

FILED 22 JAN '15 10:31 USDC-ORP

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Oregon

United States of America )

v. )

Brandon C. Hubbard )

Case No.

'15-MJ-011

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 22, 2015 in the county of Multnomah in the District of Oregon, the defendant(s) violated:

Code Section	Offense Description
Title 21, United States Code, Section 841(a)(1)	Possession with Intent to Distribute a Controlled Substance, to wit: Fentanyl Citrate, a Schedule II Controlled Substance.

This criminal complaint is based on these facts:

See affidavit of HSI Special Agent Guy Gino, which is attached and incorporated fully by reference.

Continued on the attached sheet.

*[Signature]*  
Complainant's signature

HSI Special Agent Guy Gino  
Printed name and title

Sworn to before me and signed in my presence.

Date: 01-22-2015

*[Signature]*  
Judge's signature

City and state: Portland, Oregon

Paul Papak, U.S. Magistrate Judge  
Printed name and title

STATE OF OREGON	)	
	)	ss. AFFIDAVIT OF SPECIAL AGENT
	)	GUY GINO
COUNTY OF MULTNOMAH	)	

I, Guy Gino, being first duly sworn, hereby state as follows:

**BACKGROUND**

1. I am a Special Agent (SA) of the Department of Homeland Security, Homeland Security Investigations (HSI) and have been so employed for since May 2003. I am currently assigned to the Assistant Special Agent in Charge, Portland, Oregon. I have been a federal law enforcement officer for over 18 years and have investigated and/or participated in investigations of conspiracy, money laundering, narcotics trafficking, fraud, smuggling and theft. I have also acquired knowledge and information about the illegal drug trade and the various means and methods by which it is furthered from formal and informal training, other law enforcement officers and investigators, informants, individuals I have arrested and/or interviewed, and from my participation in other investigations.

2. I have participated in searches of premises, and assisted in the gathering of evidence by means of search warrant. I have received training in investigating money laundering and have had the opportunity to study and investigate numerous examples of money laundering schemes specifically pertaining to the laundering of drug proceeds. I have received approximately 80 hours of hours of specialized training from the Federal Law Enforcement Training Center (FLETC) regarding asset forfeiture and financial investigations. I have also received over 80 hours of hours of advanced training in Money Laundering and Asset Forfeiture for Organized Crime Drug Enforcement Task Force (OCDETF) investigations presented by the Asset Forfeiture and Money Laundering Section (AFMLS) of the U.S. Department of Justice.

3. I have participated in over 100 financial investigations on the federal, state, and local levels. These investigations have involved the laundering of proceeds from a variety of criminal activities including drug trafficking, bulk cash smuggling, alien smuggling, fraud, illegal exportation of munitions, theft of a bonded warehouse, interstate transportation of stolen property, and wire fraud.

4. The facts set forth in this affidavit are based on my own personal knowledge; knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers; interviews of witnesses; my

review of records related to this investigation; communications with others who have knowledge of the events and circumstances described herein; and information gained through my training and experience. This affidavit is based upon a joint investigation by Homeland Security Investigations (HSI), HIDTA Interdiction Taskforce (HIT), and the Portland Police Bureau (PPB).

### **PURPOSE OF APPLICATION**

5. I make this affidavit to support a complaint and arrest warrant for the following person : Brandon C. HUBBARD (HUBBARD), a white male, with a date of birth 08-xx-1974, for possession with intent to distribute a controlled substance, to wit : Fentanyl Citrate, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

6. Because this affidavit is solely for the purpose of obtaining a complaint and arrest warrant, I have not set forth all facts known to me, but only those necessary to establish probable cause.

7. On January 22, 2015, at approximately 0020 hrs. , Agents from Homeland Security Investigations, Officers from the HIDTA Interdiction Task Force (HIT) executed a Federal search and seizure warrant at 2434 SE Ankeny Street, apartment #5, Portland, Oregon. The warrant was based on an investigation regarding the mailing of Fentanyl Citrate to locations throughout the United States. U.S. Magistrate Paul Papak authorized the search and seizure warrant on HUBBARD's residence and vehicle.

8. Upon execution of the search warrant on the residence law enforcement agents located approximately 100 grams of Fentanyl Citrate, scales, packaging materials, mailing envelopes and US currency inside the main room of the residence. The residence was a small studio-type apartment with a main living area and an adjoining kitchen. The Fentanyl Citrate was in an open container on the floor of the main room. It appeared that HUBBARD had been in the process of repacking the Fentanyl Citrate into mailing envelopes for purposes of further distribution.

9. HUBBARD was advised of his *Miranda* rights, acknowledged understanding his rights and agreed to be interviewed by HSI Special Agent Grube and myself. During the interview HUBBARD admitted to me that he sold over 400 grams of Fentanyl Citrate via the internet on several dark net sites and has been doing this several years. HUBBARD also admitted that the Fentanyl Citrate found in his residence was possessed for purposes of further distribution. HUBBARD admitted that in November 2014 he had purchased approximately 750 grams of Fentanyl Citrate for purposes of further distribution and that the "street value" of the 750

grams of Fentanyl Citrate was approximately \$1.5 million dollars. HUBBARD also told me that he knew that Fentanyl Citrate was an extremely powerful narcotic and that it can easily cause an overdose and kill someone. I know that Fentanyl Citrate is a Schedule II controlled substance.

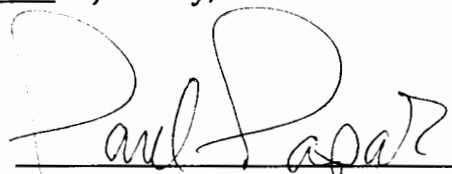
9. Based on the foregoing facts, I have probable cause to believe that on January 22, 2015, Brandon C. Hubbard, unlawfully, knowingly and intentionally possessed a controlled substance, to-wit: Fentanyl Citrate, for purposes of further distribution in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

10. Assistant United States Attorney Scott Kerin has reviewed this affidavit and concurs that there is probable cause for the issuance of the requested complaint and arrest warrant.

I respectfully request the Court to authorize the attached arrest warrant and criminal complaint.

  
Special Agent Guy Gino  
Homeland Security  
Investigations

SUBSCRIBED and SWORN to before me this 22<sup>nd</sup> of January, 2015.

  
Honorable Paul Papak  
United States Magistrate Judge  
District of Oregon