

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

FEB 19 2020

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS

BY *[Signature]* DEPUTY

United States of America)

v.)

Gregory Keith ROBINSON)

and)

Jaquan BRAY)

Defendant(s)

Case No.

EP20MJ1174

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 17, 2020 in the county of El Paso in the Western District of Texas, the defendant(s) violated:

Code Section	Offense Description
21 U.S.C. § 841 (a) (1)	Knowingly and intentionally possessing with the intent to distribute over 50 kilograms of marijuana; and
21 U.S.C. § 846	Conspiracy to possess with the intent to distribute over 50 kilograms of marijuana.

This criminal complaint is based on these facts:

See attached statement of probable cause incorporated by reference herein.

Continued on the attached sheet.

[Signature]
Complainant's signature

Special Agent Bobby Enriquez, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: _____

[Signature]
Judge's signature

City and state: El Paso, Texas

Leon Schydlower, U.S. Magistrate Judge

Printed name and title

Oath Telephonically Sworn
At 12:29 PM
Fed.R.Crim.P. 4.1(b)(2)(A)

AFFIDAVIT IN SUPPORT OF COMPLAINT

On February 17, 2020 at approximately 7:15 p.m., Border Patrol Agents (BPA) conducting immigration inspections at the Sierra Blanca Checkpoint Station, in the Western District of Texas, encountered a black 2020 Chevy Tahoe, bearing California license plates, which was loaded with approximately 156.9 pounds (approximately 71.2 kilograms) of marijuana.

On February 17, 2020 at approximately 7:15 p.m., a black Chevy Tahoe, being driven by Jaquan BRAY, approached the Sierra Blanca checkpoint for an immigration inspection. A BPA Canine Handler and his narcotics canine, were conducting air-scents of all vehicles entering the primary inspection area. The BPA Canine Handler observed the canine alerting to the Chevy Tahoe as it passed his location. The BPA Canine Handler notified the primary BPA conducting inspection, of the positive canine alert.

The primary inspection BPA asked the driver of the Chevy Tahoe, later identified as Jaquan BRAY, to park his vehicle in the secondary inspection area for further investigation. Also present in the vehicle were Gregory ROBINSON and a second passenger, here after referred to as PASSENGER-2. The BPA Canine Handler had his canine conduct a non-intrusive canine sniff of the exterior of the Chevy Tahoe. The canine alerted to the rear cargo door. The BPA Canine Handler searched the interior of the rear cargo area and observed several large duffel bags. A search of the duffel bags revealed several vacuum-sealed black bags, which contained a green leafy substance. The green leafy substance was field tested and tested positive for the properties of marijuana. The marijuana weighed approximately 156.9 pounds, an amount consistent with distribution. Also present in one of the drug-laden duffel bags were 23 glass mason jars. BPAs conducted a search of the Chevy Tahoe and discovered a very large and very heavy Automatic 420 Single-Ended Electric-Can Sealer. The Automatic 420 Single-Ended Electric-Can Sealer machine, red and yellow in color and approximately 90 pounds heavy, was wedged behind the center console, in-between the second row passenger "captain" style seats.

Inside the Chevy Tahoe, BPAs also found an electronic scale, approximately \$3,100 US Currency in a pair of jeans (belonging to BRAY), and the can-sealing machine, of which ROBINSON claimed ownership. All three occupants were subsequently detained.

On February 18, 2020, Special Agents (SA) Bobby Enriquez and Priscilla Dilmore arrived at the Sierra Blanca Border Patrol Checkpoint to interview BRAY, ROBINSON and PASSENGER-2, and to take custody of all evidence. The SAs were informed that BRAY and ROBINSON had invoked their right to an attorney. SAs interviewed PASSENGER-2. PASSENGER-2 stated that he/she is an UBER driver and first met ROBINSON in Louisiana in 2018 in his/her capacity as an UBER driver. PASSENGER-2 stated that ROBINSON offered him/her money, aside from his/her UBER income, to pick up ROBINSON's friends and family members and to run various errands. PASSENGER-2 stated that ROBINSON would be flying to California with a friend on Saturday (2/15/19) and had asked him/her to drive ROBINSON and his friend from Los Angeles, California back to the Louisiana area. PASSENGER-2 stated that ROBINSON offered to pay for his/her flight and hotel stay, as well as reimbursement for a missed workday and driving fees. PASSENGER-2 showed SAs text messages between PASSENGER-2 and ROBINSON confirming this statement.

PASSENGER-2 stated that ROBINSON picked him/her up from a Motel 6 near LAX on Monday February 17, 2020 at approximately 5:00 a.m. in a black Chevy Tahoe. PASSENGER-2 corroborated this information via text messages between him/her and ROBINSON. PASSENGER-2 stated that when he/she attempted to place his /her suitcase in the rear compartment, ROBINSON's "friend", later identified as BRAY, grabbed his/her suitcase and placed it behind one of the passenger seats and opened the driver door for him/her.

PASSENGER-2 stated that during their journey back to Louisiana, he/she was driving slightly over the speed limit when they passed a police car stationed in the median of the highway. PASSENGER-2 stated the police car activated its emergency lights and pulled over a vehicle in close proximity to theirs. PASSENGER-2 stated that both ROBINSON and BRAY were very nervous and found it very odd that ROBINSON and BRAY were very relieved that they were not stopped by the police. PASSENGER-2 stated that ROBINSON asked him/her to search the United States Border Patrol Checkpoint on Maps. This information was later corroborated when SAs reviewed PASSENGER-2's Map search history. PASSENGER-2 then stated that when they approached El Paso, Texas, ROBINSON told him/her that he/she looked tired and should switch seats. PASSENGER-2 stated that BRAY was then instructed by ROBINSON to begin driving. PASSENGER-2 stated that as they approached the Border Patrol Checkpoint, ROBINSON began to coach him/her on what to say and to state that he was a "US Citizen". PASSENGER-2 stated that he/she told ROBINSON that he/she was not a US Citizen but did have a valid US Residency card. PASSENGER-2 stated that as they approached the US Border Patrol Checkpoint, both BRAY and ROBINSON became very nervous. PASSENGER-2 stated that they were all instructed to exit the vehicle for further inspection. PASSENGER-2 stated that ROBINSON told him/her, "Will you take it? I will pay you." The PASSENGER-2 stated that he/she said, "What do you mean?" to which ROBINSON replied, "There's a lot of Marijuana, can you take it?" PASSENGER-2 stated that he/she told ROBINSON no and he/she would not have even driven him had he/she known there were drugs in the vehicle.

While in custody, ROBINSON and BRAY's cell phones were receiving various calls and text messages. On the front screen, in plain view, SAs observed three text messages on ROBINSON's phone from a contact listed as "Grow House Indoor". SAs also found the AVIS rental agreement for the Chevy Tahoe. ROBINSON rented the vehicle for pick-up on February 16, 2020 in Los Angeles, California with a drop-off February 19, 2020 in Kenner, Louisiana.

On February 18, 2020, SAs Enriquez and Dilmore presented the facts of this case to the United States Attorney's Office. The AUSA's Office accepted prosecution against BRAY and ROBINSON and declined prosecution on PASSENGER-2. On the same date, BRAY and ROBINSON were booked into the El Paso County Detention Facility pending their Initial Appearance before a US Federal Magistrate Judge.