

FILED

United States District Court

DEC 08 2010

EASTERN DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA

DENNIS P. IAVARONE, CLERK  
US DISTRICT COURT  
BY: [Signature] JEP/CLK

v.

CRIMINAL COMPLAINT

Mohamed Mohamed Nagi



(Name and Address of Defendant)

CASE NUMBER: 5:10-mj-2089

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. From on or about October 20, 2010 to on or about November 19, 2010, in the Eastern District of North Carolina the defendant(s) did, unlawfully acquire, possess, and transfer food stamps, of the value of \$5,000 or more, in an unauthorized manner, in violation of Title 7, United States Code, Section 2024; did knowingly convert to his use or the use of another electronic benefit transfer cards, of the value of \$5,000 or more, of the goods and property of the United States, in violation of Title 18, United States Code, Section 641; and did obtain money and property by means of materially false and fraudulent pretenses, representations and promises by causing to be transmitted by means of wire communication in interstate commerce signals and sounds, in violation of Title 18 United States Code, Section(s) 1343.

I further state that I am a(n) Task Force Agent and that this complaint is based on the following facts:  
Official Title

See Attached Affidavit hereby incorporated by reference as if fully restated herein.

I certify the foregoing to be a true and correct copy of the original.  
Dennis P. Iavarone, Clerk  
United States District Court  
Eastern District of North Carolina

By: [Signature] Deputy Clerk

Continued on the attached sheet and made a part hereof:

Yes  No

[Signature]  
Signature of Complainant  
B.L. House  
Task Force Agent  
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

7 December 2010  
Date

at Raleigh, North Carolina  
City and State

James E. Gates, United States Magistrate Judge  
Name & Title of Judicial Officer

[Signature]  
Signature of Judicial Officer

1 EASTERN DISTRICT OF NORTH CAROLINA  
2 RALEIGH, NORTH CAROLINA  
3

4 APPLICATION AND AFFIDAVIT FOR ARREST WARRANTS  
5

6 1. B.L. House, Task Force Agent (TFA), Federal Bureau  
7 of Investigation (FBI), Charlotte, North Carolina, United States  
8 Department of Justice, hereinafter referred to as the affiant,  
9 being duly sworn, deposes as follows:  
10

11 2. Your affiant is an "Investigative or Law  
12 Enforcement Officer" of the United States within the meaning of  
13 Title 18, United States Code, Section 2510 (7); that is, an  
14 officer of the United States who is empowered by law to conduct  
15 investigations of and to make arrests for offenses enumerated in  
16 Title 18, United States Code.  
17

18 3. Your affiant is a Task Force Agent (TFA) of the FBI  
19 and has been employed as such for three years and has been  
20 assigned to the Raleigh Resident Agency, Charlotte Division,  
21 since February of 2010. During this time, affiant has been  
22 assigned investigative responsibilities in general criminal  
23 matters, and is currently involved in the investigation of  
24 interstate transportation of stolen property, contraband  
25 cigarette trafficking, and fraud against the government.  
26

27 4. Your affiant has personally participated in the  
28 investigation set forth below. The affiant is familiar with the  
29 facts and circumstances of the investigation through personal

1 participation; from discussions with other federal agents and  
2 other law enforcement; from discussions with witnesses involved  
3 in the investigation; and from review of records and reports  
4 related to the investigation. Unless otherwise noted,  
5 information in this affidavit the affiant asserts as true are  
6 facts developed through personal observation or the observation  
7 of other law enforcement officers or witnesses involved in the  
8 investigation.

9  
10 5. Your affiant has not included each and every  
11 piece of evidence developed in this investigation. Your affiant  
12 has included evidence which would constitute sufficient probable  
13 cause to meet the objectives of this affidavit.

14  
15 EXPLANATION OF THE USDA SNAP PROGRAM

16  
17 1. The US Department of Agriculture's Food and Nutrition  
18 Service (FNS) administers the Federal Supplemental Nutritional  
19 Assistance Program (SNAP) and provides federal funds to the  
20 State government for low income families to purchase food. The  
21 SNAP federal funds are distributed through the State of North  
22 Carolina to individuals via a debit card called the Electronic  
23 Benefits Transfer Card (EBT Card). The EBT Card is credited with  
24 a certain dollar amount each month for the individual card  
25 holder to use to purchase food items only. EBT Cards are similar  
26 to debit cards that have magnetic strips containing  
27 electronically coded information. The individual EBT card  
28 recipient is assigned a personal identification number (PIN) for  
29 their use only to access funds from the SNAP.



1 operator of the business. College Station Mart's address, [REDACTED]  
2 [REDACTED] North Carolina, is listed as NAGI's  
3 address on his driver's license issued by the North Carolina  
4 Division of Motor Vehicles.  
5

6 3. On or about October 20, 2010, NAGI purchased three EBT  
7 cards with PINs from a Confidential Source (CS1) whose identity  
8 is known to the affiant. The values on the three cards were  
9 \$502.00, \$421.00, and \$412.00, totaling \$1,335.00 worth of EBT  
10 funds. NAGI paid CS1 \$650.00 in United States currency in  
11 exchange for the three EBT cards. The EBT cards were  
12 subsequently redeemed causing a fraudulent wire transfer of  
13 United States government funds to be transmitted in interstate  
14 commerce. NAGI, and other subjects, conducted these transactions  
15 at College Station Mart and other various retail merchant  
16 locations in the Henderson, North Carolina area.  
17

18 4. On or about November 3, 2010, NAGI purchased four EBT  
19 cards with PINs from CS1. The values on the four cards were  
20 \$409.78, \$408.90, \$334.00, and \$472.00, totaling \$1624.68 worth  
21 of EBT funds. NAGI paid CS1 \$700 in United States currency in  
22 exchange for the four EBT cards.  
23

24 5. On or about November 19, 2010, NAGI purchased four EBT  
25 cards with PINs from CS1. The values on the four cards were  
26 \$480.00, \$570.00, \$502.00, and \$510.00, totaling \$2062.00 worth  
27 of EBT funds. NAGI paid CS1 \$500 in United States currency in  
28 exchange for the four EBT cards.  
29

1           6. Based on a review by the affiant of the USDA SNAP  
2 transaction reports listing the transaction histories of each  
3 card purchased by NAGI from CS1, the records reflect that the  
4 value contained on the EBT Cards was redeemed. The EBT Cards  
5 with PINs have been transacted at various retail merchants in  
6 the Henderson and Oxford, North Carolina area, with some  
7 transaction being conducted at College Station Mart.

8

9           Based on the information obtained during the course of  
10 this investigation as presented above, your affiant believes  
11 probable cause exists that:

12

13           1. MOHAMED MOHAMED NAGI, and others not yet charged, did  
14 knowingly convert for his use, or the use of others, United  
15 States Government funds in the form of EBT cards with PINs, in  
16 violation of Title 18, United States Code, Section 641.

17

18           2. MOHAMED MOHAMED NAGI, and others not yet charged, did  
19 knowingly obtain money by false pretense and did cause United  
20 States Government funds to be transferred by wire in furtherance  
21 of this scheme, in violation of Title 18, United States Code,  
22 Section 1343.

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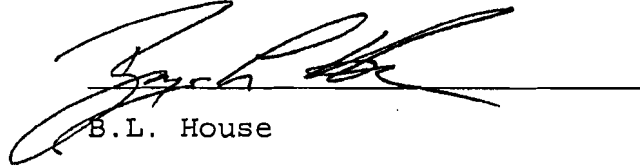
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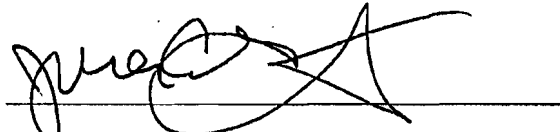
[Reminder of page left intentionally blank]

1           3. MOHAMED MOHAMED NAGI, and others not yet charged, did  
2 knowingly use, transfer, and possess EBT card benefits in an  
3 unauthorized manner, in violation of Title 7 United States Code,  
4 Section 2024.

5  
6 

B.L. House  
Task Force Agent  
Federal Bureau of Investigation  
Raleigh, North Carolina

10  
11  
12           Subscribed and sworn to before me this 7 day of  
13 December, 2010.

14  
15 

16 James E. Gates  
17 United States Magistrate Judge