

ALB:CNR
F. #2017R

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

DANIEL O'NEIL and
FRANKIE MORANO,

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

CHARLES K. BERNARD, being duly sworn, deposes and states that he is a Special Agent with the Drug Enforcement Administration, duly appointed according to law and acting as such.

In or about and between May 2017 and July 19, 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DANIEL O'NEIL and FRANKIE MORANO, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved fentanyl, a Schedule II controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Section 846)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JUL 20 2017 ★

LONG ISLAND OFFICE
COMPLAINT

(21 U.S.C. § 846)

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The source of your deponent's information and the grounds for his/her belief are as follows:¹

1. I am a Special Agent with the Drug Enforcement Administration ("DEA") and have been involved in the investigation of numerous cases involving the illegal manufacture and distribution of controlled substances, including fentanyl. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including defendant DANIEL O'NEIL's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. Based on anonymous tips to law enforcement, in or about May 2017, the DEA initiated an investigation into the distribution of fentanyl² in pill form by the defendants DANIEL O'NEIL and FRANKIE MORANO in Suffolk County. Allegedly the fentanyl pills were manufactured with the use of a pill press by the defendants themselves to resemble professionally manufactured oxycodone³ pills.

3. On or about July 17, 2017, DEA learned that a cooperating source ("CS"), whose information has proven to be reliable, was in contact with defendant DANIEL

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

² Fentanyl, a Schedule II controlled substance, is a powerful synthetic and short-acting opioid pain reliever that is 50 to 100 times more potent than morphine. In March 2015, the DEA issued a nationwide alert identifying fentanyl as a threat to public health and safety. In April 2015, the DEA subsequently issued a National Heroin Threat Assessment Summary, which noted that in late 2013 and throughout 2014, several states reported spikes in overdose deaths due to fentanyl and its analog acetyl-fentanyl. Overdoses have been reported from simple skin exposure to fentanyl.

³ Oxycodone, a Schedule II controlled substance, also is a moderately potent semi-synthetic opioid pain reliever that is 1.5 to 2 times more potent than morphine.

O'NEIL, who asked the CS to travel to Long Island to assist O'NEIL and a then-unnamed associate in the manufacture of the fentanyl pills.

4. On July 19, 2017, at the direction of law enforcement, at approximately 2:40 pm, the CS contacted defendant DANIEL O'NEIL by text message to meet at O'NEIL's residence located in North Babylon, New York. At approximately 3:05 pm, the CS, who was wearing a recording device, met O'NEIL at his residence. In sum and substance, O'NEIL discussed his prior drug trafficking activities, his criminal record and the ongoing manufacture of fentanyl pills by way of a pill press. At approximately 3:28 pm, defendant FRANKIE MORANO arrived at O'NEIL's residence (in a car registered to MORANO at MORANO's residence of in Deer Park, New York) and the discussion of the manufacture of the fentanyl pills continued among O'NEIL, MORANO and the CS. During the recorded conversation, MORANO mentioned the detached two-car garage behind a residence located at 675 Little East Neck Road in West Babylon, New York (the "Garage") as the location where they manufactured the fentanyl pills for distribution. At approximately 4:21 pm, O'NEIL, MORANO and the CS arrived at the Garage in O'NEIL's SUV (which is registered to O'NEIL's wife) in possession of materials to be used in the manufacture of the fentanyl pills. The three then entered the Garage, which was entered via a locked side door, for which MORANO had a key. After approximately 40 minutes, all three exited the Garage and left in O'Neil's SUV. Approximately 15 minutes later, the CS met with the DEA and stated that while the CS was inside the Garage, O'NEIL, MORANO and the CS manufactured fentanyl pills with a pill press that looked like 30 milligram oxycodone pills. The CS also stated that approximately 50 to 100 grams of what he believed to be fentanyl was in a plastic Ziploc bag on a bench located in the Garage.

5. At approximately 8:27 pm, the Honorable Steven I. Locke, United States Magistrate Judge for the Eastern District of New York, issued a search warrant for the Garage. At approximately 9:00 pm, DEA Special Agents entered the Garage and found the defendants DANIEL O'NEIL and FRANKIE MORANO, wearing "hazmat" suits and respirator masks and using the pill press to manufacture fentanyl pills resembling oxycodone pills for distribution.⁴ O'NEIL and MORANO were placed under arrest.

6. After being advised of his Miranda rights, defendant FRANKIE MORANO voluntarily and knowingly agreed to waive those rights, and stated, in sum and substance, that he conspired with defendant DANIEL O'NEIL to manufacture the pills.

WHEREFORE, your deponent respectfully requests that the defendants DANIEL O'NEIL and FRANKIE MORANO, be dealt with according to law.



CHARLES K. BERNARD
Special Agent, Drug Enforcement Administration

Sworn to before me this
20 day of July, 2017


/s/ STEVEN I. LOCKE

THE HONORABLE STEVEN I. LOCKE
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

⁴ "Hazmat" is a portmanteau of "hazardous" and "material" and refers to dangerous substances, liquids and gases that require special safety precautions during transport, use, storage and disposal. As stated above, fentanyl is an exceedingly potent drug and the defendants' use of hazmat suits to prevent contact with the drugs they were using underscores the extreme danger of the defendants' fentanyl distribution conspiracy, not only to the defendants, but also law enforcement investigating such crimes and the communities where the defendants' pills were destined to end up. Photographs of the defendants wearing hazmat suits are attached as Attachment A to this Complaint.

ATTACHMENT A

Defendant DANIEL O'NEIL



Defendant FRANKIE MORANO

