

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, E. Austin Wozniak, being duly sworn, depose and state that:

INTRODUCTION

1. I am a federal law enforcement officer within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request a search warrant. I am a Special Agent with the Bureau of Alcohol Tobacco Firearms and Explosives (“ATF”) and have been so employed since September 1, 2013. I am currently assigned to the Boston Field Office.

2. I am a graduate of the Federal Law Enforcement Training Center, where I completed ATF Special Agent Basic Training and the Criminal Investigator Training Program. Prior to my employment with ATF, I was a police officer with the Dallas Police Department in Dallas, Texas for three years. I am a graduate of Marquette University where I received a Bachelor of Science in Accounting in 2010.

3. I have received training in the recognition, identification, and testing of controlled substances as well as in common methods of trafficking in narcotics. I have participated in surveillance and interdiction operations at known drug locations and have made numerous arrests for drug related crimes. I have further received training in firearms trafficking and the diversion of legal firearms for unlawful purposes, participated in the investigation of many crimes of violence, including robberies, assaults, and homicides, and made numerous arrests for firearms and violent offenses.

4. I was assigned to the Seattle, Washington, Field Office of ATF for approximately five years, where I worked with agents and other law enforcement agencies to target violent crime. I participated in or directed complex criminal investigations, utilized the National Integrated

Ballistic Information Network to identify violent offenders for prosecution, and helped create a task force of officers to investigate a series of highway shootings believed to be linked through ballistics evidence. In June 2019, I transitioned to the Albuquerque Field Office in Albuquerque, New Mexico, where I continued to conduct investigations related to firearms, narcotics, and violent crime. In March of 2021, I joined the Boston Field Division, where I am currently assigned.

PURPOSE OF AFFIDAVIT

5. This affidavit is being submitted in support of an application for a criminal complaint charging Glenroy MILLER, a/k/a “Trinny,” with being a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

6. The facts in this affidavit come from my personal observations and review of records, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is probable cause for the requested criminal complaint and does not set forth all of my knowledge about this matter.

SUMMARY OF PROBABLE CAUSE

7. In 2023, ATF began an investigation into MILLER. On August 7, 2023, ATF conduct a controlled purchase of a firearm from MILLER using a cooperating witness (“CW”).¹ Prior to the purchase, on that same day, the CW communicated with MILLER at telephone number (857) 576-9042.² During the conversation, MILLER agreed to sell the CW a firearm for \$1,500 at 835 Huntington Avenue.

¹ The CW is cooperating for both financial compensation and consideration in a pending drug distribution offense. The CW has cooperated since his/her arrest in 2020, conducted more than 100 controlled purchases of evidence on behalf of ATF. The CW has an extensive criminal history including convictions for robbery and drug distribution. Based on this investigation, I believe that information received from the CW is reliable.

² The call was audio recorded.

8. Prior to and after the controlled purchase, ATF searched the CW and the CW's vehicle for unauthorized contraband and provided the CW \$1,500 in Agent Cashier Funds for the purchase, along with audio and video recording equipment. Officers surveilled the CW to and from the deal as well as possible, and ATF surveilled the transaction itself when feasible. The audio and video recording was subsequently reviewed for other undetected or unreported anomalies to ensure the integrity of the transaction as well as possible.

9. During the purchase, the CW went to 835 Huntington Avenue. Officers observed MILLER approach the CW carrying a white plastic shopping bag. Inside of the white shopping bag, MILLER provided CW a Heckler and Koch ("H&K") VP .40 caliber pistol bearing serial number 222-21045 with one empty 13-round magazine. The CW then handed to MILLER \$1,500 in Agent Cashier Funds. After the transaction, the CW met ATF at a prearranged meeting location. ATF confirmed the purchase of the firearm by reviewing the audio and video recording as well as inspecting the contents of the white shopping bag.

10. At the time of the August 7, 2023, controlled purchase, MILLER had been previously convicted of an offense for which the potential sentence exceed one year. For example, your affiant learned from court documents that on September 17, 2019, in Suffolk Superior Court, MILLER was convicted of Possession of a Firearm without a Permit; Carrying a Firearm with Ammunition; Possession of a Firearm with a Defaced Serial Number; and Resisting Arrest (docket number 1884CR00873). MILLER was sentenced to 3 years' imprisonment and 2 years' probation. On July 27, 2016, in West Roxbury District Court, MILLER was convicted of Possession of a Firearm without a Permit (docket number 1506CR001861) and sentenced to 18 months' imprisonment. By virtue of these convictions, MILLER is prohibited by the provisions of Title

18, United States Code, Section 922(g)(1) from the possession of a firearm or ammunition which has traveled in or affected interstate commerce. Further, by virtue of these convictions, your affiant believes that MILLER was aware that he was prohibited from possessing firearms or ammunition which has traveled in or affected interstate commerce.

11. ATF conducted a preliminary interstate nexus investigation into the firearm sold by MILLER, which revealed that the H&K VP .40 caliber pistol bearing serial number 222-21045 was made in Germany and imported to the United States and was not manufactured in Massachusetts.

CONCLUSION

12. Based upon the foregoing, I submit there is probable cause to believe that on or about August 7, 2023, GLENROY MILLER was a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1).

E. Austin Wozniak

E. Austin Wozniak
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

ATTESTED and SWORN to before me telephonically in accordance with the requirements of Fed. R. Crim. P. 4.1 on October 24, 2023.

9:33 a.m.

David H. Hennessey

Hon. David H. Hennessey
United States Magistrate

