

COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF: LACKAWANNA
 Magisterial District Number: 45-1-06
 MDJ: Hon. Paul J. Ware
 Address: 2012 West Pine Street
 Dunmore, PA 18512
 Telephone: (570)963-6521



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

DEFENDANT: (NAME and ADDRESS):
 OSVALDO GONZALEZ
 First Name Middle Name Last Name Gen
 410 DEAN STREET
 SCRANTON, PA 18509

NCIC Extradition Code Type

<input checked="" type="checkbox"/> 1-Felony Full	<input type="checkbox"/> 5-Felony Pending Extradition	<input type="checkbox"/> C-Misdemeanor Surrounding States	<input type="checkbox"/> Distance: _____
<input type="checkbox"/> 2-Felony Limited	<input type="checkbox"/> 6-Felony Pending Extradition Determ.	<input type="checkbox"/> D-Misdemeanor No Extradition	
<input type="checkbox"/> 3-Felony Surrounding States	<input type="checkbox"/> A-Misdemeanor Full	<input type="checkbox"/> E-Misdemeanor Pending Extradition	
<input type="checkbox"/> 4-Felony No Extradition	<input type="checkbox"/> B-Misdemeanor Limited	<input type="checkbox"/> F-Misdemeanor Pending Extradition	

DEFENDANT IDENTIFICATION INFORMATION

Docket Number CR-172-18	Date Filed 12/28/2018	OTN/LiveScan Number 4662032-0	Complaint/Incident Number BN2014818X	Request Lab Services? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	DOB 08/17/1992	POB Rhode Island	Add'l DOB / /	Co-Defendant(s) <input type="checkbox"/>
RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	First Name Middle Name Last Name Gen.			
ETHNICITY <input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic	AKA			
Hair Color <input checked="" type="checkbox"/> BLK (Black) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> RED (Red/Aubn.) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> WHI (White) <input type="checkbox"/> BLN (Blonde / Strawberry)	<input type="checkbox"/> BLU (Blue) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> XXX (Unk./Bald) <input type="checkbox"/> PNK (Pink)			
Eye Color <input type="checkbox"/> BLK (Black) <input type="checkbox"/> HAZ (Hazel)	<input type="checkbox"/> BLU (Blue) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)			
DNA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA Location			WEIGHT (lbs.)
FBI Number 846290JD4	MNU Number			140
Defendant Fingerprinted <input type="checkbox"/> YES <input type="checkbox"/> NO	Fingerprint Classification:			FT. HEIGHT In. 5 8

DEFENDANT VEHICLE INFORMATION

Plate # KVV2766	State PA	Haz mat <input type="checkbox"/>	Registration Sticker (MM/YY) 04/19	Comm'l Veh. Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. same as Def. <input type="checkbox"/>
VIN WBANA73564B063601	Year 2004	Make Bmw	Model 530	Style Sedan	Color BLACK		

Office of the attorney for the Commonwealth Approved Disapproved because: _____

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507).

DAG WILLIAM ABRAHAM
 (Name of the attorney for the Commonwealth)

(Signature of the attorney for the Commonwealth)

12/27/2018
 (Date)

I, AGT. A. PANZARELLA / PTLM. M. PHILLIPS 607 / 655463 & 683 / 34152
 (Name of the Affiant) (PSP/MPOETC -Assigned Affiant ID Number & Badge #)

of Pennsylvania Office of Attorney General PA0222400
 (Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number)

do hereby state: (check appropriate box)

1. I accuse the above named defendant who lives at the address set forth above
 I accuse the defendant whose name is unknown to me but who is described as _____

I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe with violating the penal laws of the Commonwealth of Pennsylvania at [302] SCRANTON
 (Subdivision Code) (Place-Political Subdivision)

in LACKAWANNA County [35] on or about JUNE 6, 2018
 (County Code)



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complaint/Incident Number BN2014818X
Defendant Name:	First: OSVALDO	Middle:	Last: GONZALEZ

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 – 213.7.)

<input checked="" type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input checked="" type="checkbox"/>	1	780-113	(A)(30)	of the	TITLE 35	1	UF		
Lead?	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance): **DELIVERY OF A CONTROLLED SUBSTANCE (HEROIN)**

Acts of the accused associated with this Offense: That the defendant, a person not being authorized by law to manufacture, deliver, or possess with intent to manufacture or deliver the controlled substance set forth herein, on or about June 6, 2018, in Lackawanna County, Pennsylvania did feloniously, or deliver heroin, a Schedule I controlled substance, in violation of Section 13(a)(30) of the Controlled Substance, Drug, Device and Cosmetic Act, an Act of April 14, 1972, P.L. 233, No. 64, as amended, 35 P.S. Section 780-113(a)(30). To Wit: the above named defendant on or about June 6, 2018 in Lackawanna County, did deliver a quantity of heroin, a Schedule I controlled substance.

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/>	2	780-113	(A)(30)	of the	TITLE 35	1	UF		
Lead?	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance): **POSSESSION WITH INTENT TO DELIVER A CONTROLLED SUBSTANCE (HEROIN)**

Acts of the accused associated with this Offense: That the defendant, a person not being authorized by law to manufacture, deliver, or possess with intent to manufacture or deliver the controlled substance set forth herein, on or about June 6, 2018, in Lackawanna County, Pennsylvania did feloniously, possess with the intent to deliver heroin, a Schedule I controlled substance, in violation of Section 13(a)(30) of the Controlled Substance, Drug, Device and Cosmetic Act, an Act of April 14, 1972, P.L. 233, No. 64, as amended, 35 P.S. Section 780-113(a)(30). To Wit: the above named defendant on or about June 6, 2018 in Lackawanna County, did possess with intent to deliver a quantity of heroin, a Schedule I controlled substance.

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/>	3	780-113	(A)(30)	of the	TITLE 35	1	UF		
Lead?	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance): **DELIVERY OF A CONTROLLED SUBSTANCE (CRYSTAL METHAMPHETAMINE)**

Acts of the accused associated with this Offense: That the defendant, a person not being authorized by law to manufacture, deliver, or possess with intent to manufacture or deliver the controlled substance set forth herein, on or about June 6, 2018, in Lackawanna County, Pennsylvania did feloniously, or deliver crystal methamphetamine, a Schedule I controlled substance, in violation of Section 13(a)(30) of the Controlled Substance, Drug, Device and Cosmetic Act, an Act of April 14, 1972, P.L. 233, No. 64, as amended, 35 P.S. Section 780-113(a)(30). To Wit: the above named defendant on or June 6, 2018 in Lackawanna County, did deliver a quantity of crystal methamphetamine, a Schedule I controlled substance.



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complaint/Incident Number BN2014818X
Defendant Name:	First: OSVALDO	Middle:	Last: GONZALEZ

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/>	4	780-113	(A)(30)	of the	TITLE 35	1	UF		
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<input type="checkbox"/>	5	5111	(A)(1)	of the	TITLE 18	1	F1		
<input type="checkbox"/>	6	7512	A	of the	TITLE 18	1	F3		

Statute Description (include the name of statute or ordinance): **POSSESSION WITH INTENT TO DELIVER A CONTROLLED SUBSTANCE (CRYSTAL METHAMPHETAMINE)**

Acts of the accused associated with this Offense: That the defendant, a person not being authorized by law to manufacture, deliver, or possess with intent to manufacture or deliver the controlled substance set forth herein, on or about June 6, 2018, in Lackawanna County, Pennsylvania did feloniously, possess with the intent to deliver crystal methamphetamine, a Schedule I controlled substance, in violation of Section 13(a)(30) of the Controlled Substance, Drug, Device and Cosmetic Act, an Act of April 14, 1972, P.L. 233, No. 64, as amended, 35 P.S. Section 780-113(a)(30). To Wit: the above named defendant on or about June 6, 2018 in Lackawanna County, did possess with intent to deliver a quantity of crystal methamphetamine, a Schedule I controlled substance.

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/>	5	5111	(A)(1)	of the	TITLE 18	1	F1		
<input type="checkbox"/>	6	7512	A	of the	TITLE 18	1	F3		

Statute Description (include the name of statute or ordinance): **DEALING IN PROCEEDS OF UNLAWFUL ACTIVITIES**

Acts of the accused associated with this Offense: On or about June 6, 2018 in Luzerne County, Pennsylvania, the defendant, with knowledge the property involved represents the proceeds of unlawful activity, conducted a financial transaction with the intent to promote the carrying on of the illegal activity, to wit, the defendant engaged in a financial transaction with a CI for a quantity of heroin and crystal methamphetamine, and the defendant acted with the intent to promote the carrying on of the unlawful activity.

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/>	6	7512	A	of the	TITLE 18	1	F3		
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Statute Description (include the name of statute or ordinance): **CRIMINAL USE OF COMMUNICATIONS FACILITY**

Acts of the accused associated with this Offense: That the defendant, used a communication facility to commit, cause or facilitate the commission or the attempt thereof of any crime which constitutes a felony pursuant to Title 18 Pa. C.S.A. 101 et seq. or pursuant to Title 35 P.S. §780-101 et. seq.. To Wit: the defendant used a telephone to feloniously arrange the delivery of heroin, a Schedule I controlled substances, and crystal methamphetamine, a Schedule I controlled substance, in violation of the Controlled Substance, Drug, Device and Cosmetic Act, on or about June 6, 2018, in Lackawanna County, Pennsylvania and elsewhere in violation of 18 Pa. C.S.A. §7512.



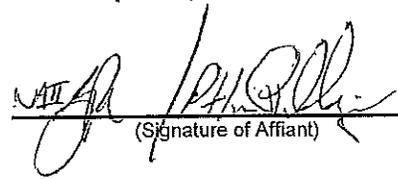
POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complaint/Incident Number BN2014818X
Defendant Name:	First: OSVALDO	Middle:	Last: GONZALEZ

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
- This complaint consists of the preceding page(s) numbered 1 through 3.
- I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.
(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

 (Date) (Year)



 (Signature of Affiant)

AND NOW, on this date 12-28-18 I certify that the complaint has been properly completed and verified.

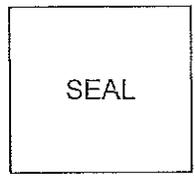
An affidavit of probable cause must be completed before a warrant can be issued.

45-1-06

 (Magisterial District Court Number)



 (Issuing Authority)





POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complaint/Incident Number BN2014818X
Defendant Name	First: OSVALDO	Middle:	Last: GONZALEZ

AFFIDAVIT of PROBABLE CAUSE

During the month of May 2018, co-affiant Phillips and Agent Tammaro met with a known and identified Confidential Informant (hereinafter referred to as CI) at Scranton Police Department Headquarters located at 100 South Washington Avenue, Scranton, Pennsylvania 18503. During this meeting, the CI informed Agent Tammaro and co-affiant Phillips of an unidentified Hispanic male known to the CI as "POPPI" (subsequently identified as Osvaldo Gonzalez on June 22, 2018, hereinafter Gonzalez). The CI stated Gonzalez has a "heroin and methamphetamines bagging operation" in the City of Scranton. The CI stated that he/she is unsure of what specific area Gonzalez distributes the heroin and methamphetamines in and is unaware of Gonzalez's customer base or supplier(s). The CI stated Gonzalez operates a black colored BMW and distributes large quantities of heroin and methamphetamines in the Scranton area.

On June 6, 2018, co-affiant Phillips and Agent Tammaro met the CI for the purpose of arranging a controlled purchase of heroin and crystal methamphetamine from Gonzalez. The person of the CI was searched for drugs, money and/or contraband with negative results. Co-affiant Phillips and Agent Tammaro instructed the CI to make a telephone call to Gonzalez on cellular telephone number (570) 335-3831, which was on speaker and audible, to set up a meet location and time for Gonzalez to distribute quantities of heroin and methamphetamines to the CI.

Surveillance was established in the area of the meeting location prior to the CI's meeting with Gonzalez. The CI was provided a sum of pre-recorded U.S. currency to purchase a quantity of heroin and methamphetamines from Gonzalez. Co-affiant Phillips and Agent Tammaro drove the CI to the meeting location. Investigators and The Pennsylvania Office of Attorney General Surveillance Air Support observed a black colored Infinity bearing Pennsylvania license plate KHN0915 arrive at the meet location. A Penn DOT records check revealed KHN0915 is registered to Luis A. Aquino Encarnacion with an address of 1160 Luzerne Street Scranton. The CI was observed entering the front passenger side of the black Infinity. While under constant surveillance, the black Infinity drove a short distance, and a few minutes later the CI exited the front passenger side of the black Infinity and the black Infinity departed the area.

Investigators conducting surveillance coupled with OAG aerial surveillance followed the CI from the area to a pre-arranged debriefing location in the City of Scranton. Upon arrival at the debriefing location, the CI relinquished possession of a quantity of suspected heroin and crystal methamphetamine to SNA Haigler. The quantity of drugs was consistent with the amount of money provided to the CI for the purchase. The person of the CI was searched for drugs, money and/or contraband with negative results. During a debriefing of the CI, the CI stated Gonzalez was operating the black Infinity, handed him/her heroin and methamphetamines and in turn he/she handed Gonzalez the sum of pre-recorded currency. The CI stated Gonzalez informed the CI if he/she wanted to purchase a larger quantity of heroin, he/she should contact Gonzalez, via telephone number (570) 335-3831, and Gonzalez would be able to supply the heroin to the CI.

SNA Haigler and Agent Tammaro transported the quantity of suspected heroin and crystal methamphetamine back to the Region VIII office. SNA Haigler conducted a field test on the suspected crystal methamphetamine which yielded a positive indication for the presence of methamphetamine. Due to the risk of the presence of fentanyl and in accordance with OAG policy, the suspected heroin was not field tested. The suspected heroin and methamphetamine was entered into Region VIII evidence and was submitted to the Pennsylvania State Police Laboratory, Wyoming PA for further testing and identification. Results are pending.

Following the controlled purchase, surveillance was continued on Gonzalez. Investigators, to include affiant Panzarella, conducting surveillance observed and photographed Gonzalez operating the Infinity and subsequently make contact with a female and child. The female was operating a Honda SUV bearing a Pennsylvania registration which revealed the vehicle was registered to Lucy Colon with an address in Wilkes Barre.



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On June 22, 2018, your affiants and investigators utilized a law enforcement database, JNET information, information obtained from Lackawanna County Probation and surveillance photographs to positively identify Osvaldo Gonzalez as the U/H/M a/k/a "Poppy".

Wherefore, your affiants, based on the facts, statements and circumstances, contained herein, respectfully request the above named defendant be charged with the aforementioned violations of the Controlled Substance, Drug, Device and Cosmetics Act and the Pennsylvania Crimes Code.

I, AGT. A. PANZARELLA / PTLM. M. PHILLIPS, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAT NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

NATE [Signature]
 (Signature of Affiant)

Sworn to me and subscribed before me this _____ day of _____
 12-28-18 Date *[Signature]* _____, Magisterial District Judge

My commission expires first Monday of January, 2024

