

STATEMENT OF FACTS

Your affiant, Evan Kalaher, is a Special Agent with the Federal Bureau of Investigation (FBI) and I have been employed in that capacity January 2018. I am currently assigned to the Providence, Rhode Island Resident Agency, which is part of the Boston Field Division. Prior to my current position, I was assigned to Boston Divisions Organized Crime Drug Enforcement Task Force (OCDETF) where I concentrated on investigating complex domestic and international drug trafficking and money laundering investigations related to criminal enterprises. I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of violations of Federal criminal laws.

As detailed below, the FBI, in partnership with other law enforcement agencies, is conducting a criminal investigation of a drug trafficking organization that is selling and distributing illicit narcotics, specifically pressed fentanyl pills, over darknet markets. With respect to the sale of illicit narcotics over the darknet, the criminal organization accepts online orders, receives payment in Bitcoin, and then mails the orders to the recipient via the United States Postal Service.

During the course of the investigation, law enforcement identified a vendor operating under the name "PolarSprings," who was active on a number of markets, including the Wall Street Market and the Empire Market. On both markets, PolarSprings was selling pills pressed with fentanyl. On the Empire Market alone, as of August 2020, PolarSprings listed that it had conducted approximately 7,020 sales. Law enforcement conducted undercover purchases of pills from PolarSprings from June of 2019, through August of 2020. Each of the packages containing the pills were shipped in similar packaging. PolarSprings later resurfaced on three additional markets: Icarus Market, Deep Sea Market, and ToRReZ Market. The advertisements on those markets appear to be for pills that are similar to the pills that were advertised on Wall Street and Empire Markets. As of February 5, 2021, PolarSprings had completed at least 411 sales on ToRReZ.

During the course of the investigation, packages were shipped to the District of Columbia.

After the Wall Street Market was taken down by law enforcement, the FBI was able to recover data from the server. Included in these records were bitcoin addresses where vendors paid vendor bonds and other fees to the market. The records related to the PolarSprings account revealed the vendor bond for the account was paid on or about March 23, 2019, and an unspecified fee was paid on March 27, 2019. The vendor bond fee was approximately \$200. Law enforcement tracing of these addresses revealed the fees were paid from the same Bitcoin wallet. Law enforcement subsequently made contact with the individual connected to the Bitcoin wallet connected to the fees (hereinafter "the Bitcoin Trader"). The Bitcoin Trader was interviewed and agreed to provide information regarding the investigation as a Confidential Human Source (CHS #1).¹

¹ CHS #1 has provided truthful and reliable information in the past. CHS #1 has not been promised anything in exchange for its cooperation, but hopes to receive leniency regarding potential prosecution.

CHS #1 was provided with a photograph of ALEX OGANDO. CHS #1 recognized OGANDO in the photograph as an individual he/she traded bitcoin with in the past. CHS #1 reviewed text messages which were saved in his/her telecommunication application regarding bitcoin transactions that occurred on or about March 22, 2019, April 12, 2019, and April 27, 2019. CHS #1 stated that those transactions occurred with the individual reflected in the photograph (OGANDO). CHS #1 did not know OGANDO's name. CHS #1 was able to recognize OGANDO, as they had met in person on multiple occasions to engage in the transactions described above.

Based on the timing of the March 2019 in-person meeting between OGANDO and the Bitcoin Trader, and the subsequent transfer approximately five hours later from the Bitcoin Trader's wallet to pay for the PolarSprings' vendor bond on Wall Street Market, it appears that the transaction with OGANDO resulted in the payment for the PolarSprings vendor bond.

Additionally, law enforcement has identified contacts between OGANDO and LUIS SPENCER, and OLATUNJI DAWODU, who are suspected of selling pills on the darknet using the vendor name "johncarter7." Additionally, records from DAWODU's iCloud refer to financial transactions with OGANDO, as well as financial transactions with another individual (Individual #1). Individual #1's fingerprint was recovered on a PolarSprings package containing pills that had been purchased from PolarSprings on Empire in May of 2020. Additionally, DAWODU received a message from Individual #1 wherein Individual #1 messaged DAWODU a list of six addresses labeled "Drops." Research of five of those addresses revealed locations to USPS mailboxes or U.S. Post Offices. The sixth address had a correct street for a post office location but reflected the incorrect city. In my training and experience, individuals frequently drop packages containing contraband at different blue boxes or post offices in order to evade detection by law enforcement. In my training and experience, by varying the drop locations, narcotics traffickers make it more difficult for law enforcement to identify a pattern of shipments that would assist law enforcement in identifying the individual or individuals who are dropping the packages.

On or about February 2, 2021, law enforcement obtained authorization for a pen register/trap and trace ("PRTT") device for a Verizon Fios account at OGANDO's residence at Felix Street, Apartment 2, Providence, Rhode Island. Law enforcement started receiving data from the PRTT on or about February 4, 2021. A review of data collected from the PRTT revealed approximately two connections between the IP address at the OGANDO residence and TOR relays from on or about February 4, 2021 and on or about February 6, 2021. Based on my training and experience, connections with TOR relays indicate a user's intent to conceal its user's identities and their online activity from surveillance and traffic analysis by separating identification and routing. Such activity typically occurs when a user is accessing or attempting to access the dark web – where the darknet markets described herein are accessed.

Law enforcement obtained a search warrant for OGANDO's residence in Providence Rhode Island (21-SW-47-LDA). On February 23, 2021, the search warrant was executed at the residence. OGANDO was present at the time that law enforcement made entry into his residence. Law enforcement recovered a money counter and approximately \$350,000 in U.S. currency in the master bedroom of OGANDO's residence, consistent with OGANDO's involvement in the narcotics trafficking described above. OGANDO's residence is Apartment 2 in a three-unit building owned by OGANDO's girlfriend. When officers were executing the search warrant, the

owner of the building advised that Apartment 3 (the apartment located on the third floor of the building) was currently under construction. Law enforcement then conducted a protective sweep of Apartment 3 to ensure the safety of law enforcement officers who were executing the warrant in the apartment below. The door to Apartment 3 was open and unlocked. During the protective sweep, law enforcement observed a number of items in plain view that were indicative of the drug trafficking operation described herein. Specifically, officers observed USPS flat rate packaging envelopes, latex gloves, a vacuum sealer, envelopes, and folded plates with a blue residue, consistent with the color of pills that have been distributed during the course of the investigation. Law enforcement obtained a second search warrant for Apartment 3, based on the evidence observed in plain view during the protective sweep.

During the execution of the search warrant at Apartment 3, law enforcement recovered a large quantity of pressed blue pills (similar in appearance to those that were purchased during the undercover buys from PolarSprings). The pills weighed approximately 1,770 grams and field tested positive for the presence of fentanyl. Law enforcement also recovered a number of packages containing pills that appeared prepared to be mailed out (in Priority Mail envelopes similar to those used during the course of the investigation).

Based on the foregoing, your affiant submits that there is probable cause to believe that OGANDO violated 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) which makes it a crime to knowingly or intentionally possess with intent to distribute a controlled substance (a mixture and substance containing a detectable amount of fentanyl).

Your affiant has not provided every fact known to him during the investigation, but facts sufficient to establish probable cause.



SPECIAL AGENT EVAN KALAHER
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 23rd day of February 2021.

ZIA M. FARUQUI
U.S. MAGISTRATE JUDGE