

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)
)
 v.)
)
 EBODOR F OKENWA,)
)
 Defendant.)

Case No. 1:11-mj-223

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND
ARREST WARRANT

I, Jason McGraw, being duly sworn, depose and state as follows:

1. I am a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations (HSI). I am currently assigned to the Special-Agent-in-Charge, Washington D.C. (SAC/DC) and am assigned to the Washington Dulles International Airport. I have been employed by HSI since March 2009. As such, I am an "investigative or law enforcement officer" of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516(1).

2. My duties as a Special Agent with HSI include, but are not limited to, the investigation of federal laws governing the importation of controlled substances (21 U.S.C. § 952). I have received training in general law enforcement, including training in Title 21, United States Code, and I am a graduate of the Federal Law Enforcement Training Center at Glynco, Georgia.

3. This affidavit is submitted in support of a criminal complaint for Ebodor F. OKENWA for knowingly and intentionally attempt to import into the customs territory of the United States from a location outside the customs territory of the United States a mixture and substance containing 100 grams or more of heroin, a Schedule I controlled substance, in violation Title 21, United States Code, Sections 963 and Title 21, United States Code, Sections 952. This affidavit is also submitted in support of an arrest warrant for Ebodor F. OKENWA.

4. The facts set forth in this affidavit are based on my personal knowledge and review of records, documents, and other physical evidence obtained during this investigation, as well as information conveyed to me by other law enforcement officials and private persons. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part only and are not intended to be a verbatim recitation of such statements.

5. Since this affidavit is being submitted for the limited purpose of obtaining an arrest warrant, it does not include each and every fact observed by me or known to the government. I have set forth only those facts necessary to support a finding of probable cause.

Summary

6. As described more fully in this affidavit, there is probable cause to believe that Ebodor F. OKENWA, on or about March 25, 2011, did

knowingly and intentionally attempt to import into the customs territory of the United States from a location outside the customs territory of the United States a mixture and substance containing 100 grams or more of heroin, a Schedule I controlled substance, in violation Title 21, United States Code, Sections 963 and Title 21, United States Code, Sections 952.

Probable Cause

7. On March 24, 2011, OKENWA did attempt to enter the United States after arriving at Dulles International Airport, which is in the Eastern District of Virginia in the customs territory of the United States, on board Ethiopian Airlines flight #500 from Italy, which is outside the customs territory of the United States. When examined by CBP Officers, OKENWA was acting nervously and suspiciously, and was found with anti-diarrheal medication and Imodium. OKENWA was transported to Reston Hospital Center, in the Eastern District of Virginia, for further examination.

8. While at the Reston Hospital Center, OKENWA volunteered to have his abdominal area x-rayed. X-ray results confirmed the presence of pellets in OKENWA's abdomen. OKENWA was observed by CBP officers expelling pellets from his rectum. OKENWA expelled approximately 88 pellets weighing approximately 1,700 grams. CBP officers field tested the contents of one of the expelled pellets, and it field tested positive for the presence of heroin.

9. Based upon the above information and my training and experience, 1,700 grams of heroin in 80 or more pellets that were swallowed by an individual is consistent with further distribution.

