

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:24-mj-02460-Reid

FILED BY TS D.C.  
  
**Mar 7, 2024**  
  
ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - Miami

IN RE SEALED COMPLAINT  
\_\_\_\_\_ /

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No
3. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the United States Attorney's Office, which concluded on January 22, 2023? No

Respectfully submitted,

MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

BY: B. Dobbins

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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America )

v. )

BAYRON BENNETT, )

Case No. 1:24-mj-02460-Reid )

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 2, 2022 and through August 30, 2023 in the county of Miami-Dade in the Southern District of Florida, the defendant(s) violated:

| Code Section                | Offense Description                                      |
|-----------------------------|--|
| 18 U.S.C. §§ 844(h) and 2   | Arson/Use of Fire to commit a felony;                    |
| 18 U.S.C. §§ 844(i) and 2   | Arson;   |
| 18 U.S.C. §§ 1952 and 2     | Use of Interstate Facilities in Aid of Racketeering; and |
| 18 U.S.C. §§ 2261A(2) and 2 | Stalking.  |

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

Continued on the attached sheet.

Complainant's signature

Joseph Dalessio, Special Agent, FBI

Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by Face Time

Date: 03/07/2024

Judges signature

Hon. Lisette M. Reid, United States Magistrate Judge

Printed name and title

City and state: Miami, Florida

Hon. Lisette M. Reid, United States Magistrate Judge

**AFFIDAVIT**

I, Joseph Dalessio, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the Federal Bureau of Investigation and have been since January 2019. I am presently a member of the FBI Miami Field Division Violent Crimes and Fugitive Task Force. My duties and responsibilities include conducting criminal investigations of individuals and entities for possible violations of federal laws, particularly those laws found in Title 18 of the United States Code. I have previously participated in investigations which resulted in the arrests, searches, and seizures of individuals and property. In the course of my career with the FBI, I have participated in the use of cooperating informants, undercover agents, pen register/trap and trace devices, video surveillance, wiretaps, GPS tracking devices, search warrants, and audio surveillance, among other law enforcement techniques. Based on my training and experience, I am familiar with methods used by the criminal element to further a variety of criminal activities.

2. I submit this Affidavit in support of a criminal complaint charging Bayron BENNETT with the use of fire to commit a felony, in violation of Title 18, United States Code, Sections 844(h) and 2; arson, in violation of Title 18, United States Code, Sections 844(i) and 2; and the use of an interstate facility in aid of racketeering enterprises, in violation of Title 18, United States Code, Sections 1952 and 2; and stalking, in violation of Title 18, United States Code, Sections 2261A(2) and 2. Based upon the evidence described below, I submit that BENNETT committed these crimes along with Michael DULFO, Jerren HOWARD, and Edner ETIENNE, who were charged in a previous complaint, under Case Number 24-mj-02454-REID.

3. This Affidavit is based upon my personal knowledge, my review of documents and other evidence, and my conversations with other law enforcement personnel and civilian witnesses. Because this Affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Rather, I have included only the facts that are sufficient to establish probable cause. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

**PROBABLE CAUSE**

***The Hit and Run***

4. On or about August 30, 2023, law enforcement responded to the address of VICTIM 1 in Miami-Dade County (hereinafter “VICTIM 1’s RESIDENCE”), for a hit and run incident in which a Home Depot flatbed-style pick-up truck rammed into the side of a vehicle operated by VICTIM 1. It was reported that after the incident occurred, the truck and operator fled the scene. The incident was captured on VICTIM 1’s home video surveillance system. Law enforcement viewed the video of the incident, which revealed that the Home Depot truck arrived in front of VICTIM 1’s RESIDENCE at approximately 4:10 PM, before moving a short time later to park closer to the driveway of VICTIM 1’s RESIDENCE, for no apparent reason. As VICTIM 1’s vehicle pulled into the driveway of VICTIM 1’s RESIDENCE at approximately 4:12 PM, the Home Depot truck was put into reverse, circling around from behind VICTIM 1’s vehicle into the front yard at an increasing rate of speed to strike the passenger side of VICTIM 1’s vehicle with the flatbed area of the truck. The Home Depot truck then drove away. It appeared from the video that the Home Depot truck did not have a license plate affixed to the rear of the truck. Based upon

the circumstances, including the increasing rate of speed and the route the Home Depot truck took while reversing, it was apparent that this was an intentional act and not an accidental collision.

5. A subsequent investigation into the hit and run incident revealed that the Home Depot truck that was used was rented on or about August 30, 2023, from the Home Depot located in the Coconut Grove area of Miami, and later reported stolen on or about September 4, 2023. Law Enforcement spoke with Home Depot personnel who provided a receipt for the vehicle transaction, which was a Home Depot flatbed truck with Florida License Plate Number 61BMVM. The rental paperwork revealed that Home Depot truck was rented by an uncharged individual (hereinafter, "SUBJECT 1") at approximately 10:20 AM on August 30, 2023. An employee of Home Depot informed law enforcement that SUBJECT 1 may have been associated with another individual, later identified as Edner ETIENNE, wearing a dark-colored t-shirt with a white, long-sleeve undershirt and dark pants.

6. Law enforcement reviewed video surveillance footage from the Home Depot in Coconut Grove for August 30, 2023. At approximately 10:12 AM, SUBJECT 1 pulled into a parking space operating a gray Tesla sedan. A dark-colored Chevrolet Silverado pick-up truck, later identified as registered to Michael DULFO as described in more detail below, then arrived and parked in a spot to the rear of the Tesla. SUBJECT 1 then exited the Tesla and entered the store. Approximately three minutes later, an individual wearing a dark-colored shirt with a white, long-sleeve undershirt and dark pants exited from the passenger side of DULFO's Silverado and entered the store. A comparison of ETIENNE's photographs and the images from the surveillance video confirmed that ETIENNE closely resembled the individual wearing the dark-colored shirt with the white, long-sleeve undershirt.

7. The Home Depot surveillance footage also showed SUBJECT 1 walking towards the area of the Home Depot parking lot where the rental trucks are kept. SUBJECT 1 then walked back towards the front entrance of the store and then re-entered the store, before exiting a short time later. SUBJECT 1 then approached the passenger side of DULFO's Silverado and appeared to be talking to someone inside the Silverado. At the same time, ETIENNE exited the Home Depot and entered the Silverado. SUBJECT 1 then returned to the Tesla and drove off. DULFO's Silverado then drove over towards the area of the parking lot where the rental trucks were located where it is obstructed from security camera view, and then an individual, who cannot be identified because of video quality, walked from that area to a Home Depot truck. A short time later, DULFO's Silverado drove away, followed by a Home Depot flatbed truck. The walking unidentified individual is not seen leaving that area of the Home Depot parking lot.

8. Law enforcement canvassed the area around VICTIM 1's RESIDENCE for additional surveillance footage. Law enforcement was able to discover additional video cameras that pointed towards the street where VICTIM 1's RESIDENCE was located. That video footage showed the Home Depot truck driving towards VICTIM 1's RESIDENCE, and the driver of the Home Depot truck was observed to be wearing clothing similar in style and color, specifically a dark-colored shirt with a white, long-sleeve undershirt, to the clothing ETIENNE was wearing at the Home Depot in Coconut Grove earlier that day.

9. Law Enforcement then conducted License Plate Reader (LPR) database checks of the Home Depot truck, bearing Florida License Plate Number 61BMVM, in order to attempt to ascertain its last known location. A LPR check revealed that the Home Depot truck was observed on or about September 4, 2023, at approximately 2:27 AM in the area of 9302 NW 2<sup>nd</sup> Place, Miami, Florida. On or about Friday, September 8, 2023, law enforcement responded to the area

of 9302 NW 2<sup>nd</sup> Place and observed a Home Depot flatbed style truck that appeared to be abandoned on the side of the road. Law enforcement noted it had marks and damage on the rear portion of the vehicle that was consistent with the point of impact observed on video in which VICTIM 1's vehicle was struck on or about August 30, 2023 in Pinecrest.<sup>1</sup> ETIENNE's listed address in the Florida Driver and Vehicle Information Database ("DAVID") is on NW 93<sup>rd</sup> street, approximately 0.7 miles from where the Home Depot truck was recovered<sup>2</sup>.

*Identification of DULFO's Silverado*

10. Due to the timing of the ramming occurring as VICTIM 1 was arriving home, law enforcement conducted a License Plate Reader (LPR) query of the registration of VICTIM 1's vehicle. The query revealed that on or about August 30, 2023, at approximately 3:50:26 PM, VICTIM 1's vehicle was observed traveling south on South Dixie Highway, in the area of 5th Street. This location was consistent with the route that VICTIM 1 provided to Law Enforcement as the route she utilized to travel to VICTIM 1's RESIDENCE from an appointment. At approximately 3:50:29 PM, Law Enforcement noted a dark-colored Chevrolet Silverado, bearing Florida License Plate Number C75UP, traveling in the area behind VICTIM 1's vehicle. A Florida DAVID query revealed that the Silverado with that license plate number was a 2014 Chevrolet

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<sup>1</sup> Law Enforcement recovered the Home Depot truck with store assigned numbers affixed to the front left and right hood area. It appears from surveillance video from VICTIM 1's surveillance video and from the neighbors' video footage that these numbers are not present or cannot be observed due to video quality.

<sup>2</sup> Law Enforcement obtained GPS data associated to the recovered Home Depot truck. According to Home Depot the GPS only collects data when the truck is shut off. The GPS does not place the truck at VICTIM 1's RESIDENCE, however the truck was located at 231 SE 1<sup>st</sup> Place, Miami, at approximately 10:54 AM for 2 hours and 3 minutes. This location is approximately 0.6 driving miles from the location of VICTIM 1's appointment.

Silverado, listed as brown in color and registered to DULFO.<sup>3</sup> The Florida License Plate that was assigned to the vehicle was a black Florida specialty University of Central Florida plate with white-colored lettering.

11. The Silverado observed in the Home Depot parking lot on August 30, 2023, had a cover on the flatbed area of the truck, a trailer hitch, and a black license plate that had white lettering, with the first letter “C.” Law enforcement conducted surveillance at DULFO’s listed residence in DAVID on September 14, 2023, and observed DULFO’S truck to have a flatbed cover and trailer hitch, in addition to the black University of Central Florida license plate with white lettering. On multiple occasions since September 14, 2023, law enforcement surveillance has observed DULFO operating the Silverado.

#### *The Arsons*

12. Since July of 2022, several law enforcement agencies have been assisting in the investigation of two separate vehicle arsons of VICTIM 1’s sister, hereinafter, “VICTIM 2.” The arsons occurred at VICTIM 2’s Residence in Miami-Dade County, hereinafter “VICTIM 2’s RESIDENCE,” on or about July 2, 2022, and on or about August 12, 2023. As a result of the arsons, personal property, including but not limited to, three vehicles, portion(s) of the residence located at VICTIM 2’s RESIDENCE, and other effects were damaged or destroyed.

13. On or about July 2, 2022, home video surveillance footage from VICTIM 2’s RESIDENCE showed that at approximately 3:26 AM, a subject wearing a hooded sweatshirt and shorts, hereinafter, “SUBJECT 2,” walked from west to east, towards the area of one of VICTIM

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<sup>3</sup> Law Enforcement observed a sticker on the top left portion of the rear window of the SUBJECT SILVERADO. This sticker was not previously observed on any surveillance footage, nor on or about the September 14, 2023, surveillance that was conducted at DULFO’s registered address.



2's vehicles, a 2019 Dodge Ram. A short time later, at approximately 3:27 AM, a bright orange flash can be seen on the video, and SUBJECT 2 then ran towards another vehicle, a 2019 Chevrolet Tahoe, that is parked on the west side of the driveway of VICTIM 2's RESIDENCE. In an interview of VICTIM 2's husband, VICTIM 2's husband stated that the Ram was utilized as a vehicle in part for sales of a building materials company engaged in interstate commerce. VICTIM 2 also worked from home at VICTIM 2's RESIDENCE. VICTIM 2 also utilized the Tahoe to travel to and from her work at a telecom company that is engaged in interstate commerce.

14. SUBJECT 2 then poured a liquid from a red colored container on the hood of the Tahoe. SUBJECT 2 then appeared to light something on fire and place the lit object near the hood and windshield area of the Tahoe. A flash of fire was seen, and the Tahoe became engulfed in flames. Due to the angle of the surveillance video, it is unclear which direction SUBJECT 2 departed after the Tahoe became engulfed. City of Miami Fire and Police Departments then responded to the scene and began an investigation into the circumstances surrounding the fires.

15. On or about August 12, 2023, VICTIM 2's RESIDENCE was the scene of another vehicle arson. At approximately 3:34 AM, home video surveillance footage from the VICTIM 2's RESIDENCE showed a subject, hereinafter "SUBJECT 3," walking from the west towards the east in front of VICTIM 2's RESIDENCE. SUBJECT 3 appeared to be carrying an object that is by SUBJECT 3's side while walking west, out of view of the camera angle. The object is consistent with a gas container.

16. At approximately 3:34 AM, video from a different home video surveillance footage angle from VICTIM 2's RESIDENCE showed one of the vehicles engulfed in flames, a 2019 Chevrolet Silverado, and an individual matching the description of SUBJECT 3. It appeared from the video that SUBJECT 3 became partially engulfed in flames and ran away from the burning

Silverado, fleeing westbound from VICTIM 2's RESIDENCE. Other video footage from a neighboring residence shows an individual matching that description of SUBJECT 3 fleeing north a short time later, still carrying a container at approximately 3:35 AM.

17. City of Miami Police and Fire Department personnel were again dispatched to VICTIM 2's RESIDENCE. A neighborhood canvas was conducted by City of Miami Police Detectives for more video pertaining to the incident. A review of video surveillance footage located in the vicinity of VICTIM 2's RESIDENCE, from on or about August 12, 2023, captured a dark-color Chevrolet Silverado pick-up truck, similar in appearance to DULFO's Silverado, operating in the area of VICTIM 2's RESIDENCE. This Silverado was observed on video in the area prior to the arson at approximately 3:15 AM, 3:24 AM, and 3:25 AM. It should be noted that according to residential video surveillance, the arson occurred at approximately 3:34 AM.

***Identifying Cellphones used by DULFO and HOWARD***

18. FBI Miami has a Confidential Human Source (CHS) that has previously reported information pertaining to DULFO and another individual named Jerren HOWARD, to include information regarding their cellphone numbers. The CHS has been proven to be a reliable source of information in the past. The CHS identified a phone number ending in 9404, hereinafter, "DULFO's 9404 PHONE," as a phone number that DULFO used. The CHS also identified a phone number ending in 1029, hereinafter, "HOWARD's 1029 PHONE," as a phone number that HOWARD used. Records obtained from Venmo, a cash transfer application, revealed that the DULFO 9404 PHONE was a phone number associated with DULFO's account. A search of public databases revealed that the HOWARD 1029 PHONE was associated with HOWARD, with the correct date of birth and social security number as HOWARD. Throughout the investigation, Law Enforcement obtained information to include the review of cellphone communication records,

financial transactions, and confidential human source information, which provided sufficient evidence that implicated HOWARD, in at least some of the above listed criminal activity.

*Historical Location Information*

19. On or about October 20, 2023, a historical cell site location search warrant for the DULFO 9404 PHONE was granted by the Honorable United States Magistrate Judge Eduardo Sanchez. On or about November 9, 2023, a historical and prospective date cell site location search warrant for the phone number associated for the HOWARD 1029 PHONE, was granted by the Honorable United States Magistrate Judge Alicia M. Otazo-Reyes.

20. Upon receiving the data from the telephone providers for the telephone numbers and respective devices associated to DULFO and HOWARD, Law Enforcement utilized the assistance of FBI Cellular Analysis Survey Team (CAST).

21. A preliminary CAST report indicated that the DULFO 9404 PHONE utilized cell phone tower(s) in the vicinity of VICTIM 2's RESIDENCE on or about July 2, 2022, at approximately 3:20 AM, and 3:29 AM. The CAST report also indicated that the HOWARD 1029 PHONE was in the general vicinity of VICTIM 2's RESIDENCE at approximately 3:12 AM, utilizing a tower that was approximately one quarter mile from VICTIM 2's RESIDENCE at that time. The time of the arson was at approximately 3:27AM.

22. A preliminary CAST report indicated that the DULFO 9404 PHONE utilized a cell tower in the vicinity of VICTIM 2's RESIDENCE on or about August 12, 2023, at approximately 3:26 AM. The time of the arson was at approximately 3:34 AM.

23. A preliminary CAST report indicated that the DULFO 9404 PHONE and the HOWARD 1029 PHONE both utilized cell tower(s) in the vicinity of the Coconut Grove Home Depot on or about August 30, 2023, around the time that the Home Depot truck was rented by

SUBJECT 1. Specifically, the DULFO 9404 PHONE utilized a tower in the vicinity of the Home Depot at approximately 10:40 AM, and the HOWARD 1029 PHONE utilized a tower in the vicinity of the Home Depot several times between 10:14 AM and 10:38 AM.

24. The DULFO 9404 PHONE utilized a cell phone tower in the vicinity of the hit and run location at VICTIM 1's RESIDENCE, around the approximate time the hit and run took place. The CAST analysis did not have mappable data to support the location of the device associated to the HOWARD 1029 PHONE during the approximate time of the hit and run incident at VICTIM 1's RESIDENCE on or about August 30, 2023.

#### ***TOLL RECORD ANALYSIS***

25. Law Enforcement obtained phone records, including but not limited to subscriber information and call detail records, for ETIENNE, the DULFO 9404 PHONE, and the HOWARD 1029 PHONE. A review of the toll records for the HOWARD 1029 PHONE on or about July 2, 2022, the morning of the first arson, revealed that at approximately 1:32 AM, 1:53 AM, and 2:06 AM, there were three different communications between the HOWARD 1029 PHONE and the DULFO 9404 PHONE.

26. A review of the toll records for the HOWARD 1029 PHONE, on or about August 12, 2023, the morning of the second arson at VICTIM 2's RESIDENCE, revealed that at approximately 12:10AM, 12:27 AM, and at 5:13 AM, there were three different communications between the HOWARD 1029 PHONE and the DULFO 9404 PHONE.

27. A further review of the toll records on or about August 30, 2023, revealed that the HOWARD 1029 PHONE communicated a total of approximately forty-eight (48) times with a phone number ending in 7908, believed to be associated with ETIENNE. Law enforcement review of public source databases revealed that the 7908 phone number was associated with ETIENNE,

and Text Now subscriber information came back to a “King Etienne,” and a username of “EtienneKing55.” The HOWARD 1029 PHONE and the 7908 phone number believed to be associated to ETIENNE exchanged approximately twenty-six (26) calls and approximately ten (10) text messages between approximately 10:26 AM and 4:42 PM on August 30, 2023, which includes an approximate 17-minute call at 4:42 PM. Based upon analysis conducted by Law Enforcement, the 7908 phone number believed to be associated to ETIENNE first communicated with the HOWARD 1029 PHONE on or about February 21, 2023, but the communications that occurred on or about August 30, 2023, account for approximately twenty-seven (27%) percent of the total communications between the two numbers since February 21, 2023.

***Identification of Bennett and his Cellphone***

28. In an interview with VICTIM 1, law enforcement learned that BENNETT worked, or may still be working, as hired help for VICTIM 1’s estranged husband. The nature of this work, according to VICTIM 1, was that BENNETT would help with food and beverage service when VICTIM 1 and her estranged husband would utilize their yacht.

29. Based upon communications and toll records, as described below, law enforcement began looking at communications between DULFO and cellphone number (305) 216-2827. Law enforcement obtained records from T-Mobile U.S., Inc., the service provider for that phone, and learned that BENNETT is the listed subscriber for (305) 216-2827 (hereinafter, “BENNETT’S 2827 PHONE”).

***Phone Calls and Toll Analysis between DULFO and the BENNETT 2827 PHONE***

30. A review of the toll records for the BENNETT 2827 PHONE, pursuant to a grand jury subpoena, revealed a number of contacts between the DULFO 9404 PHONE and the BENNETT 2827 PHONE during significant dates in the investigation. A review of the toll data

for the BENNETT 2827 PHONE revealed a total of eleven (11) calls with the DULFO 9404 PHONE between on or about August 11, 2023, at approximately 1:41 PM, and August 12, 2023, at approximately 8:16 PM. There was also a single text message on or about August 12, 2023, at approximately 10:57 AM. It should be noted that the second arson occurred at approximately 3:34 AM.

31. A review of the toll data for the BENNETT 2827 PHONE revealed one call with the DULFO 9404 PHONE on or about August 30, 2023, at approximately 5:24 PM, the date of the hit and run incident. It should be noted that the hit and run incident occurred at approximately 4:12 PM.

32. Law Enforcement also observed Facetime calls that occurred on or about the dates of the second arson and the hit and run incident.<sup>4</sup> For example, on or about August 11, 2023, the evening before the second arson, the BENNETT 2827 PHONE and DULFO had a Facetime call at approximately 3:49 PM. On or about August 12, 2023, at approximately 12:10 PM, the BENNETT 2827 PHONE and DULFO had a Facetime call. There was also a Facetime call between the two telephone numbers on the same date at approximately 10:45 PM. Law Enforcement did not observe any Facetime calls on or about August 30, 2023, the date of the hit and run incident. However, Law Enforcement observed Facetime calls between the BENNETT 2827 PHONE and DULFO at approximately 12:10 PM, 12:12 PM, 12:18 PM, 3:58 PM, 4:11 PM, 4:55 PM, and 5:08 PM, on August 31, 2023.

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<sup>4</sup> From what Law Enforcement can see thus far in the iCloud return, the DULFO ICLOUD voice and video call log only goes back to on or about April 10, 2023.

*Search Warrant on DULFO'S iCloud Accounts Reveal Communications with BENNETT*

33. On or about November 22, 2023, the Honorable Lisette M. Reid, United States Magistrate Judge for the Southern District of Florida, granted a search warrant for Apple iCloud accounts associated with DULFO.

34. The DULFO iCloud search warrant return also included several other items of evidentiary value that suggest that DULFO was stalking VICTIM 1. For example, law enforcement recovered a picture of a piece of paper with the address of VICTIM 1's RESIDENCE written on it. Law enforcement is unable to determine if the picture was taken by a device utilized by DULFO or if it was sent to him by someone else. The date of creation listed for the picture is December 28, 2022, which is approximately eight months before the hit and run at VICTIM 1's RESIDENCE.

35. Law enforcement also recovered what appeared to be a Google Maps picture of a street view of VICTIM 1's RESIDENCE. The last modified date of this picture is listed as August 22, 2023. Law enforcement is unable to determine if the picture was sent to DULFO or if it originated on a device utilized by DULFO.

36. Law Enforcement also observed communications in the form of video calls, text messages, and voice calls between the BENNETT 2827 PHONE and DULFO.<sup>5</sup>

37. Law Enforcement observed another photograph of interest, which is a picture of the rear end of a dark blue BMW, to include the license plate. A query in the Florida Driver and

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<sup>5</sup> The earliest communication to date that Law Enforcement has observed between DUFLO and the 2827 number is on or about July 26, 2022. It appears that DULFO and BENNETT may converse about other matters than the criminal activity that will be laid out ahead. At one point, DULFO and BENNETT may have lived in the same apartment complex in Miami and may be where they know each other from.

Vehicle Information Database (DAVID) revealed the vehicle belonged to the estranged husband of VICTIM 1 at the time. The created date and time of the photograph is July 26, 2022, at approximately 4:51 PM. The last modified date of the photograph is listed as August 1, 2022, at 6:29 AM. Law Enforcement again is unable to determine if the photograph was taken by a device used by DULFO, or if the photograph was sent to DULFO by someone else. However, Law Enforcement discovered a text message string on DULFO's iCloud that Law Enforcement believes is related to this photograph.

38. In the DULFO iCloud, Law Enforcement discovered a conversation on or about August 1, 2022, between the BENNETT 2827 PHONE and DULFO. At approximately 1:29 PM, a photograph is sent from the BENNETT 2827 PHONE, followed by the text messages, "Es un bmw," which means "this is the BMW," at approximately 1:29 PM, and "azul," which is Spanish for, "blue," at approximately 1:29 PM. Law Enforcement is unable to see the photograph in the text string, but Law Enforcement believes this may be due to the fact that the messages were deleted on or about August 30, 2023, at approximately 4:53 PM, the same date and approximately forty-one (41) minutes after the hit and run incident occurred at the residence of VICTIM 1. Law Enforcement also believes the lack of photograph in the text string could be related to the extraction that was performed to retrieve the DULFO ICLOUD.

39. Law Enforcement also discovered other text messages of interest in the DULFO iCloud between the BENNETT 2827 PHONE and DULFO. Law Enforcement observed a WhatsApp conversation between the BENNETT 2827 PHONE and DULFO that started on or about August 12, 2023, at 11:38 AM. The BENNETT 2827 PHONE called DULFO, and then at approximately 11:40 AM, the BENNETT 2827 PHONE sent a text message that said, "Todo bien?" The message translates to roughly, "All good?" The message is not responded to on



WhatsApp by DUFLO. Law Enforcement took interest in the date of the creation of the conversation in WhatsApp and the date of the conversation because it was the same day of the second arson was committed at the residence of VICTIM 2.

40. Another conversation that Law Enforcement discovered was on or about August 30, 2023, at approximately 7:40 AM, the day of the hit and run incident on VICTIM 1. At that time, DULFO sent a message to the BENNETT 2827 PHONE stating, "llamame," which roughly translates to "call me." At approximately 8:27 AM, DULFO then sends a message to the BENNETT 2827 PHONE stating, "michaeldulfo1206@gmail.com." Law Enforcement believes that this was DULFO sending his email to BENNETT, so that DULFO could receive money via a peer-to-peer application. Law Enforcement believes this because it has seen similar peer-to-peer financial transactions occur between DULFO and other co-conspirators, such as HOWARD, around the approximate dates and times of at least of one the arsons and around the approximate date and time of the hit and run incident.

41. On or about August 30, 2023, at approximately 2:28 PM, the BENNETT 2827 PHONE sent DULFO the address of "2552 S le Jeune Rd Miami, FL 33134 Estados Unidos." Law Enforcement was drawn to this text because it was less than two hours prior to the hit and run incident that took place at VICTIM 1's residence at approximately 4:12 PM. The next text message in the conversation was on or about August 31, 2023, at approximately 2:28 PM, when DULFO sent the BENNETT 2827 PHONE a message that stated, "Todo estas bien," which roughly translates to asking if everything is good with you. The BENNETT 2827 PHONE then replied at 2:52 PM, "ya te llamo," which roughly translates to "I'll call you," or "I'll call you back." Law Enforcement believes that there is probable cause to believe these messages were related to the hit and run incident that had occurred on August 30, 2023.

*BENNETT'S statement to Law Enforcement on March 7, 2024*

42. On March 7, 2024, BENNETT was approached by Law Enforcement to see if he would answer questions about the evidence that had been recovered. BENNETT agreed to answer questions, and BENNETT was told that he was not under arrest. Law Enforcement's interaction was recorded.


43. BENNETT proceeded to tell law enforcement that he was asked to seek out individuals to commit arsons and a hit-and-run against VICTIM 1. BENNETT identified DULFO as the person he solicited to commit the arsons and hit-and-run. BENNETT further told Law Enforcement he had known DULFO for an extended period of time.

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**CONCLUSION**

44. Based upon the above-described evidence, your Affiant submits that there is probable cause to believe that BENNETT committed the crimes of the use of fire to commit a felony, in violation of Title 18, United States Code, Sections 844(h) and 2; arson, in violation of Title 18, United States Code, Sections 844(i) and 2; the use of interstate facilities in aid of racketeering enterprises, in violation of Title 18, United States Code, Sections 1952 and 2; and stalking, in violation of Title 18, United States Code, Sections 2261A(2) and 2; along with DULFO, HOWARD, and ETIENNE.

**FURTHER AFFIANT SAYETH NAUGHT.**

  
\_\_\_\_\_  
JOSEPH DALESSIO  
SPECIAL AGENT  
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1  
by Face Time this 7<sup>th</sup> day of March 2024.

  
\_\_\_\_\_  
HONORABLE LISETTE M. REID  
UNITED STATES MAGISTRATE JUDGE