

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

FILED
in the Middle District of
North Carolina
March 15, 2023
3:26 pm
Clerk, US District Court
By: kg

United States of America

v.

CYE LEANCE FRASIER

Case No.

1:23MJ131-1

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 February 23, 2023 in the county of Orange in the
Middle District of North Carolina, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Row 1: 21 U.S.C. § 846, Conspiracy to Distribute Cocaine Hydrochloride. Row 2: 21 U.S.C. § 843(b), Unlawful Use of a Communication Facility.

This criminal complaint is based on these facts:

Please see attached Affidavit

Continued on the attached sheet.

/s/ CLARENCE S. SPRAGINS

Complainant's signature

Clarence S. Spragins, Special Agent

Printed name and title

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means (telephone), was placed under oath, and attested to the contents of this written affidavit.

Date: 03/15/2023 2:06 pm

Handwritten signature of Joe L. Webster

Judge's signature

City and state: Durham, North Carolina

Joe L. Webster, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

I, Clarence S. Spragins, Special Agent, Drug Enforcement Administration (DEA), Raleigh, North Carolina, being duly sworn, depose and state as follows:

INTRODUCTION

1. This Affidavit is submitted in support of an Application for an arrest warrant, based upon a Criminal Complaint, for **Cye FRASIER, XX-XX-1979**, alleging that in February 2023, in Orange County, he committed the following violations:

Conspiracy to Distribute Cocaine Hydrochloride (HCL)
21 U.S.C. § 846

Unlawful Use of a Communication Facility
21 U.S.C. § 843(b)

2. I make this Affidavit, in part, based on personal knowledge derived from my participation in this investigation, as well as information provided by state and local law enforcement officers, including but not limited to, the Orange County, North Carolina Sheriff's Office.

3. The information contained in this Affidavit is submitted for the sole purpose of establishing probable cause for the issuance of an arrest warrant for Cye FRASIER. As a result, this Affidavit does not contain every

fact known to me concerning this investigation.

AFFIANT BACKGROUND

4. I, your Affiant, am a Special Agent of the Drug Enforcement Administration (DEA). I have been sworn as a Special Agent since graduating from the DEA Basic Agent Training academy in 2019. As a DEA Special Agent, I have participated in investigations involving, but not limited to, physical and electronic surveillance, financial analysis, undercover transactions, confidential sources, court orders, court testimony, arrests, search warrants, and seizure of evidence. Prior to joining the DEA, I served as a sworn law enforcement officer in the state of North Carolina from 2015 until 2019, having been employed by North Carolina Alcohol Law Enforcement as a special agent and by Henderson Police Department as a police officer.

5. I am assigned to the DEA Raleigh District Office High Intensity Drug Trafficking Area (HIDTA) Group One. This group is comprised of DEA Special Agents, as well as Task Force Officers (TFO), who represent surrounding local agencies and are sworn to investigate violations of the United States Controlled Substances Act.

INVESTIGATION

6. In February 2023, DEA investigators interviewed a Cooperating Defendant¹ (CD), identified as a cocaine distributor in the Middle District of North Carolina (MDNC). CD stated CD has previously purchased cocaine HCL from a male and the male's girlfriend on numerous occasions beginning in early 2022 until February 2023. Based on photographs investigators provided, CD identified Cye FRASIER and Carlisa ALLEN as the male and female, respectively, who supplied CD with cocaine. CD stated these individuals use a blue Toyota Rav4 to meet with CD and deliver drugs. Investigators provided a photograph of a blue 2018 Toyota Rav4, North Carolina plate JFJ4117, registered to Carlisa ALLEN; CD stated the photographed Rav4 appears consistent with the Rav4 referenced by CD. CD stated that the male subject believed to be FRASIER used telephone number 919-358-1601 (Frasier Telephone) when communicating with CD. CD allowed investigators to review text messages from CD's telephone in which CD communicated with Frasier Telephone to negotiate purchases of cocaine. The following example is from a

¹ During an investigation into the distribution of controlled substances on and around college campuses in Orange and Durham Counties, DEA investigators identified CD as a distributor of cocaine. Agents conducted a controlled purchase of cocaine from CD using another cooperating individual. Thereafter, agents approached CD and CD agreed to cooperate. CD cooperated with the hope that such cooperation would result in a favorable resolution for CD's criminal conduct. CD has not been charged to date.

text conversation between CD and Frasier Telephone in early February 2023:

a. CD requests a quantity of cocaine from the user of Frasier Telephone. The user of Frasier Telephone directs CD to go to a location in the vicinity of Church Street and Rosemary Street in Chapel Hill.

b. The user of Frasier Telephone directs CD to locate a “blonde hair black girl.”

c. The user of Frasier Telephone texts “wait she has to go get more.” CD then re-texts the amount of cocaine CD wants to purchase and the amount CD will pay.

d. The user of Frasier Telephone texts “She in a blue rav 4 Toyota” and asks “U saw her.” CD affirms and thanks the user of Frasier Telephone.

7. The investigation identified the aforementioned male as Cye FRASIER and his girlfriend as Carlisa ALLEN. Based on information provided by CD, and physical surveillance, investigators know ALLEN routinely uses ALLEN’s registered vehicle, a blue 2018 Toyota Rav4, North Carolina plate JFJ4117 (Allen Vehicle), to deliver controlled substances. In early February 2023, investigators conducted physical surveillance at ALLEN’s address; in this instance, ALLEN had blonde hair and investigators observed ALLEN

operate Allen Vehicle. In March 2023, investigators conducted physical surveillance in Durham, NC, and observed FRASIER utilize Allen Vehicle.

8. Investigators know FRASIER uses telephone 919-358-1601 (Frasier Telephone) and ALLEN uses 919-641-0064 (Allen Telephone).

a. In late 2022 and early 2023, investigators obtained subscriber and usage records for Venmo, Apple, and CashApp accounts used by Frasier Telephone. This information shows that the subscriber and user of these accounts is Cye FRASIER. Also during this time frame, investigators obtained Apple and Venmo subscriber and usage records for Allen Telephone. This information shows that the subscriber and user of these accounts is Carlisa ALLEN. Furthermore, the T-Mobile subscriber for Allen Telephone is Carlisa ALLEN.

b. According to Durham Police Department (DPD) report number 22032349, on September 11, 2022, DPD officers responded to Lyons Den Barbershop in Durham. The victim, ALLEN, reported that she was robbed of \$2,000 in cash while leaving the barbershop. ALLEN stated she received the funds from FRASIER. ALLEN provided Allen Telephone. FRASIER, who was on scene, provided his information which reflects a contact number of Frasier Telephone.

c. In 2014, Cye FRASIER was convicted of two counts of possession with intent to manufacture/sell/deliver a controlled substance, in violation of N.C.G.S. § 90-95(a)(1). While on probation for these offenses from September 2014 through October 2016, FRASIER provided his phone number as Frasier Telephone.

d. In March 2023, investigators conducted physical surveillance of FRASIER and ALLEN, and began to receive prospective location data for Allen Telephone and Frasier Telephone. The locations of these individuals are consistent with their respective telephones.

9. On February 23, 2023, CD, in coordination with the Orange County Sheriff's Office (OCSO) and DEA investigators, coordinated a controlled purchase of cocaine HCL from FRASIER and ALLEN; CD communicated with FRASIER via Frasier Telephone. Investigators observed CD dial Frasier Telephone. The following subparagraphs document and provide an overview of the controlled purchase event. Times are approximate.

a. At 2:30 p.m., OCSO investigators met with CD at a predetermined briefing location in Orange County, NC. OCSO investigators searched CD for contraband and found none. OCSO investigators equipped CD with electronic monitoring capability and issued CD United States Currency

in OCSO official advanced funds (OAF).

b. At 5:00 p.m., OCSO investigators transported CD to a parking lot in the vicinity of Franklin Street and Church Street, Chapel Hill, NC. Investigators maintained continuous visual and electronic surveillance of CD throughout the operation.

c. At 5:00 p.m., CD received a phone call from Frasier Telephone. The male user of Frasier Telephone stated he first needed to stop at his residence to “get it” and that he would then be on the way to CD’s location.

d. At 5:10 p.m., DEA investigators observed Allen Vehicle enter and park in the lot of the Timber Hollow Apartments in Chapel Hill. A black woman with black hair exited Allen Vehicle and walked toward building 104.

e. At 5:18 p.m., DEA investigators observed the above-referenced woman (later identified as ALLEN) re-enter Allen Vehicle and depart the area. Investigators maintained continuous surveillance of Allen Vehicle and followed it directly to CD’s location. Also at this time, CD received a phone call from Frasier Telephone. The male user of Frasier Telephone stated that the female was on the way to CD’s location.

f. Investigators observed Allen Vehicle arrive at CD’s location.

Investigators observed CD enter Allen Vehicle. CD gave ALLEN the \$800 in funds issued by OCSO investigators, and in return ALLEN gave CD approximately 10.5 grams of purported cocaine. CD exited Allen Vehicle and Allen Vehicle departed the area. Allen vehicle was driven by ALLEN.

g. OCSO Investigators transported CD directly back to the predetermined brief location. CD produced the substance purchased from ALLEN. OCSO Investigators searched CD for contraband and currency and found none.

h. OCSO Investigators then interviewed CD regarding the transaction. CD stated ALLEN is the same woman who has previously met CD in Allen Vehicle and sold CD cocaine. CD noted that ALLEN changed her hair color to black and that it was recently blonde. CD stated that ALLEN's appearance changes sometimes. CD stated that ALLEN was on speaker phone with FRASIER during a portion of the transaction. CD stated CD recognized FRASIER's voice. CD stated that in the vehicle, CD exchanged the \$800 for the drugs. CD reiterated that CD was not surprised that ALLEN showed up instead of the male. CD stated CD never knows who will arrive and distribute the drugs, but that the male user of Frasier Telephone always communicates as if FRASIER is the supplier. CD stated the vehicle which is used to arrive

with the drugs is always Allen Vehicle.

i. CD was released and the operation concluded.

j. OCSO investigators conducted a presumptive field test of the substance purchased from ALLEN. The result of the test indicated the item contains cocaine. The substance was entered into evidence at OCSO per OCSO policy.

10. T-Mobile records of Allen Telephone, reviewed by DEA investigators, show that Allen Telephone was in contact with Frasier Telephone during the time frame of the above transaction between CD and ALLEN.

SUMMARY

11. Based upon the facts set out herein, I respectfully submit that there is probable cause to believe that **Cye FRASIER** committed the following violations

Conspiracy to Distribute Cocaine HCL
21 U.S.C. § 846

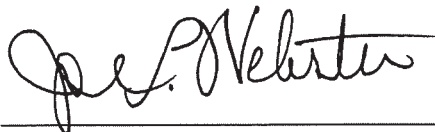
Unlawful Use of a Communication Facility
21 U.S.C. § 843(b)

Respectfully submitted,

/s/Clarence S. Spragins
Clarence S. Spragins, Special Agent
Drug Enforcement Administration

Dated: March 15, 2023 2:06 pm

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means (telephone), was placed under oath, and attested to the contents of this written affidavit.



Joe L. Webster
United States Magistrate Judge
Middle District of North Carolina