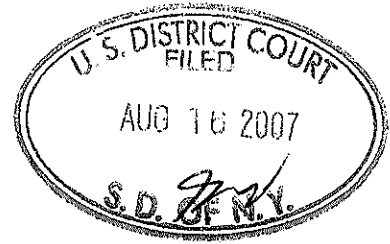


07 MAG 1363

ORIGINAL

Approved:

EUGENE INGOGLIA
Assistant United States Attorney



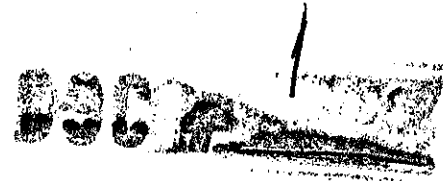
Before: HONORABLE ANDREW J. PECK
United States Magistrate Judge
Southern District of New York

----- X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
LUKA GRISHAJ, :
DEDA GRISHAJ, :
RAMON URIBE, :
CHRISTOPHER BAEZ, :
ALEXANDER AMPARO, :
RAUL PENA, :
ARTURO SANCHEZ-GONZALEZ, and :
SERGIO DE LA CRUZ, :
:
Defendants. :
:
----- -X

COMPLAINT

Violation of
21 U.S.C. §§ 812,
841(a)(1), 841(b)(1)(B),
and 846

COUNTY OF OFFENSE:
BRONX



SOUTHERN DISTRICT OF NEW YORK, ss.:

Donald Weuve, Jr., being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA"), and charges as follows:

COUNT ONE

1. From at least in or about April 2007 through on or about August 16, 2007, in the Southern District of New York and elsewhere, LUKA GRISHAJ, DEDA GRISHAJ, RAMON URIBE, CHRISTOPHER BAEZ, ALEXANDER AMPARO, RAUL PENA, ARTURO SANCHEZ-GONZALEZ, and SERGIO DE LA CRUZ, the defendants, and others known and unknown, unlawfully, intentionally, and knowingly, did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that LUKA GRISHAJ, DEDA GRISHAJ, RAMON URIBE, CHRISTOPHER BAEZ, ALEXANDER AMPARO, RAUL PENNA, ARTURO SANCHEZ-GONZALEZ, and SERGIO DE LA CRUZ, the defendants, and others known and unknown, would and did manufacture, distribute, and dispense, and possess with intent to manufacture, distribute, or dispense, a controlled substance, to wit, 100 and more marijuana plants, in violation of Sections 812, 841(a)(1), and 841(b)(1)(B) of Title 21, United States Code.

(Title 21, United States Code, Section 846.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I am a Special Agent with the DEA, and I have been involved in the investigation of this matter. I am familiar with the facts and circumstances set forth below from my personal participation in the investigation, as well as my discussions with others, and review of pertinent reports, documents and video images. Because this affidavit is submitted for the limited purpose of demonstrating probable cause, it does not include details of every aspect of my investigation. Where I relate statements, conversations, and actions of others, those statements, conversations, and actions are related in substance and part, except where otherwise indicated.

4. Beginning in April 2007, and continuing through August 15, 2007, I and other DEA agents conducted surveillance of two single-family homes located at: 72-44 Loubet Street, Forest Hills, New York (the "Queens location") and 61 Sunset Drive, Yonkers, New York (the "Yonkers location"). In addition to in-person surveillance, surveillance was also conducted by means of a pole camera which was installed on a telephone pole across the street from the Queens location. The pole camera provided video images of activity occurring outside the Queens location from on or about May 3, 2007 through August 14, 2007, on a 24-hour a day basis.

5. I and other agents observed activity at the Queens location that was consistent with, based on my knowledge and experience, the construction stage of a marijuana grow house. For example, beginning in or about May 2007 through on or about June 29, 2007 (the "Construction Phase") there appeared to be significant construction activity occurring at the Queens location. Among other things, during the Construction Phase, I and other agents observed a group of men regularly arrive at the Queens location, unload materials from a van parked in the

driveway of the location, and bring the materials into the Queens location. Some of the men stayed in the Queens location during the day, apparently working, and left at the end of the day. The materials brought into the Queens location included, among other things: (a) a large air conditioning unit (as described above); (b) substantial amounts of metallic material that appeared to be venting and/or reflective materials; (c) buckets and small shovels; (e) cleaning supplies; (f) plywood, sheetrock, insulation and other construction materials; and (g) some material in dark garbage bags. Based on my knowledge and experience, those materials were consistent with the materials needed for a grow house. I and other agents observed each of LUKA GRISHAJ, DEDA GRISHAJ, RAMON URIBE, ALEXANDER AMPARO, RAUL PENA, SERGIO DE LA CRUZ, and CHRISTOPHER BAEZ, the defendants, among others, at (and entering) the Queens location during the Construction Phase.

6. After the Construction Phase, I and other agents observed a change in the activities of the individuals visiting the Queens location. From on or about June 30, 2007 through on or about August 14, 2007 (the "Watering Phase") the individuals visiting the location arrived by car (not via van), and often parked a few blocks away from the location, even though the driveway was unoccupied. Each day, approximately three individuals arrived at the location, entered, stayed inside for approximately 5 to 30 minutes, and then left and drove away. Based on my knowledge and experience, after construction of a grow house is complete, daily watering is required to develop the marijuana crop (which takes approximately 2 to 3 months to fully develop), and between five and thirty minutes would be sufficient time to water and, on some occasions, prune the developing marijuana crop. I and other agents have observed defendants ALEXANDER AMPARO, RAMON URIBE, SERGIO DE LA CRUZ, RAUL PENA, among others, at the Queens location during the Watering Phase.

7. I and other agents observed activity at the Yonkers location that was consistent with, based on my knowledge and experience, the watering stage of a marijuana grow house (as described above). Between in or about June 5, 2007 and August 15, 2007, I and other agents have observed defendants ALEXANDER AMPARO, LUKA GRISHAJ, SERGIO DE LA CRUZ and others at (and enter) the Yonkers location.

8. On August 16, 2007, I and other DEA agents executed a search warrant on the Queens location and, separately, a search warrant for the Yonkers location, where we believed marijuana to be grown for trafficking and sale. Among other things, we found approximately 357 marijuana plants growing in the Queens

location, and approximately 359 marijuana plants at the Yonkers location, as well as lights, vents, pots, soil and other materials used in marijuana grow houses. Approximately 70 of the plants found at the Yonkers location were concealed in a hidden room, but the rest were in plain view. Upon entering the Queens location and the Yonkers location, I and other agents were overwhelmed by the strong odor of marijuana. Based on my knowledge and experience, numerous of the marijuana plants were sufficiently large and developed that they must have been growing for more than a month.

9. On August 16, 2007, other agents arrested ALEXANDER AMPARO, the defendant, who had been observed at both the Queens location and the Yonkers location during the Watering Phase. Amparo was advised of his Miranda rights and waived those rights. Based on conversations between AMPARO and both myself and other law enforcement agents, I learned the following:

a. AMPARO was paid approximately at a rate of \$500 per week to water the marijuana plants at both locations. AMPARO said that he received payments from both defendants LUKA GRISHAJ and DEDA GRISHAJ, on different occasions, for watering the marijuana plants, and he was taken to the Queens location grow house and shown the inside where the plants were kept (and to be watered) by defendant LUKA GRISHAJ.

b. AMPARO was approached about making some money by working at the marijuana grow house by RAMON URIBE, the defendant.

c. BAEZ was an investor in the grow houses, and agreed to lend AMPARO his car for AMPARO's use in connection with AMPARO's work at the grow houses, but cautioned AMPARO to park the car a few blocks away from the grow house location.

d. AMPARO brought defendants ARTURO SANCHEZ-GONZALEZ and SERGIO DE LA CRUZ to the Queens location on numerous occasions to do work, including tending to the marijuana plants, inside the grow house.

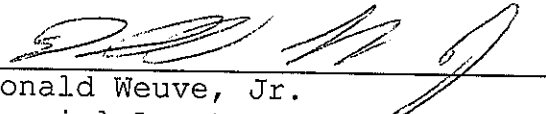
e. RAUL PENA, the defendant, was involved in the Construction Phase and the Watering Phase at the Queens location.

10. On August 16, 2007, I and other agents (including an agent who speaks Spanish) arrested ARTURO SANCHEZ-GONZALEZ, the defendant. SANCHEZ-GONZALEZ stated that he worked for LUKA GRISHAJ, was paid a couple hundred dollars a month by defendant

LUKA GRISHAJ, and acknowledged that he had been to the grow houses.

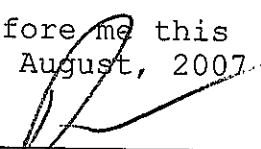
11. In or about May 2007, I and other agents followed

WHEREFORE, the deponent prays that LUKA GRISHAJ, DEDA GRISHAJ, RAMON URIBE, CHRISTOPHER BAEZ, ALEXANDER AMPARO, RAUL PENA, ARTURO SANCHEZ-GONZALEZ, and SERGIO DE LA CRUZ, the defendant, be imprisoned, or bailed, as the case may be.



Donald Weuve, Jr.
Special Agent
Drug Enforcement Administration

Sworn to before me this
16th day of August, 2007.



HONORABLE ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

a van being
driven by
RAUL PENA,
the defendant,
from the
Queens location
through the
Bronx, to the
Yonkers location,
where PENA dropped
off wifes who
entered the
Yonkers location.

In addition,
defendants
RAMON URIBE,
CHRISTOPHER BAEZ,
ALEXANDER AMPARO,
and RAUL PENA reside
and have been surveilled
in the Bronx, New York.