

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

FILED

4:10 pm May 21 2021
Clerk U.S. District Court
Northern District of Ohio
Cleveland

United States of America
v.

Jaelen Davon Lattimore

Case No. 1:21-mj-3179-TMP

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 9/11/2020-5/19/21 in the county of Cuyahoga in the Northern District of Ohio - Eastern Division, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. 1029(a)(2), 1029(a)(3), 1029(a)(4), 1028(A)(1) and Access Device Fraud; Aggravated Identity Theft.

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

Handwritten signature of Paul Cruz

Complainant's signature

Paul Cruz, Special Agent, FBI

Printed name and title

Sworn to via telephone after submission by reliable electronic means. Fed. R. Crim. P. 3, 4(d), and 4.1.

Date: May 21, 2021

City and state: Cleveland, Ohio



Handwritten signature of Thomas M. Parker
Thomas M. Parker, United States Magistrate Judge

AFFIDAVIT

I, Paul Cruz, Special Agent of the Federal Bureau of Investigation, United States Department of Justice, being duly sworn on oath, hereby deposes and states as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7) and Federal Rule of Criminal Procedure 41(a)(2)(C), as a Special Agent (SA) of the Federal Bureau of Investigation (FBI). Affiant is empowered to investigate, serve warrants, and make arrests for federal offenses. *See* 18 U.S.C. § 3052.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI), Cleveland Division. I have been so employed since 2010 and as such have been assigned to investigate organized criminal enterprises engaged in a variety of racketeering offenses to include drug trafficking, money laundering, document fraud, theft, drug violations, and other criminal offenses which have occurred in, and outside, the Northern District of Ohio. I have training and experience in interviewing and interrogation techniques, arrests, search and seizure, search warrant applications, and various other procedures. In the course of conducting investigations, I have been involved in the use of the following investigative techniques: interviewing informants and cooperating witnesses, conducting physical surveillance, consensual monitoring and recording of both telephonic and non-telephonic communications, and executing search warrants. Prior to joining the FBI, I was employed for seven years as a United States Marine Corps officer. In that capacity I was assigned to work investigations involving fraudulent enlistments, fraud against the government, adultery, vehicle accidents, Congressional inquiries, litigation claims, and other crimes under the Uniform Code of Military Justice.

3. The statements contained in this affidavit are based on my personal observations as well as information developed by other SAs of the FBI and officers and detectives of local police departments in Ohio, who aided in the investigation. Unless otherwise noted, whenever in this affidavit I assert that a statement was made, the information was provided by another law enforcement officer or an investigator (who may have had either direct or hearsay knowledge of the statement) to whom I have spoken or whose report I have read and reviewed. Likewise, any information pertaining to vehicles and registrations, personal data on subjects, and record checks, has been obtained through the Law Enforcement Automated Data System (LEADS), various state driver's license motor vehicle records, online database searches or the National Crime Information Center (NCIC) computers, and various open source databases such as LexisNexis.

4. Since this affidavit is being submitted for the limited purpose of supporting the application for a search warrant in this matter, I have not included each and every fact known to affiant concerning this investigation. I have set forth only the facts that are necessary to establish the probable cause for the issuance of the search warrant sought.

5. Based on my training and experience and the facts as set forth in this Affidavit, there is probable cause to believe that violations of 18 U.S.C. §§ 1029(a)(2), (a)(3) and (a)(4) (Access Device Fraud), and 18 U.S.C. §§ 1028(A)(1)(Identity Fraud) have been committed, are being committed, and will continue to be committed by HASAN HOWARD and other identified and unidentified co-conspirators.

PROBABLE CAUSE

1. On or about December 18, 2020, Lower Marion Township Police Department, located in Lower Marion, Pennsylvania, opened an investigation into ROBERT NATHANIEL

THOMAS and RASHON COOKE for fraudulent transactions at jewelry stores using stolen information on fraudulent credit cards or phone orders. The suspects placed orders over the phone using the stolen information, then proceeded to pick the ordered up at the stores. If the transactions are approved, the suspects leave with expensive jewelry items and the store is not notified that the transaction is fraudulent until days later.

2. On or about December 22, 2020, Westlake Police Department opened an investigation into HASAN HOWARD, TYVIONE GUTHERY, COURTNEY PARRISH, JAELEN LATTIMORE, and later added RASHON COOKE and ROBERT NATHANIEL THOMAS for the same Modus Operandi, and the fact that they share stolen identity information to make fraudulent purchases. On or about December 22, 2020, three suspects, later identified as HOWARD, GUTHERY, and LATTIMORE from surveillance footage, entered Kleinhenz Jewelers, 25979 Detroit Road, Westlake, Ohio, and purchased a Rolex watch, valued at \$19,062, using a fraudulent credit card ending in 8593, three times, for \$4000, \$5000, and \$5000, plus \$5,062 in cash. One of the driver's licenses provided to the store employee was JAELEN LATTIMORE. A black Lexus that the suspects arrived in was registered to GUTHERY AND SONS LANDSCAPING; a business registered toⁱ TYVIONE GUTHERY.

3. On or about December 26, 2020, a fraudulent transaction was reported at Key Jewelers, 4314 Milan Road, Sandusky, Ohio. A fraudulent credit card ending in 0067 was used to purchase \$13,450 in jewelry under the name ADRIAN BERRY (an alias of HOWARD learned later in the investigation). The jewelry included two diamond bracelets and a pair of diamond earrings. There was no surveillance available.

4. On or about December 26, 2020, a fraudulent transaction was reported at A-1 Jewelers, 691 Richmond Road, Richmond Heights, Ohio, using a fraudulent credit card ending in 0067 to purchase \$5,318, in jewelry. No video surveillance was available. It was later discovered during a search warrant for Instagram accounts belonging to HOWARD and THOMAS that HOWARD shared a jewelry posting from A-1 Jewelers on February 2, 2021, that HOWARD had jewelry sale, what your affiant believes is the same jewelry that was originally fraudulently purchased at A-1 Jewelers. Additionally, on December 26, 2020, HOWARD posted a picture on his Instagram account of HOWARD with large amounts of cash.

5. On or about December 28, 2020, a fraudulent transaction was reported at Big Sandy Superstore, Reynoldsburg, Ohio, using a fraudulent credit card ending in 3922 to purchase an 8K television for \$5,159. No video surveillance was available at the pickup location of the television. The name used on the invoice was ADRIAN BERRY. It was later discovered during the search warrant for Instagram account belonging to HOWARD, that HOWARD posted pictures of the fraudulently purchased television on or about December 28, 2020 with quote "8K tv for ps5 ya know". This same television was discovered at HOWARD's residence during the execution of a search warrant on May 20, 2021.

6. On or about December 29, 2020, a fraudulent and attempted fraudulent transaction were reported at Helzberg Jewelers, 4466 Everhard Road Northwest, Canton, Ohio, using fraudulent credit cards ending in 5726 and 0710 for a total loss of \$26,463. The purchase included four diamond and gold bracelets. The name used to make the purchases was ADRIAN BERRY. Several other attempts, of approximately \$37,171, were made to purchase more jewelry over the phone using credit card ending in 5726 but were declined. The purchase was made over

the phone and was delivered at the stores curb-side pickup that does not have video surveillance. Your affiant believes this purchase was made by HOWARD given his use of ADRIAN BERRY as an alias.

7. On or about January 9, 2021, a fraudulent transaction was reported at Zales Jewelry, 4314 Milan Road, Sandusky, Ohio, using fraudulent credit card ending in 4431 for a total loss of \$11,091. No surveillance video was available. It was later discovered that THOMAS google searched ‘Jewelry Sandusky’ on January 9, 2021. No video surveillance was available. It is believed that THOMAS and HOWARD conspired to complete the purchase. It is also believed that THOMAS is providing the information to HOWARD to make the fraudulent transactions based on the fact that THOMAS was located in Pennsylvania at the time and HOWARD in Ohio. It was later discovered during the execution of a search warrant on the Instagram accounts of HOWARD and THOMAS that stolen identities and credit card information was shared through Instagram messages. It was also discovered that THOMAS has an account with ‘‘Joker’s Stash’’; website that sells credit cards that came be embossed with fraudulent names and loaded with stolen credit card information using a swiping machine and laptop.

8. On or about December 29, 2020, a fraudulent transaction was reported at Staifan and Rudolf Jewelers, 701 Samson Street, Philadelphia, Pennsylvania, using fraudulent credit card ending in 2602, belonging to victim D.M. (real name known to affiant). The purchase was made using the name RASHON COOKE for diamond earring and a bracelet for a total loss of \$7,754. During the course of the investigation as explained further below in paragraph 9, Cooke was working for THOMAS.

9. On or about December 31, 2020, a fraudulent transaction was reported at PJ Gianni Jewelers, 50 East Wynnwood Road, Marion Township, Pennsylvania, using fraudulent credit card ending in 0803 belonging to victim E.W. (real name known to affiant). The purchase was for a diamond bracelet worth \$4,558. The order was placed over the phone using XXX-XXX-9021. Video surveillance shows RASHON COOKE picking up the fraudulent purchase. On January 30, 2021, COOKE provided a voluntary statement to Investigator James Black, Marion Township Police Department, stating that COOKE made the fraudulent purchase on behalf of THOMAS. COOKE explained that THOMAS set up the fraudulent purchases and COOKE would retrieve the jewelry and get a percentage of the profits when THOMAS would sell the items. COOKE stated that he picked up a Rolex watch for THOMAS at King of Jewelers on January 11, 2021. COOKE stated that he also picked up fraudulently purchased jewelry for THOMAS at Kay Jewelers in Willow Grove and North Wales, Pennsylvania, on December 23, 2021. It was later discovered that a fraudulent purchase was made on or about December 23, 2021, at Kay Jewelers in Willow Grove and North Wales, using fraudulent credit card ending in 5152, belonging to victim S.G.(real name known to affiant), for \$5,152 and \$2,915 respectively.

10. On or about January 6, 2021, a fraudulent transaction was reported at Sheiban Jewelers, 16938 Pearl Road, Strongsville, Ohio, belonging to victim J.M (real name known to affiant) for a total loss of \$14,500. The fraudulent transaction took place on or about December 19, 2020, in which the store received a call from GUTHERY who stated that he would come to the store on the same date to make a purchase of a Rolex Yacht-Master watch. When GUTHERY arrived, he presented his driver's license to the employee and provided a credit card for a layaway amount of \$7,000. GUTHERY then left the store but returned later with

HOWARD; video surveillance shows both GUTHERY and HOWARD entering the store. When GUTHERY and HOWARD returned to the store, they paid the full amount and received the Rolex watch. Surveillance video also captured a Lexus G350 driven by GUTHERY, which was registered to PARRISH. On January 1, 2021, Strongsville Police Department Patrolman John Murphy spoke to GUTHERY on a phone call; the call was recorded. During the conversation, GUTHERY admitted that he was the one who drove to HOWARD in PARRISH's car to the jewelry store. GUTHERY identified the other male as his cousin HASAN (HOWARD).

GUTHERY stated that HOWARD provided GUTHERY with the credit cards and billing address of the victim to GUTHERY. GUTHERY stated that HOWARD also provided PARRISH with stolen credit card information that PARRISH used at a BMW dealership to repair her vehicle in Willoughby Hills, Ohio.

11. On or about January 11, 2021, a fraudulent transaction was reported at King of Jewelers, 737 Sanson Street, Philadelphia, Pennsylvania, using fraudulent credit card ending in 4279. The purchase included a Rolex watch with a total loss of \$10,584 in which COOKE used his name to make the purchase and picked up in person. It was later discovered during the execution of a search warrant of a cellphone belonging to THOMAS that a picture of the Rolex watch was taken on January 11, 2021, after COOKE completed the purchase.

12. On or about January 26, 2021, a fraudulent transaction was reported at PJ Gianni Jewelers, 50 east Wynnwood Road, Marion Township, Pennsylvania, using fraudulent credit card ending in 7629. The caller placing the order stated that his name was "Rob Andre" and ordered diamond bracelet and earring for a total of \$8,700. Investigator James Black arrived at PJ Gianni Jewelers was present at the store when THOMAS approached the counter and stated

he was “Rob Andre” and provide the fraudulent credit care ending in 4661. THOMAS then provided his real driver’s license to Investigator Black.

13. On or about February 4, 2021, a fraudulent transaction was reported at Jared Jewelers, 3900 Median Road, Akron, Ohio, using fraudulent credit card ending in 4787, for a total loss of \$14,517. The purchase was order via phone from XXX-XXX-0375 under the name ADRIAN DERRY (believed to be a typo by the sales associate and should be ADRIAN BERRY) and picked up curbside at Jared. The purchase included a Rolex watch and a diamond bracelet. No video surveillance was available. It was later discovered through a search warrant executed on HOWARD and THOMAS’s Instagram accounts that HOWARD uses phone number XXX-XXX-0375 (same number) and provides that number to several people to call him. Additionally, HOWARD took a picture of the receipt from the fraudulent purchase a sent it to THOMAS.

14. On or about February 11, 2021, at fraudulent transaction was reported at Peter and Company Jewelers, 32020 Walker Road, Avon Lake, Ohio, using fraudulent credit card ending in 0126, belonging to victims M.M. (real name known to affiant) for a total loss \$20,000 in jewelry. The purchase included two diamond necklaces. Video surveillance shows HOWARD making the fraudulent purchase. While HOWARD was in the store, he was on a cellular phone the entire time speaking to another individual. HOWARD provided a fraudulent credit card, a temporary driver’s license of ADRIAN BERRY, and phone number of XXX-XXX-0375, to the sales associate for the purchase. Surveillance footage from the store identified the vehicle that drove HOWARD as a white BMW registered to GUTHERY CLEANING SERVICE; company belonging to GUTHERY. It was later discovered through a search warrant executed on

HOWARD and THOMAS's account that HOWARD sent THOMAS a picture of the receipt of the fraudulent purchase from Peter & Company on February 11, 2021.

15. On or about February 12, 2020, three suspects, including HOWARD and GUTHERY, entered Kolick Jewelers, 29560 Center Ridge Road, Westlake, Ohio. One of the suspects provided a fraudulent credit card and temporary driver's license with the name ADRIAN BERRY to the sale associate and attempted to purchase approximately \$20,000 in jewelry but was declined by the store owner. Surveillance footage identified a Nissan Rouge that is registered to GUTHERY LANDSCAPING; company belonging to GUTHERY.

16. On or about February 19, 2021, a fraudulent purchase was attempted at Kamara Jewelry, 3649 Canfield Road, Austintown, Ohio, using a fraudulent credit card ending in 3430. Prior to entering the store, the suspect called from XXX-XXX-0375. When the suspect arrived, he provided a temporary driver's license of ADRIAN BERRY. The sale associate declined the purchase. No surveillance video was available. It was later discovered through the execution of a search warrant on HOWARD's Instagram that HOWARD provides phone number XXX-XXX-0375 (same number) as his contact number.

17. On or about February 21, 2021, PARRISH made a written statement at the Willoughby Hills Police Department in response to charges she received for using a fraudulent credit card to pay for repairs to a white BMW on September 11, 2020, for \$4,177. PARRISH stated that while PARRISH was at the dealership, she called HOWARD who provided her with stolen credit card information to make the payment. PARRISH stated that she received the info from HOWARD but did not know the information was stolen.

18. On or about March 17, 2021, two suspects entered Rivchun Jewelers, 850 Euclid Avenue, Cleveland, Ohio, to pick up a pair of diamond studded earrings, with a total loss of \$8,100. The purchase was made the purchase online using three different credit cards using “virtual pay”. On March 18 ,2021, the store was notified that the credit cards were fraudulent using the victim J.S.’s (real name known to affiant) information. A cooperating witness stated that a white BMW, believed to be, white BMW with Ohio license plate JIA8328, brought the suspects to the theft. Video surveillance shows THOMAS as one of the suspects.

19. On or about March 26, 2021, a fraudulent transaction was reported at IMG Jewelers, 5470 Mayfield Road, Lyndhurst, Ohio, using fraudulent credit card ending in 1644, belonging to victim G.S. (real name known to affiant), for three gold chains and a diamond ring with a total loss of \$19,500. Video surveillance shows HOWARD, PARRISH, and an unknown male making the purchases.

20. On April 16, 2021, affiant spoke with management at Alson Jewelers, 28149 Chagrin Boulevard, Woodmire, Ohio. Management stated that on April 12, 2021, two suspects, one of which is HOWARD from video surveillance, entered the jewelry store and attempted to purchase \$10,000 worth of jewelry. HOWARD stated to the sales associate that he was new in town and did not have an identification but had a credit card that he could use to make the purchase. HOWARD provided the phone number XXX-XXX-9686 as his phone number and stated his name was ALEX JOHNSON. HOWARD, and the other suspect, were on their cellphones for the majority of the attempted theft using fraudulent credit cards. The sale was declined due to lack on identification. Surveillance footage from the store shows the white BMW with Ohio license plate JIA8328 driving the suspects to the attempted theft. It was later

discovered through the execution of a search warrant on HOWARD's Instagram account that HOWARD provides the phone number XXX-XXX-9686 (same number) for others to call HOWARD on.

21. On April 20, 2021, a fraudulent purchase was attempted at Rivchun Jewelers, 850 Euclid Avenue, Cleveland, Ohio, for diamond earring worth \$15,000. The employee at Rivchun photocopied the North Carolina identification of ALEXANDER JOHNSON. The picture on the North Carolina identification is clearly HOWARD. The transaction was declined. Video surveillance is unavailable at this time. Prior to entering the store, HOWARD used phone numbers XXX-XXX-9656 and XXX-XXX-2898 to call the store. It was discovered later through a search warrant executed on HOWARD's Instagram that he provides both XXX-XXX-9656 and XXX-XXX-2898 to multiple people as his contact number.

22. On or about May 7, 2021, a fraudulent transaction was reported at Jared Jewelers, 16760 Royalton Road, Strongsville, Ohio, for a Rolex watch, using fraudulent credit card ending in 2000, for a loss of \$11,161. The order was placed over the phone using number XXX-XXX-9656 using the name ALEXANDER JOHNSON believed to be HOWARD (later to be learned during the course of the investigation an alias used by HOWARD). Shortly after the phone order was approved, another phone order from XXX-XXX-9656 was placed for \$9,828 but was declined.

23. On or about May 9, 2021, a fraudulent transaction was reported at Jared Jewelers, 16760 Royalton Road, Strongsville, Ohio, for a Rolex watch, using fraudulent credit card ending in 0052, for a loss of \$9,828 (same purchase that was denied on May 7, 2021). The order was placed over the phone using XXX-XXX-9656 using the name ALEXANDER JOHNSON

believed to be HOWARD. An additional order was also completed on May 9, 2021, at the same Jared for \$11,161 for a third Rolex watch, using fraudulent credit card ending in 4633.

24. On or about May 10, 2021, a fraudulent transaction was reported at Jared Jewelers, 16760 Royalton Road, Strongsville, Ohio, for a diamond earring, using fraudulent credit card ending in 5437, for a loss of \$8,261. The order was placed over the phone using XXX-XXX-9656 under the name ALEXANDER JOHNSON believed to be HOWARD. Later that same day, another purchase was attempted using the same credit card for \$9,179 but was declined.

25. On May 11, 2021, a fraudulent transaction was reported at Jared Jewelers, 16760 Royalton Road, Strongsville, Ohio, for two diamond bracelets, using fraudulent credit card ending in 0192, for a total loss of \$18,359. The order was placed over the phone using XXX-XXX-9656 under the name ALEXANDER JOHNSON believed to be HOWARD. On the same date, 17 minutes later, an attempted purchase using XXX-XXX-9656, under ALEXANDER JOHNSON was placed using the same credit card but was declined for the attempted \$17,279.99.

26. A review of the surveillance video from the Jared in Strongsville shows HOWARD as the person at the counter making the purchases on or about May 9, 2021.

27. Affiant has reviewed HOWARD's social media accounts, including HOWARDS's Instagram profile online "bigghasan". The Instagram account is not restricted and can be viewed by the public. The Instagram account has multiple pictures and video of expensive jewelry that HOWARD has in his possession. It is believed that the jewelry is fraudulently obtained through this scheme.

28. On or about April 16, 2021, Detective Fox, Westlake Police Department, received a response from Instagram for a search warrant issued in the Cuyahoga County Court of Common Pleas for contents pertaining to HOWARDS's Instagram Account "bigghasan". After reviewing the contents of the search warrant return, multiple pictures of the jewelry associated with the thefts in Avon Lake, Westlake, and other suspected jewelry thefts yet identified. HOWARD also poses with large sums of cash, firearms, expensive clothing, and multiple diamond bracelets, chains, and Rolex watches in his pictures and videos.

29. Additionally, HOWARD provides a number of people with the phone numbers to contact HOWARD during instant messaging chats. HOWARD provides phone number 404-424-2898 approximately 7 times from February 5, 2021 till March 31, 2021 to various unknown people. HOWARD provides phone number XXX-XXX-9656 approximately 20 times from February 21, 2021, till March 22, 2021, to various unknown people. HOWARD provides phone number XXX-XXX-0375 approximately 31 times from December 24, 2021 till March 7, 2021, to various unknown people. It is believed that HOWARD uses the phones to facilitate the Target Offenses.

30. On May 18, 2021, affiant spoke with management at Creswell Apartments, 1220 Huron Road East, Cleveland, Ohio. Management at the apartment complex identified HOWARD as the tenant in apartment #607 (HASAN's residence), under the name ALEXANDER JOHNSON. Management stated that HOWARD offered to pay cash for the lease and has been seen in the white BMW JIA8328 during his stay. Management was shown various picture from HOWARD's Instagram page in which HOWARD is posing with multiple diamond earring, bracelets, Rolex watches, and other expensive jewelry at HASAN's residence. HOWARD as

recent as May 18, 2021, has posed with a diamond “grill” and recent as May 19, 2020, in HASAN’s residence with multiple diamond bracelets and earrings. Management confirmed that the pictures were taken at HASAN’s residence.

31. On or about May 19, 2021, HASAN and LATTIMORE were arrested after conducting thefts at Kay and Zales Jewelers in Aurora, Ohio, for purchases exceeding \$20,000. At the time of their arrest, HOWARD and LATTIMORE had a credit card embossing machine, three Rolex watches, and a .38 caliber pistol.

32. On or about May 20, 2021, a search warrant was issued and executed for HOWARD’s residence in the Northern District of Ohio. During the execution of the search warrant the following items of note were recovered;

- a. Diamond necklaces and rings
- b. \$42,000 in bulk cash
- c. Ruger pistol
- d. Multiple caliber rounds
- e. Receipts for jewelry under names other than HOWARD
- f. Clothing items matching what was worn in thefts
- g. Unemployment fraud documents
- h. Ledger with purchased jewelry and victim’s information
- i. Five cellular phones

CONCLUSION

1. Based on the foregoing, I respectfully submit that probable cause exists to believe that HASAN HOWARD, TYVIONE GUTHERY, JAELEN LATTIMORE, and ROBERT

NATHANIEL THOMAS, and other identified and unidentified co-conspirators, have committed the above-described offenses. Therefor it is hereby requested that the Court issue arrest warrants for the suspects above.

Respectfully submitted,



Special Agent Paul Cruz
Federal Bureau of Investigation

Sworn to via telephone after submission by reliable electronic means. Crim.Rules. 4.1; 41(d)(3)




Thomas M. Parker
United States Magistrate Judge
3:48 PM, May 21, 2021