

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

JOSE URIOSTEGUI,
aka "PUPPET," and
CARDELL LEWIS,
aka "PACMAN"

CASE NUMBER

UNDER SEAL

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief:

On or about February 28, 2008, in Cook County, and elsewhere, in the Northern District of Illinois, and elsewhere, defendants,

knowingly and intentionally conspired to possess with intent to distribute and to distribute 50 grams or more of mixtures and substances containing cocaine base in the form of crack cocaine, a Schedule II Narcotic Drug Controlled Substance,

in violation of Title 21 United States Code, Section 846.

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

See Attached Affidavit.

Continued on the attached sheet and made a part hereof: X Yes No

Signature of Complainant

Sworn to before me and subscribed in my presence,

September 22, 2008
Date

at Chicago, Illinois
City and State

Magistrate Judge Maria Valdez
Name & Title of Judicial Officer

Signature of Judicial Officer

STATE OF ILLINOIS)
)
COUNTY OF COOK)

AFFIDAVIT

I. INTRODUCTION

I, Rashead J. Williams, being duly sworn, state as follows:

1. I am a Special Agent employed with the Federal Bureau of Investigation (“FBI”), United States Department of Justice. I have been employed by FBI as a Special Agent for over five years. I have been assigned to the Joint Task Force on Gangs, Chicago Field Division for the past sixteen months. Prior to that, I was assigned to the Southern New Mexico Gang Task Force for approximately three years. As part of my official duties, I investigate criminal violations of the federal narcotics laws, including, but not limited to, Title 21, United States Code, Sections 841, 843 and 846. I have received specialized training in the enforcement of laws concerning controlled substances and gang-related activities. I have been involved in various aspects of both physical and electronic surveillance, analysis of documentary and physical evidence, in the debriefing of defendants, witnesses, and informants, as well as others who have knowledge of the distribution of controlled substances.

2. The following information is based on my personal observations, knowledge and information I received from other Federal Law Enforcement Officers, the Chicago Police Department (“CPD”), as well as from cooperating witnesses who have proven reliable and have provided information which has been independently corroborated, as set forth in part

herein.

3. My understanding and interpretation of conversations set forth in this affidavit are based on my knowledge of the investigation to date, the context of the conversations, consensual audio and video recordings made in this investigation, my training and experience, conversations I have had with other agents and officers experienced in narcotics and gang investigations, and on information provided by a cooperating individual in this investigation.

4. Because this affidavit is being submitted for the limited purpose of establishing probable cause to support a criminal complaint charging JOSE URIOSTEGUI, also known as (“aka”) “PUPPET” (hereinafter referred to as “URIOSTEGUI”), and CARDELL LEWIS, aka “PACMAN,” with a violation of Title 21, United States Code, Section 846, it does not contain all the information known to law enforcement concerning this investigation.

II. BACKGROUND

5. This is an investigation involving unlawful activities engaged in by members and affiliates of the Latin Kings street gang, including the distribution of crack cocaine. As part of this investigation, law enforcement has worked with several cooperating witnesses, including Cooperating Witness 1 (“CW1”).¹

¹ CW1 has been a member of the 30th and Sawyer Section of the 26th Street Region of the Latin Kings since 1993 and most recently held the position as the “Supreme Regional Enforcer” of the Almighty Latin King Nation (“ALKN”) for the Southside of Chicago. Between August 2007 and January 2008, CW1 held the position of a 26th Street Region “Nation Enforcer.” CW1 has been providing reliable, timely information to the FBI since May 2007. Since that time, FBI agents and CPD Officers have spoken to CW1 in person, or telephonically, on numerous occasions. A substantial portion of CW1’s information regarding the Latin Kings has been corroborated by

JOSE URIOSTEGUI, aka "PUPPET"

6. According to CW1, CW1 met URIOSTEGUI in November 2007. During consensually-recorded conversations with CW1, URIOSTEGUI identified himself to CW1 as the Inca of the 57th and Cicero Section of the Latin Kings street gang and told CW1 that URIOSTEGUI has held that position since October 2007. Specifically, on or about February 13, 2008, in a recorded conversation, URIOSTEGUI identified himself to CW1 as an Inca. URIOSTEGUI stated, "Yeah, this is all our shit right here dog. Austin to Monitor, Monitor to fucken all the way by the tracks, and all the way by the tracks to where fucken, where Austin where you get on the highway at. That's all our shit." URIOSTEGUI also stated, "I just turned Inca dog. I just turned, I've been Inca since fucken October."

independent investigation that includes physical surveillance, interviews of Latin King street gang members in the Little Village area, telephone record analysis, other cooperating witnesses, and CW1's participation in several consensually monitored telephone and non-telephonic conversations with subjects and targets of this investigation.

CW1 has agreed to cooperate with the government thinking that the government may be investigating him/her. Affiant is aware of no additional criminal charges pending against CW1 at this time. CW1 has been arrested over ten times for offenses which include narcotics offenses, firearms offenses, home invasion, and armed robbery. CW1 has two felony convictions. In 1999, CW1 was convicted of a firearms offense and was sentenced to a term of imprisonment and probation. In 2004, CW1 was convicted of possession of a controlled substance and sentenced to a term of probation. CW1 has received payment in the amount of \$42,800 from the FBI for services and \$78,401.30 for expenses incurred (in large measure for relocation expenses for CW1 and multiple family members) in conjunction with this and other criminal matters under investigation by either the FBI or the CPD.

CARDELL LEWIS, aka "PACMAN"

7. CARDELL LEWIS is an associate of the 57th and Cicero Section of the Latin Kings street gang as reported by URIOSTEGUI during a consensually monitored and recorded conversation. CW1 first met CARDELL LEWIS during the February 28, 2008 drug transaction as further described below.

III. PROBABLE CAUSE

8. On or about February 13, 2008, law enforcement showed CW1 several CPD photographs, one of which CW1 identified as the individual known to CW1 as "PUPPET" or "Jose Uriogosi" and residing at 855 North Drake St, Chicago, Illinois. The photograph was of URIOSTEGUI and appears to Affiant to be the same individual captured in video-recorded meetings with CW1.

9. In late February 2008, CW1 contacted URIOSTEGUI to make a crack cocaine purchase.² During an unrecorded telephonic conversation, URIOSTEGUI agreed to meet with CW1 on February 28, 2008, for the purpose of obtaining crack cocaine from URIOSTEGUI in exchange for payment. CW1 agreed to wear concealed recording devices and a transmitter and meet with URIOSTEGUI in an effort to purchase crack cocaine from URIOSTEGUI.

² On or about February 13, 2008, CW1 purchased approximately 81.9 grams (net weight) of crack cocaine from CHRISTOPHER LEWIS (the brother of CARDELL LEWIS). URIOSTEGUI participated with CHRISTOPHER LEWIS in that crack cocaine sale and it is detailed in a separate federal criminal complaint affidavit filed contemporaneously with this complaint.

10. On or about February 28, 2008, before meeting with URIOSTEGUI, law enforcement met with CW1 at a predetermined location and searched CW1 and CW1's vehicle for the presence of money, firearms, and narcotics. This search was negative. In addition, law enforcement equipped CW1 with concealed video and audio recording devices and a transmitter device, and provided CW1 with \$1,500 in purchase money.

11. Law enforcement surveillance ("surveillance"), at approximately 2:58 pm, saw CW1 drive to 855 North Drake Street, Chicago, Illinois and met with URIOSTEGUI and an individual later identified as CARDELL LEWIS. URIOSTEGUI introduced an unknown individual to CW1 as "GOTTI's little brother"³ and said that the individual was not a "King" (Latin King gang member). The individual identified himself to CW1 as "PACMAN" and the brother of "GOTTI" (CHRISTOPHER LEWIS). After the meeting, law enforcement showed CW1 a CPD photograph of CARDELL LEWIS. CW1 positively identified CARDELL LEWIS as the individual previously introduced to CW1 as "PACMAN."

12. Once CW1 arrived at 855 North Drake Street, Chicago, Illinois, URIOSTEGUI and CARDELL LEWIS entered CW1's vehicle and URIOSTEGUI directed CW1 to drive to another location where URIOSTEGUI would obtain the crack cocaine. While traveling

³ The recorded conversations throughout this Affidavit have been summarized, and parentheses have been placed around language that represent my or other agents' understanding of what is being said during the recordings, based on the contents and context of the conversations, my experience as a law enforcement officer, and the experience of other law enforcement officers in this investigation, and information provided by CW1. In addition, language that is quoted from the recorded conversations throughout this Affidavit is based upon law enforcement's review of the recorded conversations. Quoted material is not intended to be a final transcription of the audio recordings from which the quotes are taken.

to the second location, CW1 told URIOSTEGUI that CW1 wanted two ounces of crack cocaine. URIOSTEGUI quoted a price of \$1,500, in total, for the two ounces. CW1 then complained about the quality of the drugs purchased on February 13, 2008 (*see* Footnote 3). In response to CW1's complaint, URIOSTEGUI explained that the quality of the drugs would be better and directed CARDELL LEWIS to show CW1 a sample of the crack cocaine CW1 would soon purchase. URIOSTEGUI told CARDELL LEWIS, "Show him a little piece of this shit." According to CW1, CARDELL LEWIS then retrieved from his mouth a small sample of a rock-like substance. CW1 stated, "Alright, that looks good right there." URIOSTEGUI and CW1 both commented on the good quality of the sample of crack cocaine CARDELL LEWIS produced from his mouth. URIOSTEGUI also assured CW1 that the crack cocaine being purchased in this instance would be of better quality than the crack cocaine previously sold to CW1. CARDELL LEWIS stated that he sells small quantities of crack, like the one he kept in his mouth, for a "sawbuck" (\$10).

13. While traveling to the second location, CARDELL LEWIS provided CW1 with directions to the second location. CARDELL LEWIS then asked about the money, at which point CW1 counted out \$1,500 and gave it to URIOSTEGUI. CW1 complained that \$750 per ounce was too much and asked URIOSTEGUI how much URIOSTEGUI was getting paid for brokering the drug transaction. URIOSTEGUI stated that URIOSTEGUI's share was \$100 for setting up the deal.

14. At approximately 3:08 pm, CARDELL LEWIS directed CW1 to park in the

vicinity of Kostner Avenue and Iowa Street, located in Chicago, Illinois. URIOSTEGUI handed CARDELL LEWIS the money for the purchase of the drugs and CARDELL LEWIS got out of CW1's vehicle. At approximately 3:11 pm, CARDELL LEWIS returned to CW1's vehicle and handed CW1 two bags of an off-white rock-like substance. CW1 inspected the bags, commenting that the quality of the crack appeared to be good, then handed the bags to URIOSTEGUI. URIOSTEGUI commented about the quality of the crack and returned the bags to CW1. CARDELL LEWIS stated that he did not make any money for assisting in the drug transaction.

15. At approximately 3:18 pm, CW1 returned URIOSTEGUI and CARDELL LEWIS to the original meeting location at 855 N. Drake Street, Chicago, Illinois. CW1 then drove to a predetermined location to meet with law enforcement to turn over the drug evidence. In addition, law enforcement searched CW1 for money with negative results. Law enforcement performed a Scott Reagent field test on the drug evidence, which appeared to have the characteristics of crack cocaine, and the field test results were positive for the presence of cocaine. Law enforcement later submitted the drug evidence to a DEA Laboratory for analysis. DEA laboratory tests on the suspected crack cocaine obtained from CARDELL LEWIS confirmed the presence of sodium bicarbonate and cocaine base, with a net weight of 52.8 grams.

16. Based on the foregoing, I believe that probable cause exists that JOSE URIOSTEGUI, aka "PUPPET," and CARDELL LEWIS, aka "PACMAN," violated Title 21, United States Code, Section 846, in that they conspired with each other to distribute a controlled substance, namely, in excess of 50 grams of mixtures containing cocaine base, commonly known as "crack cocaine," a Schedule II Narcotic Drug Controlled Substance.

FURTHER AFFIANT SAYETH NOT.

RASHEAD J. WILLIAMS, Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN TO
this ___ day of September 2008.

HON. MARIA VALDEZ
United States Magistrate Judge