

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF BRONX

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In the Matter

of

the application of [REDACTED]
Special Agent of the ASPCA, for a
search warrant authorizing the search
of the premises located at [REDACTED]
Avenue, [REDACTED] New York.

AFFIDAVIT

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STATE OF NEW YORK)
) SS. ;
COUNTY OF BRONX)

[REDACTED], being duly sworn deposes and says:

1. I am the applicant herein and I am presently employed as a Special Agent with The American Society for the Prevention of Cruelty to Animals. I am a Peace Officer and my shield number is [REDACTED]

2. There is reasonable cause to believe that on [REDACTED] 19 [REDACTED] between the hours of 10:00 P.M. and 6:A.M. in the basement of the above captioned premises, a game of chance otherwise described as a cockfight between roosters will take place. Said cockfight will include the use of razor sharp spurs attached to the natural spurs of the participating roosters which will most likely result in the death or mutilation of said participating roosters.

Cockfighting is classified as a felony under Section 351 of the New York State Agriculture and Markets Law.

3. In support of your deponent's assertion as to the existence of probable cause the following facts are offered. The source of my information is as follows:

On [REDACTED] your deponent, pursuant to his lawful duties, was involved in a surveillance operation designed to locate games of chance otherwise described as cockfights between roosters. On [REDACTED] at approximately 8:00 P.M. your deponent pursuant to his lawful duties was investigating games of chance, otherwise described as cockfights in the vicinity of the above captioned premises. Your deponent witnessed several individuals enter the above captioned premises, carrying moving sacks of a type, which in your deponents' experience are commonly used in the transport of roosters. Your deponent heard the sounds of cocks crowing emanating from said sacks. Your

deponent recognized several of said individuals from prior cockfighting arrests. Your deponent, while in an undercover capacity and pursuant to his duties, made inquiries and overheard conversations, the substance of which indicated that games of chance, otherwise described as cockfights, were routinely scheduled on Friday nights in the basement of the above captioned premises. Your deponent further witnessed an individual, with a portable radio transmitter, at the entrance to the above captioned premises, stopping, conversing with, and inspecting the sacks of individuals before they entered said premises. Your deponent further observed two other individuals, each carrying portable radio transmitters patrolling the vicinity of the above captioned premises.

On [REDACTED], your deponent continued his above described surveillance operation and returned to the above captioned premises. Your deponent witnessed several individuals enter the above captioned premises, carrying moving sacks of a type, which in your deponents' experience are commonly used in the transport of roosters. Your deponent heard the sounds of cocks crowing emanating from said sacks. Your deponent recognized several of said individuals from prior cockfighting arrests. Your deponent, while in an undercover capacity and pursuant to his duties, made inquiries and overheard conversations, the substance of which indicated that games of chance, otherwise described as cockfights, were routinely scheduled on Friday nights in the basement of the above captioned premises. Your deponent further witnessed the same individual present on [REDACTED], again with a portable radio transmitter, at the entrance to the above captioned premises, stopping, conversing with, and inspecting the sacks of individuals before they entered said premises. Your deponent further observed the same two individuals who were present on [REDACTED], again carrying portable radio transmitters patrolling the vicinity of the above captioned premises.

On [REDACTED] your deponent continued his above described surveillance and investigation. At approximately 10:00 P.M. your deponent witnessed several individuals enter the above captioned premises, carrying moving sacks of a type, which in your deponents' experience are commonly used in the transport of roosters. Your deponent heard the sounds of cocks crowing emanating from said sacks. Your deponent recognized several of said individuals from prior cockfighting arrests. Your deponent, while in an undercover capacity and pursuant to his duties, made inquiries and overheard conversations, the substance of which indicated that games of chance, otherwise described as cockfights, were routinely scheduled on Friday nights in the basement of the above captioned premises. Your deponent further witnessed the same individual present on [REDACTED] and [REDACTED] again with a portable radio transmitter, at the entrance to the above captioned premises, stopping, conversing with, and inspecting the sacks of individuals before they entered

said premises. Your deponent further observed the same two individuals who were present on [REDACTED] and [REDACTED] again carrying portable radio transmitters patrolling the vicinity of the above captioned premises.

On [REDACTED] your deponent continued his above described surveillance and investigation. At approximately 10:00 A.M. your deponent returned to the above captioned premises and observed an individual enter said premises carrying moving sacks of a type, which in your deponents' experience are commonly used in the transport of roosters. Your deponent heard the sounds of cocks crowing emanating from said sacks. Your deponent further observed the same individual carry what appeared to be soda, liquor, saw dust and chicken wire into said premises. Your deponent, while in an undercover capacity and pursuant to his duties, made inquiries and overheard conversations, the substance of which indicated that games of chance, otherwise described as cockfights, were routinely scheduled on Friday nights in the basement of the above captioned premises.

4. Your deponent thus is of the opinion that there is probable cause to believe that an illegal cockfight will be held at the date, time and location previously indicated, and said cockfight may result in the death or mutilation of the participating roosters.

WHEREFORE, I respectfully request that the Court issue a warrant and order of seizure in the form annexed authorizing the search of the basement of the premises located at 1018-20 [REDACTED] Avenue, Bronx, New York.

It is further requested that the warrant contain an authorization to enter the premises without giving notice of authority or purpose on the ground that there is reasonable cause to believe that the property sought could easily be removed, destroyed or otherwise disposed of.

No previous application in this matter has been made in this Court or any other Court or to any other judge or justice.

Dated: Bronx, New York

[REDACTED]

S/A [REDACTED]

Sworn to before me this

1st day of May 19 [REDACTED]

JUSTICE OF THE SUPREME COURT