

AFFIDAVIT OF LISA RUDNICKI

I, Special Agent Lisa Rudnicki, depose and state as follows:

INTRODUCTION

1. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) since February, 1996. I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. §2510(7). I am currently assigned to the Boston Group II Field Office. As an ATF Special Agent, my duties include the investigation of violations of the federal firearms statute and I have participated in many investigations relating to the unlawful possession of firearms and ammunition.

2. This affidavit is being submitted in support of a criminal complaint for defendant TEVIN ABERCROMBIE for being a felon in possession of a firearm and ammunition in violation of 18 U.S.C. §922(g)(1).

3. The facts in this affidavit come from my review of records and/or reports, my training and experience, and information obtained from other agents, officers and witnesses. This affidavit is only intended to establish that there is probable cause for the requested complaint and does not set forth all of the facts in regard to this ongoing investigation.

PROBABLE CAUSE

I. BACKGROUND REGARDING ABERCROMBIE

4. Based upon a review of public records, I am aware that ABERCROMBIE has knowledge that he has been convicted in United States District Court for the District of Massachusetts of multiple charges for which the possible sentence would (and did) exceed one year. Namely, in or about 2016, ABERCROMBIE received a sentence of 60 months, followed

by four years of supervised release, for charges including being a felon in possession of a firearm and ammunition and conspiracy to distribute cocaine base, cocaine, and heroin.

II. APRIL 16, 2020, ROXBURY INCIDENT

5. On or about April 16, 2020, officers from the Boston Police Department (“BPD”) responded to a shot spotter activation in the area of 623 Station Street in Roxbury, MA. Upon arrival, officers spoke with a witness who observed a dark colored Ford Fusion pull up to Station Street, whose occupant began shooting at two unknown black males that were walking up Halleck Street. Officers also located ballistic evidence in the area of Station Street.

6. Officers thereafter canvassed the area and observed a black Ford Fusion pull out of the Fuentes Market parking lot located on Gurney Street, approximately two blocks from where the ballistic evidence was originally located. BPD officers stopped the Ford Fusion. The operator, Dominic Douglas, stated to an officer, “Why are you stopping me? You can search the car I’m just coming from the store,” or words to that effect. Officers asked Douglas and the front passenger, later identified as ABERCROMBIE, to exit the vehicle and pat-frisked them.

7. Once ABERCROMBIE exited the vehicle, an officer located a black firearm under the seat ABERCROMBIE had been sitting in. The firearm handle faced outwards, consistent with ABERCROMBIE having placed it there, under the passenger seat. The recovered firearm, a black Taurus 9mm pistol with an obliterated serial number, was loaded with one round in the chamber and an additional seven rounds of 9mm ammunition in the magazine. Officers arrested ABERCROMBIE.

III. INTERSTATE NEXUS OF FIREARMS AND AMMUNITON

8. Based upon a review by the ATF, both the firearm and ammunition have traveled

in interstate or foreign commerce prior to April 16, 2020.

9. I am aware that Taurus does not manufacture firearms in the state of Massachusetts. Therefore, the black Taurus 9mm pistol with an obliterated serial number necessarily crossed state lines prior to being recovered in Roxbury, MA. Based upon my observations, I believe that the black Taurus 9mm pistol with an obliterated serial number meets the federal definition of firearm.

10. I am also aware that no commercial ammunition is manufactured in the state of Massachusetts. Therefore, I believe that the eight rounds of 9mm ammunition recovered on April 16, 2020, which also meet the federal definition of ammunition, necessarily crossed state lines prior to being recovered in Roxbury, MA.

CONCLUSION

11. Based on the above statement, I believe probable cause exists that on or about April 16, 2020, in Boston, in the District of Massachusetts, TEVIN ABERCOMBIE, knowing that he was previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, a firearms and ammunition, that is: a black Taurus 9mm pistol with an obliterated serial number and eight rounds of ammunition. I respectfully request that the Court issue a criminal complaint charging TEVIN ABERCROMBIE with being a felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g)(1).

Signed electronically and sworn to via telephone in accordance with Federal Rule of Criminal Procedure 4.1 on July 23, 2020.

/s/ Lisa Rudnicki *Dec*

Lisa Rudnicki
Special Agent
Bureau of Alcohol, Tobacco, Firearms & Explosives

Electronically subscribed and telephonically sworn to before me on July 23, 2020.



HONORABLE DONALD L. CABELL
UNITED STATES MAGISTRATE JUDGE

