

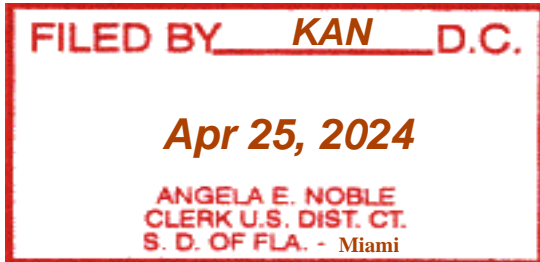
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:24-mj-02817-Louis

UNITED STATES OF AMERICA

v.

STEFAN LEE NAGY



CRIMINAL COVER SHEET

1. 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 M. Maynard)? No.
2. 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 M. Strauss)? No.
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No.
4. Did this matter involve the participation of or consultation now Magistrate Judge Marta Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No.

Respectfully submitted,

MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

By: /s/ Ilana R. Malkin  
Ilana R. Malkin  
Assistant United States Attorney  
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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

STEFAN LEE NAGY,

Defendant(s)

Case No. 1:24-mj-02817-Louis

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

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 April 24, 2024 in the county of Miami-Dade in the Southern District of Florida, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(g)(1)

Felon in possession of a firearm and ammunition

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

Continued on the attached sheet.

Complainant's signature

Calvin Hernandez, Special Agent HSI
Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by the person

Date: 04/25/2024

Judge's signature

City and state: Miami, Florida

Honorable Lauren F. Louis, United States Magistrate Judge
Printed name and title



**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Calvin Hernandez, being duly sworn, hereby depose and state as follows:

**AGENT BACKGROUND AND INTRODUCTION**

1. I am a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations (“HSI”), assigned to the Miami Office. I have been employed as an HSI Special Agent since April 2020. I am currently assigned to the Miami HSI Violent Gang Task Force, where I have served since graduating from the Special Agent Training program in 2021. My duties include the investigation of a variety of federal offenses, including firearm offenses, drug trafficking, and violent crimes. Before my work with HSI, I served as an officer with U.S. Customs and Border Protection, working on drug and firearms interdictions and investigating bulk cash smuggling and illegal immigration.

2. This Affidavit is made for the purpose of establishing probable cause in support of the arrest of **Stefan Lee Nagy (NAGY)**, who knowingly possessed a firearm and ammunition in and affecting interstate and foreign commerce, knowing that he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1).

3. The statements contained in this Affidavit are based on my personal knowledge, as well as information provided by other individuals, including other law enforcement officials, and my review of records and other evidence obtained during the course of this investigation. I have not included each and every fact known to me and to other law enforcement officers involved in this investigation, but only the facts sufficient to establish probable cause.

**PROBABLE CAUSE**

4. On or about April 24, 2024, at approximately 8:20 pm, HSI Violent Gang and Narcotics Task Force Agents and the City of Miami Gang Unit were surveilling activity at

Riverside Park, 342 SW 7th Avenue, Miami, Florida. Riverside Park is known to law enforcement as a location used for narcotics sales. There has also been a recent uptick in violence occurring in or around the park.

5. The agents walked toward a group of men sitting on a bench in an elevated area near the southeast corner of the park. A four-foot fence separated the agents from the group of men. The agents wore plain clothes; however, their full vests and duty belts with police insignia and badges were visible.

6. Upon approaching the group, the men began to slowly disperse. NAGY, wearing a backpack, walked towards the agents with his hands in the air stating, "Officers, I ain't got nothing. I'm just smoking a little weed in the park." An agent identified himself as law enforcement to NAGY and asked NAGY to put his hands on the fence.

7. NAGY fled on foot east-bound toward southwest 7th Street. However, upon seeing the area was fenced in, NAGY turned around and moved his backpack in front of his torso and reached inside of it. NAGY yelled, "You're going to have to fucking kill me or I'm going to kill you! Please shoot me; I'm not going back."

8. Agents drew their firearms and again identified themselves as law enforcement. Agents commanded NAGY not to reach or pull anything out of the backpack. One of the agents turned on the flashlight mounted to his weapon to illuminate NAGY.

9. NAGY again fled, running towards the southern exit of Riverside Park.

10. Agents attempted to stop NAGY at the southern exit. NAGY collided with one of the agents and a City of Miami officer, injuring both of them. NAGY was brought to the ground and taken into custody.



11. A search of NAGY incident to arrest revealed a .45 caliber firearm, loaded with ammunition, in the backpack that NAGY wore as well as a birth certificate and other personal identifying information.


12. A review of NAGY's criminal history at the time of his arrest revealed that he had previously been convicted of a felony, punishable by a term of imprisonment exceeding one year. Specifically, NAGY has been convicted under Florida State Case No. 1401639 (Carjacking) and was sentenced to ten years' imprisonment. Based on the amount of time NAGY served, he knew he was a convicted felon.

13. Additionally, a preliminary review of the firearm and ammunition revealed that both were manufactured outside the State of Florida.

**CONCLUSION**

14. Based on the foregoing facts, I believe that probable cause exists that NAGY committed possession of a firearm and ammunition as a convicted felon, in violation of Title 18, United States Code, Section 922(g)(1).

**FURTHER AFFIANT SAYETH NAUGHT**

  
\_\_\_\_\_  
CALVIN HERNANDEZ  
Special Agent  
Department of Homeland Security  
Homeland Security Investigations

Attested to in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
~~FaceTime~~ this 25 day of April, \_\_, 2024.

  
\_\_\_\_\_  
HONORABLE LAUREN F. LOUIS  
UNITED STATES MAGISTRATE JUDGE