

STATE OF NEW YORK

COUNTY OF ST LAWRENCETOWNCOURTTOWNof MASSENADefendant: NA

(Relationship to alleged victim)

Alleged Victim: NA

(Relationship to defendant)

THE PEOPLE OF THE STATE OF NEW YORK

-- VS. --

Date of Birth

JAMES D

Defendant(s)

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BE IT KNOWN THAT, by this INFORMATION, BRIAN D COAKLEY,  
 as the Complainant herein, STATIONED at SP MASSENA,  
 accuses the above mentioned Defendant(s), with having COMMITTED the MISDEMEANOR  
 of CRIM POSS WEAP-4TH: FIREARM/WEP in violation of Section 265.01,  
 Subdivision 01 of the PENAL Law of the State of New York.

That on or about 04/24/2023 at about 09:25 PM  
 in the TOWN of MASSENA, County of ST LAWRENCE, the defendant(s)

did intentionally, knowingly and unlawfully commit the misdemeanor of Criminal Possession Weapon-4th: Firearm/Weapon. A person is guilty of criminal possession of a weapon in the fourth degree when: (1) He or she possesses any firearm, electronic dart gun, electronic stun gun, switchblade knife, pilum ballistic knife, metal knuckle knife, cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, wrist-brace type slingshot or slungshot, shiriken, or "Kung Fu star". Criminal possession of a weapon in the fourth degree is a class A misdemeanor.

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On or about the aforementioned date and time, with the place being the Massena Port of Entry, International Bridge Road, in the town of Massena, County of St. Lawrence, State of New York, said defendant did intentionally, knowingly, and unlawfully possess a black Ruger LC9s 9mm semi-automatic handgun. The defendant was found in possession of said firearm during an inspection at the Massena Port of Entry. He has a valid Concealed Handgun Carry License,                      in his home state of Arkansas, but no New York State Pistol Permit.

All of the above is contrary to the statute, as made and provided.

The above allegations of fact are made by the Complainant herein on direct knowledge and/or upon information and belief, with the sources of Complainant's information and the grounds for belief being the facts contained in the attached SUPPORTING DEPOSITION(s) of: CBP OFFICER JEAN BAPTISTE

WHEREAS, an Appearance Ticket was issued to the said Defendant, directing him to appear before this court at 01:30 PM on MAY 09, 2023

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In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor. (PL 210.45)

Affirmed under penalty of perjury

this 24<sup>TH</sup> day of APRIL, 2023

--OR--

Subscribes and sworn to before me this              day of             , 20             

COMPLAINANT -

Brian D. Coakley  
Inv. B-2064 #1564

1. Agency B2 TROOP B - ZONE 2		2. Div/Precinct B251		New York State <b>INCIDENT REPORT</b>		3. ORI NY1440100		5. Case No.		6. Incident No. 11387707																			
7,8,9. Date Reported (Day, Date, Time) MONDAY 04/24/2023 21:25				10,11,12. Occurred On/From (Day, Date, Time) MONDAY 04/24/2023 20:07				13,14,15. Occurred To (Day, Date, Time) MONDAY 04/24/2023 21:10																					
16. Incident Type GUN/WEAPON-POSSESSION OF WEAPON						17. Business Name																							
19. Incident Address (Street Name, Bldg. No., Apt. No.) 30M SEAWAY INTERNATIONAL BRIDGE																													
20. City/State/Zip ROOSEVELT TOWN NEW YORK 13683																													
21. Location Code (TSLED) MASSENA TOWN 4569				23. No. of Victims 0		24. No. of Suspects 1		26. Victim also Complainant?																					
Location Type GOVERNMENT OFFICE																													
18. Weapon(s) Used SEMI AUTOMATIC HANDGUN																													
<table border="1"> <thead> <tr> <th>22.OFF. No.</th> <th>LAW SECTION</th> <th>SUB</th> <th>CL</th> <th>CAT</th> <th>DEG</th> <th>ATT</th> <th>NAME OF OFFENSE</th> <th>CTS</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>PL</td> <td>265.01</td> <td>01</td> <td>A</td> <td>M</td> <td>4</td> <td>CRIM POSS WEAP FIREARM/KNIFE</td> <td>1</td> </tr> </tbody> </table>												22.OFF. No.	LAW SECTION	SUB	CL	CAT	DEG	ATT	NAME OF OFFENSE	CTS	1.	PL	265.01	01	A	M	4	CRIM POSS WEAP FIREARM/KNIFE	1
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## ASSOCIATED PERSONS

25. TYPE	Name (Last, First, Middle, Title)	DOB	Street Name Bldg., Apt.No., City, State, Zip	Res Phone Bus Phone
LAW ENFORCEMENT OFFICER	JEAN-BAPTISTE, MARCO		30M SEAWAY INTERNATIONAL BRIDGE ROOSEVELT TOWN NY 13683	
SUSPECT	████████ JAMES, D	████████	████████████████████	████████

## SUSPECT

Person ID # 10992990		34. Type SUSPECT		35. Name (Last, First, Middle) ████████ JAMES, D			
37. Apparent Condition APPARENTLY NORMAL				38. Address (Street Name, Bldg., Apt. No., City, State, Zip) ████████████████████			
39a. Home Phone ████████		39b. Work Phone ████████		40. Social Security ████████		41. DOB ████████	
42. Age 60		43. Gender MALE		44. Race WHITE			
45. Ethnicity NOT HISPANIC		46. Skin LIGHT BROWN		47. Occupation LABORER			
48. Height 6ft 0in		49. Weight 240lbs		50. Hair GRAY		51. Eyes BROWN	
52. Glasses YES		53. Build LARGE					
54. Employer/School ████████████████████				55. Employer Address ████████████████████			
56. Scars/Marks/Tattoos /Description SCAR ON RIGHT ANKLE, AND RIGHT ARM							

36. Alias/Nickname/Maiden Name

Last Name	First Name	Middle Name
NONE		

## PROPERTY

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58. Name [REDACTED] JAMES D	Property Status SEIZED	
Property Type FIREARMS	Make or Model / Drug RUGER LC9S	
Serial No. [REDACTED]	Qty/Measure	Value \$ 250.00
Description Item #1: Ruger LC9s semi-automatic handgun, serial number [REDACTED]. File check negative.		

58. Name [REDACTED] JAMES D	Property Status SEIZED	
Property Type OTHER WEAPONS	Make or Model / Drug RUGER	
Serial No.	Qty/Measure	Value \$ 15.00
Description Item #1A: Magazine for item #1.		

58. Name [REDACTED] JAMES D	Property Status SEIZED	
Property Type OTHER WEAPONS	Make or Model / Drug CBC	
Serial No.	Qty/Measure	Value \$ 5.00
Description Item #1B: Eight (8) loose 9mm rounds.		

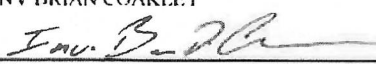
Total Property Value : \$270.00

## NARRATIVE

Date of Action	Date Written	Officer Name & Rank
04/24/2023	04/24/2023	COAKLEY, BRIAN (INV)
Narrative		
BCI CASE ADOPTION - CRIMINAL POSSESSION OF A WEAPON 4TH - INVESTIGATOR BRIAN COAKLEY ASSIGNED		
JAMES D. DARTER illegally possessed a handgun during inspection at the Massena Port of Entry, Massena, New York.		
Date of Action	Date Written	Officer Name & Rank
04/24/2023	04/26/2023	COAKLEY, BRIAN (INV)
Narrative		
PATROL RESPONSE:		
On April 24, 2023, at approximately 9:25 p.m., Trooper MICHAEL ROMAN, SP Massena, was dispatched to the Massena Port of Entry for an illegally possessed handgun.		
Upon arrival, Customs and Border Protection Officer (CBPO), MARCO JEAN-BAPTISTE, advised JAMES D. [REDACTED] arrived at the Port of Entry, at 9:10 p.m., and admitted possession of a Ruger 9mm handgun. [REDACTED] a resident of the state of Arkansas, was found to have an Arkansas Concealed Handgun Carry License. [REDACTED] was of the belief there was reciprocity with New York for his Arkansas handgun license.		
[REDACTED] who is in the area for work, said he was trying to find a Wendy's restaurant and mistakenly crossed over to Canada. He declared his pistol to the Canadian Borders Services Agency when he arrived at the Cornwall, Ontario border station. He was denied entry to Canada and sent back to U.S., arriving at the Massena Port of Entry.		
Trooper ROMAN notified me of the case and I responded to SP Massena.		
A Gen'l 4, Supporting Deposition, was completed by CBPO JEAN-BAPTISTE, a copy of which is attached to this report as Enclosure #1.		

Date of Action	Date Written	Officer Name & Rank
04/24/2023	04/26/2023	COAKLEY, BRIAN (INV)
<b>Narrative</b>		
<b>ARREST OF SUBJECT:</b>		
<p>At 11:02 p.m., Trooper ROMAN placed [REDACTED] under arrest for 4th degree Criminal Possession of a Weapon and took possession of the Ruger LC9s semi-automatic handgun, serial number [REDACTED] and associated evidence. [REDACTED] was advised of his Miranda Rights by Trooper ROMAN at 11:29 p.m., waiving same.</p> <p>He admitted to possessing the handgun, which he can legally possess in his home state of Arkansas, and stated he was not aware it was illegal for him to possess it in New York. He declined to provide a written statement.</p> <p>DARTER was processed and released on an Appearance Ticket, returnable to Massena Town Court on May 9, 2023, at 1:30 p.m.</p>		
Date of Action	Date Written	Officer Name & Rank
04/24/2023	05/23/2023	COAKLEY, BRIAN (INV)
<b>Narrative</b>		
<b>EVIDENCE:</b>		
<p>[REDACTED] handgun, magazine, and the loose 9mm rounds were secured in the SP Massena BCI Evidence Locker. All applicable evidence forms were completed. A stolen check of the firearm was conducted in the eJustice Portal, with negative results. A Criminal Gun Clearinghouse entry was also made for the handgun.</p>		

**ADMINISTRATIVE**

<b>74. Inquiries</b> CH SP	<b>75. NYSPIN Message No.</b>	<b>76. Complainant Signature</b>	
<b>77. Reporting Officer Signature (Include Rank)</b> INV BRIAN COAKLEY 	<b>78. ID No.</b> 1564	<b>79. Supervisor Signature (Include Rank)</b> SR INV ERIK BURNETT	<b>80. ID No.</b> 2319
<b>81. Status</b> ARREST - ADULT - PPD	<b>82. Status Date</b> 05/23/2023	<b>83. Notified/TOT</b>	
			<b>Solvability Total</b> 0

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