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STATE OF CONNECTICUT :

: ss: Hartford, Connecticut

FILED

2013 FEB 14 P 4:25

COUNTY OF HARTFORD :

January 31, 2013

HARTFORD COUNTY
CLERK OF SUPERIOR COURT

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

I, Mark Essing, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, Hartford Field Office, under penalty of perjury, declare and state that:

1. I am a Special Agent employed by the Bureau of Alcohol, Tobacco & Firearms, ("ATF") assigned to the Boston Field Division, Hartford Field Office at 21 Oak Street, Suite 303, Hartford, Connecticut 06106, and have been so employed since August 1998. I have a Bachelor of Architecture and have completed the Criminal Investigator Training and New Professional Training Programs at the Federal Law Enforcement Training Center, located in Glynco, Georgia. Prior to service with the ATF, I was employed as an immigration agent and an inspector for INS for a total of about four and a half years. My duties as an ATF special agent include, among other things, investigating violations of Title 18 of the United States Code, such as possession of firearms by convicted felons.

2. Since becoming a law enforcement officer I have participated in hundreds of investigations of firearms violations and have conducted or participated in surveillances, the execution of search and arrest warrants, and the debriefing of informants and cooperating witnesses. I have also reviewed both audio and video taped conversations and firearms records relating to firearms trafficking. Through training, education and experience, I have become familiar with the manner in which firearms are transported, stored, distributed, and sold and with the methods of payment for such transactions.

3. I am currently investigating the activities of Jordan Marsh for violations of 18 U.S.C. §§ 922(g)(1) and 924(a)(2) (Possession of a Firearm by a Convicted Felon) and 18 U.S.C. §§ 922(u) and 924(i)(1) (Theft of a Firearm from a Federally Licensed Firearms Dealer).

4. I submit this affidavit in support of an application for an arrest warrant and criminal complaint for Jordan Marsh, date of birth xx/xx/1986.

5. I and my fellow agents have participated in the investigation that is the subject of this affidavit with officers of the Hartford and East Windsor Police Departments. As a result of this participation, as well as information provided by other law enforcement officers, I am fully familiar with the facts set forth herein.

6. This affidavit sets forth facts and evidence that are relevant to the requested criminal complaint and arrest warrant, but does not set forth all of the facts and evidence that I have gathered during the course of the investigation of this matter. Rather, I have only set forth the facts that are necessary to establish probable cause to believe that Marsh has violated 18 U.S.C. §§ 922(g)(1) and 924(a)(2) and 18 U.S.C. §§ 922(u) and 924(i)(1).

7. On December 11, 2012, at approximately 4:58 p.m., Jordan Marsh entered Riverview Gun Sales (“Riverview”), in East Windsor, Connecticut. At that time, Riverview was owned and operated by David Laguercia, who was the sole proprietor of Riverview and who has been a federal firearms licensee (“FFL”) since at least 2005. Riverview does business from a store front at 4 Prospect Hill Road, East Windsor.

8. Marsh immediately walked to the front counter nearest to the front door of the store. Sitting on the counter was an AR-15 type rifle, a Windham Weaponry Inc., model R16M4, caliber 5.56 rifle, bearing serial number WW056205 (hereinafter referred to as “the firearm”). The firearm was for sale and on display. It had been equipped with some added

features to help it sell, including a tripod. Although there were several Riverview employees behind the counter, no employee was standing near the firearm, and no employee was watching Marsh.

9. Marsh spent several seconds standing in front of the counter upon which the firearm was sitting. Then, with no hesitation, he grabbed the firearm, turned around, and left the store with it. No employee observed him take the firearm out of the store. The store's video surveillance system captured the theft on two different cameras showing two different views of the theft. Several officers have observed the video recordings from both cameras, which clearly depict the theft, and have identified the individual in the video who stole the firearm as Marsh.

10. On December 17, 2012, the Hartford police were called to the Hilton Hotel on Trumbull Street, in Hartford by an employee of the hotel who had recovered a firearm from a room where Marsh had been staying. Marsh had not returned to the hotel for several days, and his credit card would no longer accept charges for the room. As a result, a security officer for the hotel began the process of clearing the room of Marsh's belongings so that the room could be rented out by a paying customer. In clearing the room and inventorying Marsh's belongings, the employee found a firearm stored in a duffle bag and called the Hartford police. The police went to the hotel and seized the firearm. When they contacted Riverview with the identifying information and serial number from the firearm, they learned that it was the same firearm that Marsh had stolen on December 11, 2012. No one at Riverview had known before being contacted by the police that the firearm had been stolen.

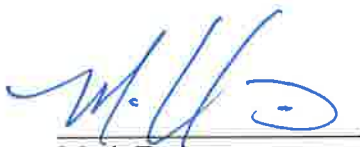
11. The firearm, which was identified as a Windham Weaponry Inc., model R16M4, caliber 5.56 rifle, was manufactured in Maine and, therefore, traveled in interstate commerce

before Marsh stole it on December 11, 2012. Indeed, Riverview acquired the firearm on or about November 28, 2012, through a dealer in Massachusetts.

12. I queried the National Crime Information Computer database which revealed that Marsh is a prior convicted felon. On May 10, 2012, Marsh was convicted of stealing a firearm, in violation of Conn. Gen. Stat. § 53a-212, and sentenced to 18 months' probation. The conduct underlying this prior conviction involved Marsh's theft of multiple firearms from Riverview in 2011.


CONCLUSION

13. On the basis of the foregoing information, there is probable cause to believe, and I do believe, that Jordan Marsh unlawfully possessed a firearm, affecting interstate or foreign commerce, after previously being convicted of a felony in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), and unlawfully stole a firearm from a federally licensed firearms dealer, in violation of 18 U.S.C. §§ 922(u) and 924(i)(1). Your affiant, therefore, respectfully requests that an arrest warrant be issued for Jordan Marsh.



Mark Essing
Special Agent, ATF

Subscribed and sworn before me this 31st day of January 2013.



Honorable Donna F. Martinez, USAJ
HONORABLE DONNA F. MARTINEZ
UNITED STATES MAGISTRATE JUDGE