

**IN THE DISTRICT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

DISTRICT COURT OF THE VIRGIN ISLANDS)
DIVISION OF ST. THOMAS AND ST. JOHN)

FILED UNDER SEAL

Case No:

MJ. No. 2013-28

AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT

INTRODUCTION AND BACKGROUND

I, Jackson Purkey, Special Agent of the Federal Bureau of Investigation, being duly sworn, hereby declares as follows:

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 Title 18, United States Code Sections 2516 and 3052 .

2. The facts and information set forth in this Affidavit are based upon my personal knowledge and observations, my review of information and records obtained during the course of this investigation, information reported to me by other agents and employees of other law enforcement agencies, and information gained through my training and experience. Because this Affidavit is being submitted for a limited purpose, it does not include each and every fact known to me concerning this investigation, and sets forth only those facts believed necessary to establish probable cause that violations of at least 21 U.S.C. Sections 846 and 841(a)(1)) (Conspiracy to Possess with Intent to Distribute Cocaine).

FACTS ESTABLISHING PROBABLE CAUSE

3. On May 17, 2013 federal agents received information that ROBERTO TAPIA was

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meeting with unknown individuals from Puerto Rico on the waters near St. Thomas, USVI to pick up a large amount of money in association with the purchase of multiple kilograms of cocaine.

4. Surveillance was initiated and agents observed TAPIA arriving at the Virgin Islands DPNR dock in Krum Bay, USVI, wearing a white Department of Planning and Natural Resources' (DPNR) shirt, dark pants, duty belt and a firearm. TAPIA was observed boarding the Home Land Security DPNR 29 foot tunnel hull vessel. When boarding the vessel TAPIA was not carrying any bags, receptacles or containers.

5. At approximately 11:00 TAPIA was observed meeting with a vessel near Sail Rock approximately 3 miles from St. Thomas. The vessel was described as a red "spider" type with two engines. During the surveillance TAPIA was observed receiving a bag from the second vessel. Upon arriving back at the DPNR dock TAPIA was observed exiting the DPNR boat with a medium sized green and black backpack. TAPIA placed the back pack in the back passenger seat of a green Chevrolet pick-up bearing DPNR plate PNR 15.

6. At approximately 12:00 p.m., through an authorized Title III interception, Federal agents heard TAPIA speak with an individual that arranged for the two Puerto Ricans to deliver the money to TAPIA. During that conversation TAPIA advised that he had to travel to what the agents believed was St. John to meet with "Angelo" to pick up what agents believed was kilograms of cocaine.

7. At approximately 2:00 p.m. TAPIA spoke with a person agents identified as ANGELO HILL and asked if he (TAPIA) could pick up "seven (7) of those girls," HILL acknowledged that they would be available. "Girls" were code for kilograms of cocaine. TAPIA advised HILL that he (TAPIA) would be taking the barge in 20 minutes.

8. At approximately 5:00 p.m., TAPIA advised HILL that he was running late but that he would try and catch the 6:00 p.m. ferry. HILL asked TAPIA if he was going to take the barge. TAPIA stated that he was going to take the ferry and asked if HILL could pick him up. HILL asked TAPIA if he is definitely coming and TAPIA responded that he is definitely coming.

9. Surveillance was established in the area of the Red Hook ferry to St. John, USVI from St. Thomas USVI and observed TAPIA arrive in a green Chevrolet pick-up truck bearing DPNR plate PNR 15. TAPIA exited the vehicle with the same black and green back pack and carried it into the terminal building. TAPIA was observed boarding the 7:00 p.m. ferry to St. John. When boarding the vessel, agents observed TAPIA carrying a backpack and based on the shape of the back pack it appeared to contain very little if anything inside. Agents observed TAPIA exit the ferry on St. John and sit down on a bench.

10. At approximately 7:30 p.m., TAPIA advised HILL by telephone that he was sitting on the bench. HILL advised TAPIA that he should walk in the direction of the bank. Agents observed TAPIA get up from the bench and walk towards First Bank. Agents observed an Envoy bearing license plate number TDW 751 in the area, an unmarked VIPD vehicle known to be assigned and/or used by VIPD Sgt. ANGELO HILL. Agents lost sight of TAPIA as he approached the area of First Bank. As agents attempted to regain sight of TAPIA they observed the same Envoy bearing license plate TDW 751 leave the area.

11. At approximately 7:50 p.m., TAPIA was observed walking back to the St. John ferry terminal carrying the same back pack and agents immediately observed that the back pack was carrying significantly more. TAPIA was observed boarding the ferry to St. Thomas with the back pack.

12. At approximately 8:30 p.m. TAPIA was observed exiting the ferry from St. John to

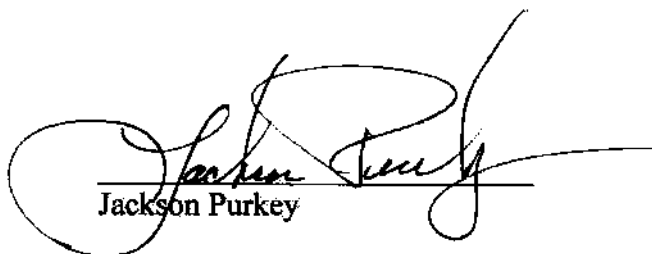
St. Thomas, Red Hook ferry terminal. While exiting the ferry TAPIA was observed carrying the same black and green back pack. Agents observed that based on the shape of the back pack it appeared to be carrying significantly more than when TAPIA left for St. John.

13. Agents approached TAPIA and escorted him to the DPNR vehicle. TAPIA was detained while carrying the same black and green back pack on his shoulder, which was then taken from TAPIA. TAPIA was also in possession of a Glock .40 caliber semi-automatic handgun. A search incident to arrest was executed and agents observed what appeared to be multiple kilogram quantities of cocaine inside of the black and green backpack. Agents later recovered 7 kilograms of suspected cocaine which later field tested and was confirmed to contain cocaine.

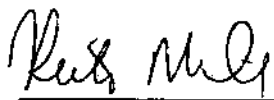
14. On May 18, 2013 federal agents received information that individuals were scheduled to meet TAPIA at or near Sail Rock to complete narcotics transaction that had begun on May 17, 2013. The information received indicated that the same individuals that met with TAPIA on the May 17, 2013 were returning for the same cocaine TAPIA was arrested with the previous night. Customs and Border Protection (CBP) Office of Air and Marine units were dispatched to locate and identify the individuals. The Marine Unit located a vessel matching the description of the vessel identified the day before, a red "spider" type with two engines, in the general area observed by surveillance the previous day. CBP Marine officers and federal agents boarded the vessel and observed two individuals. The two individuals were taken into custody and later identified as EDDIE LOPEZ-LOPEZ and STEPHEN TORRES.

CONCLUSION

15. Based on the foregoing facts, I respectfully submit there is probable cause to believe that ANGELO HILL violated 21 U.S.C. Sections 846 and 841(a)(1)) (Conspiracy to Possess with Intent to Distribute Cocaine).


Jackson Purkey

Sworn and sworn to before me this 24th day of May, 2013.


The Honorable Ruth Miller
Magistrate Judge

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