

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the Southern District of Florida

United States of America
v.
LAVARDO KARIM SIMMS

Case No. 20-8131-BER

Defendant(s)

FILED BY TM D.C.
Mar 14, 2020
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - West Palm Beach

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 see below in the county of Palm Beach in the Southern District of Florida, the defendant(s) violated:

Code Section
18 U.S.C. 1951

Offense Description
obstruct, delay, and affect commerce by robbery on or about February 20, 2020, March 3, 2020 (first offense that day), March 3, 2020 (second offense that day), and March 5, 2020
attempt to obstruct, delay, and affect commerce by robbery on or about March 4, 2020, and March 13, 2020

This criminal complaint is based on these facts:
see attached affidavit

Continued on the attached sheet.

Complainant's signature

Special Agent Dominick B. Healey, FBI
Printed name and title

Attested to in accordance with the requirements of Fed. R. Crim. P. 4.1 by FaceTime video and audio

Sworn to before me and signed in my presence: BR

Date: 3/14/2020

Judge's signature

City and state: West Palm Beach, Florida

Bruce Reinhart, U.S. Magistrate Judge
Printed name and title

**AFFIDAVIT OF  
DOMINICK HEALEY, SPECIAL AGENT  
FEDERAL BUREAU OF INVESTIGATION**

I, Dominick B. Healey, being duly sworn, do state and attest as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been since January 2019. I also served on active duty as a Military Police lieutenant in the United States Army from December 2013 to March 2018. As an FBI Special Agent, I am an investigator and law enforcement officer of the United States within the meaning of Rule 41(a)(2)(c) of the Federal Rules of Criminal Procedure. I am also currently assigned to PB-2, the Violent Crimes and Major Offender Squad of the Palm Beach County Resident Agency. I have primarily been assigned to investigations dealing with commercial robberies, bank robberies, stalking, and other violent crimes. I have gained experience as a federal law enforcement officer and have received instruction and training in investigative techniques; including actual or attempted robbery or extortion affecting interstate or foreign commerce and conspiracies to commit these offenses, in violation of Title 18, United States Code, Section 1951.

2. This affidavit is based upon my own personal knowledge of the facts and circumstances surrounding the investigation and information provided to me by other law enforcement officers. This affidavit does not purport to contain all the information known to me about this case, but addresses only that information necessary to support a finding of probable cause for the issuance of a criminal complaint charging LAVARDO KARIM SIMMS with 5 counts of obstructing, delaying, and affecting by robbery and 2 counts of attempting to obstruct, delay, and affect commerce by robbery, in violation of Title 18, United States Code, Section 1951.

3. I and other law enforcement agents are investigating seven robberies and attempted robberies of convenience and telephone stores in Palm Beach and Broward Counties.

4. On February 20, 2020, at approximately 9:04 PM, an unknown subject armed with what appears to be a tube-fed shotgun or rifle with a wooden stock entered the BP gas station located at 1147 Federal Highway, Boynton Beach, Florida. A victim witness described the unknown subject as a black male, approximately six feet tall, wearing a black hooded sweatshirt, red shorts, black gloves, and a black scarf covering his face. The unidentified subject jumped over the register counter and demanded a shopping bag at gunpoint. The unidentified subject then placed \$800 United States currency from the register into the shopping bag, after which he exited the store and fled Northbound on foot.

5. On March 3, 2020, at approximately 7:54 PM, an unknown subject armed with what appears to be a tube-fed shotgun or rifle with a wooden stock entered the Metro PCS store located at 2402 North Dixie Highway, Lake Worth, Florida. A victim witness described the unknown subject as a black male wearing a multicolored ski-mask, who removed a shotgun from his pants and pointed it at her while demanding money. The victim opened the cash drawer and gave the unknown subject \$100 United States currency, after which the unknown subject fled the store on foot.

6. On March 3, 2020, at approximately 9:02 PM, an unknown subject armed with what appears to be a tube-fed shotgun or rifle with a wooden stock entered the Dunkin Donuts located at 1470 SW 8th Street, Boynton Beach, Florida. A 911 caller

described the unknown subject as a black male, armed with a shotgun, wearing multicolored gloves, a red shirt on his head, and black sunglasses. The unknown subject approached a victim employee, shoved him, and demanded cash from the register at gunpoint. The victim gave the unknown subject his wallet and approximately \$250 in United States currency from the store's cash drawer. The unknown subject then fled Eastbound on foot towards an adjacent Home Depot parking lot.

7. On March 4, 2020, at approximately 10:13 PM, an unknown subject armed with what appears to be a tube-fed shotgun or rifle with a wooden stock approached the Sunoco gas station located at 6729 South Military Trail, Lake Worth, Florida. A victim witness described the unknown subject as a black male, approximately 5'6" 175 pounds, wearing a black sweatshirt, dark pants, a gray shirt covering his face, and a black skull cap. The unknown subject approached the store on foot and aimed a long gun at him through the front door, then demanded money. The unknown subject attempted to open the door, but it was locked. Surveillance footage revealed that the unknown subject approached on-foot from the Walmart parking lot adjacent to the Sunoco station. After failing to gain entry into the store, the unknown subject fled on-foot in the same direction that he approached from. Shortly thereafter, surveillance footage from an adjacent business depicts a person appearing to be the unknown subject moving on foot towards a waiting vehicle. The person enters the passenger side of a vehicle, which then proceeds Southbound through an adjacent Walmart parking lot and out of sight.

8. On March 5, 2020, at approximately 8:04 PM, an unknown subject armed with what appears to be a tube-fed shotgun or rifle with a wooden stock entered the

Verizon Wireless store located at 1201 South Powerline Road, Pompano Beach, FL. Upon entering the business, the unknown subject directed two employees and a female customer towards the back of the store. Thereafter, the subject stole the United States currency from the register and an employee's wallet. Before leaving the store, the unknown subject forced the victims into a back room, which is not accessible to the public, and demanded more money. Failing to procure more money from the victims, the unknown subject then demanded Apple iPhones. The unknown subject then fled the store on foot.

9. On March 12, 2020, at approximately 9:33 PM, an unknown subject armed with what appears to be a tube-fed shotgun or rifle with a wooden stock entered the Sunoco Gas Station located at 200 SE 6<sup>th</sup> Avenue, Delray Beach, FL. Upon entering the business, the unknown subject pointed the weapon at the clerk and placed a white trash bag on the counter and demanded cash. The clerk opened the register and the unknown subject took approximately \$500 - \$600 United States currency from the draw, as well as three packs of Newport cigarettes. Shortly thereafter, the unknown subject left and fled on foot Southbound.

10. On March 13, 2020, investigators began reviewing License Plate Reader (LPR) systems for vehicles that resembled the suspected getaway vehicle observed by CCTV surveillance leaving the scene of the robbery described in paragraph (7). Investigators believed that the vehicle was a white late model Nissan Sentra with a spoiler and stock wheel rims. Investigators believed that the combination of a spoiler and stock wheel rims on the observed vehicle were distinct characteristics, because Nissan Sentra

models equipped with a spoiler typically also come equipped with metal alloy wheel rims. While canvassing for LPR photographs of vehicles appearing to match this appearance, investigators discovered an LPR photograph of a white Nissan Sentra with a spoiler and stock wheel rims, bearing Georgia license plate PLH2101 (hereinafter "target vehicle"). One LPR photograph appeared to depict that the target vehicle's trunk was slightly ajar, in a fashion similar to the suspected getaway vehicle's slightly ajar trunk as observed by CCTV surveillance from the robbery described in paragraph (7). An LPR search of the target vehicle's tag revealed that the vehicle's pattern of travel suggested movement towards the robberies described in paragraphs (5) and (6) within approximately one hour of the robberies' commissions, and away from the robberies described in paragraphs (5), (8), and (9), within approximately 40 minutes of the robberies' commissions. In particular, the LPR system recorded that approximately nine minutes after the robbery described in paragraph (5), the vehicle had traveled Southbound approximately nine minutes travel-time from the site of that robbery, towards the Dunkin Donuts that was robbed approximately one hour later during the robbery described in paragraph (6).

11. Later on March 13, 2020, investigators located the target vehicle in Lake Worth, FL, during physical surveillance. At approximately 8:14 PM, investigators conducting aerial-supported physical surveillance observed the target vehicle park behind the Boost Mobile store in the vicinity of 1251 East Sample Road, Pompano Beach, FL. An unknown subject, wearing a white t-shirt and black pants, disembarked from the passenger seat of the target vehicle and began to walk around in the general vicinity of the Boost Mobile store. At approximately 8:18 PM, the unknown subject appeared to wrap

a shirt around his head and continued walking around the general vicinity of the Boost Mobile store. The unknown subject then returned to the target vehicle parked behind the Boost Mobile store, opened the front passenger door, and retrieved what appeared to be a long gun. While the unknown subject was behind the store, an employee at the Boost Mobile store turned off the lights, closed the store, and departed from the area. At approximately 8:29 PM, the unknown subject approached and paused momentarily on the East wall of the Boost Mobile store. Investigators then observed the unknown subject round the corner and approach the front façade of the Boost Mobile store, holding what appeared to be a long gun in his hands. The subject paused in front of the closed Boost Mobile store, turned around, returned to the target vehicle, and entered the front passenger seat. The target vehicle then left the immediate area of the Boost Mobile store. Investigators maintained continuous physical surveillance as the target vehicle continued to travel in the surrounding area. At approximately 8:51 PM, law enforcement officers stopped the vehicle in the vicinity of the 2700 block of North Federal Highway, Pompano Beach, FL, and took the occupants of the vehicle into custody. The occupant of the front passenger seat was LAVARDO KARIM SIMMS, who was wearing dark pants and a white t-shirt.

12. Following the traffic stop, investigators observed a BB gun on the floor in the rear passenger compartment of the vehicle in plain view. The BB gun appeared to have a wood or imitation wood stock and handguard, and is believed to be the item that investigators previously thought was a tube-fed shotgun or rifle with a wooden stock used in the commission of the robberies. SIMMS was transported to the Palm Beach County

Sheriff's Office. SIMMS was placed in an interview room and advised of his rights, which he waived by signing an advice of rights form. Investigators then conducted an interview during which SIMMS confessed to the attempted robbery described in paragraph (11). SIMMS was also shown still photographs from surveillance CCTV footage of the robbery described in paragraph (4), and identified himself as the person depicted by the still photographs.


13. I believe that SIMMS committed each of the six robberies described in paragraphs (4) through (10). This belief is founded upon similarities in the appearance of the weapon used and similarities in the tactics employed by the unknown subject in each of the five robberies. During each robbery, surveillance footage depicts the unknown subject wearing a face covering and holding what appears to be a wood-stock tube-fed shotgun or rifle, similar to the BB gun observed in plain view during SIMMS' arrest. This belief is additionally founded by SIMM's confession to the attempted robbery described in paragraph (11) and self-identification as the unknown subject depicted by still photographs of the robbery described in paragraph (4). Furthermore, the LPR records described in paragraph (10) suggest that the target vehicle may have been employed as a getaway vehicle in at least four of the robberies.

14. Based upon the foregoing, I respectfully submit that there is probable cause to charge LAVARDO KARIM SIMMS with 5 counts of obstructing, delaying, and affecting



commerce by robbery and 2 counts of attempting to obstruct, delay, and affect commerce by robbery, in violation of Title 18, United States Code, Section 1951.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
Dominick B. Healey, Special Agent  
Federal Bureau of Investigation

Attested to in accordance with the requirements of Fed. R. Crim. P. 4.1 by FaceTime video and audio

~~Sworn to me and subscribed before me this~~ 14 day of March, 2020 at West Palm Beach, Florida.

  
\_\_\_\_\_  
BRUCE REINHART  
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NUMBER:** 20-8131-BER

**BOND RECOMMENDATION**

**DEFENDANT:** LAVARDO KARIM SIMMS

Pre-Trial Detention

(Personal Surety) (Corporate Surety) (Cash) (Pre-Trial Detention)

By: s/ Marc Osborne  
AUSA: Marc Osborne

Last Known Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What Facility: \_\_\_\_\_

\_\_\_\_\_

Agent(s): Dominick B. Healey, FBI

(FBI) (SECRET SERVICE) (DEA) (IRS) (ICE) (**OTHER**)

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

20-8131-BER

Case No. \_\_\_\_\_

**UNITED STATES OF AMERICA**

v.

**LAVARDO KARIM SIMMS**

**Defendant.**

\_\_\_\_\_ /

**CRIMINAL COVER SHEET**

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia Valle)? \_\_\_ Yes  No
2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? \_\_\_ Yes  No
3. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? \_\_\_ Yes  No

Respectfully submitted,

ARIANA FAJARDO ORSHAN  
UNITED STATES ATTORNEY

BY:

s/ Marc Osborne

\_\_\_\_\_

Marc Osborne  
ASSISTANT UNITED STATES ATTORNEY

District Court No. A5500796  
500 South Australian Avenue, Suite 400  
West Palm Beach, Florida 33401

Tel: 561-209-1014

Fax:

Email: marc.osborne@usdoj.gov