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Clerk, U.S. District Court, ILCD

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Central District of Illinois

United States of America
v.

Case No. 21-MJ- 6003

LAMEL JOHNSON
Defendant(s)

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 September 28, 2020 in the county of McLean in the Central District of Illinois, the defendant(s) violated:

Code Section	*Offense Description*
Title 18 United States Code, Section 922(g)	defendant herein, having knowingly been previously convicted under the laws of the State of Illinois of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate and foreign commerce, a firearm.

This criminal complaint is based on these facts:

See attached Affidavit

☑ Continued on the attached sheet.

s/John Tallarico

Complainant's signature

JOHN TALLARICO, FBI SPECIAL AGENT
Printed name and title

Sworn and subscribed to me telephonically pursuant to Fed. R. Crim. P. 41(d)(3) and Rule 4.1.

s/Jonathan E. Hawley

Date: 01/05/2021

Judge's signature

City and state: Peoria, IL

Jonathan E. Hawley, United States Magistrate Judge
Printed name and title

Affidavit in Support of Criminal Complaint

I, Special Agent John Tallarico, hereby depose and state the following:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed for over nine years. I am currently assigned to the Springfield Division's Safe Streets Peoria Area Task Force, which investigates gangs, violent crime, and drug activity in the Peoria, IL and Bloomington-Normal, IL area. During my time as a Special Agent, I have been involved in investigating criminal gang activity and narcotics distribution. My duties include the investigation of violations of federal law. I have participated in multiple gang related investigations, arrests and gang related interviews. I have participated in the investigation of violent and gang related crimes, to include racketeering, firearms, and narcotics offenses. I have investigated and participated in cases involving persons violating the federal firearms and narcotics laws, as well as individuals violating racketeering laws.

2. This affidavit is submitted in support of a criminal complaint alleging that Lamel Johnson violated Title 18, United States Code, Section 922(g)(1) (Felon in Possession of a Firearm).

3. Because this affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint, I have not included every fact known to me in this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

4. The facts that establish the probable cause necessary for issuance of the criminal complaint are either personally known to me or have been told to me directly by other law enforcement officers with whom I have worked with on this case or I have learned from reviewing documents.

5. On September 28, 2020, the Normal Police Department (NPD) conducted a controlled evidence purchase of a Hi-point nine millimeter handgun from Tremayne Wilson, a felon and documented member of the Four Corner Hustlers street gang. Following the controlled purchase from Wilson, NPD arrested Wilson by conducting a traffic stop of the vehicle Wilson was driving. Wilson was charged with Illinois crimes for unlawful sale/delivery of a firearm and felon in possession of a firearm. At the time of the traffic stop, Lamel Johnson was in the vehicle with Wilson. Johnson was arrested for possessing a Smith and Wesson SD9 VE nine millimeter handgun in his (Johnson's) waistband, and was subsequently charged with the Illinois crime of felon in possession of a firearm.

6. Your affiant viewed body camera footage from the NPD police officer who arrested Johnson on September 28,2020. The following is a summary of the most pertinent portions of the body camera footage:

> After placing Johnson in handcuffs, the arresting officer asked Johnson for his name and date of birth. After Johnson provided his full name and date of birth, the arresting officer asked Johnson if there was anything on him (Johnson) that he (arresting officer) needed to be aware of. Johnson informed the arresting officer that he (Johnson) had a gun in the front of his waist. The arresting officer

then removed a black and silver colored Smith & Wesson handgun from Johnson's waistband. After rendering the firearm safe, the arresting officer continued to search Johnson with Johnson's consent. Johnson also acknowledged to having "about a blunt's worth" of cannabis on him, which was recovered by the arresting officer.

7. Following Johnson's arrest, an NPD detective conducted an interview with Johnson. After the detective read Johnson his Miranda Rights, Johnson began to answer some questions. Johnson acknowledged being in the car with his cousin and advised that they were going to smoke weed. Johnson denied knowing anything about a gun. Johnson eventually invoked his right to counsel and the interview was concluded. NPD detectives later determined that Johnson and Tremayne Wilson are cousins.

8. The Smith & Wesson SD9 VE handgun bears the serial number HEN0328. At the time NPD recovered the handgun from Johnson, a 16 round capacity magazine was inserted in the handgun. There were 14 nine millimeter rounds in the magazine, but no round was chambered. The cannabis recovered from Johnson weighed approximately 1.5 grams.

9. The Bureau of Alcohol, Tobacco, Firearms (ATF) has indicated that the Smith and Wesson SD9 VE nine millimeter handgun seized from Johnson was not manufactured in Illinois and therefore has previously traveled in and affected interstate commerce.

10. Criminal history records indicate that Lamel Johnson has previously been convicted of the following felony offenses:

- Unlawful Possession of a Stolen Vehicle; Cook County, Illinois Circuit Court Case No. 01CR3009601; October 30, 2003;
- Armed Robbery Armed with a Firearm; Cook County, Illinois Circuit Court Case No. 01CR3009501; July 29, 2004;
- Armed Robbery Armed with a Firearm; Cook County, Illinois Circuit Court Case No. 01CR3009303; August 18, 2004;
- Armed Robbery Armed with a Firearm; Cook County, Illinois Circuit Court Case No. 01CR3009402; August 18, 2004; and
- Manufacture or Delivery of 15 Grams or Less of Cocaine; McLean County, Illinois Circuit Court Case No. 2014CF000293; February 17, 2015.

FURTHER AFFIANT SAYETH NAUGHT.

s/John Tallarico

JOHN TALLARICO, Special Agent
Federal Bureau of Investigation

Sworn and subscribed to me telephonically pursuant to Federal Rules of Criminal Procedure 41(d)(3) and 4.1 on this 5th day of January, 2021.

s/Jonathan E. Hawley

JONATHAN HAWLEY, Magistrate Judge
United States District Court