

AO 91 (Rev. 11/11) Criminal Complaint

AUSA: John O'Brien
Special Agent: Kimberly Olech, FBI

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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

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United States of America
v.
Victor Hernandez

Case: 2:18-mj-30354
Assigned To : Unassigned
Assign. Date : 6/26/2018
Description: CMP USA v. HERNANDEZ (SO)

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 June 20, 2018, in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 841(a)(1)	Possession of a Controlled Substance with Intent to Distribute.
18 U.S.C. §§ 922(g) and 924(c)	Possession of a Firearm by Convicted Felon and in Furtherance of a Drug Trafficking Crime.

This criminal complaint is based on these facts:

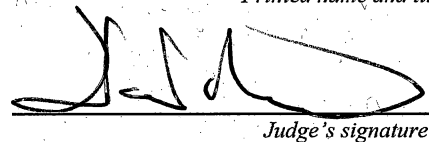
See Attached Affidavit.

Continued on the attached sheet.


Complainant's signature

Kimberly Olech, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.


Judge's signature

Date: June 26, 2018

City and state: Detroit, MI

David R. Grand, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Kimberly Olech, Special Agent (SA) of the Federal Bureau of Investigation (FBI), Detroit, Michigan, United States Department of Justice, being duly sworn deposes and states

1. I am 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 Section 2516 of Title 18, United States Code.

2. I have been employed as a Special Agent with the FBI since February 2018. Prior to my appointment as a Special Agent at the FBI, I served as a Police Officer for the City of Tucson in the State of Arizona from 2013 until 2017. I am currently assigned to investigate gang and drug matters as part of the FBI Detroit Violent Gang Task Force, where I work a variety of criminal matters including, but not limited to violent crimes and the apprehension of federal fugitives. During my law enforcement career, I have utilized a variety of investigative methods including search warrants, surveillance, interviews, and federal grand jury subpoenas.

3. I make this affidavit from personal knowledge based on my participation in this investigation, including witness interviews by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, review of reports regarding the events and circumstances and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. The information set forth below is for the limited purpose of establishing probable cause that Victor Hernandez possessed a controlled substance (cocaine) with intent to distribute in violation of Title 21 U.S.C. Section 841(a)(1), possession of a firearm by a person previously convicted of a felony offense in violation of Title 18, United States Code, Section 922(g); and possession of a firearm in furtherance of a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c). Therefore, this affidavit does not necessarily contain all of the information collected during my investigation, but includes only those facts necessary to establish probable cause.

4. I am currently involved in an investigation of a subject identified as Victor Hernandez (xx/xx/1972), who resides at 8100 Robinson, Allen Park, Michigan. This investigation concerns Hernandez and violations of Federal firearms controlled substances laws.

5. On 6/20/2018, Hernandez was stopped outside of 2900 East Jefferson apartment D700, Detroit, Michigan, and placed under arrest by Westland Police Department (WLPD) Special Investigations Unit (SIU) pursuant to a State of Michigan felony arrest warrant in WLPD case number 18-2988.

6. On 6/20/2018, WLPD secured 2900 East Jefferson apartment D700 and a search warrant was obtained for the listed location based upon probable cause to believe that there was probable cause to believe that evidence of illegal activity, specifically drug trafficking was at those premises, and naming Hernandez as a target in the search warrant.

7. On 6/20/2018, the above mentioned search warrant was executed. The search yielded the following: ziplock bag containing bulk cocaine (492 grams) confiscated from the south bedroom in the closet, plastic bag containing cocaine (6 grams) recovered from the medicine cabinet in the south bedroom, \$45,125.00 United States currency recovered from the closet in the south bedroom closet, digital scale/two weights recovered from the medicine cabinet in the south bedroom, duffle bag containing 17 kilo wrappers recovered from the closet in the south bedroom, money counting machine recovered from the north bedroom, SCCY 9mm handgun (serial number 204177) loaded with live rounds recovered from the cabinet above the stove in the kitchen, and a Sig Sauer P220 (serial number G215867) handgun loaded with live rounds recovered from the cabinet above the stove in the kitchen.

8. Hernandez has previously been convicted of a felony offenses in the Third Circuit Court for the County of Wayne on March 17, 2010; November 7, 2014; and June 4, 2015.

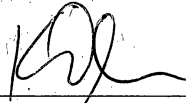
9. After the search warrant WLPD officer advised Hernandez of his Miranda Rights. Hernandez signed and initialed the document acknowledging he was advised. During a post-Miranda interview Hernandez admitted to possessing the cocaine and firearms that were confiscated during the search at 2900 East Jefferson apartment D700. Hernandez also provided a statement that he was possessing the

cocaine with the intent to distribute and to possessing the firearms for his protection.

9. On 06/20/2018, Hernandez was arrested by the Westland Police Department, in Wayne County, Michigan for Cocaine-Sell (3530) and Possession of Firearm in commission of crime (5275).

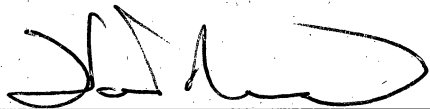
10. Based on the above facts, I have probable cause to believe that on 06/20/2018 in the County of Wayne, Eastern Judicial District of Michigan, Victor Hernandez possesses a controlled substance, cocaine with the intent to deliver same; did knowingly and intentionally possess a firearm, to wit a SCCY 9mm handgun (serial number 204177) loaded with live rounds, and a Sig Sauer P220 (serial number G215867) handgun loaded with live rounds.

The firearms were not manufactured in Michigan. KAR
ORL



Special Agent Kimberly Olech
Federal Bureau of Investigation

Sworn to before me and signed
in my presence this 26th day of June
2018.



Honorable Judge David R. Grand
United States Magistrate Judge