ALVARADO; (d) as described below, on September 25, 2015, at approximately 3:32 p.m., ABREGO told the user of XXX-XXX-1181 that ABREGO would "head on over there to speak with you [in person] instead" (TP7, Session 579) and at approximately 3:57 p.m., a Nissan Murano was observed on a pole camera arriving at a garage behind ABREGO's residence on the 3100 block of N. Kilbourn; according to Illinois Secretary of State records, that Nissan Murano belongs to Richard Freddison ALVARADO of the 3200 block of N. Kostner Ave., Chicago, Illinois, which

ABREGO asked, "Are you at the office?" ALVARADO said that he was. ABREGO said, "I'm going to come over there right now [so that] we can talk." ALVARADO said, "Come on over."

41. On September 24, 2015, at approximately 3:58 p.m. (TP7, Session 467), ABREGO, using Target Phone 7, called INDIVIDUAL A, who was using telephone number XXX-XXX-7017. During the call, ABREGO said, "Give your friend [GOMEZ] the address of the office [El Alteño] and we can meet there." INDIVIDUAL A asked, "What is the address?" ABREGO answered, "It is 4501 W. Belmont [the address of El Alteño]."¹¹ ABREGO said, "Give me his [GOMEZ's] number" and "call me once he is there" and "I will go there."

42. At approximately 4:57 p.m. (TP7, Session 475), INDIVIDUAL A, using telephone number XXX-XXX-7017, called ABREGO, who was using Target Phone 7. INDIVIDUAL A said, "The guy [GOMEZ] is already at the office [El Alteño]" and "you will be able to recognize him right away [because] he is a really big fat guy named Fernando." ABREGO said okay. INDIVIDUAL A said, "Call me once you are with him." Later in the conversation, ABREGO said, "Tell him [GOMEZ] to go over to the restaurant side [of El Alteño]."

is the address in Illinois Secretary of State driver's license records for RICHARD ALVARADO.

¹¹ According to records maintained by the Illinois Secretary of State, the name of the business associated with 4501 W. Belmont, Chicago, is Frank and Rose Tavern, Inc., with the assumed name of Bar and Mariscos "El Alteño," and the agent's name and president is MIGUEL PEREZ.

43. At approximately 5:08 p.m. (TP 7, Session 485), ABREGO, using Target Phone 7, called ALVARADO, who was using telephone number XXX-XXX-1181. ABREGO said, "I am with the friend [GOMEZ] that I told you was going to come see me." ABREGO added, "The guy needs nine hours [ounces or approximately 250 grams] by today." ALVARADO said, "I will check my watch [supplier] and see if they have that." ABREGO said, "Tell him that I need that [the nine ounces] for this guy urgently." ALVARADO said, "Okay."

44. At approximately 5:09 p.m. (TP7, Session 486), INDIVIDUAL A, using telephone number XXX-XXX-7017, called ABREGO, who was using Target Phone 7. INDIVIDUAL A asked, "Is he [GOMEZ] there already?" ABREGO said, "He [GOMEZ] is here" and "we are talking."

45. At approximately 5:10 p.m. (TP7, Session 487), ABREGO, using Target Phone 7, called ALVARADO, who was using telephone number XXX-XXX-1181. ABREGO said, "The guy said he would wait until tomorrow and take 18 [ounces of narcotics]." ALVARADO said, "That's fine." ABREGO said, "Tell your friend to get on it for tomorrow." ALVARADO said, "I am speaking with him right now."

46. At approximately 5:23 p.m. (TP7, Session 494), ABREGO, using Target Phone 7, called INDIVIDUAL A, who was using telephone number XXX-XXX-7017. ABREGO said, "I already talked to him [GOMEZ]" and "he already left [El Alteño]. ABREGO told INDIVIDUAL A that "he said tomorrow." INDIVIDUAL A said, "If it gets good, he works [distributes narcotics] really well" and "he works a lot [distributes a lot of narcotics]." ABREGO said, "That is what he told me."

47. At approximately 5:30 p.m. (TP7, Session 497), ALVARADO, using telephone number XXX-XXX-1181, called ABREGO, who was using Target Phone 7. During the conversation, ALVARADO asked, "How much do you want for tomorrow, 18 [18 ounces or approximately 510 grams]?" ABREGO answered, "Yes, 18." ALVARADO asked, "Is it the dove kind [cocaine]?" ABREGO confirmed. ALVARADO asked, "Are [we] talking about half's worth of those candies [1/2 kilogram of cocaine]?" ABREGO confirmed. ALVARADO said, "Okay."

48. At approximately 7:49 p.m. (TP7, Session 511), GOMEZ, using telephone number XXX-749-2362,¹² called ABREGO, who was using Target Phone 7. During this call, GOMEZ asked ABREGO if there is anything. ABREGO said no and reminded him that he already told him for tomorrow. Later in the call, ABREGO told GOMEZ that he will let him know with enough time so GOMEZ could do whatever he had to do.

49. At approximately 7:59 p.m. (TP7, Session 513), ABREGO, using Target Phone 7, called ALVARADO, who was using telephone number XXX-XXX-1181. ABREGO asked, "Did you talk to your friend [the cocaine supplier]?" ALVARADO said, "I have not." ALVARADO said, "I am about to call him because he [the supplier] had told me he was going to come..." Later in the conversation, ABREGO said, "The guy [GOMEZ] already called me" and "asked me if it was for sure [because] it is

¹² The identification of GOMEZ and his voice in this Affidavit is based on the following: on July 11, 2017, Agents interviewed GOMEZ, as described below in paragraph 78. During that interview, GOMEZ identified his own voice in TP7 on Sessions 570 and 611, and Agents, based on their familiarity with GOMEZ's voice through the interview, identified the voice of GOMEZ and the person of GOMEZ as indicated in this Affidavit.

urgent for him tomorrow [to obtain the narcotics]." ALVARADO said, "Do not worry." ALVARADO assured ABREGO, "I will confirm it for you in a bit."

50. At approximately 8:40 p.m. (TP7, Session 516), ALVARADO, using telephone number XXX-XXX-1181, called ABREGO, who was using Target Phone 7. ALVARADO said, "The guy told me he is not going to be able to come right now" but "he is going to try to bring it [the narcotics] to me tomorrow morning [because] he had a small problem at home with the family."

51. At September 24, 2015, at approximately 8:54 p.m. (TP7, Session 517), ABREGO, using Target Phone 7, called ALVARADO, who was using telephone number XXX-XXX-1181. ABREGO asked, "Are you at the office [El Alteño]?" ALVARADO said yes. ABREGO said, "I will come by there in a bit." ALVARADO said, "I will wait here."

52. At approximately 9:18 p.m. (TP7, Session 519), ABREGO, using Target Phone 7, called GOMEZ who was using telephone number XXX-749-2362. ABREGO said, "Tomorrow, I will see you around the same time I saw you today." GOMEZ said, "That's fine." ABREGO asked, "Is it a sure thing that you can come so that I can say yes?" GOMEZ said, "Yes." ABREGO said, "Call me then." GOMEZ said, "[Make sure] it is in chunks because if it is loose, I will not take it." ABREGO was then heard asking another individual in the background, "How is it" and "Is it kind of hard [or] loose." ABREGO then told GOMEZ, "He said it is the way you want it." Before hanging up, ABREGO told someone [in the background] that he wants it a bit hard.

53. The next day, September 25, 2015, at approximately 2:36 p.m. (TP7,

Session 570), GOMEZ, using telephone number XXX-749-2362, called ABREGO, who was using Target Phone 7. GOMEZ asked, "What time will you and I be meeting?" ABREGO answered, "At five [o'clock]." GOMEZ agreed and later said, "Where will I be meeting you?" ABREGO said, "Over there where I met you yesterday [El Alteño]." GOMEZ asked, "Is it going to be inside?" ABREGO said yes.

54. At approximately 3:14 p.m. (TP7, Session 578), ABREGO, using Target Phone 7, called ALVARADO, who was using telephone number XXX-XXX-1181. ABREGO asked, "Did the guy from the little dove [cocaine] call you?" ALVARADO answered, "He did" and "the dove [cocaine] is on its way." ALVARADO then said, "I told the dude that the guys are hungry [customers want narcotics]" and "the dude said he is on his way."

55. At approximately 3:32 p.m. (TP7, Session 579), ALVARADO, using telephone number XXX-XXX-1181, called ABREGO, who was using Target Phone 7. ALVARADO said, "My other buddy [narcotics associate 2] just called me, the one that is going for thirty five-fifty [price of narcotics]." ALVARADO continued, "The guy [narcotics associate 2] told me that he had it ready for me already." ALVARADO said, "I do not know what to do since the other guy [narcotics associate 1] is on his way as well in 10 to 20 minutes." ABREGO said, "Go with the other one instead [narcotics associate 1]." ALVARADO said, "I'll wait for this guy [narcotics associate 1] because he told me that he has had me waiting" and "I told him [narcotics associate 1 or narcotics associate 2, unclear] to give me two days to pay him." ABREGO said, "I will head on over there to speak with you instead."

56. At approximately 3:56 p.m., using a pole camera affixed outside of the alley facing ABREGO's garage, Agents observed a blue Nissan Murano registered to ALVARADO¹³ pull northbound through the alley and stop behind ABREGO's residence.¹⁴ Shortly thereafter, the garage door of ABREGO's garage opened, and ABREGO exited the garage, wearing a blue shirt. The Nissan Murano repositioned itself next to the garage, and ABREGO approached the driver's side of the vehicle, where the driver and ABREGO appeared to engage in conversation through the window. Based on pole camera footage, the male driver appeared to be the only person in the Murano.

57. At approximately 3:58 p.m., according to pole camera footage, another vehicle was attempting to travel northbound through the alley and the Nissan Murano pulled from the garage and out of view, to allow for the other vehicle to travel through the alley. ABREGO remained standing in the area of his garage. At approximately 3:59 p.m., the Nissan Murano came back into view traveling southbound through the alley, and came to a stop behind ABREGO's garage where it remained for several minutes. ABREGO and the occupant(s) of the Murano engaged in conversation through the open front passenger's side window.

58. At approximately 4:02 p.m. (TP7, Session 585), ABREGO, using Target

¹³ The Nissan Murano bore Illinois license plate S813529, which, according to Secretary of State records, is registered to a blue 2009 Nissan utility vehicle belonging to Richard Freddison ALVARADO at 4415 W. Belmont, Chicago, IL., which is the same address appearing on the Illinois Drivers' License for ALVARADO.

¹⁴ According to Illinois Secretary of State records and surveillance observations, in 2015, ABREGO resided at 3135 N. Kilbourn Ave., Chicago, IL.

Phone 7, called GOMEZ, who was using telephone number XXX-XXX-2362. Using the pole camera affixed outside ABREGO's garage, Agents observed ABREGO get on the telephone at approximately the same time as this telephone call was made.¹⁵ ABREGO asked, "Are you interested in a full order [an entire kilogram of cocaine]?" GOMEZ answered, "I am but I do not have all the papers [payment]." ABREGO said, "I am here with the guy [ALVARADO]" and "the guy [ALVARADO] is asking if you are interested because the thing [cocaine] is pretty good" and "if you are interested you can take the full order [an entire kilogram of cocaine]." GOMEZ said, "I am interested but I need the guy [ALVARADO's supplier] to wait for a week or so [to be paid]." ABREGO said, "That will not be possible because the guy [ALVARADO] wants to give and receive the entire thing [receive cash for the entire order upon delivery]." GOMEZ said, "I understand." ABREGO said, "I will call you back." GOMEZ asked, "Is that thing still on anyway?" ABREGO said yes.

59. Using the pole camera affixed outside ABREGO's garage, Agent's observed ABREGO remain at the passenger side window of the blue Nissan Murano for several minutes. At approximately 4:10 p.m., Agents observed the blue Nissan Murano pull away from ABREGO's garage and continue southbound through the alley. ABREGO re-entered his garage, and the garage door shut shortly thereafter.

60. At approximately 4:47 p.m., ABREGO, using Target Phone 7, called

¹⁵ Based on Agents' review of pole camera footage and the times associated with intercepted wire calls, Agents have determined that the time as recorded on the pole camera is approximately two minutes behind the time as recorded by the system by which the intercepted telephone calls were received.

ALVARADO, who was using telephone number XXX-XXX-1181 (TP7, Session 600). During this call, ALVARADO told ABREGO that his "buddy [the supplier]" hadn't arrived yet. ABREGO told ALVARADO that "this buddy [GOMEZ]" is here. ALVARADO told ABREGO that he completed with 18 [\$18,000] from the gentleman plus what ALVARADO has there in cash it is 32 [\$32,000]. ALVARADO told ABREGO, "Do not to worry, I completed it already [the price for an entire kilogram of cocaine]." ALVARADO asked ABREGO if he had 2 "pesos" [\$2,000]. ALVARADO said, "Make it 34 [\$34,000] with the 2 pesos." ALVARADO told ABREGO that his buddies are coming later on. ABREGO said, "With your money I will complete my sales and will not get disorganized." ABREGO said, "I have one complete peso [\$1,000]." ALVARADO told ABREGO to bring him the money now. ABREGO said ok.

61. At approximately 4:49 p.m. (TP7, Session 601), ABREGO, using Target Phone 7, called GOMEZ, who was using telephone number XXX-XXX-2362. ABREGO asked where GOMEZ was, and GOMEZ answered, "I am waiting for you" and later said, "I am parked." ABREGO said, "Hold on a little longer because the man [the supplier] did not arrive yet." GOMEZ told ABREGO that he was in a hurry.

62. At approximately 4:57 p.m. (TP7, Session 605), ABREGO, using Target Phone 7, called ALVARADO, who was using telephone number XXX-XXX-1181. ABREGO said, "I am on my way." ABREGO later asked, "How long will it be because the guy [GOMEZ] is asking me." ALVARADO answered, "About 20 minutes." ABREGO later told ALVARADO that the guy is parked and waiting. ALVARADO

said "They are going to bring it [the cocaine] to me right away."

63. At approximately 4:58 p.m. (TP7, Session 606), GOMEZ, using telephone number XXX-XXX-2362, called ABREGO, who was using Target Phone 7. During the call, ABREGO said, "The man [ALVARADO] answered me" and "asked me to give him 20 minutes." GOMEZ said, "It will be 20 minutes in addition to whatever time it will take you to get to where he is at." ABREGO said, "No" and "He is close by." ABREGO said he will meet the man [supplier] so he can rush him. Later in the call, GOMEZ said, "It is 5:00 o'clock now so no later than 5:20 [p.m]."

64. At approximately 5:19 p.m. (TP7, Session 611), GOMEZ, using telephone number XXX-XXX-2362, called ABREGO, who was using Target Phone 7. During the call, ABREGO asked, "Do you want to wait or not [to purchase the cocaine]?" GOMEZ answered, "I will wait for a little while longer" but complained again that they had agreed upon a time to meet.

65. At approximately 5:21 p.m. (TP 7, Session 614), ABREGO, using Target Phone 7, called ALVARADO, who was using telephone number XXX-XXX-1181. ABREGO said, "The guy [GOMEZ] said that he is going to wait a little while longer [for the cocaine]." ALVARADO said, "I will call you."

66. At approximately 5:31 p.m. (TP7, Session 621), ABREGO, using Target Phone 7, called ALVARADO, who was using telephone number XXX-XXX-1181. ALVARADO said, "He [the supplier] does not answer" and "I sent two or three text messages and he [the supplier] does not respond." ABREGO said, "He [GOMEZ] is desperate already." ALVARADO said, "I can imagine." ABREGO said, "I will tell

him [GOMEZ] to leave" and "if he [the supplier] comes we will send him to hell [for being so late and the deal not happening]." ABREGO added, "He [the supplier] needs to be true to his word." ALVARADO said, "It is 32 minutes after the hour" and "wait another two minutes and see what happens." ALVARADO added, "I will call him [the supplier] again."

67. At approximately 5:37 p.m. (TP7, Session 622), ALVARADO, using telephone number XXX-XXX-1181, called ABREGO, who was using Target Phone 7. ALVARADO said, "Go by the alley because the guys [the suppliers] are across the street" and "bring the money." ABREGO said okay. ALVARADO said, "See it in the alley."

68. At approximately 5:38 p.m. (TP7, Session 623), ABREGO, using Target Phone 7, called GOMEZ, who was using telephone number XXX-492-2362. ABREGO asked, "Are you where you parked yesterday?" GOMEZ answered yes. ABREGO said, "Pick me up" and "I am wearing a blue tee shirt." GOMEZ said okay.

69. At approximately 5:39 p.m., using the pole camera affixed outside the garage of ABREGO's residence, agent's observed a black Range Rover, bearing Illinois Chicago Bulls license plate 1678BU,¹⁶ travel southbound through the alley and stop behind ABREGO's garage. ABREGO, wearing a blue shirt, exited the passenger seat of the vehicle, walked around the black Range Rover while carrying a

¹⁶ Only the numbers of the license plate were able to be observed using the pole camera. An internet search reveals that Chicago Bulls license plates end with the letters "BU." A Secretary of State of Illinois check reveals Chicago Bulls Illinois license plate 1678BU is registered to a 2006 Range Rover Wagon belonging to FERNANDO GOMEZ, residing at the 3800 block of Ivanhoe Ct., Schiller Park, Illinois.

white plastic bag, and entered into his backyard.

70. Using the pole camera affixed outside of ABREGO's garage, Agents observed that shortly thereafter the overhead garage door opened and ABREGO exited, empty handed. ABREGO approached the passenger side of the black Range Rover and appeared to speak to the occupant(s) of the car through the open passenger window. Shortly thereafter, ABREGO re-entered the garage and shut the overhead door, and the black Range Rover departed southbound through the alley.

71. At approximately 5:40 p.m. (TP7, Session 624), ABREGO, using Target Phone 7, called ALVARADO, on telephone number XXX-XXX-1181. ABREGO said, "I am in the back." ALVARADO replied, "That is fine."

72. At approximately 5:42 p.m., Agents, using the pole camera mounted in the alley outside of ABREGO's garage, observed a heavysset male, later identified as GOMEZ, walking northbound through the alley towards ABREGO's garage. Shortly thereafter, ABREGO's garage door opened and ABREGO exited. ABREGO looked in GOMEZ's direction and re-entered the garage. GOMEZ did not have anything in his hands as he approached the garage. GOMEZ entered into the open overhead garage door and shortly thereafter, the garage door closed.

73. At approximately 6:02 p.m., the pole camera surveillance footage showed an unknown male open the gate that separates ABREGO's backyard and the alley, and GOMEZ exited the gate, carrying a bag. GOMEZ then walked southbound through the alley until out of view. The unknown individual re-entered the backyard of ABREGO's residence through the gate.

74. Also at approximately 6:02 p.m. (TP7, Session 625), INDIVIDUAL A, using telephone number XXX-XXX-7017, called ABREGO, who was using Target Phone 7. ABREGO said, "This is happening [the deal] right now." INDIVIDUAL A said, "Okay."

75. Approximately six minutes later, at approximately 6:26 p.m. (TP7, Session 628), ABREGO, using Target Phone 7, called INDIVIDUAL A, who was using telephone number XXX-XXX-7017. ABREGO said, "It happened already." INDIVIDUAL A said, "That is it" and "that is how I like it." ABREGO said, "I will take care of you [provide money for introducing GOMEZ to ABREGO]." INDIVIDUAL A said, "Alright."

76. At approximately 8:11 p.m. (TP7, Session 662), GOMEZ, using telephone number XXX-749-2362, called ABREGO, who was using Target Phone 7. GOMEZ said, "It [the cocaine] looks good" but "I am not going to check it out until tomorrow." ABREGO asked, "Did you get home fine?" GOMEZ answered, "I did" and "I will call you in a couple of weeks."

77. Based on the intercepted calls and recorded surveillance video summarized in paragraphs 39 to 76 above, my knowledge of the investigation as whole, and my training and experience as a Special Agent, I believe that, on September 25, 2015, ABREGO obtained at least 500 grams of cocaine ["the dove kind"] from ALVARADO in part to supply cocaine to GOMEZ, a customer referred to ABREGO by INDIVIDUAL A.

78. On July 11, 2017, Agents interviewed GOMEZ. GOMEZ was read his

advice of rights, including his right to remain silent, and said he understood those rights. Agents showed GOMEZ the September 25, 2016, pole camera footage referenced in paragraphs 69 through 73 above and GOMEZ identified himself as the individual walking down the alley towards the opened garage. GOMEZ said that on that day he purchased approximately 9 ounces [250 grams] of cocaine from a person in the garage, whom he did not know. GOMEZ said he was introduced to the person who sold him the cocaine by another person whom he met at a bar (not El Alteño). Agents also played GOMEZ several intercepted calls, including TP7 Sessions 570 and 611, and GOMEZ identified himself as one of the speakers in those calls. GOMEZ said that the other person heard in those calls was the person from whom he purchased the cocaine in the garage on September 25, 2016.

C. On July 17, 2015, ABREGO and PEREZ Distributed a Kilogram of Heroin to SAAVEDRA-FITZ's Customer.

79. As set forth in more detail below, on July 17, 2015, ABREGO and PEREZ distributed a kilogram of heroin to SAAVEDRA-FITZ's customer, Individual D.

1. SAAVEDRA-FITZ obtains a kilogram of heroin from ABREGO and PEREZ for INDIVIDUAL D.

80. On July 16, 2015, at approximately 3:46 p.m. (TP3, Session 1110), SAAVEDRA-FITZ, using telephone number XXX-XXX-3062,¹⁷ called ABREGO, who

¹⁷ PEDRO SAAVEDRA-FITZ was identified as the user of XXX-XXX-3062 based upon the following information: (a) according to subscriber records, in July 2015, telephone number (XXX) XXX-3062 was subscribed to PEDRO SAAVEDRA-FITZ at 5852 Diversey Avenue, Chicago, IL; (b) according to Illinois Secretary of State records PEDRO SAAVEDRA-FITZ's address is the same address as the address to which telephone number XXX-XXX-3062 was subscribed. (c) On June 28, 2017, Agents conducted surveillance at SAAVEDRA-FITZ's

was using Target Phone 3. During the call, ABREGO asked, "Miguel [PEREZ] wants to know if you will do that because the guy will come over to Miguel's [house]" and "we are just waiting." SAAVEDRA-FITZ responded, "Yes." ABREGO said, "Be alert so you can send your guy." SAAVEDRA-FITZ said, "My guy will probably stop by around 6 or 7 [o'clock]." ABREGO said, "That's fine."

81. On July 16, 2015, at approximately 6:32 p.m. (TP3, Session 1135), ABREGO, using Target Phone 3, called PEREZ, on telephone number XXX-XXX-7893,¹⁸ and while that call went to voicemail, received an incoming call from SAAVEDRA-FITZ. SAAVEDRA-FITZ told ABREGO that he was waiting for his guy to call. Later in the call, ABREGO asked, "At what time can he do it for sure?" SAAVEDRA-FITZ said, "Somewhere around 8 [o'clock]." ABREGO said, "That is fine text me his number." SAAVEDRA-FITZ said, "I'll send it to you now." ABREGO asked, "The same, right?" SAAVEDRA-FITZ stated "Yes, 5-4 [\$54,000], the same." ABREGO responded, "The same? OK."

82. Based on the intercepted calls summarized in paragraphs 80 through 81 above, my knowledge of the investigation as whole, and my training and experience

apartment building at the 5800 block of Diversey Avenue, Chicago, IL, and observed a person exit the building whose appearance matched the Illinois Secretary of State photograph of PEDRO SAAVEDRA-FITZ; (d) On July 7, 2017 and July 10, 2017, as set forth below in paragraphs 99 through 102, Agents spoke with SAAVEDRA-FITZ at the 5800 block of Diversey Avenue Chicago, IL. SAAVEDRA-FITZ identified himself as the user of XXX-XXX-3062 and identified his voice as the voice heard speaking to ABREGO in some of the intercepted conversations.

¹⁸ Spanish-speaking linguists compared the voice of the user of telephone number XXX-XXX-7893 to the voice of the user of XXX-XXX-3694 (Target Phone 5) (identified *supra*, at pg. 7, fn. 4 as PEREZ) and determined that the user of both phones is the same person.

as a Special Agent, I believe that SAAVEDRA-FITZ and ABREGO's reference to "5-4" indicates that SAAVEDRA's "guy" was seeking to purchase a quantity of narcotics for \$54,000. Further, based on my training and experience and experience of other Agents involved in this investigation, I know that, in 2015, the cost for a kilogram of heroin in the Chicago area is approximately \$49,000-\$54,000, while the cost for a kilogram of cocaine is approximately \$29,000 to \$33,000. Accordingly, I believe that ABREGO and PEREZ were arranging with SAAVEDRA-FITZ to distribute a kilogram of heroin to SAAVEDRA-FITZ's customer.

83. On July 16, 2015, at approximately 8:50 p.m. (TP3, Session 1160), ABREGO, using Target Phone 3, called SAAVEDRA-FITZ, on telephone number XXX-XXX-3062. SAAVEDRA-FITZ asked, "Did the guy ever call?" ABREGO answered no. SAAVEDRA-FITZ said, "When I spoke with him this morning [he said] that it could be done" but "it was going to take him a few hours." ABREGO later said, "Call me either way and ask him when so I am not just sitting here waiting." SAAVEDRA-FITZ suggested that the deal should happen tomorrow since it was already 9 pm. ABREGO later said, "It will have to be done early [but] it all depends on the guy." Later in the call, ABREGO said, "No matter what time the guy [says] let me know or call Miguel [PEREZ] and Miguel [PEREZ] will let me know at once." SAAVEDRA-FITZ responded, "I will."

84. At approximately 10:17 p.m. (TP3, Session 1164), ABREGO, using Target Phone 3, called PEREZ, who was using telephone number XXX-XXX-3694.

During the call ABREGO said, "Pedro [SAAVEDRA-FITZ] never showed up but called [and said that] we'll do it tomorrow."

85. At approximately 10:33 p.m. (TP3, Session 1169), SAAVEDRA-FITZ sent an electronic message from telephone number XXX-XXX-3062 to Target Phone 3. The message read: "Hey around 8."

86. At approximately 10:34 p.m. (TP3, Session 1170), SAAVEDRA-FITZ, using telephone number XXX-XXX-3062, called ABREGO on Target Phone 3. SAAVEDRA-FITZ said, "The guy said between 8 and 9 [o'clock]." ABREGO responded, "OK," and SAAVEDRA-FITZ said, "I will let you know early."

87. The next morning, July 17, 2015, at approximately 9:21 a.m. (Session 1186), SAAVEDRA-FITZ, using telephone number XXX-XXX-3062, called ABREGO on Target Phone 3. SAAVEDRA-FITZ said, "My guy [INDIVIDUAL D] will be there in 15-20 minutes." SAAVEDRA-FITZ said, "I told the guy [INDIVIDUAL D] to call you." ABREGO said, "I have not received a call." SAAVEDRA-FITZ said, "I will send you his number."

88. At approximately 9:32 a.m. (TP 3, Session 1188), SAAVEDRA-FITZ sent an electronic message from telephone number XXX-XXX-3062 to Target Phone 3. The message read: "1XXXXXXX9852."

89. At approximately 9:32 a.m. (TP3, Session 1189), ABREGO, using Target Phone 3, called PEREZ, who was using telephone number XXX-XXX-3694. ABREGO said, "Pedro's [SAAVEDRA-FITZ's] guy will be arriving in 40 minutes." PEREZ said, "I will take a shower and get going."

90. At approximately 9:33 a.m. (TP3, Session 1190), telephone number XXX-XXX-3062 sent an electronic message to Target Phone 3. The message read: "1XXXXXXX9852."

91. At approximately 9:44 a.m. (TP3, Session 1191), ABREGO, using Target Phone 3, called telephone number XXX-562-9852. INDIVIDUAL D, who answered the phone, said, "Hello." ABREGO said, "Hello Primo." INDIVIDUAL D said, "Hey Primo. I'm on my way Primo, I'm almost there, I'll be there, give me like 10 more minutes [or] twelve more minutes, I'll be right there." ABREGO asked, "Twenty more minutes?" INDIVIDUAL D answered, "Like twelve, twelve." ABREGO said, "Okay." INDIVIDUAL D said, "Twelve, okay." ABREGO said, "Okay."

92. At approximately 9:56 a.m. (TP3, Session 1193), ABREGO, using Target Phone 3, called PEREZ, who was using telephone number XXX-XXX-3694. ABREGO said, "The guy is about to arrive." PEREZ said, "I am on my way also." ABREGO said, "I will wait out back."

93. At approximately 10:05 a.m. (TP3, Session 1194), ABREGO, using Target Phone 3, called INDIVIDUAL D, who was using telephone number XXX-562-9852. During the call, INDIVIDUAL D told ABREGO "*Fi-five minutos.*"

94. At approximately 10:25 a.m. (TP3, Session 1198), ABREGO, using Target Phone 3, called SAAVEDRA-FITZ, who was using telephone number XXX-XXX-3062. ABREGO said, "They are making it complicated because the furniture [heroin] is round [the heroin is packaged round as opposed to in a brick]." SAAVEDRA-FITZ asked, "Are they still there?" ABREGO answered, "No, they

already left and they are going to check it out." SAAVEDRA-FITZ asked, "Is it the same they gave those guys last time?" ABREGO answered, "It is not the same [and] they said it is better this time" and "there is no problem, they say." ABREGO then said, "They [INDIVIDUAL D] are going to take it even though it is stepped on [the narcotics are cut with an additive]" and asked, "[Can you] talk to the guy right now?" ABREGO complained that they [INDIVIDUAL D and associates] were too loud, driving in with two cars, and drawing too much attention. ABREGO said, "I am with Miguel [PEREZ] now." SAAVEDRA-FITZ said, "I will talk to the guy now." ABREGO said, "The guy left the money but we [PEREZ and ABREGO] do not want to count anything because there is a possibility they could come back and not want it [the heroin]." ABREGO added, "The stuff was good, they told me it was good and [they] said there would be no complaints about it."

95. At approximately 10:38 a.m. (TP3, Session 1202), ABREGO, using Target Phone 3, called SAAVEDRA-FITZ, who was using telephone number XXX-XXX-3062. ABREGO asked, "Did you talk to the guy?" SAAVEDRA-FITZ asked, "The black guy?" ABREGO said, "Yes." SAAVEDRA-FITZ told ABREGO, "They are going to check it." ABREGO said, "There should be no problem, there was a guarantee it was good." SAAVEDRA-FITZ agreed and said, "They were going to check it just in case but if you say it is good then it is good." ABREGO told SAAVEDRA-FITZ, "The guy told me it was on point [good quality] even though it comes that way." SAAVEDRA-FITZ said, "The black guy did say something about the presentation [packaging]." ABREGO said, "The black guy should not worry, everything is good."

SAAVEDRA-FITZ said, "I told the guy if he did not like it he could go back [return the heroin]" and "the guy said it was fine, no need to return [the heroin]."

96. At approximately 10:54 a.m. (TP3, Session 1203), ABREGO, using Target Phone 3, called SAAVEDRA-FITZ who was using telephone number XXX-XXX-3062. ABREGO asked, "What number did you tell this guy [INDIVIDUAL D]?" SAAVEDRA-FITZ answered, "Five four, I said." ABREGO said, "There is [UI] missing here." SAAVEDRA-FITZ asked, "How much is missing?" ABREGO answered, "There is 52,750 man [\$52,750]" and "there is 1,250 [\$1,250] missing." ABREGO then stated, "Oh, yes. We just counted it in the machine, man. We separated everything." SAAVEDRA-FITZ said, "Alright, I'll let him know." ABREGO said, "Yeah, call him because he said that everything was there. I asked him. He said, "Everything is there, complete." Yeah, everything, okay." SAAVEDRA-FITZ said, "I'll call him right now." ABREGO said, "Please."

97. At approximately 10:58 a.m. (TP3, Session 1204), SAAVEDRA-FITZ, using telephone number XXX-XXX-3062, called ABREGO, who was using Target Phone 3. SAAVEDRA-FITZ asked, "[Are you] missing some still?" ABREGO responded, Yes "1,250 [\$1,250]." SAAVEDRA-FITZ said, "I will talk to the guy and let him know there is a shortage." SAAVEDRA-FITZ added, "I wanted you [guys] to double check." ABREGO told SAAVEDRA-FITZ, "I have double checked and there are mostly 20s [twenty dollar bills]."

98. Based on the intercepted calls summarized in paragraphs 80 through 97 above, my knowledge of the investigation as whole, and my training and experience

as a Special Agent, I believe that, , on July 17, 2015, ABREGO and PEREZ distributed a kilogram of heroin, which retailed in the Chicago area for between \$49,000 and \$54,000 during that time period, to INDIVIDUAL D, a customer of SAAVEDRA-FITZ. After the distribution was complete, ABREGO called SAAVEDRA-FITZ to complain that SAAVEDRA-FITZ's customer had paid only \$52,750 instead of the agreed upon \$54,000 for the kilogram of heroin.

2. SAAVEDRA-FITZ Admitted to Brokering the Heroin Transaction.

99. On July 7, 2017, and July 10, 2017, Agents spoke to SAAVEDRA-FITZ. On each occasion Agents informed SAAVEDRA-FITZ of his rights, including his right to remain silent. After being advised of his rights SAAVEDRA-FITZ agreed to speak with Agents on both occasions.

100. On July 7, 2017, Agents played some of the intercepted telephone calls from Target Phone 3, including Sessions 384 and 488. SAAVEDRA-FITZ identified his voice as the voice using telephone number XXX-XXX-3062. SAAVEDRA-FITZ also stated, in substance, that in the past he would connect narcotics sources with prospective narcotics customers, and would make \$200 to \$300 for making such introductions.

101. On July 10, 2017, intercepted telephone calls from Target Phone 3 were played for SAAVEDRA-FITZ, including Sessions 1110, 1160, 1186, 1191, 1194, 1198 and 1203. SAAVEDRA-FITZ indicated that he did not know either of the voices on Session 1110; however, identified his voice and the voice of the man he knew as "Aurelio" as being the individuals heard speaking in Target Phone 3 sessions 1160

and 1198. SAAVEDRA-FITZ stated that he recognized the voice of the individual heard speaking to "Aurelio" on Target Phone 3, Session 1191 (*i.e.*, INDIVIDUAL D), as a black male only known to him as "Pollo." Initially, after listening to one or two of the intercepted calls, SAAVEDRA-FITZ said that "Pollo" was picking up money from ABREGO. After listening to all of the above intercepted calls, SAAVEDRA-FITZ explained that on that day, "Pollo" either acquired two kilograms of cocaine or one kilogram of heroin from ABREGO, but that "Pollo's" payment to ABREGO was \$1,250 short.

102. SAAVEDRA-FITZ expressed uncertainty about which type of narcotic was distributed, stating that it was possible it was heroin but that he believed it was two kilograms of cocaine. SAAVEDRA-FITZ said he thought it was cocaine because he felt the price discussed in the intercepted calls—\$54,000—was too expensive for a kilogram of heroin. When Agents asked if \$27,000 per kilogram was less than the average street price for a kilogram of cocaine, he advised he did not remember prices from that long ago (*i.e.*, 2015) and said it was possible.

CONCLUSION

103. Based on the foregoing, there is probable cause to believe that:

a. From on or about September 27, 2015, and continuing until at least October 24, 2015, at Chicago, in the Northern District of Illinois and elsewhere, defendants JAVIER MORENO, AURELIO ABREGO, JOSE MIGUEL PEREZ, and FERNELLY LLANOS did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and

distribute a controlled substance, namely 1 kilogram or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846.

b. From in or about September 23, 2015, and continuing until at least September 25, 2015, at Chicago, in the Northern District of Illinois and elsewhere, defendants AURELIO ABREGO, JOSE MIGUEL PEREZ and RICHARD ALVARADO, did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 500 grams or more of mixtures and substances containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846.

c. On or about September 25, 2015, at Chicago, in the Northern District of Illinois and elsewhere, defendant FERNANDO GOMEZ did knowingly possess with intent to distribute a controlled substance, namely a quantity of mixtures and substances containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of 21 U.S.C. § 841(a)(1).


d. From in or about July 16, 2015, and continuing until at least July 17, 2015, at Chicago, in the Northern District of Illinois and elsewhere, defendants AURELIO ABREGO, JOSE MIGUEL PEREZ, and PEDRO SAAVEDRA-FITZ, did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 1 kilogram or more of mixtures and substances containing a detectable

amount of heroin, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846.

FURTHER AFFIANT SAYETH NOT.

JOHN GILDEIN, Special Agent
Drug Enforcement Administration

SUBSCRIBED AND SWORN to before me on July 24, 2017.


MICHAEL T. MASON
United States Magistrate Judge