

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Florida

FILED BY _____ D.C.
OCT 16 2023
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FT. LAUD.

United States of America)
v.)
JEFFRY ARISTA,)
JONATHAN ARISTA, and)
RAYMOND GOMEZ,)
_____)

Case No. 23-6485-MJ-HUNT

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

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 October 14, 2023, in the county of Broward in the
Southern District of Florida, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 1201(a)	Kidnapping and Attempted Kidnapping
18 U.S.C. 1201(c)	Conspiracy to Kidnap

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

Continued on the attached sheet.



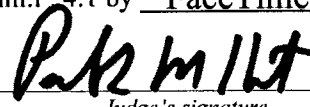
Complainant's signature

Jessie Apaza, FBI Special Agent

Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by FaceTime

Date: 10/15/2023



Judge's signature

City and state: Fort Lauderdale, Florida

Patrick M. Hunt, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

Your Affiant, Jessie Apaza, being duly sworn, deposes and states as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent for the Federal Bureau of Investigation ("FBI") currently assigned to the Violent Crimes/Fugitive Task Force in the Miami Division. Prior to my assignment to the Violent Crimes/Fugitive Task Force, I was assigned to the Complex Financial Crimes squad for three years. I have received training at the FBI Academy in Quantico, Virginia. As a Special Agent for the FBI, my current duties involve the investigation of a variety of violations of federal offenses, including bank robberies, Hobbs Act robberies, extortion, and other violations of federal law. I have been an FBI Special Agent since September 2015 and have been assigned to the Miami Division since March 2016. Prior to my employment as a Special Agent with the FBI, I worked as an FBI Investigative Specialist from June 2010 to September 2015 where I investigated threats to national security.

2. This affidavit is submitted in support of a criminal complaint charging Jeffry Arista, Jonathan Arista, and Raymond Gomez with violations of Title 18, United States Code, Sections 1201(a) (kidnapping and attempted kidnapping) and 1201(c) (conspiracy to kidnap).

3. This Affidavit is based upon my personal knowledge, my review of documents and other evidence, and my conversations with other law enforcement personnel and civilian witnesses. Because this Affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Rather, I have included only the facts that are sufficient to establish probable cause. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

PROBABLE CAUSE

Initial Response

4. On October 14, 2023, at approximately 2:08 a.m., law enforcement officers responded to a business, located in Pompano Beach, Broward County, Florida (the "Business"), in response to a reported bomb threat. Upon arrival, law enforcement discovered that the Victim called in a bomb threat to get a rapid police response to his location because he had been the victim of a violent kidnapping and was taken, without his consent, to an unknown location, later identified as the Residence. The Victim stated to police that his kidnappers mistook his identity for his coworker (the "Coworker"). After threatening to torture and kill him at the Residence, the kidnappers forced the Victim to contact the Coworker, so that they could arrange to kidnap him instead. Upon finding out the Coworker was at the Business, and in accordance with the kidnappers' plans, the Victim was allowed to go into the Business and make contact with the Coworker. Once inside, the Victim made the bomb threat.

The Kidnapping

5. On October 13, 2023, sometime between 7:30 am and 8:00 am, the Victim exited his residence, located in Fort Lauderdale, Broward County, Florida. As he approached his vehicle, which was parked on the fifth floor of the garage, one of the kidnappers ("Kidnapper-1") approached the Victim and brandished a black firearm while wearing police attire and a full-face mask. The Victim advised that Kidnapper-1 wore what appeared to be a ballistic vest and a gold badge on his belt with the remainder of his attire being all black. Kidnapper-1 then forced the Victim toward a white Dodge Charger with dark tinted windows and a "police" light ("the Dodge"). A second male kidnapper ("Kidnapper-2") briefly exited the Dodge and demanded that Kidnapper-1 and the Victim move quickly. The Victim was placed into the back seat of the Dodge

and forced to wear a black head covering to obstruct his vision. Sitting in the back seat with him was Kidnapper-1, while Kidnapper-2 drove the Dodge. The Dodge then departed the vicinity of the Victim's residence. During the drive, one of the kidnappers threw the Victim's cell phone out of the moving car.

6. The Victim was transported directly to the Residence where he was forced out of the Dodge and into a garage. The Victim primarily interacted with a third kidnapper who, after removing his mask, was observed having a beard and tattoos on his face. This male was later identified as Jeffry Arista. Jeffry Arista asked the Victim to identify himself, implying they had kidnapped the wrong individual. The kidnappers further confirmed this when they removed the Victim's wallet from his pocket and checked his identification. At this point, the kidnappers began inquiring why was the Coworker using the Victim's car this past Thursday and demanded to know where the money was. The money was in reference to what the Coworker allegedly owed the kidnappers. The kidnappers threatened the Victim by putting an electric drill to his skin and pointing firearms towards his head. At one point, the kidnappers forced the Victim into a bathroom inside the Residence where they covered his face with four or five black masks and poured buckets of water on him, effectively waterboarding him. During this time, the Victim thought he was going to drown.

7. The kidnappers – comprised of Jeffry Arista; his brother, Jonathan Arista; and Raymond Gomez – then began brainstorming on how the Victim could help lure the Coworker to them. They supplied the Victim with a new cell phone and were able to access the Victim's iCloud account to obtain the Coworker's cellphone number. The Victim was then forced to make contact with the Coworker and attempt to make plans with him.

8. Sometime after 7:30 p.m., Gomez transported the Victim and Jeffrey Arista away from the Residence in a black Porsche SUV (the "Porsche"). Upon arriving at the Victim's apartment, Jeffrey Arista exited the Porsche and entered the Victim's apartment with the Victim. In the apartment, Jeffrey Arista brandished a silver firearm with what appeared to be a unique "fin" affixed to the gun. After some time, Jeffrey Arista called Jonathan Arista and Gomez, and directed them to return to the apartment with drugs. When all three kidnappers were together in the Victim's apartment, the Victim received a text message from the Coworker stating that he was at the Business. The kidnappers decided to take the Victim to the Business so that they could lure the Coworker out. The kidnappers and the Victim got back into the Porsche and drove towards the Business. Upon arriving, the kidnappers and the Victim located the Coworker's vehicle in the parking lot. The Victim overheard two of the kidnappers discuss placing a tracker on the Coworker's vehicle. The Victim subsequently observed one of the kidnappers exit the Porsche with the intent to install a tracker. Afterward, the kidnappers ordered the Victim to go into the Business to find the Coworker. Once inside, the Victim informed the Coworker of everything that had happened and called law enforcement.

Further Investigation

9. While the Victim was communicating with an officer, he observed Jeffrey Arista in the distance appearing to record him with a cell phone. The Victim notified law enforcement and Jeffrey Arista was taken into custody.

10. Law enforcement subsequently observed the Porsche departing the vicinity of the Business before it ultimately crashed at a nearby location. Jonathan Arista was observed walking away from the vicinity of the Porsche before being detained by law enforcement.

11. During a post-Miranda interview, Jonathan Arista confirmed that he is the owner of the Dodge and advised that it was currently parked outside of the Residence. Jonathan Arista claimed that he was in fear for his safety and was not the one who planned the events that took place. Furthermore, Jonathan Arista confirmed that he was one of three individuals that went to the Business in the Porsche. He confirmed that Jeffry Arista was with him. He claimed the third individual was a black male that went by the name "D". According to Jonathan Arista, the Porsche was a rental. Law enforcement determined that the Residence was an AirBnB to which Jonathan Arista received access on October 12, 2023. When asked about how the events first started, Jonathan Arista stated someone had approached his brother, Jeffry Arista, approximately three days earlier. When asked to go into detail about the "event," Jonathan Arista claimed that he feared for his life if he provided additional information and terminated the interview.

12. On October 14, 2023, law enforcement drove to the Residence and observed the Dodge with what appeared to be a spotlight affixed to the pillar of the vehicle. Also parked in the driveway was a white Honda Civic bearing Florida license plate GHEV44 (the "Honda"). While conducting surveillance, law enforcement observed two males going in and out of the Residence placing bags into the trunk of the Honda. One of the males was observed wiping down the front door, to include the interior handle. Furthermore, law enforcement could see through the front door glass window, two males moving around with what appeared to be garbage bags. After the Honda departed the Residence, law enforcement maintained coverage on the vehicle until they observed Gomez exit the Honda while stopped at an intersection and attempt to flee the area. Gomez was subsequently detained by law enforcement. The Honda was then located at a gas station a short distance away. Law enforcement approached the vehicle and spoke with the male driver ("Male").

13. During a post-Miranda interview, the Male advised that Gomez called him from a phone that he borrowed from a nearby bystander and told him that he needed help because he was in a traffic accident. Gomez requested the Male to come pick him up from a bus terminal located in the area of Martin Luther King Blvd. and Dixie Highway, Pompano Beach, Broward County, Florida. The Male advised that he drove to the area in the Honda and picked up Gomez. Gomez then asked the Male to take him to the Residence, which Gomez described was an AirBnB that he rented with some friends. While together, Gomez told the Male that he was at the Business inside a Porsche with two of his friends. Gomez then stated that one of them stepped out of the vehicle and began talking on his phone before being arrested. Gomez then stated that law enforcement chased the Porsche with Gomez as the driver. Gomez stated that he crashed the Porsche and bailed out of the vehicle along with the other passenger. Gomez stated that he hid behind bushes after getting separated from the other passenger. Gomez then advised that was able to elude law enforcement and make his way towards the bus station. The Male further advised that, upon arriving at the Residence, he observed Gomez cleaning the counters with bleach and collecting items into multiple garbage bags that he then loaded into the Honda.

14. During a post-Miranda interview,¹ Gomez admitted that he, Jeffry Arista, and Jonathan Arista were involved in the kidnapping of the Victim. He claimed that he and the Arista brothers committed the crime at the direction of an unknown male (“Unknown Subject”) who conferred directly with Jeffry Arista over the telephone. Gomez did not know the Unknown Subject’s true identity but advised that the objective was to kidnap the Coworker due to a monetary debt. In exchange for his assistance, Gomez expected to be paid. Gomez admitted that, after


¹ Although Gomez initially invoked his rights, he subsequently reengaged law enforcement and advised that he wanted to speak. After being advised of his Miranda rights again and confirming that he now wanted to waive his rights, Gomez provided a statement.

kidnapping the Victim at gunpoint and bringing him to the Residence, he and the Arista brothers realized that they had kidnapped the wrong person. Gomez advised that Jeffry Arista and Jonathan Arista were involved in waterboarding the Victim and threatening him with guns, a yellow electric drill, and tasers. Gomez claimed that he felt bad for the Victim. Gomez stated that he drove Jeffry Arista and the Victim to the Victim's apartment in the Porsche before driving back to the Residence to pick up Jonathan Arista. Gomez claimed that he, the Arista brothers, and the Victim were in a more relaxed state once they learned of the Coworker's whereabouts and devised a plan to have lure the Coworker out of the Business. While in the parking lot of the Business, Jeffry Arista directed Gomez to place a tracker on the Coworker's vehicle, which Gomez did. Gomez admitted that, as soon as law enforcement arrested Jeffry Arista, he fled the area and abandoned the Porsche after it crashed. Gomez stated that the Male picked him up from a bus station and drove him to the Residence where Gomez began cleaning the Residence, removing clothes, drugs, and the drill before his arrest. Gomez confirmed that there were two firearms involved in the kidnapping.

CONCLUSION

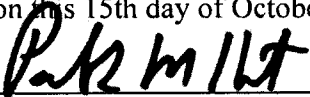
15. Based on my training and experience, and as further supported by the facts in this affidavit, I respectfully submit that probable cause exists to charge Jeffry Arista, Jonathan Arista, and Raymond Gomez with violating Title 18, United States Code, Sections 1201(a) and 1201(c).

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Jessie Apaza, Special Agent
Federal Bureau of Investigation

Attested to by the applicant and in accordance with the requirements of Fed. R. Crim. P. 4.1 by FaceTime on this 15th day of October 2023.



PATRICK M. HUNT
UNITED STATES MAGISTRATE JUDGE