

FILED

United States District Court

DEC 08 2010

EASTERN

DISTRICT OF

NORTH CAROLINA

DENNIS P. LEVARSONE, CLERK
US DISTRICT COURT, FDMC
BY [Signature] JEP/CLK

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

Abdullah Ahmed Almuwallad



CASE NUMBER: 5:10-mj-2091

(Name and Address of Defendant)

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 July 7, 2010 up to and including on or about October 7, 2010, in the Eastern District of North Carolina the defendant(s) did, (Track Statutory Language of Offense) knowingly and intentionally possess with the intent to distribute a quantity of cathinone, a schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a) (1), and did aid and abet another in so doing, in violation of Title 18, United States Code, Section 2; and did unlawfully transport in interstate commerce stolen goods, of the value of \$5,000 or more, knowing the same to have been stolen, in violation of Title 18 United States Code, Section(s) 2314.

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 declare the foregoing to be a true and correct copy of the original.

Dennis P. Levarone, Clerk
United States District Court
Eastern District of North Carolina

[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

K

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 another law enforcement officer or witness 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

DETAILS OF INVESTIGATION

16

17 1. On July 7, 2010, officers of the Henderson Police
18 Department (HPD) were advised by United States Postal Service
19 employees that boxes of possible controlled substances had been
20 shipped to A and A Mini Mart located at [REDACTED]
21 [REDACTED] North Carolina. HPD officers responded to A and A
22 Mini Mart and conducted consensual interviews of employees. As a
23 result of the interviews, another subject (S1), admitted
24 receiving and signing for the packages from China which he knew
25 contained controlled substances. S1 also admitted receiving
26 other packages from China containing controlled substances in
27 the past and gave consent to search the packages. He further
28 admitted receiving payment in exchange for receiving the
29 packages and holding them for ABDULLAH AHMED ALMUWALLAD

1 (ALMUWALLAD). The contents of the packages were submitted to the
2 North Carolina State Bureau of Investigation Crime Lab and
3 analyzed. The contents were identified as 40.8 pounds of
4 Cathinone (also known as Khat), a Schedule I controlled
5 substance.

6
7 2. A and A Mini Mart is described as a convenience store
8 and is owned by the ALMUWALLAD family. ALMUWALLAD is known by
9 the affiant to perform services in the business. [REDACTED]
10 [REDACTED] North Carolina, is listed as the
11 address on ALMUWALLAD'S driver's license issued by the North
12 Carolina Division of Motor Vehicles

13
14 3. On or about August 3, 2010, after the affiant conducted
15 a controlled delivery of approximately 1080 cartons of
16 cigarettes represented as stolen to another subject (S2), the
17 affiant observed ALMUWALLAD meet with S2 in Henderson, North
18 Carolina, to purchase the cigarettes represented as stolen. The
19 affiant, in conjunction with other law enforcement officers,
20 conducted continuous mobile surveillance of ALMUWALLAD and
21 observed him cross the state line into the Commonwealth of
22 Virginia. ALMUWALLAD stopped briefly at a convenience store in
23 South Hill, Virginia, and was observed in the parking area
24 placing multiple cases of cigarettes into black trash bags.
25 After leaving the convenience store, a Virginia State Police
26 (VSP) trooper conducted a vehicle stop of ALMUWALLAD for
27 speeding. As a result of the vehicle stop, ALMUWALLAD was
28 positively identified by his North Carolina driver's license.
29 Cartons of cigarettes were observed in ALMUWALLAD'S vehicle

1 during the vehicle stop.

2

3 4. On August 11, 2010, after the affiant conducted a
4 controlled delivery of approximately 1350 cartons of cigarettes
5 represented as stolen to S2, the affiant observed ALMUWALLAD
6 meet with S2 in Henderson, North Carolina, to purchase the
7 cigarettes represented as stolen.

8

9 5. On August 13, 2010, ALMUWALLAD was observed leaving A
10 and A Mini Mart and drove directly to another location in
11 Henderson, North Carolina, to meet with a Confidential Source
12 (CS1) whose identity is known to the affiant. During the
13 meeting, CS1 sold ALMUWALLAD 360 cartons of cigarettes
14 represented as stolen in exchange for \$8,980. The retail value
15 of the cigarettes was approximately \$16,200. After the purchase,
16 ALMUWALLAD drove back to A and A Mini Mart and went inside the
17 store.

18

19 6. On August 18, 2010, ALMUWALLAD was observed leaving A
20 and A Mini Mart and drove directly to another location in
21 Henderson, North Carolina, to meet with CS1. CS1 met with
22 ALMUWALLAD in Henderson, North Carolina, and sold 930 cartons of
23 cigarettes represented as stolen in exchange for \$26,450. The
24 retail value of the cigarettes was approximately \$41,850.

25

26 7. On August 31, 2010, CS1 met with ALMUWALLAD and another
27 subject (S3), in Henderson, North Carolina, and sold 1200
28 cartons of cigarettes represented as stolen in exchange for
29 \$33,580. The affiant, in conjunction with other law enforcement
30 officers, conducted mobile surveillance of S3. Later in the day,

1 S3 was observed transporting the cigarettes across the state
2 line into the Commonwealth of Virginia. The Virginia State
3 Police (VSP) conducted a vehicle stop on S3 and located 1030
4 cartons of cigarettes not bearing tax stamps. 720 cartons of the
5 recovered cigarettes were the same make and brand as those sold
6 as stolen by CS1. The VSP trooper also found 50.4 grams of
7 Cathinone, a Schedule I controlled substance in S3's vehicle.
8 The Cathinone was tested by the Commonwealth of Virginia,
9 Department of Forensic Science, and certified it as 50.4 grams
10 of Cathinone, a Schedule I controlled substance.
11

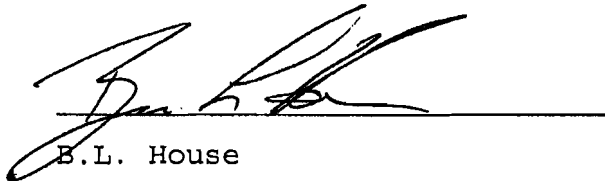
12 8. On October 7, 2010, ALMUWALLAD departed A and A Mini
13 Mart and drove directly to another location in Henderson, North
14 Carolina, to meet with CS1. CS1 met with ALMUWALLAD and sold 750
15 cartons of cigarettes represented as stolen in exchange for
16 \$20,300. The retail value of the cigarettes was approximately
17 \$33,750. The affiant, in conjunction with other law enforcement
18 officers, conducted mobile surveillance of ALMUWALLAD and
19 observed him drive directly back to A and A Mini Mart. A short
20 time later, ALMUWALLAD left A and A Mini Mart and was observed
21 transporting the cigarettes represented as stolen across the
22 state line into the Commonwealth of Virginia.
23

24 Based on the information obtained during the course of
25 this investigation as presented above, your affiant believes
26 probable cause exists that:
27

28 1. ABDULLAH AHMED ALMUWALLAD, and others not yet charged,
29 did possess with the intent to distribute a quantity of
30 cathinone, a Schedule I controlled substance, in violation of

1 Title 21, United States Code, Section 841(a)(1), and did aid and
2 abet another in so doing, in violation of Title 18, United
3 States Code, Section 2.
4

5 2. ABDULLAH AHMED ALMUWALLAD, and others not yet charged,
6 did affect interstate commerce by causing merchandise of value,
7 in excess of \$5,000, that was known to be stolen, to be
8 transported in interstate commerce, in violation of Title 18,
9 United States Code, Section 2314.
10

11
12 
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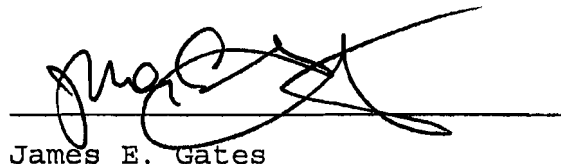
14 B.L. House

15 Task Force Agent

16 Federal Bureau of Investigation

17 Raleigh, North Carolina
18

19 Subscribed and sworn to before me this 7 day of
20 December, 2010.

21
22 
23

24 James E. Gates

25 United States Magistrate Judge