

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New Jersey

United States of America

v.

DEREK SPIVEY

Case No.

Mag. No. 25-mj-2031 (AMD)

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 January 11, 2025 to March 13, 2025 in the county of Burlington and elsewhere in the District of New Jersey, the defendant(s) violated:

Code Section: 18 U.S.C. § 371 (contrary to 18 U.S.C. §§ 2314 and 2)
Description of Offenses: See Attachment A.

This criminal complaint is based on these facts:

See Attachment B.

Continued on the attached sheet.

Bernadette Casey (handwritten signature)

Complainant's signature

FBI Special Agent Bernadette Casey

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/11/2025

Ann Marie Donio (handwritten signature)

Judge's signature

City and state: Camden, New Jersey

Hon. Ann Marie Donio, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED  
UNITED STATES ATTORNEY

By:   
Jeffrey B. Bender, Assistant U.S. Attorney

Date: April 11, 2025

**ATTACHMENT A**

**COUNT ONE**

(Conspiracy to Commit Transportation of Stolen Goods)

Beginning at least as early as on or about January 11, 2025 to on or about March 13, 2025, in the District of New Jersey and elsewhere, the defendant,

DEREK SPIVEY,

knowingly and intentionally conspired and agreed with Co-Conspirator 1, Co-Conspirator 2, Co-Conspirator 3, and others to commit certain offenses, namely, the transport, transmittal, and transfer, in interstate commerce, of any goods, wares, merchandise, securities, and money, of the value of \$5,000 or more, knowing the same to have been stolen and converted, contrary to Title 18, United States Code, Sections 2314 and 2.

**OVERT ACTS**

In furtherance of this conspiracy and to effect its objects, the following overt acts were committed in the District of New Jersey and elsewhere:

1. On or about January 19, 2025, while in New Jersey, defendant Derek Spivey sent to Co-Conspirator 1 a photograph of a serial number of a laptop that was stolen a week earlier from a warehouse in Lehigh, Pennsylvania.
2. On or about March 2, 2025, defendant Derek Spivey and Co-Conspirator 1 traveled from New Jersey to Bath, Pennsylvania, to burglarize a warehouse.
3. On or about March 12, 2025, Co-Conspirator 2 traveled from New Jersey to York, Pennsylvania, to burglarize a warehouse.
4. On or about March 13, 2025, Co-Conspirator 2 drove a rented box truck from North Plainfield, New Jersey, to Southampton Township in Burlington County, New Jersey, which was filled with approximately 1,710 bottles of perfume, at least some of which were stolen from a warehouse in Bath, Pennsylvania, and which have a value substantially in excess of \$5,000.

In violation of Title 18, United States Code, Section 371.

**ATTACHMENT B**

I, Bernadette Casey, am employed as a Special Agent with the Federal Bureau of Investigation. I have knowledge of the facts set forth below as a result of my participation in this investigation as well as from my review of reports and discussions with other law enforcement personnel. Where statements of others are related herein, they are related in substance and in part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date or time, I am asserting that it took place on or about the date or time alleged, and any amounts are approximate.

1. During the times relevant to this complaint:

- a. Derek Spivey ("Spivey") was a resident of Jersey City, New Jersey, and on federal supervised release as a result of a 2021 conviction in the District of New Jersey for possessing a firearm as a felon.
- b. Co-Conspirator 1 ("CC-1") was a resident of Galloway Township, New Jersey.
- c. Co-Conspirator 2 ("CC-2") was a resident of Egg Harbor Township, New Jersey.
- d. Co-Conspirator 3 ("CC-3") was a resident of North Plainfield, New Jersey.

2. As part of investigating a series of warehouse burglaries in New Jersey, Pennsylvania, and elsewhere, in March 2025, FBI agents seized and searched the cellphones of CC-1 and CC-2. CC-1's cellphone was seized from his person on March 4, 2025. CC-2's cellphone was seized from the rented box truck that he was driving on March 13, 2025.

3. The text conversations set forth herein are among the conversations from those seized cellphones that demonstrate Spivey's involvement in a conspiracy to sell goods stolen from warehouses in Pennsylvania and elsewhere.<sup>1</sup>

**Stolen Laptops**

4. During the overnight hours of January 11, 2025 through January 12, 2025, a logistics warehouse in Lehighton, Pennsylvania, was burglarized by approximately five individuals who stole high-value items, including approximately 64 Department of Defense ("DOD") laptops.

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<sup>1</sup> The phone attributable to Spivey in the text conversations set forth herein is subscribed in his own name and matches the phone number he provided to his U.S. Probation Officer.

5. On January 19, 2025, an individual messaged CC-1: “Don’t forget to send me the pictures of the laptops.” Ten minutes later, Spivey messaged CC-1 two photographs depicting the serial number of a laptop.<sup>2</sup> Less than an hour later, CC-1 forwarded both photographs to the first individual. I confirmed that the serial number depicted in the photographs matches the serial number of one of the stolen DOD laptops.

6. Later that night, CC-1 sent Spivey a photograph of a box containing a computer monitor. Spivey responded with the following messages:

Spivey: They 150  
I’m about to be in da field too  
Imma send u my girl number  
U can send to her she[’]ll send to the connect  
[Spivey sends CC-1 a phone number]

7. Their message conversation continued the next morning:

Spivey: I was knocked bro

CC-1: Oh ok how you make out?

Spivey: Idk [I don’t know] yet gor [got] some bs cuz they came in Routers

CC-1: Oh word I scored  
[CC-1 sends an “Inventory” with a lengthy list of approximately 100 computer products, 35 laptops, and several high-end headphones]

8. On January 22, 2025, Spivey sent CC-1 a photograph of a powered-on laptop with a screen labeled “Microsoft Configuration Manager,” which lists multiple applications for the U.S. Army and includes a field for “DoD Admin Password,” leading me to conclude the photograph is of one of the stolen DOD laptops.

9. On January 23, 2025, CC-1 messaged Spivey: “Have the guy on the phone for the lap tops,” to which Spivey responded: “He ready now?”

10. On January 24, 2025, CC-1 and Spivey exchanged the following messages, which I believe further reflect Spivey’s involvement in attempting to sell the stolen DOD laptops:

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<sup>2</sup> The location information for Spivey’s cellphone shows that it was in New Jersey at approximately the same time that Spivey sent the message to CC-1.

CC-1: Call me asap dude is at the Lowe's [headbang emoji] I forgot to call you last night he was talking about 10:30 today not last night I bugged out

Spivey: Mite need a lil more time , I got to wait to the Jew get back he said he be home at like 1:30 . . . where ur boy at? In south Jersey? I'll just take it down there if anything but imma still head there now and wait for him to get home

CC-1: Nah he has been waiting at the Lowe's since 10:30 he came from down south I think he in a truck or something he has to get back on the road  
Damn I though u picked it ip yesterday

Spivey: Ite I'm goin now tho  
Hell no I didn't go yesterday he had a excuse yesterday too, date why imma wait at his crib now

CC-1: Oh okay damn yea I hope boy can wait

11. My understanding is that the value of each stolen laptop was greater than \$100, so the total value of the 64 stolen laptops was greater than \$5,000.

#### Stolen Perfume

12. During the overnight hours of March 2, 2025 through March 3, 2025, a logistics warehouse in Bath, Pennsylvania, was burglarized by Spivey, CC-1, and at least two other individuals who stole various items. The phone location information for the cellphones used by Spivey and CC-1 show that both devices were in New Jersey earlier on March 2, 2025; were in Bath, Pennsylvania, during the time of the burglary; and returned to New Jersey on March 3, 2025.

13. On March 3, 2025, Spivey and CC-1 exchanged the following messages, in which they appear to be discussing selling the perfumes they stole hours earlier:

CC-1: They said they will do 50% on the regulars and more than 50% on the higher end joints like Chanel and shit they said

Spivey: Ite bet  
That's good  
We going wit ur ppl

14. On March 4, 2025, Spivey sent CC-1 two photographs of what appear to be two pages of a handwritten inventory of perfumes—including multiple Chanel and other high-end items—with associated prices.

15. On March 9, 2025, CC-1 sent CC-2 four photographs, two of which appear to be the same photographs that Spivey sent CC-1 on March 4, 2025, and two of which appear to be photographs of similar handwritten inventories of perfumes but without associated prices. The same day, CC-2 forwarded one of these photographs to an individual identified herein as Fence 1.

16. On March 12, 2025, CC-2 sent CC-1 the following messages, which I believe describe CC-2's plans to sell the stolen perfume bottles the following day:

CC-2: He just called cuz he talking \$25,000 for everything???  
Hit me back ASAP  
He said yeah today ASAP cuz  
You can pulled wit me  
You can pull up wit me  
It's better then to just be sitting on it feel me  
Yo  
Yo cuz omw but who do I call u ain't even responding to me  
I got the address that's it???

17. Between 12:46 a.m. and 3:09 a.m. on March 13, 2025, agents conducting surveillance of a logistics warehouse in York, Pennsylvania, observed a rented box truck in the vicinity of the warehouse, including at two nearby gas stations. Surveillance footage from one of the gas stations confirms the presence of CC-2, who had been at his residence in Egg Harbor Township, New Jersey, on March 12, 2025, with the rented box truck while in the vicinity of the warehouse. Investigators later observed evidence that a burglary or attempted burglary may have taken place at the warehouse, including a cut fence and ransacked trailers.

18. Between 5:46 a.m. and 6:05 a.m. on March 13, 2025, agents conducting surveillance at CC-3's residential address in North Plainfield, New Jersey, observed what appeared to be individuals transferring boxes between a white van and the same rented box truck that had been observed in York, Pennsylvania. Agents then observed CC-2 drive the rented box truck from the address in North Plainfield, New Jersey, toward southern New Jersey.

19. At 6:48 a.m. and 6:56 a.m. on March 13, 2025, CC-2 exchanged the following messages with Fence 1, which I believe reflect that CC-2 was an hour or so away from selling the perfume that had been stolen the prior week:

CC-2: Gm bro yes I'll be at [t]he market around 7:30 or so looking forward to seeing you soon Insha Allah we can work something out again my price is \$32,000 however we can negotiate a better deal that's good for the both of us / The other Muslim brother wanted to view the product as well so I guess if u donf want all of the them he can buy the rest either way Wan can work something out ok

Fence 1: I am interested in purchasing it all, we can work out a price. I'll be there soon.

20. At 7:40 a.m. on March 13, 2025, after CC-2 stopped the rented box truck at a Dunkin' in Southampton Township, New Jersey, agents seized the rented box truck and recovered from the box truck approximately 1,710 boxes of perfume—including multiple Chanel and other high-end items— with an approximate retail value of more than \$200,000, as well as CC-2's cellphone.

21. Based, in part, on the timing of the March 2, 2025 burglary and the messages regarding the perfume beginning on March 3, 2025, I believe the perfume recovered on March 13, 2025 was stolen from the warehouse in Bath, Pennsylvania, on March 2, 2025.