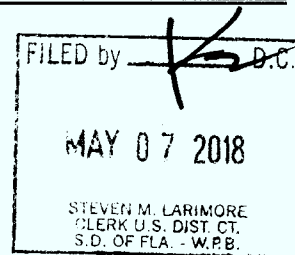


AO 91 (Rev. 08/09) Criminal Complaint

**UNITED STATES DISTRICT COURT**  
for the  
Southern District of Florida



United States of America  
v.

ROSS ALLEN RIKER and  
ADAM O. DE BARRY,

Case No. 18-8210-WM

\_\_\_\_\_  
*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 See below in the county of Palm Beach in the  
Southern District of Florida, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 846	Conspiracy to possess with intent to distribute a controlled substance (fentanyl, GBL, alprazolam, and etizolam) (between 2015 to June 14, 2017);
21 U.S.C. §§ 963 and 952(a)	Conspiracy to import and importation of a controlled substance into the U.S. (fentanyl, GBL, alprazolam, and etizolam) (between 2015 to June 14, 2017);
21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2	Possession of a controlled substance with intent to distribute (fentanyl, GBL, and alprazolam) (June 14, 2017).

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

  
 \_\_\_\_\_  
 Complainant's signature  
 Jon Longo, Special Agent, HSI  
 \_\_\_\_\_  
 Printed name and title

Sworn to before me and signed in my presence.

Date: May 7, 2018

City and state: West Palm Beach, Florida

  
 \_\_\_\_\_  
 Judge's signature  
 William Matthewman, U.S. Magistrate Judge  
 \_\_\_\_\_  
 Printed name and title

**AFFIDAVIT**

Your affiant, Jon A. Longo, first being duly sworn, does hereby depose and state as follows:

1. I am a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations (HSI), and have been so employed since February 2006. Your Affiant is currently assigned to the Office of the Assistant Special Agent in Charge, West Palm Beach, Florida.

2. As a Special Agent of HSI, your Affiant has received 23 weeks of training at the Federal Law Enforcement Training Center, which included the application of Federal Statutes, Federal Court procedures, and the techniques required to insure the admissibility of evidence at trial. Your affiant has been a sworn Federal Special Agent with the Department of Homeland Security since July 2006.

3. I am familiar with the facts and circumstances surrounding this investigation as set forth herein, both from my own investigative efforts and from information obtained from other law enforcement officers with personal knowledge of the evidence and activities described herein. This affidavit is submitted for the limited purpose of establishing probable cause to believe that **Ross RIKER** and **Adam DE BARRY** committed the violations set forth in the attached complaint. Because this affidavit is presented for this limited purpose, it does not set forth every fact known to me regarding the investigation.

**A. BACKGROUND REGARDING EMERSON BENJOINO.**

4. On June 14, 2017, Homeland Security Investigations (HSI), supported by the Drug Enforcement Administration (DEA), and the Palm Beach County Sheriff's Office (PBSO),

conducted a controlled delivery of 3 liters of gamma-Butyrolactone (GBL)<sup>1</sup> to Emerson BENJOINO at the UPS Store, 13860 Wellington Trace, Box 121, Wellington, FL 33414. The GBL was originally delivered to the UPS Store Box 121, which had been rented using the stolen identity of "S.H."<sup>2</sup> The UPS Store Package Receiving Report for Box 121 indicated that from 11/09/15 to 06/14/17, 39 packages were received via UPS, DHL, FedEx, and USPS. The vast majority of the packages were shipped from China. Thereafter, a drug detection K-9 alerted on BENJOINO's truck. Agents searched BENJOINO's truck and found a box containing 49.05 grams of fentanyl,<sup>3</sup> and other items to include a Bitcoin receipt, a Western Union account card in the name of BENJOINO, and three cellular telephones, including a white iPhone 5s with assigned number (561) XXX-0802, and a black ZTE Corp. AT&T flip telephone with assigned number (561) XXX-4957.

5. Agents learned that the box containing the 49.05 grams of fentanyl was originally delivered to Box 405 of a different UPS Store located in Wellington, FL. This box was rented using the stolen identity of "M.R."<sup>4</sup> The Package Receiving Report for Box 405 indicated that between 07/25/15 and 06/14/17, 54 packages were received at Box 405, the vast majority having been shipped from China. Your affiant knows that China is the primary source country for the manufacture and international distribution to the United States of synthetic controlled substances to include fentanyl and GBL, as well as, controlled substances such as Alprazolam (Xanax). China is also a source country for the manufacture of pill press machines and components. The most common method of communication between buyers in the United States and China-based sources of

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<sup>1</sup> GBL is a List I chemical and is treated as a Schedule I controlled substance when intended for human consumption.

<sup>2</sup> Agents later learned that "S.H." was Nicole Benjino's acquaintance. Nicole Benjino admitted that she stole "S.H.'s" identity in order to further the drug conspiracy.

<sup>3</sup> Fentanyl is a Schedule II controlled substance.

<sup>4</sup> Agents later learned that "M.R." was Nicole Benjino's acquaintance. Nicole Benjino admitted that she stole

supply is via e-mails exchanged either with or combined with computers and smart phones, such as the seized iPhone 5s. Your affiant also knows that buyers of controlled substances and pill press components in the United States routinely send money to China-based sources of supply via the use of Bitcoin and/or money transfer services such as MoneyGram and Western Union.

6. On June 14, 2017, agents executed a state search warrant at the residence of Emerson BENJOINO and his wife, Nicole Benjino, in Wellington, FL. The search revealed \$407,603 in cash, six (6) fentanyl exhibits weighing 229 grams, a money counter, a pill counter, and detailed drug ledgers. Several of the fentanyl exhibits were found in their original shipping box addressed from China to both the stolen identities of "S.H." and "M.R." Agents also found a Florida driver's license in the name of "S.H." Three of the six fentanyl exhibits were in compressed tablet form to mimic the likeness of pharmaceutical opioids, to include: oblong tablets stamped 'A333,' which mimic Percocet manufactured by Actavis Elizabeth LLC; blue 6mm round tablets stamped 'M 30,' which mimic Oxycodone 30 mg manufactured by Malinckrodt Pharmaceuticals; and several broken white tablets. One larger bag of white Alprazolam powder "Xanax" weighing 508 grams was found at the bottom of a large gun safe, a portion of which had been compressed into rectangular tablet form. Agents also found a detailed drug ledger complete with dates of transactions. A sheet of paper was found which read -

\*After 1st Round buy 2nd machine, \*Open up new spots & focus on getting Raw, \*\$100K each buy 3rd machine, \*\*\*Goal weekly 50K (100 g raw), \*2 million and we are DONE!

7. A DEA agent analyzed the drug ledger and determined that from 05/26/16 to 06/12/17, BENJOINO sold 46,331 fentanyl tablets which mimic Percocet 'A333' tablets (544 mg

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"M.R.'s" identity in order to further the drug conspiracy.

each) for \$3.00 each, and 51,388 fentanyl tablets which mimic blue 'M 30' Oxycodone tablets (163 mg each) for \$3.00 each, for a combined total of **97,719 fentanyl tablets weighing 33.5 kg**. BENJOINO also sold **23,110 counterfeit Xanax tablets** (224 mg each) **for a total of 5.1 kg** and **12.5 liters (12.5 kg) of GBL and/or gamma-Hydroxybutyric acid (GHB)**. According to the ledger, BENJOINO's gross income for the one year time frame was determined to be \$316,270.

8. On August 31, 2017, Emerson De Oliveira BENJOINO was indicted for narcotics related offenses and possession of a firearm in furtherance of a drug trafficking offense. The controlled substances charged in the indictment were fentanyl, GBL, and Alprazolam (Xanax). BENJOINO is believed to be in Brazil where he has a dual citizenship. BENJOINO was born in Brazil, and current Brazilian law affords him protection from extradition to another country.

9. On October 5, 2017, Nicole Benjoino was indicted by a federal grand jury for narcotics related offenses. On November 21, 2017, Nicole Benjoino pleaded guilty to Count 6 of the Indictment - conspiracy to distribute GBL and Alprazolam (Xanax), in violation of Title 21 U.S.C. § 846. As part of her plea, Nicole Benjoino agreed to forfeit \$407,603, as well as her primary residence valued at \$416,200. On January 30, 2018, Nicole Benjoino appeared in federal court and was sentenced to 30 months in prison, followed by 36 months supervised release.

10. On November 1, 2017, your affiant interviewed Nicole Benjoino. Nicole Benjoino admitted her role in aiding her husband, Emerson BENJOINO's, drug trafficking activities. Nicole Benjoino stated that Emerson BENJOINO was in a drug trafficking partnership with "Ross," known to your affiant as Ross RIKER. She stated she personally stole the driver's licenses from both "S.H." and "M.R." and used the driver's licenses to rent UPS Store boxes 121 and 405 for the purpose of importing controlled substances from China. Nicole BENJOINO also admitted that she routinely

purchased sodium, which was used by BENJOINO to “cook” GBL into GHB. She also attempted to find warehouse space for BENJOINO and “Ross” to operate at least one pill press machine. She also admitted that she ingested the counterfeit Xanax produced by BENJOINO and “Ross” in order to test the quality and potency. Nicole BENJOINO stated that her husband and “Ross” often spoke about making one million dollars each by producing and selling drugs, and that the note found in her home during the search warrant referred to a plan formulated and implemented by BENJOINO and “Ross”. She stated that BENJOINO started with one pill press machine that he kept in their garage for years and learned how to operate. She stated BENJOINO and “Ross” procured additional pill press machines using the identities she stole, and they used the machines to produce counterfeit Xanax tablets. She stated that the last location where her husband and “Ross” used the pill press machines, of which she was aware, was Ross’s mother’s house, known to your affiant as the home of B.R. Prior to that, she stated the pill press machines were at an apartment, and at a warehouse rented by “Ross’s” father, known to your affiant as R.R. She stated that BENJOINO and “Ross” had a primary distributor of the Xanax pills they produced, and that sometime in the spring or summer of 2016, the unknown person was arrested with a large number of counterfeit Xanax. According to Nicole Benjoino, after the arrest of this unknown person, BENJOINO and “Ross” became concerned that they may become exposed to law enforcement, but ultimately they continued their drug trafficking activities.

11. Nicole BENJOINO further stated that along with Emerson and RIKER, there were two other men involved in their drug manufacturing and distribution business. BENJOINO stated that one man was named “Adam,” who she described as a black man with dreadlocks, who may have been of Jamaican descent. It should be noted that “Adam” had been identified earlier by law

enforcement as Adam De BARRY (DOB: XX/XX/1983). Nicole BENJOINO stated that De BARRY and the unknown fourth individual knew how to run the pill press, and that the pill press in her garage was later relocated to De BARRY's apartment in Wellington.<sup>5</sup> BENJOINO stated the apartment was near Forest Hill and South Shore Boulevard, and that it may have been in the Waterstone apartment complex. BENJOINO stated that Emerson and RIKER learned to work the pill press from De BARRY and the unidentified fourth individual. BENJOINO stated that approximately 5 to 6 months after they moved the pill press to the apartment, the residents at the complex began complaining about the noise created by the pill press, so they had to move it elsewhere. She said at this time they started to look for warehouse space. Nicole BENJOINO said that Emerson told her that they found space in Wellington in an industrial park where they could keep and operate the pill press and that they put the warehouse space in RIKER's father's name. Nicole BENJOINO stated that she did not know RIKER's father. Nicole BENJOINO stated that the warehouse rent was split four ways.

**B. BACKGROUND REGARDING ROSS RIKER.**

12. On July 20, 2017, your affiant obtained federal search warrants to extract data from each of the three telephones taken from Emerson Benjoino, to include an iPhone5s and a ZTE flip phone.

13. The telephones were turned over to the Palm Beach County Sheriff's Office (PBSO) Digital Forensic Task Force. On July 20, 2017, PBSO Det. McGovern extracted the data from the iPhone5s and the ZTE AT&T flip phone and turned the data over to HSI.

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<sup>5</sup> It should be noted that Jean Rodney Lherisson and Adam DE BARRY each lived in Wellington, in very close proximity to each other. Agents know that the pill press was relocated to Lherisson's apartment, not DE BARRY's apartment.



14. During the months of August through November 2017, your affiant and a DEA agent analyzed the extracted data from both the iPhone 5s and the ZTE flip phone. This affidavit will include only a brief summary of the extracted data from the iPhone5s and ZTE regarding Ross RIKER's role in a drug trafficking conspiracy involving BENJOINO and Adam De BARRY. This affidavit does not include a verbatim account of all the information found on the I-Phone5s or ZTE.

15. Emerson BENJOINO's iPhone5s contained 5061 Chats, 58 Notes, 12,340 SMS messages, 77 Voicemails, 2,716 Contacts, 528 E-Mails, 688 MMS Messages, 9,715 Images, 963 Device Locations, and 340 Videos. The first date the phone was used appears to be February 15, 2005. The last date the phone was used appears to be April 10, 2017. The iPhone5s contained ten (10) contacts for Ross RIKER, including nine (9) telephone numbers and one (1) email account: "Ross Work 561-XXX-9462," "Ross 561-XXX-1234 and 561-XXX-0976," "Ross 2nd Phone 239-XXX-5247 and 561-XXX-6473, and 561-XXX-8206," "Ross Good Number 561-XXX-9474," "Ross New Work Number 561-XXX-9131," "Ross New1 561-XXX-2016," and rossriker@XXXXXX.com.

16. The iPhone5s contained seven (7) chats and SMS exchanges between RIKER and BENJOINO involving six of RIKER's above-listed telephone numbers. The seven (7) chats and SMS exchanges covered an uninterrupted period from January 22, 2015 through May 19, 2016.

17. Extracted data from BENJOINO's I-Phone5s and ZTE AT&T phone revealed RIKER's partnership in running a poly-drug trafficking organization with BENJOINO. Chats, videos, MMS, and SMS messages from BENJOINO's telephones indicate the following: RIKER was working in tandem with BENJOINO to import fentanyl, alprazolam, GBL, and steroids from China; RIKER and BENJOINO arranged payments of funds via Bitcoin and wire transfer services to China; RIKER and BEJOINO procured, transported, and operated several T.D.P. pill



press machines; RIKER procured warehouse space and the use of his mother's residence to operate the pill presses; and RIKER and BENJOINO distributed the controlled substances. The contents of the phones also show that RIKER, BENJOINO, and DE BARRY converted fentanyl powder into counterfeit oxycodone and Percocet tablets, and alprazolam and etizolam powder into counterfeit Xanax tablets. They also distributed GBL, which they referred to as "water".<sup>6</sup>

18. Specifically, the iPhone5s contained a chat between "Ross Good Number 561-XXX-9474" and BENJOINO between February 13-19, 2016, wherein RIKER arranged for the February 19, 2016 delivery of a T.D.P. 6 pill press machine to Port Consolidated, a commercial fuel distribution business located at 1782 Skees Road, West Palm Beach, FL 33411. Your affiant knows that a T.D.P. 6 pill press machine weighs approximately 350 lbs., is designed to produce up to 5,500 pills per hour, and generally costs \$2,500. During this chat, RIKER instructed BENJOINO to make the delivery to the attention of "Melinda" who, according to RIKER, was the manager at the business. The chat included a tracking number with Estes-Express. BENJOINO, using the stolen identity of "S.H.," purchased the T.D.P. 6 pill press from Yantramatrix, LLC. located in Greensboro, NC. On November 1, 2017, Estes-Express provided DEA documentation of the February 19, 2016 delivery of a T.D.P. 6 to "Melinda" at Port Consolidated, which included BENJOINO's name and telephone number for the iPhone 5s. On February 18, 2016, RIKER provided BENJOINO the address to his mother's (B.R.'s) house, located at XXXX Strawberry Lane, West Palm Beach, FL 33415. On February 19, 2016, RIKER and BENJOINO agreed to meet at RIKER's mother's house before going to Port Consolidated to pick up the pill press machine. During the same day, about 3 hours later, BENJOINO sent RIKER a list of items which included: "Metric and standard wrench set,

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<sup>6</sup> As an example, on October 26, 2015, RIKER sent Emerson BENJOINO a text asking, "Water ready tmrw?"

Allen keys, WD40, Lithium grease, Steel table, (2) foldable tables, Mask and gloves, Scale, Foil bag, Zip lock bags, Plastic cups, Paper plates, Garbage pale and bags, magic bullet, Small container, Fan 18inch, Dead bolt.” Agents believe that these items were utilized to manufacture pills.

19. On March 16, 2016, in the same chat, BENJOINO sent RIKER a message which read, “Got the machine,” indicating the BENJOINO had secured a second pill press machine. On November 1, 2017, Estes-Express provided DEA with documentation of a March 10, 2016 delivery start date of a T.D.P. 6 pill press from Yantramatrix, LLC. to “Brandon FISHER” at Port Consolidated. The documents included FISHER’s telephone number. On November 1, 2017, a DEA agent researched FISHER’s telephone number and found it connected to another DEA case. In that case, on June 16, 2016, agents arrested Enrique HERNANDEZ, Jr. on federal cocaine trafficking charges. Agents searched his residence in Deerfield Beach, FL, pursuant to a federal search warrant. The search revealed, among other evidence, eight (8) kilograms of cocaine, five (5) cellular telephones, and 49,458 2 mg Alprazolam (Xanax) pills weighing 10,984.5 grams. The pills were found in 46 zip-lock type bags.

20. Based on the following, your affiant believes that Ross RIKER was the source of supply of the 49,458 Xanax pills seized from HERNANDEZ. On May 11, 2016, agents conducted surveillance of HERNANDEZ at an IHOP restaurant located in Delray Beach, FL. At approximately 11:00 a.m., a DEA agent entered the I-HOP restaurant and observed HERNANDEZ meet with RIKER, who had arrived in a black 1998 Dodge truck bearing Florida tag Y66FAV, registered to Ross RIKER. The agent positively identified RIKER by looking at his Florida driver’s license photograph in the D.A.V.I.D. system. After HERNANDEZ’s arrest, agents obtained consent to

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BENJOINO affirmed. RIKER asked, “Its half gallon right?” BENJOINO affirmed.

search his phone. On HERNANDEZ's phone, agents located text messages between RIKER and HERNANDEZ leading up to the day before HERNANDEZ was arrested. Agents also found in the telephone's call log contact with the same telephone number listed on Estes-Express documents as the contact number for "Brandon FISHER" for the delivery of two T.D.P. 6 pill press machines on or about March 10, 2016 and April 15, 2016. Also, agents located a detailed communication between RIKER and HERNANDEZ. The download of one of HERNANDEZ's phones showed "Ross 561-XXX-9474" under contacts. This was the same number listed in contacts in BENJOINO's iPhone5s as "Ross Good Number". The call log report showed contact between RIKER and HERNANDEZ on June 9, 2016 and June 15, 2016. There were also text messages between RIKER and HERNANDEZ from May 11-16, 2016, including on May 14, 2016 when HERNANDEZ wished "Ross" a happy birthday. Ross RIKER's Florida driver's license shows his birthday to be May 14. SMS exchanges continued on May 31, 2016 and June 4-9, 2016. SMS messages on June 8, 2016 indicated that RIKER and HERANDEZ arranged to meet on June 9, 2016, only a week prior to HERNANDEZ's arrest and search of his residence. On June 8, 2016, HERNANDEZ asked RIKER, "Coming tomorrow?" RIKER replied, "Yep 10am be ready." HERNANDEZ replied, "Cool." The last SMS message was on June 15, 2016, the day before DEA executed a search warrant and arrested HERNANDEZ.

21. BENJOINO's iPhone5s also revealed a video with sound created on March 25, 2016, depicting two operational pill presses sitting on a large metal table running side-by-side pressing pills, along with metal bowls, plastic cups, and residual powder covering the table. According to the Metadata, the GPS location of the video confirmed that it was taken inside RIKER's mother's residence in West Palm Beach, FL. The iPhone5s included numerous exchanges

between BENJOINO and RIKER who planned to meet at RIKER's mother's residence for the purpose of operating pill presses.

22. BENJOINO's iPhone5s revealed a chat between "Ross Good Number 561-XXX-9474" and Emerson BENJOINO wherein on March 29, 2016 RIKER sent BENJOINO a link which read, "<http://www.tampabay.com/news/publicsafety/pinellas-sheriff-nine-overdose-deaths-in-2016-linked-to-counterfeit-xanax/2270250>." The next day BENJOINO sent Ross RIKER a link which read, "<http://www.14news.com/story/31538569/new-street-drug-called-super-pill-killing-users-in-droves?clienttype=generic&sf23253617=1>."

23. On November 2, 2017, Estes-Express provided your affiant documentation of an April 15, 2016 delivery start date of a third T.D.P. 6 pill press from Yantramatrix, LLC. to "BENJOINO and Brandon FISHER" at Port Consolidated. The documents again included FISHER's telephone number.

24. BENJOINO's iPhone5s revealed an incoming text sent on May 18, 2016 from "Ross Good Number 561-XXX-9474" to Emerson BENJOINO with an attached photograph of a T.D.P. pill press machine. The embedded properties of the photograph indicated the photo of the pill press was taken at 26.697156 Latitude/-80.208244 Longitude, which placed the pill press inside or within feet of Bay 7 at 530 Business Park Way, Royal Palm Beach, FL 33411. Your affiant confirmed that R.R., Ross RIKER's father, rented the warehouse space from January 1, 2016 through on or about December 4, 2016, when a friend of Ross RIKER took over the lease reportedly to operate a vehicle fabrication business. That lease expired in November 2017. The lease documents indicated Ross RIKER's father provided an initial deposit in the form of a check in the amount of \$3,657. The owner of the warehouse informed agents that R.R. (Ross RIKER's father) told him that he was

renting the warehouse space for his sons to store auto parts. The owner stated that during the timeframe that the space was rented to R.R., the occupants erected a divider wall in the back portion of the bay which blocked the view of the rear of the bay from the entrance. The owner stated he never observed Ross RIKER conduct commerce at the warehouse space.

25. The iPhone5s revealed that on December 2, 2015, BENJOINO exchanged text messages with both his wife, Nicole Benjino, and RIKER regarding the rental of warehouse space for the purpose of operating a pill press to manufacture pills. All three participated in the chats, and all three shared their ideas of where to rent space. They expressed concern due to the noise the pill press machine generated when running. Each referred to a different Craigslist.com advertisement for available warehouse space. Within these chats, RIKER told BENJOINO, "I'm calling them tomorrow. Also I have a name to put it under so don't sweat that."

26. Agents found another chat on the iPhone5s between BENJOINO and "Ross Good Number 561-XXX-9474," utilized by Ross RIKER. The chat referenced RIKER's father, R.R., and occurred between December 4, 2015 and May 19, 2016. The chat indicated that R.R. established a Bitcoin account on March 5, 2016, maintained balances for the Bitcoin account, and sent money to China from the Bitcoin account in April and May 2016, for Ross RIKER and BENJOINO to purchase controlled substances.

27. On November 2, 2017, Estes-Express provided agents with documentation of a July 11, 2016 delivery start date of a fourth T.D.P. 6 pill press and blender from Yantramatrix, LLC. to "Emerson Benjino" at Port Consolidated. The documents included BENJOINO's iPhone 5s cellular telephone number. Previously obtained documents from Yantramatrix, LLC. reveal that a T.D.P. 6 pill press and industrial blender were purchased by BENJOINO in July 2016 using the

stolen identity of “S.H.” This was the fourth T.D.P. 6 pill press acquired from Yantramatrix, LLC by BENJOINO and Ross RIKER and delivered to Port Consolidated in less than five months, and the fifth known pill press machine operated by BENJOINO and RIKER. Combined with the initial T.D.P. 5, which can produce 5,000 pills per hour, the four additional T.D.P. 6 pill press machines are each capable of producing 5,500 pills per hour, for a total of 27,000 pills per hour.

28. The ZTE telephone contained seven (7) contacts, 75 images, 1 video, and several text messages. Of the seven (7) contacts, one included “Ross” 561-XXX-0165. Agents also found in the ZTE telephone two incoming text messages from 561-XXX-3063 dated Wednesday, April 5 at 10:35 a.m., with no year showing. Agents looked at calendars going back the last 10 years from 2007 to 2017 and found that the only “Wednesday, April 5” occurred in 2017. The messages read,

please order more f and a machine. Here are the raws needed. Test pro, test e, eq, deca, sust, winny, anavar, dbol, anadrol, proviron. Lmk the cost to split. Also already paid the warehouse this month.

Knowing the history of the case combined with knowledge of street terms for controlled substances, your affiant believes “please order more f and a machine” refers to ordering more fentanyl and another T.D.P. pill press machine. The sentence “Lmk the cost to split,” also known as ‘let me know the cost to split’ clearly indicates to your affiant that at that time, the sender of that message was in an equal partnership in a drug trafficking enterprise with BENJOINO. The next paragraph of this affidavit details further evidence that the sender of the message was indeed Ross RIKER. If acquired, this was the sixth pill press machine operated by BENJOINO and RIKER. This would bring BENJOINO and RIKER’s operational pill production capability to 32,500 pills per hour.

29. On August 30, 2017, Verizon Wireless complied with DEA Administrative Subpoena GS-17-905712 which requested subscriber information for 561-XXX-3063. According the

Verizon Wireless the number was owned by TracFone Wireless and was an active account with TracFone Wireless from March 31, 2017 to June 30, 2017. The TracFone account was active sixteen (16) days following the June 14, 2017 search warrant execution of Emerson BENJOINO's residence. However, phone toll analysis indicates the last time the phone was used was on May 1, 2017. In October and November 2017, a DEA Intelligence Research Specialist obtained the call detail records for the TracFone 561-XXX-3063. During the 90 days the account was active the TracFone was in contact with twenty-six (26) telephone numbers. Analysis to date has identified several subscribers the telephone was in contact with, including B.R. (Ross RIKER's mother), C.R. (Ross RIKER's brother) and BENJOINO's iPhone5s and ZTE flip phone detailed in this affidavit. Given these facts, your affiant believes the person in control of the TracFone 561-XXX-3063 was Ross RIKER.

**C. FINANCIAL ANALYSIS OF ROSS RIKER'S ACCOUNTS**

30. On January 18, 2018, agents examined PNC Bank records for a joint checking account belonging to Ross RIKER and his wife, D.A. PNC Bank provided the following documents.

31. Account #XXXXXX3164 is a Standard Checking Account in the names of Ross Allen RIKER and D.A. with a mailing address of their residence in Loxahatchee, FL. It was opened on June 29, 2007 and closed on July 14, 2017, only 30 days after the search of BENJOINO's residence. The bank records provided to HSI reflect transactions between November 3, 2014 and July 13, 2017. During this 2 year and 8 month time frame, the account had \$474,101.21 in deposits, many consisting of multi-thousand dollar cash deposits, including several deposits each in excess of \$3,000 occurring on one day.



32. Of particular note, the account was used on several occasions to facilitate the purchase of a pill tableting machine from Yantramatrix, LLC in Greensboro, NC, and pill tableting press components from China, as detailed below:

- On March 23, 2016, a \$269.93 payment was made to “Paypal Tabletpress;”
- On April 5, 2016, a \$266.23 payment was made to “Paypal Tabletpress;”
- On April 14, 2016, a \$2,450.00 payment was made to “Paypal YANTRAMATIX,” a Greensboro, NC pill press distributor;
- On May 4, 2016, a \$269.86 payment was made to “Paypal Tabletpress;”
- On October 14, 2016, a \$290.09 payment was made to “Paypal Tabletpress;”
- On November 30, 2016, a \$547.98 payment was made to “Paypal Tabletpress;”
- On November 30, 2016, a \$338.00 payment was made to “Shang Hai Yu Xia;”
- On January 30, 2017, a \$544.69 payment was made to “Paypal Tabletpress;”
- On March 16, 2017, a \$755.00 payment was made to “Shang Hai Yu Xia;”
- On April 6, 2017, a \$675.00 payment was made to “Shang Hai Yu Xia.”

**D. U.S. CUSTOMS IMPORT RECORDS FOR ROSS RIKER**

33. On January 29, 2018, HSI provided DEA agents a copy of import records from China to Ross RIKER at his primary residence, and Port Consolidated. From December 10, 2016 to April 7, 2017, four shipments of “toy mold” and “drilling machine bolts” arrived at RIKER’s residence. From April 27, 2017 to June 16, 2017, ten shipments of “drill parts” and “drilling machine bolts,” to include one shipment on April 27, 2017 of “drill parts 1pc” weighing 302.5 pounds, arrived at Port Consolidated, eight of which were in the name of Ross RIKER. Your affiant is aware that the terms “toy mold,” “drilling machine bolts,” and “drill parts” are common terms used by China-based suppliers of tablet press and tablet press component manufacturers when shipping pill presses and

components to the United States to hide the true nature of the imported item from U.S. Customs.

#### **E. BACKGROUND OF ADAM DE BARRY**

34. Extracted data from Emerson BENJOINO's I-Phone5s under "CONTACTS" reveal the entries "Adam T.D.P." and four telephone numbers, to include (561) XXX-2857, (561) XXX-2968, (561) XXX-0881, and (561) XXX-0188. Agents also found a Contact named "Adam T.D.P. Work" with a telephone number of (561) XXX-0660. Agents located text messages between BENJOINO and "Adam T.D.P. 561-XXX-0188". Your affiant knows "Adam T.D.P." to be Adam O. DE BARRY and "T.D.P." to be the name of pill press machines used by the BENJOINO drug trafficking organization. The text exchanges occurred between October 10, 2015 and August 16, 2016. During these texts, DE BARRY and BENJOINO discussed the pill press and the manufacturing of pills. For example, on October 29, 2015, BENJOINO told DE BARRY that he (BENJOINO) "should get the powder for the xanies tomorrow... Was released by customs yesterday." DE BARRY replied, "Awesome". On November 10, 2015, BENJOINO stated to DE BARRY, "Ross told me the machine won't work till tomorrow, r we gonna need more binding?" DE BARRY replied, "Yes sir." These text messages continued the next day as the two discussed one of their incoming pill press shipments. On November 18, 2015, the two discussed ordering molds for the pill presses. DE BARRY asked, "When can we order?" BENJOINO replied, "Whenever, might as well order the mold for xanny too." On November 20, 2015, BENJOINO wrote, "I just placed an order for BD for 6, can't wait for the parts... The dies get here before the parts... The oxy powder is supposed to be delivery today." Approximately two minutes later, DE BARRY replied, "Awesome". It should be noted that the "oxy powder" discussed by BENJOINO and DE BARRY refers to fentanyl. On February 5, 2016, DE BARRY wrote to BENJOINO, "Any updates. That

etizo. Sounds very promising I hope it comes.” BENJOINO responded, “On its way... I very high hopes on it... I think we r about to hit lottery with that thing.” DE BARRY replied “Me too. It sounds amazing.”

35. Agents found a chat between BENJOINO and Ross RIKER using “Ross New Work Number 561-XXX-9131” referencing DE BARRY. The chat occurred between August 10, 2015 and September 3, 2015. During the chat, BENJOINO told RIKER, “Tell Adam that I got a source of the alprazolam powder he was looking for, also I will need some more anavar.”

36. On November 17, 2015, DE BARRY sent BENJOINO a text asking, “How much is the water again?” Agents know that “water” referred to GBL. BENJOINO responded, “Depends ... when I sell by the oz I sell for \$10 but when its half gallon it goes for \$400. Half gallon is 64 oz total.” DE BARRY then followed by asking, “how much can I sell an oz for you think?” BENJOINO responded, “Between 10-12. I will give to for \$8 oz if less than half gallon.” DE BARRY affirmed.

37. In other communications, BENJOINO and DE BARRY discussed Lherisson manufacturing and storing counterfeit Oxycodone M/30 pills described as “M’s” and “blues,” likely made with fentanyl. They discussed Lherisson sending money out via Western Union at BENJOINO’s, RIKER’s, and DE BARRY’s direction. They discussed the purchase and transport of a T.D.P. 6 pill press machine, and the operation of a T.D.P. 5 pill press machine. As noted above, they discussed ordering “Oxy Powder,” which agents know to be fentanyl. They discussed ordering Etizolam, which agents know is a Schedule IV benzodiazepine similar to Alprazolam, commonly known as Xanax. DE BARRY repeatedly asked BENJOINO for “water” (GBL). They also

discussed finding and renting warehouse space. Lastly, they discussed ordering binder and pill press dies and molds.

38. On March 17, 2018, T-Mobile returned an administrative subpoena request from HSI regarding the telephone subscriber records for telephone number (561) XXX-0188 which had been saved as "Adam T.D.P. 561-XXX-0188" on BENJOINO's telephone. The records show that Adam DE BARRY was the subscriber at the time of the aforementioned telephone chats.

39. Extracted data from Emerson's iPhone 5s included three videos created on October 19, 2015, November 24, 2015, and January 1, 2016. All three videos included footage of a fully operational T.D.P. pill press operating inside Lherisson's apartment, the same location referenced numerous times by BENJOINO, RIKER, and DE BARRY as where they would meet to operate a pill press. Your affiant knows the location where the videos were created because each video contained Metadata indicating the latitude and longitude of the iPhone 5s when the videos were made. Each of the three videos shared almost the exact same latitude and longitude within a few meters. The Metadata position was placed into Google Maps, which showed the GPS position to be at the apartment building in which Lherisson lived. The Metadata cannot indicate the height the videos were shot, but there are only six apartments located within close proximity of the Metadata position, including Lherisson's apartment located on the third floor. The videos shot on October 19, 2015 and November 24, 2015 depict the hands of a male with dark complexion holding a plate full of, what appears to be, hundreds of counterfeit Xanax tablets and the T.D.P. pill press machine pressing pills at a rate of approximately one per second, which then slide into the plate. The rectangular pills in the plate look very similar to counterfeit Xanax pills containing alprazolam found inside BENJOINO's residence during the June 14, 2017 search warrant. The video shot on January

1, 2016 depicts the pill press machine slowly pressing one round pill, which is similar in appearance to a round counterfeit Percocet and/or Oxycodone pill, which are similar to counterfeit pills containing fentanyl found inside BENJOINO's residence during the June 14, 2017 search warrant.

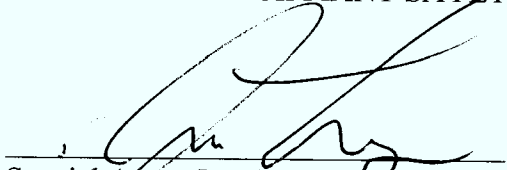
40. On February 21, 2018, DEA and HSI agents executed a federal search warrant at the apartment of Jean Rodney Lherisson. Prior to the search warrant, agents obtained Lherisson's lease agreement which listed "Ross" as his employer and listed Ross RIKER's address. Lherisson was arrested and charged after agents found nearly 60 grams of cocaine HCL and two loaded handguns in his bedroom, and a fraudulent Florida driver's license with BENJOINO's photo depicted. Lherisson waived his *Miranda* Rights and told agents about the drug importation and manufacturing activities of BENJOINO, Ross RIKER, and Adam DE BARRY. Lherisson admitted that he allowed the trio to use his apartment to operate a pill press to manufacture thousands of counterfeit Xanax pills in exchange for monthly payments. Lherisson stated DE BARRY discussed importing fentanyl, and BENJOINO asked Lherisson what he knew of Percocet pills so that BENJOINO could begin manufacturing pills in their likeness. Lherisson stated that he (Lherisson) provided BENJOINO with the picture of a Percocet he bought on the street. He also stated that he provided BENJOINO with fake Florida driver's licenses.

#### **F. CONCLUSION**

41. Based on the foregoing, your affiant respectfully submits that RIKER and DE BARRY, and others known and unknown, did knowingly and intentionally: (1) conspire to possess with intent to distribute a controlled substance (fentanyl, GBL, alprazolam, and etizolam (Xanax)), in violation to 21 U.S.C. § 846, (2) conspire to import into the United States a controlled substance (fentanyl, GBL, alprazolam, and etizolam (Xanax)), in violation of 21 U.S.C. § 963; (3) import into

the United States a controlled substance (fentanyl, GBL, alprazolam, and etizolam (Xanax)), in violation of 21 U.S.C. §§ 952(a); and (4) possess a controlled substance with intent to distribute (fentanyl, GBL, and alprazolam), in violation of 21 U.S.C. § 841(a)(1).

FURTHER YOUR AFFIANT SAYETH NAUGHT



Special Agent Jon A. Longo  
Homeland Security Investigations

Sworn to and Subscribed before me on this 7<sup>th</sup> day of May 2018, at West Palm Beach, Florida.



William Matthewman  
United States Magistrate Judge

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 18-8210-WM**

**UNITED STATES OF AMERICA**

**v.**

**ROSS ALLEN RIKER, and  
ADAM O. DE BARRY,**

**Defendants.**

\_\_\_\_\_ /

**CRIMINAL COVER SHEET**

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to October 14, 2003?      \_\_\_\_\_ Yes        X   No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to September 1, 2007?      \_\_\_\_\_ Yes        X   No

Respectfully submitted,

BENJAMIN G. GREENBERG  
UNITED STATES ATTORNEY

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