

ORIGINAL

Approved: \_\_\_\_\_

JACOB WARREN/MATTHEW HELLMAN  
Assistant United States Attorneys

Before: \_\_\_\_\_

HONORABLE GABRIEL W. GORENSTEIN  
United States Magistrate Judge  
Southern District of New York

18 MAG 51 93

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UNITED STATES OF AMERICA : SEALED COMPLAINT  
:  
: Violations of  
- v. - : 21 U.S.C. § 846 and 18 U.S.C.  
: § 924(c)  
JIAN QU, :  
RAYMOND WENG, :  
KAI WU, : COUNTY OF OFFENSE:  
DIMITRI TSEPERKAS, and : NEW YORK  
CIHAD AKKAYA, :  
:  
Defendants. :  
X  
- - - - -

SOUTHERN DISTRICT OF NEW YORK, ss.:

KYLER HARDIN, being duly sworn, deposes and says that he is a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), and charges as follows:

COUNT ONE  
(Narcotics Conspiracy)

1. Between at least in or about June 2017 up to and including at least in or about May 2018, in the Southern District of New York and elsewhere, JIAN QU, REYMOND WENG, KAI WU, DIMITRI TSEPERKAS, and CIHAD AKKAYA, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JIAN QU, REYMOND WENG, KAI WU, DIMITRI TSEPERKAS, and CIHAD AKKAYA, the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that JIAN QU, REYMOND WENG, KAI WU, DIMITRI TSEPERKAS, and CIHAD AKKAYA, the defendants, conspired to distribute and possess with the intent to distribute were 1,000 kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

COUNT TWO  
(Firearm Use, Carrying, and Possession)

4. From at least in or about August 2017, up to and including in or about May 2018, in the Southern District of New York and elsewhere, DIMITRI TSEPERKAS, and CIHAD AKKAYA the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the offense charged in Count One of this Complaint, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm.

(Title 18, United States Code, Sections 924(c)(1)(A)(i).)

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

5. I am a Special Agent with HSI, and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, my own surveillance, my conversations with law enforcement agents, witnesses, and others, as well as my examination of reports and records. 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. Where figures, calculations, and dates are set forth herein, they are approximate, unless stated otherwise.

### Overview

6. On or about May 1, 2018, I and other law enforcement officers executed search and seizure warrants (the "Search Warrants") at certain residences in Flushing, New York and Mt. Sinai, New York (collectively, the "Residences"). The Search Warrants authorized agents to search for evidence related to violations of federal narcotics laws, including evidence of a narcotics trafficking conspiracy by the occupants of the Residences, and money laundering laws. The Search Warrants also authorized agents to search and seize electronic devices in the Residences for evidence of the same offenses.

### The Searches of the Residences

7. Upon arrival at the one of the Residences ("Residence-1"), KAI WU and JIAN QU, the defendants, were in separate bedrooms of Residence-1.<sup>1</sup> Law enforcement agents seized from Residence-1, among other items:

- a. nearly \$200,000 in cash;
- b. more than 110 kilograms of what I believe based on my training and experience to appear to be marijuana;
- c. approximately 680 grams of unidentified powders;<sup>2</sup>
- d. a cellphone belonging to QU (the "QU Cellphone");<sup>3</sup>

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<sup>1</sup> A female ("Female-1") and another male ("Male-1") were also present in an upstairs bedrooms of Residence-1. Based on their conversations with Female-1, and the results of the investigation discussed further herein, law enforcement continues to investigate what role, if any, Female-1 maintained in the conspiracy. Law enforcement believes that Male-1 was working to, among other things, deliver marijuana, at the direction of RAYMOND WENG and KAI WU, the defendants, as further discussed herein.

<sup>2</sup> Lab results are still pending for the 680 grams of unidentified powders.

<sup>3</sup> The Search Warrants authorized law enforcement agents to press the finger of QU to open the phone. Law enforcement agents pressed QU's finger to the fingerprint sensor of the QU Cellphone and the QU Cellphone unlocked.

e. an iPhone belonging to WU (the "WU iPhone"), and;<sup>4</sup>

f. a Nexus cellphone belonging to WU (the "WU Nexus Phone," and, together with the WU iPhone, the "WU Cellphones").<sup>5</sup>

8. Some of the items seized from Residence-1, including portions of the cash and marijuana, are pictured below:



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<sup>4</sup> WU told law enforcement agents that the WU iPhone belonged to him and provided law enforcement agents with the password to open the WU iPhone.

<sup>5</sup> WU told law enforcement agents that the WU Nexus Phone belonged to him.



9. Upon arrival at one of the other Residences ("Residence-2"), law enforcement did not find anyone present, but seized from Residence-2, among other items:

- a. more than 12 kilograms of what I believe based on my training and experience to appear to be Alprazolam;
- b. more than 10 kilograms of what I believe based on my training and experience to appear to be marijuana vape cartridges;
- c. approximately 570 grams of a substance that appeared to be ecstasy;
- d. more than 12 kilograms of unidentified powder;<sup>6</sup> and
- e. four pill presses, mixers, and pill press parts and accessories.

10. Some of the items seized from Residence-2 are pictured below:

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<sup>6</sup> Lab results are still pending for the 12 kilograms of unidentified powder.





11. Although no one was present when law enforcement executed the Search Warrant at Residence-2, JIAN QU, the defendant, has been observed by law enforcement during this investigation entering and leaving Residence-2 on multiple occasions. For example, on November 21, 2017, agents surveilled QU as he exited Subject Premises-2 holding a white plastic bag that QU placed in the trunk of his vehicle. On the same day, hours later, QU drove to Residence-3 (see infra ¶ 12), got out of his vehicle with a cardboard box and two plastic shopping bags, and delivered these items to the front door of Residence-3.<sup>7</sup>

12. Upon arrival at one of the other Residences ("Residence-3"), DIMITRI TSEPERKAS and CIHAD AKKAYA, the defendants, were in separate bedrooms inside Residence-3.<sup>8</sup> Law enforcement agents seized from Residence-3, among other items:

- a. approximately \$195,000 in cash;
- b. more than 30 kilograms of what I believe based on my training and experience to appear to be marijuana;
- c. three loaded shotguns and more than 100 shotgun shells;
- d. a cellphone belonging to TSEPERKAS (the "TSEPERKAS Cellphone");<sup>9</sup>

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<sup>7</sup> In addition, Consolidated Lead Evaluation and Reporting (CLEAR) database records for Residence-2 associated QU with Residence-2.

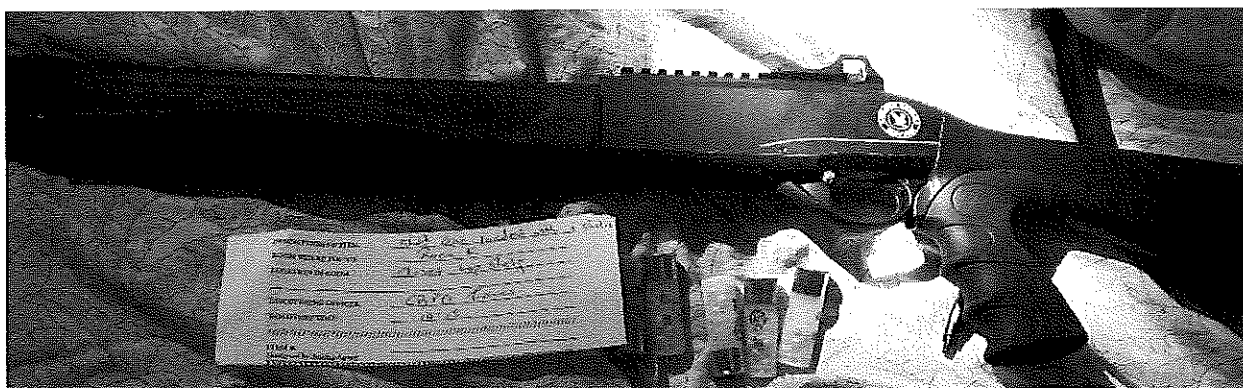
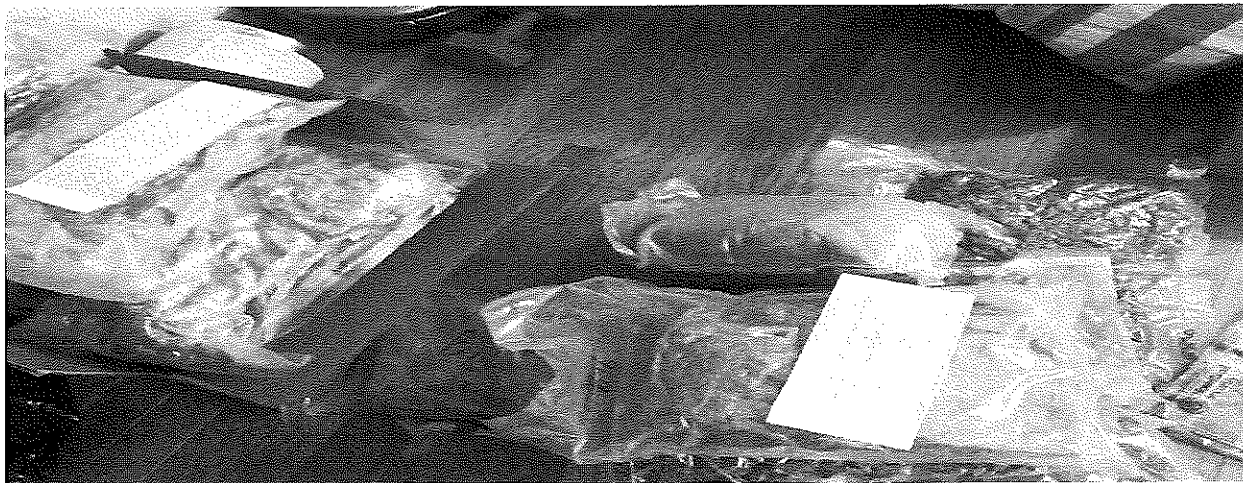
<sup>8</sup> A female ("Female-2") was also present in an upstairs bedroom of Residence-3. Based on their conversations with Female-2, and the results of the investigation discussed further herein, law enforcement continues to investigate what role, if any, Female-2 maintained in the conspiracy.

<sup>9</sup> The TSEPERKAS Cellphone contained, among other photos, a picture of TSEPERKAS' New York State Driver's License, a flight reservation in TSEPERKAS' name, and a photo of a job application with the identifying information of TSEPERKAS.



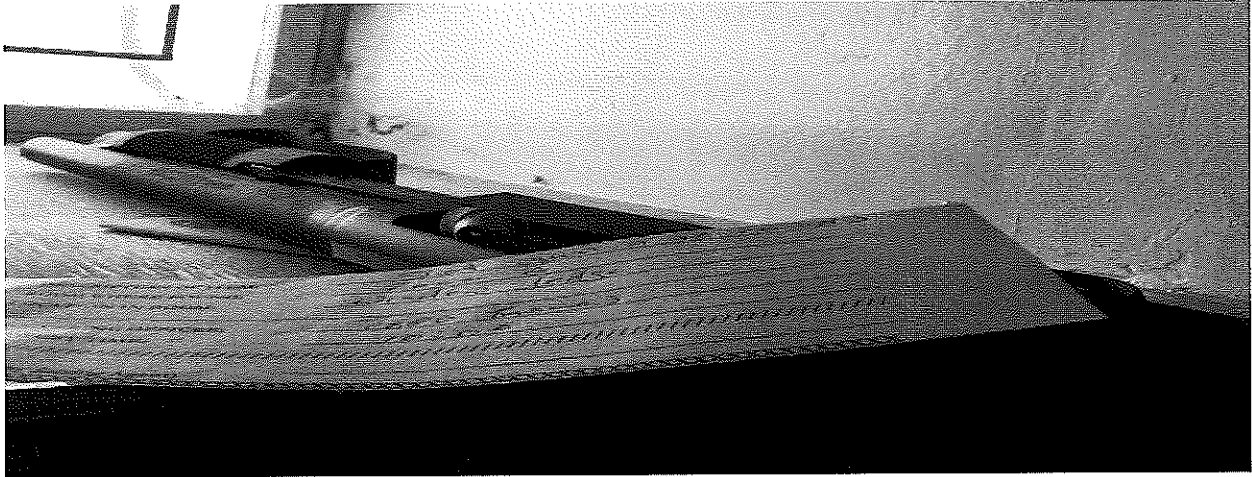
e. a cellphone belonging to AKKAYA (the "AKKAYA Cellphone").<sup>10</sup>

13. Some of the items seized from Residence-3, including portions of the marijuana and the shotguns, are pictured below:



10 Based on my review of the Settings of the AKKAYA Cellphone, the device's name is listed as: "cihad akkaya's iPhone."





14. One of the shotguns was located in the bedroom occupied by CIHAD AKKAYA, the defendant. Another shotgun was located in a common area of Residence-3 directly outside of AKKAYA's bedroom. The third shotgun was located in a separate bedroom occupied by DIMITRI TSEPERKAS, the defendant.

The Content of the Electronic Devices Seized from the Residences

15. I have reviewed the contents of the QU Cellphone and the WU Cellphones. Both QU and WU frequently communicated with REYMOND WENG, the defendant, regarding the distribution of marijuana and pills.<sup>11</sup> On or about May 3, 2018, the Honorable

<sup>11</sup> Although WENG was not at Residence-1 when law enforcement executed the Search Warrants on May 1, 2018, law enforcement has observed WENG at Residence-1 during surveillance in February and April 2018, among other dates.

Debra Freeman, United States Magistrate Judge for the Southern District of New York, authorized a search warrant for prospective location information for a cellphone used by WENG (the "WENG Cellphone"). Using, among things, the prospective location information on the WENG Cellphone, law enforcement positively identified WENG as the user of the WENG Cellphone on or about May 9, 2018.

16. Based on my review of the contents of the WU Cellphones, I know that WU and WENG also discuss selling narcotics online using "BTC," which appears to be a reference to bitcoin, a form of crypto currency. WU and WENG also discuss the individuals working for their narcotics business, and appear to discuss replacing Male-1, see supra n. 1. The WU Cellphone also has two videos (the "Videos") that show marijuana grow houses which, based on my review of the text messages on the WU Cellphone, appear to be owned by WU and WENG, and serve as a source of marijuana supply for the narcotics conspiracy.

17. The WU Nexus Phone had many photographs of shipping labels for packages that were being sent to the Southern District of New York. The WU Nexus Phone also contained notes of what appeared to be descriptions of narcotics contained in the packages, for example: "500GG", "200b", "10000b," and "100 V." Law enforcement agents reviewing the WU Nexus Phone observed a photograph, dated November 2017, which photograph depicted a parcel addressed to an individual ("Individual-1") at an address located within the Southern District of New York. During an interview with law enforcement agents, Individual-1 stated that Individual-1 believed the package contained Xanax, which was almost the only item Individual-1 purchased over the dark web.

18. I have also reviewed the contents of the TSEPERKAS Cellphone and the AKKAYA Cellphone. Based on my review, DIMITRI TSEPERKAS and CIHAD AKKAYA, the defendants, discuss, in October 2017, among other things, the purchase and storage of large quantities of marijuana, the consequences if they were to shoot someone who was attempting to commit a robbery of Residence-3, the need to have the doors to Residence-3 dead bolted at all times, and to have the firearms in Residence-3 in close proximity to their persons at all times. In separate conversations in April 2018, TSEPERKAS and AKKAYA also discuss traveling to the West Coast to find a separate source of marijuana supply to be shipped to New York. Based on my review of travel records from Alaska Airlines, as well as my review of conversations between TSEPERKAS and AKKAYA, I know that on April

26, 2018, TSEPERKAS and AKKAYA traveled through the Southern District of New York to meet with a new supplier of marijuana on the West Coast.

19. In addition, based on my review of the contents of the TSEPERKAS Cellphone, I know that TSEPERKAS has conversations with the WENG Cellphone regarding marijuana.<sup>12</sup> For example, on March 30, 2018, the TSEPERKAS Cellphone sends a text message to the WENG Cellphone that says: "Send me list too so I know what to bring." The WENG Cellphone replies: "Okay bring 41500." The TSEPERKAS Cellphone replies "Ok" and later asks "Did you get me gummies." The WENG Cellphone replies: "nah the guy wasn't available. He went to Florida." Based on my training and experience and my participation in this investigation, I believe that TSEPERKAS and WENG are discussing payment for marijuana in the above conversation ("bring 41500" or \$41,500), as well as TSEPERKAS's request for "gummies."<sup>13</sup>

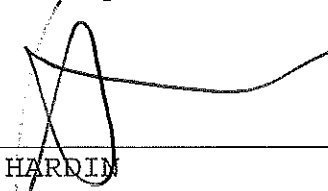
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<sup>12</sup> The WENG Cellphone number is saved in the TSEPERKAS Cellphone under the contact "Raymond."

<sup>13</sup> Nearly two kilograms of "gummies" - a soft chewable substance containing THC - were recovered from Residence-2. THC "gummies" appears to be what WENG and TSEPERKAS are discussing here. THC gummies were also recovered from Residence-1.



WHEREFORE, I respectfully request that warrants be issued for the arrest of JIAN QU, REYMOND WENG, KAI WU, and DIMITRI TSEPERKAS, the defendants, and that they be arrested, and imprisoned or bailed, as the case may be.



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KYLER HARDIN  
Special Agent  
Homeland Security Investigations

Sworn to before me this  
15th day of June, 2018



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THE HONORABLE GABRIEL W. GORENSTEIN  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK