

United States District Court

DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

Matthew L. Guglielmetti
(address unknown)

CASE NUMBER:

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 11/30/04 through 1/20/05 in _____ county, in the

District of Rhode Island defendant did, (Track Statutory Language of Offense)

conspire to distribute and possess with intent to distribute in excess of five kilograms of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance,

in violation of Title 21 United States Code, Section(s) 841(a)(1) and (b)(1)(A)

I further state that I am a Special Agent, and that this complaint is based on the following facts:
Official Title

See Attached Affidavit of Joseph Degnan, Special Agent of the Federal Bureau of Investigation

Continued on the attached sheet and made a part hereof: Yes No

Signature of Complainant

Sworn to before me and subscribed in my presence,

at Providence, Rhode Island

Date

City and State

DAVID L. MARTIN, U.S. Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT

I, Joseph Degnan, sworn upon oath, do depose and say:

1. I am a Special Agent for the Federal Bureau of Investigation (FBI), United States Department of Justice, and have been so employed for over 17 years. I am currently assigned to the FBI office in Providence, Rhode Island.

2. This affidavit is written in support of a criminal complaint against Matthew L. Guglielmetti (Guglielmetti), dob 10/31/1948, SSN 036-32-1944, for conspiracy to distribute and to possess with intent to distribute in excess of five kilograms of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A).

3. The information contained within this affidavit comes from my own participation in this investigation, my conversations with other FBI Special Agents and law enforcement officers, and my review of reports prepared by other FBI Special Agents.

4. Prior to November 30, 2004, several FBI Special Agents were working in the State Of Rhode Island and elsewhere in an undercover capacity. During this undercover activity, an FBI undercover agent (hereafter UCA1) was introduced to Guglielmetti. In his undercover role, the UCA1 and Guglielmetti operated a business, with Guglielmetti as a silent partner. During the operation of this business, Guglielmetti received money from the

business, including a share of the profits from laundering what Guglielmetti believed were drug proceeds through the undercover business.

5. On November 30, 2004, Guglielmetti and UCA1 met in Johnston, Rhode Island. Guglielmetti indicated a need to make some money prior to Christmas. Guglielmetti and UCA1 discussed providing protection in Rhode Island for a large quantity of drugs which would remain in Rhode Island or Massachusetts for a brief period of time while being transported from the south to Canada. Guglielmetti indicated that he had some individuals who could protect the cocaine during its stay. UCA1 and Guglielmetti also discussed the possibility of laundering the proceeds once the cocaine was distributed. This conversation was recorded on audio tape and was partially recorded on video tape.

6. On December 6, 2004, Guglielmetti and UCA1 met in Johnston, Rhode Island. During the meeting, UCA1 told Guglielmetti that the shipment was "coke" and involved "about 65 packages." When Guglielmetti asked "kilos", UCA1 confirmed the packages were "kilos." In response to Guglielmetti's inquiry whether the UCA1 and Guglielmetti would get \$1000 per kilo or \$1000 per pound, UCA1 said they would get \$1000 per kilo for "babysitting." UCA1 told Guglielmetti that UCA1 thought that there were 67 kilograms. UCA1 and Guglielmetti discussed how many people would be needed to protect the cocaine. They also again discussed laundering at least half of the proceeds from the

drug distribution in Canada. This conversation was recorded on audio tape and was partially recorded on video tape.

7. On December 13, 2004, Guglielmetti and UCA1 met in Rhode Island. During the meeting, Guglielmetti again indicated that his "people" would be protecting the shipment of cocaine. UCA1 indicated to Guglielmetti that while the cocaine was in Rhode Island, someone would come to the location where the cocaine was being kept and remove some of the kilograms. Guglielmetti did not object to this, but stated "I don't want people in and out of there...I don't want a guy walking in, taking three, running out, coming back, taking four, ... coming back, taking five, you might as well just hang a sign out and say we're doing drugs." This conversation was recorded on audio tape and was partially recorded on video tape.

8. On December 22, 2004, Guglielmetti and UCA1 met in Johnston, Rhode Island. During the meeting, Guglielmetti and UCA1 discussed that the cocaine shipment would be in Rhode Island during the week of January 17, 2005 and that the cocaine would be kept at a hotel in Rhode Island. UCA1 indicated that Guglielmetti's people did not have to touch the cocaine, but only remain in the room with it along with two of the cocaine supplier's people. UCA1 told Guglielmetti that while the cocaine was in the room, two of the supplier's people would come and remove a portion of the cocaine; that that portion of the cocaine was going to Central Falls and was to be sold; and that they

would be paid within 48 hours. Guglielmetti said that as the date for the protection drew closer, he would bring his two people to UCA1.

9. Subsequent to December 22, 2004, Guglielmetti arranged with UCA1 to have his two people who would be providing the cocaine protection view the two people who worked for the cocaine supplier. The meeting was arranged for January 18, 2005 at 11:00 a.m. in Johnston, Rhode Island. On January 18, 2005, in Johnston, Guglielmetti's two associates saw the two people who purportedly worked for the cocaine supplier. The two individuals supposedly working for the supplier were actually undercover law enforcement officers. No words were exchanged between the parties.

Between 4:00 and 5:00 p.m. on January 18, 2005, Guglielmetti and UCA1 met in Cranston, Rhode Island. UCA1 gave Guglielmetti a key to a hotel room in Rhode Island and told Guglielmetti to have his two associates at the room by 6:00 p.m. Shortly after 6:00 p.m., Guglielmetti's two associates arrived at the designated room. Inside the room were two undercover law enforcement officers and 67 kilograms of cocaine. After arriving at the room, the two Guglielmetti associates remained in the room with the cocaine and the two undercover officers for approximately five hours. During this time, the two Guglielmetti associates were shown the 67 kilograms of cocaine by the undercover officers. The cocaine was contained in suitcases.

One of the kilograms of cocaine was opened and the cocaine contents were shown to the two Guglielmetti associates. Also during this time, two additional undercover officers came to the room and removed 18 kilograms of cocaine, supposedly for local distribution. During the time while the two Guglielmetti associates were protecting the cocaine, Guglielmetti and UCA1 were at another hotel in Rhode Island. At approximately 11:00 p.m., UCA1 called the hotel room and told one of the undercover officers that Guglielmetti's associates were done. UCA1 then advised Guglielmetti that his guys were done. Guglielmetti made a call on a cellular telephone, but apparently had some telephone trouble. One of the two associates in the hotel room then called Guglielmetti who took the call. Shortly thereafter, the two Guglielmetti associates left the hotel room. The conversation between Guglielmetti and UCA1 was recorded on audio tape and was partially recorded on video tape. The activities in the hotel room were recorded on both audio tape and video tape.

10. On January 20, 2005, Guglielmetti met with UCA1 in Johnston, Rhode Island. The purpose was for Guglielmetti to receive payment of the money owed to him for providing the protection for the 67 kilograms of cocaine on January 18, 2005. Guglielmetti was arrested at that time.