

United States District Court  
WESTERN DISTRICT OF MISSOURI



UNITED STATES OF AMERICA

v.

[REDACTED]

21 U.S.C. §§ 841(b)(1)(A) and b(1)(C)  
NMT 20 Years Imprisonment  
NMT \$1,000,000 Fine  
NLT 3 Years Supervised Release  
Class C Felony

<sup>18</sup>  
21 U.S.C. §§ 922(g)(1) and 924(a)(2)  
NMT 10 Years Imprisonment  
NMT \$250,000 Fine  
NLT 3 Years Supervised Release  
Class C Felony

\$100 Mandatory Special Assessment for Counts  
One and Two

**CRIMINAL COMPLAINT**  
Case Number: [REDACTED] 56JTM-01

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief:

COUNT ONE

On or about September 21, 2010, in the Western District of Missouri, the defendant [REDACTED], did knowingly and intentionally, possess with the intent to distribute, some amount of a mixture or substance containing cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(b)(1)(A) and (b)(1)(C).

COUNT TWO

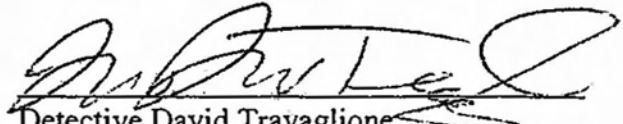
On or about September 21, 2010, in the Western District of Missouri, the defendant [REDACTED], having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce a fire arm, to wit: one Kel-Tec 9 millimeter handgun, serial number AAL63, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

EXHIBIT - A - 1

I further state that I am a Detective with the Kansas City Missouri Police Department, and that this complaint is based on the following facts:

See attached Affidavit.

Continued on the attached sheet and made a part hereof:  Yes  No.

  
Detective David Travaglione  
Kansas City Missouri Police Department

Sworn to before me and subscribed in my presence,

NOTICE THE DATE. Same Detective April 2010, NO COMPLAINT WAS FILED OR AFFIDAVIT.  
HMM. Could this be because of the NO COMPLAINT MOVEMENT?

September 22, 2010 1:12 pm  
Date

at

Kansas City, Missouri  
City and State

JOHN T. MAUGHMER  
United States Magistrate Judge  
Name and Title of Judicial Officer

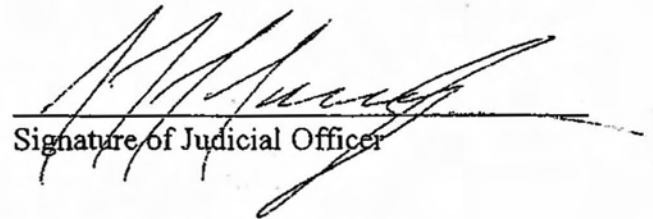
  
Signature of Judicial Officer

EXHIBIT - A - 2



STATE OF MISSOURI     )  
  ) ss.  
COUNTY OF JACKSON    )

AFFIDAVIT

I, David J. Travaglione, being duly sworn, state the following:

1. I am a Detective with the Kansas City, Missouri Police Department (KCMOPD) and have been employed by KCMOPD for 8 years. I have been assigned to the KCMOPD Street Crimes Unit for 1 year 8 months, conducting narcotics investigations.

2. During my tenure with the Street Crimes Unit, I have been involved in numerous investigations of various individuals in the importation and distribution of controlled substances. I have communicated extensively with other state and federal law enforcement personnel who specialize in drug investigations. I also have extensive experience in debriefing participating witnesses, informants, and other persons who have personal experience and knowledge of the importation and distribution of controlled substances.

3. Based upon my investigation, along with information provided to me by other officers and detectives with the Kansas City, Missouri Police Department, I believe the following to be true and correct:

4. On September 21, 2010, at approximately 2:32 p.m., a confidential informant and I arranged a narcotics transaction with a subject I believed to be ~~Don DeGroot~~ 0920180, at East 24th Street and Hardesty Ave., Kansas City, Jackson County, Missouri. At that location the confidential informant purchased an amount of purported crack cocaine, cocaine base, utilizing pre-recorded Street Crimes Unit buy money from the male believed to be ~~DeGroot~~, who was sitting in the driver's seat of the vehicle. The confidential informant observed a handgun on the male, believed to be ~~DeGroot~~'s lap during the narcotics purchase. Detective Hughley with the Kansas City Missouri Police Department, Street Crimes Unit was assisting me with surveillance and knew the suspect on site to be ~~DeGroot~~. The purported crack cocaine was field-tested and reacted positively for the presence of cocaine, a Schedule II controlled substance.

5. Immediately following the narcotics purchase, members of the Kansas City Missouri Police Department, 1910 and 1920 Tactical Squads conducted a car check on ~~DeGroot~~ at East 23rd Street and Denver Ave., Kansas City, Jackson County, Missouri. ~~DeGroot~~ was driving the vehicle and was placed under arrest for the sale of narcotics. During a search of ~~DeGroot~~ incident to his arrest, Police Officer (PO) Hendershot discovered approximately 4.3 grams of purported crack cocaine, cocaine base and approximately 6 grams of purported marijuana in ~~DeGroot~~'s pants pocket. PO Coppinger discovered a Kel-Tec 9 millimeter handgun, serial number AAL63, located under the front driver's seat of ~~DeGroot~~'s vehicle. The Kel-Tec 9 millimeter was listed in the ALERT system as a stolen firearm. The purported crack cocaine was field-tested and reacted positively for the presence of cocaine, a Schedule II controlled substance. The purported marijuana was field-tested and reacted

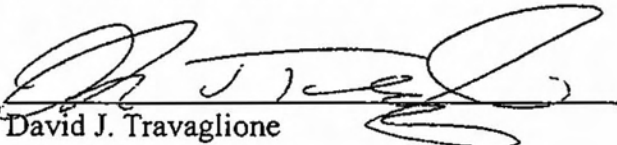
positively for the presence of THC, a Schedule I controlled substance.

6. On September 21, 2010, Detective Eric Benson of the Kansas City, Missouri Police Department, Street Crimes Unit, advised [REDACTED] of his *Miranda* rights at the headquarters of the Kansas City, Missouri Police Department. [REDACTED] waived his rights and agreed to answer Detective Benson's questions. During questioning, [REDACTED] admitted selling and possessing crack cocaine. [REDACTED] admitted handling the firearm in the vehicle. [REDACTED] also admitted possessing marijuana, which he stated was for his own personal use.

7. ATF Special Agent Gordon Mallory, who has been trained as an interstate nexus expert for the ATF has stated that the Kel-Tec 9 millimeter handgun, serial number AAL63, was manufactured in CoCo, Florida, and has previously traveled in interstate or foreign commerce as it was not manufactured in the State of Missouri.

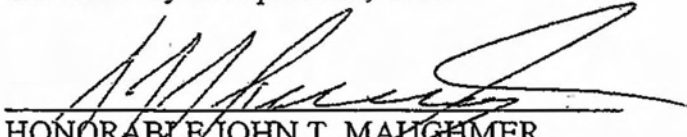
8. On September 22, 2010, I reviewed [REDACTED]'s criminal history. He has prior felony convictions in the Circuit Court of Jackson County, Missouri. On August 20, 2004, in Case Number 16CR99006 [REDACTED], [REDACTED] was sentenced to ten years of imprisonment for a felony conviction for Robbery in the Second Degree. On August 20, 2004, in Case Number 16CR00001 [REDACTED], [REDACTED] was sentenced to three years of imprisonment for a felony conviction of Tampering in the First Degree. On August 22, 2004, in Case Number 16CR02001373, McGRONE was sentenced to ten years of imprisonment for a felony conviction for Robbery in the Second Degree. On August 20, 2004, in Case Number 16CR020 [REDACTED], McGRONE was sentenced to ten years of imprisonment for a felony conviction for Armed Criminal Action. On August 22, 2004, in Case Number 16CR020 [REDACTED], [REDACTED] was sentenced to ten years of imprisonment for a felony conviction for Tampering in the First Degree.

FURTHER AFFIANT SAYETH NAUGHT.



David J. Travaglione  
Detective  
Kansas City Missouri Police Department  
Street Crimes Unit

Subscribed and sworn to before me  
this 22nd day of September, 2010.



HONORABLE JOHN T. MAUGHMER  
United States Magistrate Judge  
Western District of Missouri