

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

-----X

NEW YORK STATE DEPARTMENT OF TAXATION :  
AND FINANCE, :

Plaintiff, :

-against- :

JUNCHENG CHEN, :

Defendant. :

**AFFIDAVIT  
OF HEATHER  
MATHER**

Index No.

69038/2017

-----X

STATE OF NEW YORK )  
                          *Albany* : ss:  
COUNTY OF ~~WESTCHESTER~~ )

HEATHER MATHER, being duly sworn, deposes and says:

1. I am a Revenue Crimes Specialist, assigned to the Criminal Investigations Division of the New York State Department of Taxation and Finance (NYSDTF), and I am a designated Peace Officer, Shield No. 149, pursuant to Criminal Procedure Law § 2.10(a).

2. In the course of my official duties, on Thursday, November 9, 2017, I participated in an investigation concerning liquors unlawfully diverted into the State of New York from the State of New Hampshire evading New York liquor excise taxes.

3. Sometime between 12:00 PM and 4:30 PM on Thursday, November 9, 2017, as part of this ongoing investigation, NYSDTF investigators conducted surveillance and observed an Asian male who appeared to be in his early 40's wearing a black jacket and tan pants and two female subjects traveling to several stores in New Hampshire in a 2016 black Chevrolet Suburban bearing New York License Plate #HNH1116 (VIN No. 1GNSKHKC1GR116247) and loading cases of liquor into said vehicle. The Asian male was later identified as the defendant, Juncheng Chen, DOB: 04/19/1972 and the vehicle is registered to him.

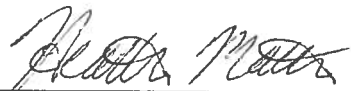
4. NYSDTF investigators continued to follow Juncheng Chen into Massachusetts, Connecticut, and ultimately into New York State. During the course of the surveillance, the vehicle was stopped by New York State Police Trooper Angelo Fortune with assistance from

NYSDTF investigators for failing to maintain the lane. After identifying themselves, Juncheng Chen signed a consent to search the vehicle and 757.825 liters of assorted untaxed liquor were discovered inside the vehicle.

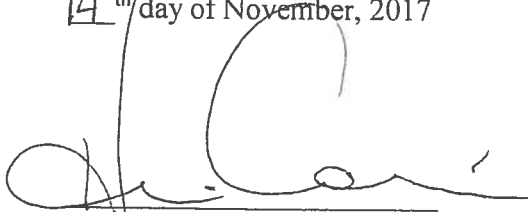
5. Defendant Juncheng Chen, DOB: 04/19/1972, had no invoices or other paperwork associated with the liquors or any evidence that New York State liquor excise taxes had been paid or assumed with respect to the recovered stock.

6. An inventory of the vehicle and the liquor seized from defendant Juncheng Chen is attached hereto as Exhibit A.

7. An examination of the records of the NYSDTF shows that the defendant Juncheng Chen is not registered with the Department as a distributor of liquors pursuant to Article 18 of the New York State Tax Law.

  
HEATHER MATHER  
Revenue Crimes Specialist  
N.Y. State Dep't of Taxation and Finance

Sworn to before me this  
14<sup>th</sup> day of November, 2017



Notary Republic

Heidi Corina  
Notary Public, State of New York  
No. 01CO6052676  
Qualified in Rensselaer County  
Commission Expires 12-26-20 18





Office of Tax Enforcement  
Property Receipt/Release

EN-651  
(9/98)

Case number 201700920 Voucher number 72501 Page 1 of 2

On this date, 11/9/2017, the item(s) listed below were:

Received from     
  Returned to     
  Released to     
  Seized  
 Other \_\_\_\_\_

Name Juncheng Chen

Address 13618 64th Road  
Flushing, NY 11367

Location removed/obtained  
City of Rye, 95 South, Mile Marker 14.2  
2016 Black Chevy Suburban, NY Plate # HN14 1116

Description of items

Item number	Quantity	Article
<u>1</u>	<u>209</u>	<u>Hennessey 750 ML (209 x .750 = 156.75 Liters)</u>
<u>2</u>	<u>176<sup>HM</sup><sub>178</sub></u>	<u>Hennessey 375 ML (176<sup>HM</sup><sub>178</sub> x .375 = 66.75 Liters)</u>
<u>3</u>	<u>103<sup>HM</sup><sub>121</sub></u>	<u>Hennessey 1 Liter (103<sup>HM</sup><sub>121</sub> x 1 = 103 Liters)</u>
<u>4</u>	<u>36</u>	<u>Jack Daniel 750 ML (36 x .750 = 27 Liters)</u>
<u>5</u>	<u>51</u>	<u>Ciroc 750 ML (51 x .750 = 38.25 Liters)</u>
<u>6</u>	<u>48</u>	<u>Ciroc 375 ML (48 x .375 = 18 Liters)</u>
<u>7</u>	<u>12</u>	<u>Baileys 1 Liter (12 x 1 = 12 Liters)</u>
<u>8</u>	<u>6</u>	<u>Hennessey 200 ML (6 x .200 = 1.2 Liters)</u>
<u>9</u>	<u>72</u>	<u>Baileys 375 ML (72 x .375 = 27 Liters)</u>
<u>10</u>	<u>18</u>	<u>Dewars 1.75 Liters (18 x 1.75 = 31.5 Liters)</u>
<u>11</u>	<u>1</u>	<u>E+J 375 ML (1 x .375 = .375 Liters)</u>
<u>12</u>	<u>1</u>	<u>Bacardi 750 ML (1 x .750 = .750 Liters)</u>
<u>13</u>	<u>156</u>	<u>Grey Goose 750 ML (156 x .750 = 117 Liters)</u>
<u>14</u>	<u>12</u>	<u>Captain Morgan 1.75 Liters (12 x 1.75 = 21 Liters)</u>

Received by <u>Chad Houde</u> (Signature and shield number) # <u>147</u> Verified <u>[Signature]</u> # <u>143</u>	Date <u>11/9/2017</u>	Received from <u>Juncheng Chen</u> (Signature and shield number)	Date <u>11/10</u>
	Date <u>11/9/17</u>	Date entered	Date

Routing directions: White — Case File      Canary — Evidence Technician      Pink — Investigator      Blue — Subject



Office of Tax Enforcement  
Property Receipt/Release

EN-651  
(9/98)

Case number 201700920 Voucher number 72502 Page 2 of 2

On this date, 11/9/2017, the item(s) listed below were:  
 Received from     Returned to     Released to     Seized  
 Other \_\_\_\_\_

Name Juncheng Chen

Address 13618 64th Road  
Flushing, NY 11367

Location removed/obtained 2016 Black Chevy Suburban, Plate # HNH 1116  
City of Rye, 95 South, Mile Marker 14.2

Description of items

Item number	Quantity	Article
15	12	Captain Morgan 750 ML (12 X .750 = 9 Liters)
16	12	Johnny Walker 1.75 Liters (12 X 1.75 = 21 Liters)
17	12	Beefeater 1 Liter (12 X 1 = 12 Liters)
18	6	Bombay 1.75 Liters (6 X 1.75 = 10.5 Liters)
19	12	Bombay 750 ML (12 X .750 = 9 Liters)
20	1	Smirnoff 750 ML (1 X .750 = .750 Liters)
21	6	J+B 1.75 Liters (6 X 1.75 = 10.5 Liters)
22	12	Crown Royal 750 ML (12 X .750 = 9 Liters)
<del>23</del>	<del>18</del>	<del>Jameson 1.75 Liters = 31.5 Liter</del>
		Total Liters: <del>701.575</del> 757.825 gm
		Total Liters: 757.825 gm

Received by Chad Houle 11/9/2017 Received from J Chen  
 (Signature and shield number) #147 Date 11/9/2017 (Signature and shield number) 11/10 Date  
 Verified [Signature] #143 11/9/17 Date entered \_\_\_\_\_ Date

Routing directions: White — Case File    Canary — Evidence Technician    Pink — Investigator    Blue — Subject



**Office of Tax Enforcement  
Property Receipt/Release**

**EN-651  
(9/98)**

Case number <u>201700920</u>	Voucher number <u>73814</u>	Page <u>1</u> of <u>1</u>
On this date, <u>11/9/2017</u> , the item(s) listed below were:		
<input type="checkbox"/> Received from	<input type="checkbox"/> Returned to	<input type="checkbox"/> Released to
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Seized	
Name <u>Juncheng Chen</u>		
Address <u>13618 64th Road</u> <u>Flushing, NY 11367</u>		
Location removed/obtained <u>City of Rye, 95 South, Mile Marker 14.2</u>		

**Description of items**

Item number	Quantity	Article
<u>1</u>	<u>1</u>	<u>2016 Black Chevy Suburban</u> <u>VIN # 1GNSKHKC1GR116247</u> <u>Plate # HNH 1116</u>
<u>CP</u>		

Received by <u>Chad Houle</u> <u>11/9/17</u>	Received from <u>[Signature]</u>
(Signature and shield number) <u>#147</u> <u>11/9/17</u>	(Signature and shield number) _____ <u>11/10</u> Date
Verified <u>[Signature]</u> <u>#148</u> <u>11/9/17</u>	Date entered _____ <u>10</u> Date

Routing directions: White — Case File    Canary — Evidence Technician    Pink — Investigator    Blue — Subject



STATE OF NEW YORK DEPARTMENT OF TAXATION AND FINANCE

CRIMINAL INVESTIGATIONS DIVISION



VOLUNTARY CONSENT TO SEARCH A CERTAIN VEHICLE

I, Junchen, Chen, the undersigned, residing at 13618 64th Rd, Flushing NY 11367, hereby authorize

Inspector Dickson, Nune, Polito, Foxmer, an officer or officers with the State of New York Department of Taxation and Finance Criminal Investigations Division to conduct a search of the following vehicle:

<u>2016</u>	<u>Chevrolet</u>	<u>Suburban</u>	<u>HNH 1116</u>
Year	Make	Model	Plate #

1GNSKHKC1GR116247

Vehicle Identification Number

I grant permission for a complete search of the entire vehicle, including the passenger compartment, the trunk and any luggage, equipment or articles, opened or sealed, located in any part of the inside or outside of said vehicle.

I fully understand that I do not have to consent to this search. No promises, threats or force were used by any person in order to obtain my consent.

I have read this document and I give permission to search my vehicle freely and voluntarily.

Juan Cheng Chen

Signature

Juan Cheng Chen

Printname

11/9

Date

11:35 PM

Time

[Signature] 143  
Witnessed by  
[Signature] 4/07



Property » Registration [\[+\] Feedback](#)

**Registration Inquiry Results**

**Search Criteria** Plate: HNH1116

**Reason for Inquiry** Investigation

**DMV Registration**

**Status:** VALID **Expiration:** 04/02/2019 **Plate Issued:** 04/03/2017  
**Plate:** HNH1116 **Class:** PAS - Passenger Plate (016)  
**Style:** GOLD **Logo:** GOLD **Legend:** PASSENGER  
**Vehicle:** 2016; CHEVROLET; SUBURBAN; SUBURBAN; BLACK  
**Unladen Weight:** 5586  
**Vehicle ID:** 1GNSKHKC1GR116247

**Insurance Co.:** COUNTRY-WIDE INS CO **Insurance Code:** 410

**Name:** CHEN, JUNCHENG **Birth Date:** 04/19/1972 **Sex:** Male  
**Address:** 2155 BAY RIDGE PKWY  
BROOKLYN, New York 11204

[\(more\)](#) [\(print preview\)](#)

Drivers License Inquiry

**NYS Vehicle** No hit

**NCIC Vehicle** No hit  
[\(more\)](#) [\(print preview\)](#)

**NYS Plate** No hit

**NCIC Plate** No hit  
[\(more\)](#) [\(print preview\)](#)

**NYS Part** No hit

**NYS Parole** No hit

**NYS Probation** No hit

**NYS Order of Protection** No hit

**NYS / NCIC Person (NAM)** **NYS Person Response**  
No hit

**NCIC Person Response**

**\*\*\*HIT\*\*\*** POSSIBLE TERRORIST ORGANIZATION MEMBER - CAUTION



- PROBATION OR SUPERVISED RELEASE STATUS
- WANTED PERSON

[\(more\)](#) [\(print preview\)](#)

[Hit Confirmation Request](#)

**NYS Person**  
**(REG)** No hit

**NYS Person**  
**(VIN)** No hit

**Transaction ID:** fc76342d-c96e-11e7-a7dc-202020202511