

UNITED STATES DISTRICT COURT **FILED**
EASTERN DISTRICT OF CALIFORNIA

SEP - 6 2007

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature]
DEPUTY CLERK

UNITED STATES OF AMERICA
v.

ANTONIO BARRAZA BAZUA

**SUPERSEDING CRIMINAL
COMPLAINT**

CASE NUMBER:

2:07-MJ-0279 GGH

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about September 5, 2007, in San Joaquin County, in the Eastern District of California defendant(s) did, (Track Statutory Language of Offense)

- Count I - knowingly and intentionally distribute at least 5 kilograms of a mixture and substance containing cocaine, a Schedule II controlled substance, (drugs given to CS),
 - Count II - knowingly and intentionally possess with the intent to distribute at least 500 grams of a mixture and substance containing cocaine, a Schedule II controlled substance (found hidden in vehicle at time of defendant's arrest),
 - Count III - knowingly and intentionally possess with the intent to distribute at least 5 kilograms of a mixture and substance containing cocaine, a Schedule II controlled substance (drugs found at 2126 Stormy Creek Court, Stockton, CA),
 - Count IV - knowingly and intentionally possess with the intent to distribute at least 500 grams of a mixture and substance containing methamphetamine, a Schedule II controlled substance (drugs found at 2126 Stormy Creek Court, Stockton, CA),
- all in violation of Title 21, United States Code, Section 841(a)(1).

I further state that I am a Special Agent of the Drug Enforcement Administration and that this complaint is based on the following facts:

- ▶ See attached affidavit of Special Agent David Klingman

Continued on the attached sheet and made a part of this complaint: X

[Signature]
Signature of Complainant David Klingman
Special Agent U.S. Drug Enforcement Administration

Sworn to and signed in my presence:
September 6, 2007

at Sacramento, CA

Date
GREGORY G. HOLLOWES,

U.S. Magistrate Judge

Name of Judge

City State

[Signature]
GREGORY G. HOLLOWES

Signature of Judicial Judge

Affidavit in Support of a Search Warrant and Criminal Complaint

I, David Klingman, being duly sworn, depose and state as follows:

1. I am a Special Agent of the United States Department of Justice, Drug Enforcement Administration (DEA) and have been so employed since December 12, 2004. Prior to joining DEA, I worked for four and a half years for the Chardon Police Department in Ohio and was assigned to patrol.
2. This investigation is being conducted by DEA and the Stockton Police Department Narcotics Unit. I have prepared this affidavit from the DEA District Office in Sacramento as the events were unfolding in Stockton on September 5, 2007, but did not personally observe the events described. The information in this Affidavit is based upon the observations of other DEA Special Agents and Stockton Police Detectives and Officers associated with this investigation, the observations and statements of the CS and my review of the criminal index and criminal history check stated below. I have not included each and every fact relayed or known to me; only those sufficient to demonstrate probable cause in support of the requested criminal complaint and arrest warrant.

Scope of Requested Criminal Complaint

3. Based upon the information in this Affidavit, there is probable cause to issue a criminal complaint against **Antonio Barraza BAZUA** for distribution and possession with the intent to distribute cocaine and possession with the intent to distribute methamphetamine on September 05-06, 2007, in violation of Title 21 U.S.C. § 841(a) (1).

Facts of the Case

4. A few months ago, a DEA Confidential Source (hereafter referred to as the CS) provided law enforcement information regarding the cocaine trafficking activities of **Antonio Barraza Bazua** (hereinafter "Barraza") in the Stockton, California area. The CS stated that, in the past, Barraza had supplied the CS with 10-15 kilograms of cocaine per week which the CS distributed. In August of 2007, when the CS was cooperating with the DEA and during non-recorded telephone calls to Barraza, the CS attempted to order multiple kilograms of cocaine. However, Barraza told the CS that Barraza's cocaine transporter from Mexico was killed in Mexico and Barraza was attempting to arrange for an alternate transporter or supplier of cocaine.

Deal on September 05, 2007

5. On September 05, 2007, the CS placed several non-recorded telephone calls (209-244-2939) to Barraza. During the non-recorded telephone calls the CS ordered five (5) kilograms of cocaine from Barraza.

6. Later in the day on September 05, 2007, while in the presence of law enforcement agents, the CS placed a recorded telephone call to Barraza at the cellular telephone number above. In that call, the CS told Barraza to meet the CS in the parking lot behind Coast to Coast Clothing Store in Stockton, California and the CS told Barraza to bring what the CS and Barraza talked about in the previous non- recorded telephone calls (five kilograms of cocaine). The CS stated that Barraza agreed to meet the CS in approximately thirty (30) minutes.
7. During the time of the recorded telephone call surveillance units followed Barraza, who was driving a brown GMC Sierra pick-up truck bearing California license number 7X94648, to 2126 Stormy Creek Court, Stockton, California. Surveillance units observed Barraza park the vehicle in the garage. The license plate 7X94648 is registered to Antonio Barraza and Rosario Bazua at 1705 Kyborz Court, Stockton, California on a 2005 GMC pick-up truck.
8. Approximately five (5) minutes later, surveillance observed Barraza's vehicle exit the garage and the garage door close. Surveillance followed Barraza to the parking lot behind Coast to Coast Clothing where Barraza gave (fronted – meaning gave Barraza expecting payment at a later time) the CS five (5) kilograms of cocaine. The CS told Barraza that the CS expected to have the money for the five (5) kilograms soon (within the hour) and wanted another five (5) kilograms plus a pound of methamphetamine. A law enforcement officer conducted a field test of the suspected cocaine which resulted positive for the presence of cocaine. *later*
9. Then surveillance followed Barraza to 922 S. Commerce Street, Stockton, CA where Barraza met with an unknown male. Surveillance observed Barraza and the unknown male along with another pick up truck with another unknown male driver leave the above address. In the mean time, the CS placed a recorded phone call to Barraza stating that the CS had the money (for the previously fronted 5 kilograms) and was ready for the additional product (meaning additional 5 kilograms of cocaine and one pound of methamphetamine). Barraza indicated a desire to postpone the additional delivery until tomorrow but then agreed to produce the additional drugs once Barraza had gone to Linden to pick up a load of tables and chairs. Surveillance followed both trucks (one towing a trailer) to Linden where they loaded tables and chairs and then drive to a storage garage off of Golden Gate Street, Stockton, California where the tables and chairs were unloaded.
10. Surveillance then observed Barraza enter a red Chevrolet pick up truck bearing California license 7G61291, which based on DMV records is registered to Agustin B. Barraza on a 2004 Chevrolet at 3228 Barbara Street, Stockton, California. Then surveillance followed Barraza to an unknown address located at the intersection of 9th Street and D Street, Stockton, California where surveillance observed Barraza park in the front yard of the residence. Barraza at some point

got out of his vehicle but surveillance could not determine whether Barraza actually went into the residence, or any other residence in the immediate area, since Barraza was not under observation the entire time his vehicle was parked in front of the residence.

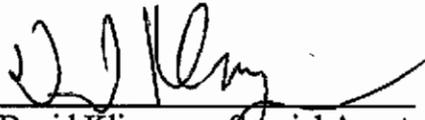
11. Approximately one half hour after he arrived at the above location, surveillance observed Barraza leave the location. Then the CS placed a telephone call to Barraza and Barraza told the CS that Barraza would pick up the CS at the Valero Gas Station located at the intersection of Fresno Avenue and Charter Way, Stockton, California. It was the understanding of the CS, based upon the prior dealings between the CS and Barraza, that Barraza planned to pick up the CS, take him to the stash house (which agents believe to be 2126 Stormy Creek, Stockton, CA) and give (front) the CS the additional 5 kilograms of cocaine and one pound of methamphetamine. According to the CS, this would be consistent with prior dealings between Barraza and the CS where Barraza would take the CS to whatever stash house that Barraza was then currently using and give (front) the cocaine or methamphetamine to the CS at the stash house.
12. Surveillance observed Barraza arrive at the Valero Gas Station at which time Stockton Police patrol units stopped Barraza. Law enforcement officers found approximately three (3) kilograms of suspected cocaine under the seat of the vehicle and a plastic bag containing an undetermined amount of U.S. Currency. At this time Barraza provided the key to the front door of 2126 Stormy Creek, Stockton, California and law enforcement entered the residence and conducted a protective sweep for occupants with negative results and have since froze the location and are awaiting this search warrant in order to re-enter the location.
13. A federal search warrant was served at 2126 Stormy Creek Court in Stockton, CA, at approximately 12:20 a.m. on September 6, 2007, by DEA Agents and Stockton Police Detectives. Inside the house, or within a vehicle in the garage, agent found an additional five kilograms of cocaine and approximately 13 pounds of what appeared to be crystal methamphetamine. A chemical field test was conducted on the suspected crystal methamphetamine and it tested positive for amphetamine/methamphetamine. In addition large amounts of U.S. Currency were found in several locations in the house and in the vehicle in the garage (exact count still being made). No guns were found.

Criminal History Regarding BARRAZA

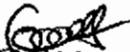
14. Criminal index checks identified Antonio Barraza Bazua with a birth date of 08-30-1978 and described as a white Hispanic male adult, 5'09" tall, 170 lbs, with black hair and brown eyes.

Probable Cause for Criminal Complaint

16. As a result of the events described in this Affidavit, there is probable cause to issue a criminal complaint against **Antonio Barraza Bazua**, for possession with the intent to distribute and for the distribution of at least 5 kilograms of cocaine and for the possession with the intent to distribute over 500 grams of a mixture and substance containing methamphetamine on September 5-6, 2007, in violation of Title 21 U.S.C. § 841(a) (1).
17. Therefore, I respectfully request that a criminal complaint be issued for the above charges.


David Klingman, Special Agent
Drug Enforcement Administration

Sworn and Subscribed to me
On Sept. 6, 2007


GREGORY G. HOLLOWS

Gregory G. Hollows
United States Magistrate Judge