

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

2. I am a Special Agent with the FBI, and I have been personally involved in the investigation of this matter. This affidavit is based upon my participation in the investigation of this matter, my conversations with law enforcement agents, witnesses and others, as well as my examination of reports, records, and video footage. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all 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.

3. Based on my conversations with a detective (the "Detective") from the New York City Police Department ("NYPD"), and my review of NYPD reports, I have learned, in substance and in part, that on or about December 31, 2015, NYPD received a 911 call at approximately 11:39 a.m. reporting a carjacking that occurred in New York, New York. Based on conversations with the 911 caller ("Victim-1"), NYPD officers learned, in sum and substance, the following:

a. In the morning of December 31, 2015, Victim-1 was sitting in the driver's seat of Victim-1's van (the "Van") in the vicinity of Sherman Avenue and Broadway in New York, New York. An individual later identified as RUBEN PIZZARO, a/k/a "Chulo," the defendant, approached the Van, displayed a firearm, and entered the Van.

b. Thereafter, PIZZARO instructed Victim-1 to transport him to the vicinity of Ellwood Street and 196th Street in New York, New York. Once at that location, PIZZARO instructed Victim-1 to wait, and stated, in sum and substance, "I know where you live, do what I tell you." PIZZARO then put on Victim-1's green jacket, exited the Van and began walking down Ellwood Street.¹

c. Shortly thereafter, Victim-1 heard a gunshot, looked up, and saw PIZZARO walking back to the Van carrying two bags. PIZZARO then re-entered the Van and

¹Victim-1 was later shown a series of photographs, one of which depicted RUBEN PIZZARO, a/k/a "Chulo," the defendant. Victim-1 did not identify PIZZARO or any other individual depicted in the photographs as the individual who Victim-1 transported in the Van.

instructed Victim-1 to drive him over the 207th Street Bridge to a location in the Bronx, New York.

4. The Detective spoke to another individual ("Victim-2"). Victim-2 stated, in sum and substance, that in the morning of December 31, 2015, Victim-2 was walking down Elmwood Avenue when Victim-2 was approached by an individual later identified as RUBEN PIZZARO, a/k/a "Chulo," the defendant. PIZZARO pointed a firearm at Victim-2 and forced Victim-2 to sit down. PIZZARO then instructed Victim-2 to empty Victim-2's pockets. Victim-2 reached for the firearm, at which time PIZZARO shot Victim-2 in the shoulder. PIZZARO then removed two bags that Victim-2 had been carrying and ran down Ellwood Street.


5. Shortly after speaking with Victim-1 on or about December 31, 2015, NYPD officers lifted a fingerprint from the passenger side of the Van, just to the left of the front passenger door (the "Fingerprint"). The Fingerprint was later analyzed by an NYPD laboratory and found to match a fingerprint in a law enforcement database of RUBEN PIZZARO, a/k/a "Chulo," the defendant.

6. Victim-2 was later shown a series of photographs, one of which depicted PIZZARO. Victim-2 identified the photograph of RUBEN PIZZARO, a/k/a "Chulo," the defendant as the individual who shot Victim-2 in the shoulder and removed Victim-2's bags.

7. The Detective has reviewed surveillance videos depicting the vicinity of Ellwood and 196th Street in New York, New York at the time of the robbery described above. The videos show the Van driving down Ellwood Street in New York, New York. Shortly thereafter, the Van stops and an individual wearing a green jacket exits the Van. The individual approaches Victim-2, who is walking eastbound on Ellwood Street. Shortly thereafter, the individual wearing the green jacket approaches Victim-2, forces Victim-2 to sit on the ground, and then shoots Victim-2 in the shoulder.


8. The Detective has reviewed a NYPD database containing license plate reader information. Based on that review, the Detective learned that, on or about December 31, 2015 at approximately 11:14 a.m., the Van crossed the 207th Street Bridge into the Bronx, New York.

WHEREFORE, the deponent respectfully requests that RUBEN PIZZARO, a/k/a "Chulo," the defendant, be imprisoned or bailed, as the case may be.



JOHN REYNOLDS
Special Agent, FBI

Sworn to before me this
13th day of January, 2016



THE HONORABLE JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK