

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<https://www.courts.nh.gov>

216-2022-CR-00606

PROBABLE CAUSE STATEMENT FOR ARREST WARRANT

I, Detective Michael DeJoy declare under penalty of perjury:
(Name of officer)

1. I am employed by and my current assignment and experience is:

See Attachment A

(Describe position, assignment, office, etc.)

2. I have information, based upon (Describe source, facts indicating reliability and credibility of source and nature of information. If based on personal knowledge, so state).

See Attachment A

☒ See additional page(s) for more information

For these reasons I ask the Court to issue an arrest warrant for

Name Sean Brown DOB: 05/11/1973

For the following crimes:

RSA: 641:5, I Descriptor: Tampering with witnesses or informants

RSA: 629:3 Descriptor: Conspiracy to tamper with witnesses or informants

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

04/05/2022

Date

Michael A DeJoy
Signature of Officer

Detective Michael DeJoy
Name of Officer

Signed under the penalty of perjury, the penalty for which may include a fine or imprisonment or both.

PROBABLE CAUSE STATEMENT FOR ARREST WARRANT

Additional space for source description, facts indicating reliability and credibility of source and nature of information.

See Attachment A

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH

<https://www.courts.nh.gov>

Court Name: Hillsborough Superior Court - North Agency Case Number: _____

ARREST WARRANT

To the sheriff of his deputies of any county in this state, or any police officer state or federal, within the state:

Detective Michael DeJoy has established under oath that probable cause exists and an arrest warrant shall issue against the defendant,

Sean Brown, D.O.B. 05/11/1973,

In the county of Hillsborough for one count of
tampering with witnesses or informants and conspiracy contrary to the New Hampshire

RSA: 641:5, I Descriptor: Tampering with witnesses or informants

RSA: 629:3 Descriptor: Conspiracy to tamper with witnesses or informants

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

We command you to take him/her, if found to be in your jurisdiction, and bring him/her before the
Hillsborough Superior Court - North Court.

04/05/2022
Date

Brian T. Tucker
Signature of Judge / Justice of the Peace
Brian T. Tucker
Name of Judge / Justice of the Peace

RETURN

STATE OF NEW HAMPSHIRE COUNTY OF _____

I have arrested the Defendant and now have him/her before the court as commanded.

Date

Signature of Officer

Name of Officer/Department

ATTACHMENT A FOR WARRANT APPLICATIONS OF APRIL 5, 2022

1. I am a Detective, with the Manchester New Hampshire Police Department and have been a Police Officer since July 2014. My current assignment is with the Manchester Police Department Special Enforcement Division/Special Investigations Unit, which among other crimes investigates violations of the Controlled Drug Act, New Hampshire RSA 318-B:2. I have been in this assignment since February of 2021.
2. Many of the investigations/incidents that I have been involved in relate to offenses involving the possession, sale, and possession with intent to sell various controlled drugs. As a Detective assigned to the Manchester Police Special Enforcement Division, I have assisted various Law Enforcement Agencies to include the United States Drug Enforcement Administration ("DEA") and the Federal Bureau of Investigations with investigations of illegal drug trafficking. These investigations ranged from street level dealers to major suppliers of illegal drugs.
3. I attended the New Hampshire Police Academy, 165th session and graduated in December 2014. I attended Salem State University and am working towards a Bachelor degree in criminal justice. I also completed an internship at the United States Drug Enforcement Administration in Lowell, MA from September 2012 to December 2012. In April of 2019, I received training in vehicle concealment through HIDTA. I also received Physical Surveillance training through HIDTA in June of 2019. In August of 2019, I received training in Interview and Interrogation. In January of 2020, I attended a week long Drug Enforcement Administration basic narcotics school.
4. While assigned to the Manchester Police Department Patrol Division, Manchester Police Department Street Crime Unit, as well as in my current assignment within the MPD Special Enforcement Division/Special Investigations Unit, I have worked in both uniform and a plain clothes capacity. I have personally observed the distribution, sale, and possession of various controlled substances including, but not limited to, Cannabis, Cocaine, Cocaine-Base ("Crack" Cocaine), Heroin, and Methamphetamine, along with various other forms of controlled substances. I am familiar with the types of packaging used to distribute controlled substances, as well as equipment used such as scales, bags, and cutting agents. I am also familiar with equipment used to ingest and deliver controlled substances. This equipment is known but not limited to, as needles, syringes, smoking pipes, blotter paper, or tabs.
5. Furthermore, I have interviewed numerous drug traffickers and confidential informants regarding their drug trafficking activities and their means to avoid detection by law enforcement officials. From these interviews, and my training and experience as a detective and police officer, I know that drug traffickers use counter surveillance techniques to avoid detection. These techniques include operating or using several vehicles or vehicles registered in other people's names and the use of stash houses or alternate locations to store and hide drugs and assets, along with camera surveillance systems.
6. Also from these interviews, I have learned the methods of distribution of controlled substances such as Heroin, Cocaine, Crack Cocaine, Oxycodone, and Methamphetamine, to

name a few. The methods include weights, packaging, and portion sizes of the controlled substances. I have also learned the preferred methods of ingestion of various controlled substances such as smoking, injecting, snorting/inhaling, along with doses and sizes.

7. The information set forth below is based on information known to me personally through my own investigation or through my communications with other Manchester Police Officers. This affidavit does not contain every fact known to me or other investigators. Rather, it contains material information relevant to determining whether there is sufficient probable cause for the accompanying requests.
8. In August 2021, Detective Olsen, DEA Task Force Office ("TFO") Ellston and I, Detective DeJoy, initiated a drug investigation into Marcus Cherry (DOB 07/04/1978), 51 Cumberland Street, Manchester, NH. The initiation of the drug investigation was the result of two-post arrest debriefs that were conducted by members of the Special Enforcement Division/Special Investigations Unit. Both individuals who were debriefed spoke about Cherry's drug dealing, and they both described him as selling large amount of multiple different controlled drugs. Both individuals also described Cherry as storing drugs with a woman named "Zoey," who lived in Bow, NH, and both said they had seen large amounts of cocaine, methamphetamine, and heroin/fentanyl at "Zoey's" residence in Bow.
9. At approximately 8:19 p.m. on October 11, 2021, Hooksett Police arrested a woman named Zoe Murphy (DOB 02/08/1983) of Bow, NH, for operating with a suspended registration. The Hooksett Police Department has an inventory policy, and while they were inventorying the vehicle before it was towed they located a large amount of suspected heroin/fentanyl within a gray backpack on the back seat of the vehicle, which they seized. FBI TFO McGee, DEA TFO Ellston, and I conducted a post-arrest interview with Murphy. DEA TFO Ellston read Murphy her Miranda rights, which she waived and agreed to speak with us.
10. Murphy explained to us that that night (October 11, 2021), she had received a call from an individual she knows as Marcus Cherry a/k/a "E," who asked her to come to his house to pick up a bag. Murphy stated that she never asked what was in the bag or what to do with and just went toward his house. Murphy stated that as she got close to Cherry's house, Cherry told her to retrieve the bag from the rear of a blue Audi, which was parked near his residence. Murphy stated that she pulled up near the Audi, which was unoccupied, and retrieved a gray bag out of it and placed it into her vehicle. Murphy explained that she never opened the bag and was unsure what was in it. Murphy stated that this wasn't very uncommon considering the fact Cherry would have her store bags in her basement.
11. Murphy said that Cherry lived at 51 Cumberland Street, and that she had known of him since January 2021, but she did not actually get to know him until April 2021. She said that he was currently distributing large amounts of methamphetamine, heroin/fentanyl, and cocaine within the city of Manchester. Murphy said that about one month prior she had seen Cherry with about a kilogram of methamphetamine and three kilograms of cocaine inside of his Toyota Camry. She said that she had also seen him with large amounts of cash, including approximately \$250,000 in May 2021.

12. Murphy provided consent to search her vehicle. During the search, a gray backpack was located in the back seat of Murphy's vehicle. Murphy identified this as the backpack Cherry asked her to retrieve from the Audi. This was the same backpack in which Hooksett Police located the suspected heroin/fentanyl during the inventory search. Inside of the backpack were a variety of substances that have since been tested and confirmed to be controlled drugs, including approximately one kilogram of cocaine, approximately 336 grams of fentanyl, and a large quantity of counterfeit pills containing fentanyl and methamphetamine.
13. It should be noted that on September 8, 2021, the DEA assisted the Manchester Police Department in placing a static surveillance camera device that focuses on the exterior of 51 Cumberland Street, Manchester. Based on the information Murphy provided me, I went back and reviewed the camera footage to corroborate what Murphy stated. On October 11, 2021, at approximately 7:38 p.m., the camera showed that two individuals walked from the driveway of 51 Cumberland Street and got into what appeared to be a Toyota Camry, which was parked in the front of 51 Cumberland Street. At approximately 7:39 p.m., another individual walked down the driveway of 51 Cumberland Street and got in the passenger's side of the vehicle. At approximately 7:40 p.m., the Toyota Camry left the area. A small SUV then pulled into the driveway of 51 Cumberland Street. At approximately 7:51 p.m., a vehicle pulled up in front of 51 Cumberland Street facing south. Based on the tail lights it appears that it was a Toyota Camry, which was the type of vehicle Cherry used at the time. A female then walked down the driveway of 51 Cumberland Street toward the passenger's side of the Toyota Camry. At approximately 7:51 p.m., the female walked away from the vehicle with what appeared to be a bag in her right hand. This female then placed the bag into the rear passenger's seat of an Audi sedan, which was parked in front of 51 Cumberland Street. At approximately 7:55 p.m., the female walked away from the Audi and back up to 51 Cumberland Street. At approximately 8:00 p.m., Murphy pulled up just north of 51 Cumberland Street and got out of her vehicle. Murphy then reached in the rear driver's side of the Audi and removed what appeared to be a bag and put it over her shoulder. Murphy then walked back to her vehicle and left the area. The surveillance video is consistent with what Murphy explained happened. According to Google Maps, the drive time from 51 Cumberland Street in Manchester to the location where Murphy was stopped and arrested in Hooksett is approximately 15 minutes.
14. As a result of the investigation into Cherry, arrest warrants were obtained for Cherry and another identified coconspirator, Joy Schofield. On November 4, 2021, Cherry and Schofield were arrested. Cherry was charged with, among other things, conspiracy to sell cocaine and fentanyl, based on the October 11 transfer of the gray backpack to Murphy. Murphy was not named in the charging documents, and was instead referred to only by identifiers such as IT#1 and CI.
15. As will be described herein, despite Murphy's initial cooperation with and information given to law enforcement, on March 13, 2022, the New Hampshire Union Leader published an article about Murphy that was apparently based in-part on an interview Murphy had given that lasted over an hour. According to the article, in the interview Murphy made statements that contradicted information she had given to law enforcement, and basically

claimed to know nothing about Cherry's drug distribution. This article happened after a coordinated campaign of witness tampering involving another individual identified as Sean Brown, who interfaced directly with Murphy in an attempt to protect Cherry. This campaign involved multiple calls between Cherry and Brown, as well as thousands of phone contacts, dozens of hours of phone calls, and an unknown amount of in-person contacts (at least two) between Brown and Murphy. Eventually Cherry, who at all times since his arrest has been held at the Hillsborough County House of Corrections ("HCHOC") in Manchester, NH, placed multiple calls to Murphy directly, using various different inmate accounts in an attempt to avoid detection, which shows his own consciousness of guilt.

16. Detective Olsen and I continued the investigation into Cherry after the arrest. During the course of the investigation, Detective Olsen and I listened to an abundance of phone calls that Cherry made from the HCHOC since his arrest. Many of the phone calls were made to Murphy, as well as to an individual identified as Sean Brown (DOB 05/11/1973), 48 Henriette Street #214, Manchester, NH.
17. It should be noted that it is the policy of the HCHOC to record non-confidential inmate calls. This policy is made known to inmates, and at the beginning of each call, before the parties are allowed to speak, a recording plays that notifies both the caller and the recipient that the call will be recorded and subject to monitoring at any time. Calls made by an inmate are linked to that inmate's account. In addition to the recorded content, the system also saves metadata about the call such as the date and time it was placed, the length of the call, and the number that was dialed.
18. While Detective Olsen, DEA TFO Ellston, and I were listening to phone calls made by Cherry, it was apparent to us that Cherry and Brown were attempting to tamper with Murphy. During the phone calls made from 11/04/2021 until 03/27/2022, it is clear to Detective Olsen, DEA TFO Ellston, and I that Cherry was able to identify Murphy as one of the individuals who gave information against him. During the course of the calls, Cherry uses coded messages to speak with Brown and Murphy. I know that individuals frequently use coded messages on recorded jail phone calls when they are discussing things they do not want law enforcement to understand, including discussions of illegal or potentially illegal matters. I also know that incarcerated individuals will take other measures to avoid law enforcement monitoring their phone calls, including using other inmates' phone accounts, having other inmates place calls for them and relay messages, and calling one individual but then having that individual add another person via three-way calling. As with the coded messages, these other measures to avoid monitoring are frequently used when individuals intend to discuss illegal or potentially illegal matters.
19. Murphy's complete phone number is known to me. The last four digits are 7615. As described herein, Brown's phone number was identified as 603-661-5521. According to information received from the HCHOC, between November 4, 2021, and March 22, 2022, there were approximately 93 calls from Cherry's account to Brown's phone number. Between February 17, 2021, and March 16, 2022, there were approximately 47 calls from Cherry's account to Murphy's phone number. Between January 22, 2022, and March 16, 2022, there were approximately 72 calls from other inmates' accounts to Murphy's phone

number. As described below, on multiple instances Cherry called Murphy from another inmate's account; it is likely that at least some of these approximately 72 calls were Cherry calling Murphy from another inmate's account to evade monitoring.

20. The following is a summary of calls that involve Cherry, Brown, and Murphy. It should be noted that due to the number of calls, investigators have not yet been able to listen to every call between Cherry and Brown and Cherry and Murphy; however, as described below, calls that have been reviewed provide probable cause that Cherry and Brown are engaged in a conspiracy to commit witness tampering.
21. On December 28, 2021, at 9:38 a.m. (CSN 80880448) Cherry called Brown's phone number (603-661-5521) from his phone account at the HCHOC. Cherry asked Brown if he had talked to "Eff." Brown said not yet, and then Cherry said that, "he is talking to that broad."¹ Brown then said, "crazy girl?" Brown then said to Cherry, "she doesn't think I know you." Brown said he thought the only reason that she was so forthcoming with him (Brown) is because she didn't think Brown knew Cherry. Brown said, "she only knows me from being a paralegal that 'Efrain' introduced her to." Cherry said that could be used to advantage or not. Cherry said he (Cherry) shouldn't have to explain what should be understood. Cherry then said to "clean whatever you can." Cherry said that he (Cherry) was going to have the case file. Cherry then said to reach out to the two people for him. Brown said, "which two?" Cherry then said, "you said you ran into a girl the other night." Brown then said yeah I got you. Based on my knowledge of the Cherry drug investigation, as described previously, and based on the context of other calls described herein, it is apparent to me that Brown and Cherry are speaking about Murphy when they reference "crazy girl."
22. On December 31, 2021, at 7:29 p.m. (CSN 80896410) an unknown male using Vincent Chaney's HCHOC phone account called Brown's phone number. The unknown male said to Brown, "me and fam are here together." I know that "fam" is a slang term that is used to refer to a close, trusted friend. The unknown male said, "Home girl from E's crib, the bugged out one. Fam needs to holla at shawty. They had no PC to do what they did to her. They arrested her for suspended registration." As noted previously, "E" is a nickname for Cherry, and Murphy was arrested on October 11, 2021, for a suspended registration. I know that "holla at shawty" is slang terminology meaning to talk to a female. Accordingly, I understand this conversation to be the unknown male saying he is with Cherry, and that Cherry needs to talk to Murphy. I know that "bugged out" is slang for "crazy," so this conversation also provides support that the reference to "crazy girl" on December 28, 2021, was a reference to Murphy.
23. On December 31, 2021, at 7:35 p.m. (CSN 80896410) an unknown male using Vincent Chaney's HCHOC phone account called Brown's phone number. The unknown male said, "I need to get shawty's number for fam. He needed you to reach out to her. It sounded like if she wanted that contract she needs to do the right thing. He is going to get her a lawyer. It was all illegal what they did. All of that happened because of an expired registration." The unknown male asked Brown what his company name was, and Brown said it was

¹ All quotations herein are transcribed to the best of my ability. While they accurately capture the message conveyed, they may not be perfect on a word-for-word basis.

Brown Knows Legal Assistance LLC. The unknown male then asked for “home girl’s number.” Brown said that she hit him up through Facebook and that he didn’t have her number. The unknown male said, “everything that happens afterwards is fruits of a poisonous tree. This is why he needs you to reach out and she needs to be educated. He will get her a lawyer.” Based on the context, “he needs you to reach out” is most likely Cherry needing Brown to get in touch with Murphy to “educate” her.

24. Regarding the statement, “if she wanted that contract she needs to do the right thing,” it should be noted that Murphy had previously informed me that Cherry would hand out “contracts” to people. Murphy said that she did not have a contract, but Joy Schofield had one. Murphy explained that these contracts could only be terminated by death. Murphy was not able to provide any further details regarding these contracts.
25. According to documents on file with the New Hampshire Secretary of State, Brown Knows Legal Assistance, LLC, is a domestic limited liability company that was created December 4, 2019. The business email is listed as realthing730@gmail.com, and the business phone number is listed as 603-742-6669. The certificate of formation lists a single member, Sean Brown, with a New York address. The certificate of formation is signed by Sean D. Brown. A Google search for Brown Knows Legal Assistance, LLC, returns as a result the website <https://brownknowslegalassistancelc.business.site/>, which lists a contact phone number of 603-661-5521. Despite the name of the business, there is no claim on the website that the business is a law firm or that it employs any attorneys. In addition, searches of both the New York and New Hampshire bars do not show any attorney named Sean Brown as a member of the bar in either state. Finally, as will be described later, Murphy has described Brown Knows Legal Assistance, LLC, as a “certified paralegal.”
26. On December 31, 2021, at 8:14 p.m. (CSN 80896750) Cherry called Brown’s phone number from his HCHOC phone account. Cherry said that this “particular situation needs care, guidance, education...” Cherry said to Brown that “you need to be a quarterback” and then Brown said “say no more. I will have results in 48 hours.” Cherry then said to Brown, “also that I understand and I’m not mad, I’m hurt, not mad.” Brown said “about what?” Cherry said “read between lines.” Cherry said “when you quarterback this...” Brown then said “okay stop talking I got it.” From this conversation, it is clear that Cherry is telling Brown to manage the situation and to tell Murphy that he (Cherry) isn’t mad.
27. It should be noted that Murphy’s cell phone service provider is T-Mobile. On March 23, 2021, a subpoena was served on T-Mobile for Murphy’s phone tolls from November 1, 2021, through March 23, 2021. T-Mobile provided the requested tolls. The tolls show a call from Brown’s phone number to Murphy’s phone number on January 2, 2022, lasting approximately 50 minutes.
28. On January 3, 2022, at 4:06 p.m. (CSN 80907318) Cherry called Brown’s phone number from his HCHOC phone account. Brown said that he started the “football game yesterday and it went into overtime, yo looney tunes!” Brown then said “we are making progress.” Cherry said “I stress the importance of keeping a regiment,” advising that Brown use tools such as meditation to increase his own stability. Brown said he had to debrief after talking to “Son,” and that he spent seven hours talking to “homeboy.” Cherry asked Brown “is it

progressive or not?" Brown said that "Son" hadn't been charged with anything yet. Cherry then asked Brown "who framed roger rabbit" and then Brown said "they did." Brown said he didn't want to get in trouble, so he was being careful. Cherry asked if there was a number specifically to call "Son." Brown then warned Cherry to "think about this." Cherry said "I have." Brown said "you can't touch nothing." Cherry said "I know that." Brown said "if there is some script you want me to follow and say verbatim, I can do that, but this whole shit is to protect you." Cherry said "I am glad there is a better understanding." Cherry said if "Son" proceeds with this, it's Christmas. Brown said "Son" is the most credible person that they have. At the end of the call, Cherry said "get me the digits," which I understand to be slang for "get me the phone number."

29. Based on the overall context, including the December 31 call where Cherry told Brown that Brown needed to be a quarterback and the January 2 call from Brown's phone number to Murphy's phone number, it is apparent that the January 3 call is a heavily coded discussion of the effort to tamper with Murphy. When Brown said he started the football game yesterday and it went into overtime, he likely means he contacted Murphy but that it went longer than expected; he later said he spent seven hours talking to "homeboy," which is likely a reference to Murphy. Based on this and other calls, it is clear that Cherry and Brown refer to Murphy as "Son," and will refer to "Son" as a male, so as not to reveal that they are actually talking about Murphy.² As of January 3, 2022, Murphy had not been charged with anything related to Cherry's drug conspiracy. The mention of "Son" being the most credible person they have is likely a reference to Murphy having no prior criminal record, as well as the video footage that corroborated the information she provided on October 11, 2021. Cherry and Brown are clearly both aware they are engaged in something illegal, as they discuss the need to be careful and to protect Cherry.
30. On January 4, 2022, at 1:58 p.m. (CSN 80911120) Cherry called Brown's phone number from his HCHOC phone account. Brown said that he had been "tossing the football around with Son." It is evident that Brown is saying that he has been talking with Murphy. Murphy's phone tolls do not show any contact with Brown's phone number on January 3 or 4, 2022, so it is likely that Brown's contact with Murphy around January 4 was through another medium, such as in-person or via Facebook (as Brown had previously mentioned using).
31. On January 5, 2022, at 4:08 p.m. (CSN 80915888) Cherry called Brown's phone number from his HCHOC phone account. Cherry told Brown that he was going to try and get him paperwork. Brown said that would work so he could look at the cards while speaking to "Son." It is clear that Brown is saying he would like to look at the paperwork/discovery from the case while speaking to Murphy, indicating that Brown and Murphy likely were having in-person contact.
32. On January 7, 2022, at 1:36 p.m. (CSN 80923750) Cherry called Brown's phone number from his HCHOC phone account. Cherry said "you know shawty is a driver." Brown said he's not letting on that he knows what he knows. Cherry said he wants to reach out, but he

² Based on information learned during the drug investigation of Cherry, including information from Murphy, Cherry apparently had a drug associate that was called "Son." However, as described herein, the references Cherry and Brown make to "Son" are clearly references to Murphy.

won't. Cherry said "you know what the crazy shit is that you didn't reach out." Brown, speaking about "Son," said that "that they don't know he is bluffing them." Brown said that "Son" said they are keeping him away from a lawyer. Brown said "Son" said that they are coming with more charges.

33. On January 7, 2022, at 2:00 p.m. (CSN 80923968) Cherry called Brown's phone number from his HCHOC phone account. Cherry asked Brown if "Son" had obtained counsel. Cherry asked why no one has represented "Son" yet, wondering if it was the lack of funds. Brown said "that thing is a go, I will handle us." Brown said he gave wifey something, and she can bring it into you (meaning Cherry). Cherry said that he is concerned about the "counsel thing."
34. On January 10, 2022, at 6:12 p.m. (CSN 80937560) Cherry called Brown's phone number from his HCHOC phone account. Brown said that he is talking to "Son" right now. Cherry asked "face to face?," and Brown said no he didn't have the energy for that. (It should be noted that Murphy's phone tolls show no contact with Brown's phone number on January 10, 2022, so this conversation between Brown and Murphy was likely occurring via some other means, such as Facebook.) Cherry then asked Brown what they were talking about and Brown said "you, the relationship you had ... and that it was deeper than just money." Brown said to Cherry that he can't lead on anything that he knows. Cherry then asked Brown to ask "Son" if "they're" still willing and wanting a contract. Speaking to Brown as if speaking to "Son," Cherry said, "This is why no contract was ever drawn, because I was unsure of your position. Had I been sure, you would have had said contract that you so sought." Cherry said, as if speaking to "Son," "If it matters that much to you, the only way to get a contract is to not comply completely and make sure that you fucking fix this." Cherry then asked Brown if he knew where he is coming from, and Brown said that he does. Cherry then said "I am not sure if Son ever told you about contracts." Brown then said that "he mentioned it," in reference to someone else that "Son" was hating on. Cherry said "now you know how to approach the situation."
35. On January 10, 2022, at 7:04 p.m. (CSN 80938008) Cherry called Brown's phone number from his HCHOC phone account. Cherry asked Brown if he finished the conversation with "Son" yet. Brown said he needed to tie up some loose ends and he was at 90 right then, but needed to get 100 percent. Cherry later said that he is losing sleep because he needed to talk to said individual.
36. On January 12, 2022, at 7:39 p.m. (CSN 80947136) Cherry called Brown's phone number from his HCHOC phone account. Early in the conversation, Cherry said "what's up with Son though?" Brown said "Last I heard he was drunk. Just like off wine or some shit like that." Cherry said "I'm telling you this is a wild situation." Cherry asked Brown if "this nigga still around?" Browns said "nah he is bouncing off the walls right now." Cherry then asked "what's the vibe though?" Brown said "the vibe is, as far as the risk and everything, I'm more comfortable because day by day or each time I deal with him, Son's answers and reactions to stuff is genuine." Brown said "and when I hit him back with it like in a different way, you know what I'm saying. You know how certain tests they ask the same question six different ways and different times and Son be on point. You can see he don't even, it don't even be an effort, effortless. Cherry said "My thing is this with Son. What's

Son's vibe when it comes to me, like the correction part of shit, that's where I'm at." Brown said "he acknowledged that, what I am trying to figure out or prep him for is if you have to sit down for a little while it ain't going to be nothing crazy." Cherry said "I'm off this; I'm mentally going to try to fall back. What I need is try to keep smacking and get this lawyer. I need you to really really really understand where I am at."

37. On January 16, 2022, at 11:38 a.m. (CSN 80959558) Cherry called Brown's phone number from his HCHOC phone account. Cherry asked why Joy wasn't at the HCHOC.³ Brown said "when you say Old Boy, which one do you mean, clarify me on that. Which one do you mean. Our Old Boy, Son?" Cherry said "yeah." Brown said "Yeah I'm not worried about that, Son is on it." Brown said "Son realized he has been duped so now he's taking the shit personal. He wants to just blow shit up. Report the cops and there is so much shit that didn't happen that they are saying happened." Cherry said "he's a good liar."
38. On January 22, 2022, at 9:23 p.m. (CSN80986354) Cherry called Murphy's phone number on Justyn Shaw's HCHOC phone account. Murphy talked to Cherry about working on a special project and that there was some really good stuff. Cherry told Murphy that he wasn't sure who was lying or who was telling the truth. Cherry told Murphy that he never wronged her. Murphy said "I'm yours." Murphy said there is a few things that she is drawing up and that "they did it all wrong." Murphy said I am going to do something. Murphy said I like moving a lot and it could bring in some money. Murphy told Cherry that she had legal advice. Cherry then said what is understood should not be discussed. Cherry also talked about giving her a contract.
39. On January 24, 2022, at 7:05 p.m. (CSN 80993148) Cherry called Brown's phone number from his HCHOC phone account. Brown said "Son did some wild shit and wrote a letter to the judge say this didn't happen, this didn't happen and this didn't happen, know what I'm saying? And they got him as credible already. He was credible when he was saying that he was on their side."
40. On January 24, 2022, at 7:18 p.m. (CSN 80993294) Cherry called Brown's number from his HCHOC phone account. Cherry and Brown spoke about gambling, and Cherry said "Old Boy" was fluent in this too. Brown said to Cherry "you have a homie out there that wants to hang out with homeboy real bad." Cherry then said "Son is telling me, I don't know why he is doing this, I told him where I'm at." Brown said "I was supposed to get with Son yesterday but this shit came up, we had contact throughout the whole day. This call is further evidence that Old Boy is a reference to Murphy, as Cherry taught Murphy how to gamble on the DraftKings app. Throughout multiple calls, Cherry asked Murphy to place bets for him.
41. Murphy's phone tolls from January 23, 2022, were reviewed. They showed approximately ten voice contacts between Brown's phone number and Murphy's phone number on that day. Those ten times do not include various text messages sent throughout the day.

³ After her arrest on November 4, 2021, Schofield was held at the HCHOC on preventative detention. However, in mid-January 2022 her bail was amended and she was released.

Contact	Call Times	Duration (approx. minutes)
Murphy's phone number to Brown's phone number	12:46 a.m. to 12:48 a.m.	2
Murphy's phone number to Brown's phone number	7:28 a.m. to 7:40 a.m.	12
Murphy's phone number to Brown's phone number	12:48 p.m. to 1:11 p.m.	23
Murphy's phone number to Brown's phone number	1:42 p.m. to 1:53 p.m.	11
Brown's phone number to Murphy's phone number	2:32 p.m. to 2:34 p.m.	2
Brown's phone number to Murphy's phone number	3:41 p.m. to 3:57 p.m.	16
Murphy's phone number to Brown's phone number	4:00 p.m. to 4:42 p.m.	42
Murphy's phone number to Brown's phone number	4:59 p.m. to 5:00 p.m.	1
Brown's phone number to Murphy's phone number	5:08 p.m. to 5:20 p.m.	12
Murphy's phone number to Brown's phone number	10:57 p.m. to 11:37 p.m.	40
		Total: 161

42. On January 25, 2022, at 9:40 p.m. (CSN 809982250) Cherry called Murphy's phone number through Justyn Shaw's HCHOC phone account. Murphy talked about how she was stressed a bit because of work. She said she had a lot on her plate. Murphy said the people at her "job" don't stop calling. Murphy said she is getting legal advice but not a lawyer, which may have been a reference to advice she was getting from Brown.
43. On January 26, 2022, at 12:04 p.m. (CSN 80999538) Cherry called Brown's phone number from his HCHOC phone account. Brown said "I reached out to Son, your heart; you know what I'm saying?" Brown said that they were on the same page and that he would see "Son" that same day. Cherry said "that's good" and "what I want him to concentrate on is

the black box situation, get what I mean?" Prior to Cherry's arrest, Murphy assisted with making one-party recordings of Cherry. I believe that the "black box situation" likely has to do with these recordings.

44. On February 9, 2022, at 7:32 p.m. (CSN 81059830) an HCHOC inmate named David Previe called Murphy's phone number using his HCHOC phone account.⁴ During the conversation, Murphy said "you're not, you know like..." Previe cut Murphy off and stated "double agent shit." Murphy then continued by saying "against him," and asked Previe why he was helping him. (Based on the context and other calls described herein, I understand "him" to be a reference to Cherry.) Previe stated "I don't know, I look up to him". He continued to tell Murphy a summarized version of his life story and why he is the way that he is. Previe continued saying why he is friends with him (Cherry). Previe said "I'm not trying to ask him for drug money because he doesn't have any." Previe said "I am working for this guy (Cherry) in the fashion to be a better person. We each have our own things." The conversation continued until Previe said that he would call Murphy right back because the phone call was about to expire. During this call, Previe insinuated that inmates at the HCHOC call Cherry a rat from a previous case.
45. On February 9, 2022, at 7:43 p.m. (CSN 81059934) Previe called Murphy back and asked her to talk because he talks too much. Murphy inquired how people knew that Cherry was cooperating with the government. Previe stated that he didn't know because that's between him, and continued to say that what he was trying to do was "coordinate his funds and hope that he compensates me in a particular fashion which is equal to the amount of work that I have done for him (Cherry)." "Same I have done for any boss that I ever had, even though he doesn't want anything from me." Previe said "he is good at managing and running crews of people which is good for other areas of work, wink, wink. So if I can get introduced in area like that then that would be my ulterior motive."
46. On February 9, 2022, at 10:36 p.m. (CSN 81060424) Cherry called Brown's phone number from his HCHOC phone account. During the call, Cherry asked "did Old Boy go to court too?" Brown said "no, there's nothing on that," then clarified, "You are talking about Son, right? The Son that I was hollering at?" Cherry said "yeah." Brown said "Son is non-existent in that, there's nothing official on Son." I know that as of February 9, 2022, Murphy had not been charged in connection to Cherry's drug conspiracy.
47. On February 10, 2022, at 1:14 p.m. (CSN 81061872) Previe called Murphy's number from his HCHOC phone account. Previe said "I want to be honest to the effect, what do you do when you find a pest in your home? You get rid of it right?" Murphy said "yeah." Previe said "In the beginning I heard something about maybe someone being a pest, wink wink, like you. Someone might have been headed your way to get in the way maybe it should happen. Any contact with anyone physically. This convo was about a month and a week ago." Murphy said "he has that who he calls his brother but not his brother wants to fuck me and I was like no." Previe said "you are a broken person, easy to piece you back

⁴ It is known that this call was placed by David Previe because in an earlier call to Brown's phone number to relay gambling bets for Cherry to Brown, Previe identified himself as "David Previe, but they call me 'Hyde.'"

together a certain way,” and he compared Murphy to having Stockholm Syndrome. Previe said “Be careful and that you are okay. Keep your eyes open a little wider.”

48. On February 11, 2022, at 3:45 p.m. (CSN 81067710) Previe called Murphy’s number from his HCHOC phone account. During the conversation, Murphy told Previe that she “sent him a fucking letter yesterday.” From the context of their conversation, it is clear that “him” is a reference to Cherry, as they also talk about Schofield and about how big “his” wife is, and I know Cherry’s wife to be a larger woman. Murphy said she told “him” what everybody had been telling her, and she told Previe that he wasn’t the first one; that he was probably the fifth or sixth. Murphy said that she was going to help “him” (Cherry) “majorly,” at which point Previe interrupted and said “you really need to not do that” and Murphy responded “I’m not.” Previe said, “with how you sound and the person to seem to be, I’m not going to play a part in that.” Murphy later said, in reference to the same person (Cherry) “that motherfucker, for the last six months, he wouldn’t have gotten by without me.... I didn’t know anything about that life until he got me involved in it.” Murphy said her first goal was to be the number one side chick. At the end of the conversation, Previe said “be careful with your daily routine because ever since I heard the whole conceptual loss your life, that’s really bothered me a lot.” Murphy said “I’ve gone on record and made it clear that if anything happens to me it’s on Marcus.” Murphy said “It’s gonna fuck the police. It’s gonna fuck the fucking DEA. It’s gonna fuck Marcus. It’s gonna fuck them all.”
49. On February 11, 2022, at 4:33 p.m. (CSN 81067074) Cherry called Murphy’s phone number using Ahmed Abukar’s HCHOC phone account. Murphy asked Cherry “did you get the mail?” Cherry said “I did it was a lot to process.” Murphy said “There is another letter with different stuff.” Cherry said “Different stuff like what?” Murphy said “I was enlightened on some stuff.” Cherry said “enlightened on what? And how much of it is true you need to ask yourself.” Murphy said “you don’t think as highly of me as I think you did and I had been told by multiple different people that I should cut my losses. I realized that you didn’t give a fuck and to accept it. I didn’t want to do that.” Cherry said “You know why you didn’t want to believe it?” Murphy said “Because my heart.” Cherry said “energy is real, vibration is real, energy is not in tune with reality.” Murphy said “So you didn’t put out a hit on me?” Cherry said “no I did not, what the fuck. What did you say, you have a family, who am I? Al Capone?” Cherry later said “from now on you are not going to accept a call from any fucking body unless you know it’s me.” Murphy said “Okay, alright.” Cherry said “understand?”
50. On February 18, 2022, at 3:54 p.m. (CSN 81098562) Cherry called Brown’s phone number from his HCHOC phone account. During the conversation, Brown said to Cherry “how is everything with you and Son?” Cherry said “beautiful.” Cherry continued “dealing with some individuals, they are irrational, emotional, overly emotional and they don’t know how to control certain things. So like you know when I spoke to him it was like X, Y, Z from now on if you don’t hear it from me then you should be really cautious of what it is that you’re taking in and so I said stop answering, that’s what you do. If you do answer and it’s not me then hang up. So everything is beautiful.” Brown then said “Before I forget two things do you have any picks and two I had hollered at Son and he was like next month, which is this month.” Cherry said “as far as Son goes he definitely seemed to understand the picture, and I was like yo, honor your commitment.” Brown later said “what’s this

weird ass nigga talking about the DEA?” Cherry said “what DEA?” Brown then said “Son was on that snake shit and threatened you with if anything happens X,Y,Z, the cops are going to be informed.” (This appears to reference the February 15 call between Previe and Murphy.) Cherry then said “I don’t know.” Brown said “dude that was trying to get at Son.” Cherry said “he is a weirdo.” Cherry said “Cause it was simple, [as if speaking to Previe] your instruction was hey reach out to my people, say hello and ask if there is anything I need to know, get off the phone. He was incapable of doing so and had to be something extra.” Cherry said “but everything is okay.” “I made contact, socialized, trust me, you know and I know that I am not a dummy. I do not discuss anything.” Brown said “what do you think the reason is that he pulled that stunt?” Cherry responded “sometimes we are up against forces that we don’t even know, beloved.” Cherry said “they try to explain to me my methods are a little different, now you see the results, undying loyalty. Bro that was there before you even decided to do the nut ball shit that you pulled.” (It is apparent that Brown and Cherry are talking about how Previe told Murphy about the hit that was put out on her and that they are frustrated with what he did.)

51. On February 20, 2022, at 1:34 p.m. (CSN 81106354) Cherry called Brown’s phone number from his HCHOC phone account. Brown asked “how are you and Son doing?” Cherry said “he has come a long way and has got a lot of love for the kid. I know these type of beings, these type of beings are rather emotional and can be rather irrational at times. You have to constantly reassure certain individuals especially that magnitude and also instruct along the way. You have to put your intellect over emotion. I think that he has learned.”
52. On February 21, 2022, at 4:35 p.m. (CSN 81111162) Cherry called Murphy’s phone number from his HCHOC phone account. Murphy said “do you want me to make you laugh?” Cherry said “sure, come on.” Murphy said “how’s it going today, co-D?” Cherry said “what?” Murphy clarified that she meant co-defendant. Cherry said “you’re my co-defendant—how is that?” Murphy said “let me see, indicted for conspiracy.” Cherry said “you are.” Murphy said “mm-hmm.” Murphy then said “you’re not going to flip on me, right? Because I’m not going to flip on you.” Cherry said that he didn’t know what “these people” were talking about when it comes to any crime, and that for him to flip on somebody would insinuate that he is guilty of something and he’s not doing that. Cherry told Murphy to sit and he would try to do the best he could to get her legal representation. They spoke further, and Cherry suggested Murphy get a title loan so he could do what he does to flip the money; this is a likely reference to Cherry gambling with Murphy’s money.
53. On February 23, 2022, at 7:20 p.m. (CSN 81120882) Cherry called Brown’s phone number from his HCHOC phone account. Early in the conversation, Brown said “what’s up with your co-D, man?” Cherry laughed and said “what are you talking about?” Brown said “they flipped on Son because Son was wyling out on them so they flipped on him.” Cherry said “that’s crazy.” Brown then said “Son ain’t got no friends with them.” Brown said “he balked on them, he was flipping out on them. Too many unanswered questions.” Cherry said “so what’s going on though, what am I doing here.” Brown said “you are just watching them try to figure something out.” Cherry said “whatever is there to aid and assist should probably be duplicated and given to those of record that are on my side.” Brown said “Son has been getting after them. That main detective, Son has been going at him crazy.” Cherry said “everything is everything.” Brown later said “when Son was supposed to have gotten

indicted man, I don't know man, that's freaking crazy." "Son got more than enough to make a showing to pierce the secrecy of the grand jury proceedings. They had to go there and lie to those people." Brown then talked about *Bank of Nova Scotia v. U.S.* Cherry said "I need details of what is happening here and who knows what because I know that I have been set up." Cherry said "All I need you to do is inform anybody who is in the immediate need to know that they need to be fully informed and made aware of whatever pressures and stresses that can arise. To be prepared, because right now what it is they took things bro. It would have been easier to be able to council up." Brown said "believe me I know." Cherry later told Brown he (Cherry) hadn't been indicted yet. Brown said "I know, Son hasn't been indicted yet but supposedly it happened last Friday. Monday being a holiday." Cherry asked what holiday Monday was, and Brown responded "Presidents Day." Brown said "Son talked to the clerk and they was like, we don't see nothing for you." Brown said "yo, they are doing damage control; I can see what is going on. I told son what was going to happen. I have predicted everything so far."

54. On March 5, 2022, at 6:40 p.m. (CSN 81163332) Cherry called Brown's phone number from Justyn Shaw's HCHOC phone account. Brown told Cherry that he has a number of people that he talks to. Cherry told Brown that on Wednesday he needed to go get some "cake and dinner." Cherry told Brown that he talked to "Son." Cherry said that "Son" is alright and Brown said Son came a long way. Brown said that Son is a little stubborn. Cherry told Brown that he is not guilty, and Brown said this is supposed to go a certain way. Brown said whether you are guilty or not this is supposed to go a certain way. Son was supposed to be a big part of that, but Son went crazy and went rogue. Cherry spoke about "home girl" and said that he wished he could say goodbye (I believe that "home girl" is Joy Schofield because she passed away a few weeks prior to this call.) Brown later said "you don't see how big of a problem that is for them." It sounds like Brown was saying that with Schofield's death, she cannot provide the police with information. Cherry said that he didn't care about that and just cares about her family and this is bigger than their case. Cherry said the whole picture that they are trying to paint to fit their narrative is fucked up. Brown said that's what he was telling Son. Brown told Cherry that Son talked to an attorney and they asked a specific question and asked is this what happened and Son was like "no."
55. On March 13, 2022, I was notified that the Union Leader newspaper published an article titled "What Happens When Police Tell You Your Boyfriend Is a Drug Dealer." In this article, Union Leader reporter Mark Hayward claimed to have spoken with Murphy for over an hour. Hayward wrote that Murphy talked about how the police told her that Cherry was a drug dealer. Many statements made in this article differ from the statements made during the course of her cooperation. In the article, Murphy said she asked if she needed a lawyer, and was told by police that "that was the hard way." However, during the course of Murphy's cooperation, Murphy was encouraged to receive counsel an abundance of times if she desired to do so. In the article Murphy also denied selling and stashing drugs and storing guns on behalf of Cherry in her Bow, NH home. This contradicts information previously described herein regarding the drug investigation, including her own initial statements to law enforcement.

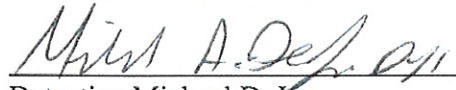
56. On March 14, 2022, at 7:48 p.m. (CSN 81199430) Cherry called Murphy's phone number from his HCHOC phone account. Murphy talked to Cherry about getting an attorney. Cherry then responded by saying "you do know that these people are going to spin you."
57. On March 14, 2022, at 8:24 p.m. (CSN 81199616) Cherry called Murphy's phone number from his HCHOC phone account. Cherry told Murphy that she was going to have to get a loan and she was going to have to do what he told her. Cherry told Murphy that he was going to have to get her counsel, saying "I don't want you to have counsel appointed or given to you." Murphy then said "no, no, no." Cherry then said "No, you don't tell me no." Murphy said I know better in this case, and said I know three people recommended to me by someone you know that we can't discuss. Murphy said that she interviewed with a private investigator.
58. On March 21, 2022, Murphy filed paperwork with the Hillsborough County Attorney's Office, located within the Hillsborough County Superior Court-North in Manchester, NH. This paperwork consisted of motions she was filing in her criminal case, and included a motion to represent herself pro se and a motion for authorization to obtain services other than counsel. In the motion for authorization to obtain services other than counsel, Murphy was requesting an estimated \$1,750.00 to pay Brown Knows Legal Assistance, LLC, for assistance with legal research, "as firm is a Certified Paralegal."
59. On March 24, 2022, at approximately 1:48 p.m., DEA TFO Ellston and I spoke to Trish Poltak, an employee at the Hillsborough County Attorney's Office in Manchester. Poltak explained that on March 21, 2022, a white female (Murphy) and a black male arrived at the front desk of the County Attorney's Office. Poltak described the black male as being bald, possible facial hair, tall, and medium build. Poltak stated that the Murphy was filing paperwork and was visibly shaking as she was passing it in. Poltak described Murphy as being a nervous wreck. Poltak stated that the unknown black male didn't really talk at all, but chimed in during the conversation and said that "she can mail the paperwork."
60. After speaking with Poltak, DEA TFO Ellston and I obtained video footage from the Hillsborough County Superior Court-North. In the video footage, at approximately 8:15 a.m., the video showed a white female, who I can positively identify as Murphy, and a black male, who I can positively identify as Brown, walk into the front door of the courthouse. Murphy and Brown then sat in the lobby for a short amount of time before walking into the County Attorney's Office at approximately 8:35 a.m.. Due to the camera angle and the position of their bodies, I am unable to tell what they were doing while sitting in the lobby. Once Murphy and Brown entered the waiting area of the County Attorney's Office, Murphy walked up to the glass to speak to someone, while Brown sat on a chair directly behind Murphy. While Murphy was speaking to someone at the glass, Murphy was continuously looking back at Brown as if she was looking for direction. At approximately 8:38 a.m., the video showed Poltak start speaking to Murphy. While Murphy was speaking to Poltak, Murphy again looked back at Brown multiple times as if she was looking for direction. At approximately 8:42 a.m., Murphy and Brown walked out of the County Attorney's office.

61. Murphy's arraignment on her conspiracy charge with Cherry was scheduled for 10:00 a.m. on March 23, 2022, at the Hillsborough County Superior Court-North. At approximately 8:00 a.m. on March 23, 2022, Detectives of the Special Enforcement Division initiated surveillance on Murphy and Brown based on the suspicion that witness tampering was occurring. Surveillance units observed that at approximately 8:40 a.m., Murphy arrived in her vehicle at 48 Henriette Street in Manchester. After a few minutes, Brown exited 48 Henriette Street and got into Murphy's vehicle. The two traveled to Dunkin Donuts at 216 Elm Street, where they remained for approximately 26 minutes. They then traveled to the area of the Hillsborough County Superior Court-North, parking on Merrimack Street west of Chestnut Street. Murphy entered the courthouse first, at approximately 9:48 a.m., while Brown remained outside for a few minutes before entering at approximately 9:51 a.m.
62. At approximately 10:00 a.m., a Manchester Police Detective acting in an undercover capacity ("UC") was sitting in the court room where Murphy's arraignment was to take place, and observed Brown and Murphy walk in. UC advised that during the hearing, UC observed Murphy continuously look back at Brown as she was standing speaking to the Judge. UC advised that once Murphy was done speaking, she sat down next to Brown inside of the court room and Brown immediately whispered something in her ear.
63. At approximately 11:04 a.m., Murphy, Brown, and an unknown white male exited the courthouse together. Brown and Murphy entered Murphy's vehicle, and the vehicle was surveilled back to 48 Henriette Street. Surveillance was concluded shortly after.
64. Intelligence Analyst ("IA") Azure Richards of the DEA assisted with reviewing Murphy's phone tolls received from T-Mobile. As an Intelligence Analyst, one of IA Richards' primary responsibilities is analyzing phone records. IA Richards' analysis showed that between January 2, 2022, and March 23, 2022, there were approximately 6,505 contacts between Brown's phone number (603-661-5521) and Murphy's phone number (ending in 7615). Of these contacts, approximately 474 are labeled as voice calls and have a duration of more than 0 seconds. The total duration of these approximately 474 contacts is over 125 hours. The remaining approximately 6,031 contacts are also labeled as voice calls, but have a duration of 0 seconds. According to information received from T-Mobile, the "call detail report may indicate the sending and receipt of text messages and e-mail. While not flagged as text messages, the line will indicate no duration, the dialed digits column will be blank or will show an e-mail address and the NEID column may contain one of the following numbers" None of the approximately 6,031 no-duration contacts have a NEID number in that list. However, of the approximately 6,031 no-duration contacts, only approximately 46 have a phone number in the dialed digits column; for the rest, the dialed digits column is blank. In addition, the timing of many of the no-duration contacts is consistent with the exchange of text and/or MMS messages; for example, on January 13, 2022, the records show that between approximately 11:48:08 a.m. and 12:03:01 p.m., there were approximately 15 no-duration connections between Brown's phone number and Murphy's phone number. While these are all labeled as voice calls, it is not reasonable to think that two people would exchange 15 no-duration voice calls in the span of approximately 15 minutes. Instead, this type of exchange is more consistent with text and/or MMS messaging, and consistent with the information from T-Mobile quoted above regarding text messages, each of those approximately 15 contacts has no duration and the dialed digits

column is blank. Similar exchanges are repeated throughout the approximately 6,031 no-duration contacts between Brown's phone number and Murphy's phone number.

65. Based on IA Richards' analysis, it is clear that Brown and Murphy spent at least approximately 125 hours speaking over the phone between January 2 and March 23, 2022. In addition, over the same time they likely exchanged thousands of text messages.

Signed under the penalty of perjury, the penalty for which may include a fine or imprisonment or both.


Detective Michael DeJoy