

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

24 MAG 1003

UNITED STATES OF AMERICA

v.

BRIAN MEJIA,

Defendant.

COMPLAINT

Violations of 18 U.S.C. §§ 922(g)(1)
and 2

COUNTY OF OFFENSE:
BRONX

SOUTHERN DISTRICT OF NEW YORK, ss.:

JARED TEPPERMAN, being duly sworn, deposes and says that he is a Detective with the New York City Police Department (“NYPD”) and a Task Force Officer with the Department of Homeland Security – Homeland Security Investigations (“HSI”), and charges as follows:

COUNT ONE

(Possession of Ammunition After a Felony Conviction)

1. On or about February 28, 2024, in the Southern District of New York and elsewhere, BRIAN MEJIA, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, to wit, .380-caliber Precision Made and Winchester cartridge cases, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Sections 922(g)(1) and 2.)

COUNT TWO

(Possession of Ammunition After a Felony Conviction)

2. On or about February 29, 2024, in the Southern District of New York and elsewhere, BRIAN MEJIA, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, to wit, .380-caliber Maxxtech, Precision Made, Israeli Military Industries, Starline, and Winchester cartridge cases, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Sections 922(g)(1) and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I am a Detective with the NYPD and a Task Force Officer with HSI, and I have been personally involved in the investigation of the charges described above. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with other law enforcement officers, and my examination of reports, video, and other records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the

contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

4. As detailed below, I believe that the defendant, BRIAN MEJIA, fired multiple rounds into an apartment door on the morning of February 28, 2024. The following evening, on February 29, 2024, MEJIA opened fire on an individual (“Victim-1”) inside a convenience store, striking Victim-1 with multiple rounds.

The February 28 Shooting

5. Based on my conversations with other members of law enforcement, as well as my review of law enforcement records and video surveillance, I have learned the following:

a. Shortly after 9 a.m. on February 28, 2024, 911 callers reported that shots had been fired inside the hallway of a certain floor inside an apartment building in the Bronx (the “Building”). When officers arrived on the floor, they found that the door of an apartment had apparently been shot at. Officers recovered two .380-caliber shell casings and a deformed bullet from the hallway in the vicinity of the apartment door.

b. A review of surveillance video from the Building showed that, moments after the shots were fired, an individual (the “Shooter”) wearing all black ran out of the Building onto the street, as shown in the images below on the left and in the center. A video camera at the end of the block captured the front of the Shooter, as shown below on the right. The Shooter was wearing a black “puffer”-style vest, which had a small white logo on the left side, a black hooded sweatshirt, black pants, and black and silver sneakers.



The February 29 Shooting

6. Based on my conversations with other members of law enforcement, as well as my review of law enforcement records and video surveillance, I have also learned the following:

a. At approximately 7:30 p.m. the following day—February 29, 2024—NYPD officers responded to a convenience store in the Bronx (the “Store”) where an individual (Victim-1) had been shot multiple times in the legs. Victim-1 was taken to the hospital and survived.

b. Video surveillance shows that a car dropped off an individual—whom I believe to be the Shooter—at the Store and waited. The Shooter walked inside the Store, where Victim-1 and another individual (“Witness-1”) were waiting, greeted Witness-1, and spoke to Witness-1 and Victim-1.

c. As shown below, surveillance video from the Store showed that the Shooter appeared to be wearing the same clothing as the day before: a black “puffer”-style vest, which had a small white logo on the left side, a black hooded sweatshirt, black pants, and black and silver sneakers. The Shooter entered the Store wearing a mask and did not remove the mask.



d. After speaking with Witness-1 and Victim-1 for several minutes, the Shooter began to exit the Store. As he walked outside the Store’s door and took several steps onto the sidewalk, however, the Shooter abruptly stopped and pulled out a gun. The Shooter began shooting at Victim-1, as several other customers were walking into the Store. As those customers ran away, the Shooter stood in the doorway, holding the door open, and continued to fire multiple rounds at Victim-1, who lay on the ground inside the Store, as shown in the images below:



e. The Shooter ran back to the car that had dropped him off, which had been waiting in front of the Store, and then drove away.

f. NYPD officers recovered six spent .380-caliber shell casings from inside and in front of the Store.

Identifying BRIAN MEJIA as the Shooter

7. I have reviewed the Instagram account of the user banko2.shiesty (the “Banko Instagram”). I believe that the Banko Instagram is used by BRIAN MEJIA, the defendant, because (i) I am familiar with MEJIA’s appearance, having arrested him several years ago, and the Banko Instagram has posted many “selfies” that I believe to be MEJIA, and (ii) I know from a cooperating witness (“CW-1”)¹ who is familiar with MEJIA that MEJIA goes by the nickname “Banko.”

8. Based on my review of the Banko Instagram, I believe that BRIAN MEJIA, the defendant, posted a number of photographs and videos of himself in which he is wearing the clothing worn by the Shooter. Specifically, on or about January 15, 2024, the Banko Instagram posted a photo of an individual whom I believe to be MEJIA in which MEJIA appears to be wearing the same silver and black sneakers worn by the Shooter. On or about March 1, 2024—the day after the shooting in the Store—the Banko Instagram posted a photograph of an individual (whose face is not visible) wearing what appear to be the same black and silver sneakers, along with what appears to be the same black vest. The January 15 and March 1 images are shown below on the left and in the center, and an image of the shooter is shown on the right.

¹ CW-1 has pleaded guilty in this District to racketeering and related offenses pursuant to a cooperation agreement. CW-1 is providing information in the hope of receiving leniency at sentencing. The information CW-1 has provided has been shown to be reliable, as corroborated by, among other things, electronic communications.



9. Based on my review of NYPD records and NYPD bodyworn camera footage, as well as my conversations with other members of law enforcement, I have learned that BRIAN MEJIA, the defendant, was shot in the leg shortly after midnight on or about February 28, 2024—that is, approximately nine hours before the shooting at the Building. In the bodyworn camera footage from one of the responding officers, a screenshot of which is shown below, MEJIA appears to be wearing black and silver sneakers that are consistent with those he wore in images posted on the Banko Instagram and those worn by the Shooter. A black “puffer”-style outer garment also appears to be visible immediately to MEJIA’s right:



10. Based on my communications with an expert from the Bureau of Alcohol, Tobacco, Firearms, and Explosives, I know that (i) the two .380-caliber Precision Made and Winchester cartridge cases found inside the Building in the vicinity of the apartment where the door was shot on the morning of February 28, 2024, and (ii) the six .380-caliber Maxxtech, Precision Made, Israeli Military Industries, Starline, and Winchester cartridge cases found inside and immediately outside the Store after the shooting on the evening of February 29, 2024, were all manufactured outside the State of New York.

11. Based on my review of criminal history records, I know that, on or about December 13, 2019, BRIAN MEJIA, the defendant, was convicted in Bronx County Supreme Court of attempted criminal possession of a weapon in the second degree, and was sentenced on or about January 27, 2020, to six months' imprisonment. Additionally, on or about September 8, 2021, MEJIA was convicted in this District, before the Honorable Katherine Polk Failla, of possessing ammunition after a felony conviction. On or about December 13, 2021, Judge Failla sentenced MEJIA to 18 months' imprisonment and three years' supervised release. After completing his term of imprisonment, MEJIA was resentenced by Judge Failla to an additional 12 months' imprisonment after violating the terms of his supervised release. MEJIA was released from federal custody on or about December 29, 2023, about two months before the shooting incidents described in this Complaint.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of BRIAN MEJIA, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

/s/ Jared Tepperman, by SDA with permission

JARED TEPPERMAN
Detective, NYPD

Sworn to me through the transmission of this
Affidavit by reliable electronic means (telephone), pursuant to
Federal Rules of Criminal Procedure 41(d)(3) and 4.1, this
11th day of March, 2024



THE HONORABLE STEWART D. AARON
United States Magistrate Judge
Southern District of New York