

UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF RHODE ISLAND

United States of America )  
v. )  
ARJUSZ ROSZKOWSKI )  
1983 )  
North Reading, MA )  
*Defendant*

Case No. 1:09 MJ 211 A

CRIMINAL COMPLAINT

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 of 11/06/2009 in the county of \_\_\_\_\_ in the \_\_\_\_\_ District of  
Rhode Island, the defendant violated 18 U. S. C. § 922g1, an offense described as follows:

Possessing a firearm after having been previously convicted of a crime punishable by imprisonment for more than one year.

This criminal complaint is based on these facts:

See attached affidavit of Special Agent Kevin McNamara, Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Continued on the attached sheet.



*Complainant's signature*

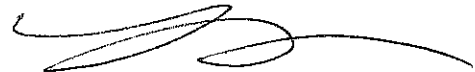
Kevin McNamara, Special Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date:

11/24/09



*Judge's signature*

City and state:

Providence, Rhode Island

LINCOLN D. ALMOND, U.S. MAGISTRATE JUDGE

*Printed name and title*

## AFFIDAVIT

I, Kevin McNamara, upon oath, do depose and state:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have served in that capacity for fourteen years. While serving as a special agent with the ATF, I have received special training in identifying the origin and place of manufacture of firearms.

2. I make this affidavit in support of the issuance of a criminal complaint and arrest warrant against Arjusz ROSZKOWSKI (born in 1983), last known address in North Reading, Massachusetts, charging him with a violation of 18 U.S.C. § 922(g)(1).

3. The information contained in this affidavit comes from my own knowledge, gained in the course of this investigation, and on facts and information supplied to me by members of the Rhode Island State Police.

4. ROSZKOWSKI prior felony convictions include a 2006 conviction for bank robbery before the United States District Court for the District of New Hampshire, for which he was sentenced to fifty-one months incarceration, three years supervised release, and a \$100 special assessment (case no. CR05-135SM).

5. On November 6, 2009, Rhode Island State Police Detective Chris Zarrella, operating in an undercover capacity, met with ROSZKOWSKI in Lincoln, Rhode Island. During the course of that

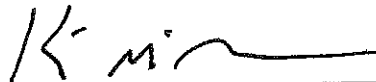
meeting, Detective Zarrella observed what appeared to be the handle of a handgun secreted in the waistband of ROSZKOWSKI's pants. Detective Zarrella identified himself as a police officer and attempted to place ROSZKOWSKI in custody.

6. ROSZKOWSKI resisted Detective Zarrella attempt to place ROSZKOWSKI in custody. During the course of that resistance, ROSZKOWSKI withdrew the handgun, later identified as a Hi-Point 9mm semi-automatic pistol, from his waistband. Detective Zarrella, eventually with the assistance of other members of the Rhode Island State Police, wrestled with ROSZKOWSKI to gain control of the firearm. At some point during that struggle, ROSZKOWSKI discharged the handgun, resulting in a gunshot wound to himself. Members of the Rhode Island State Police subsequently placed ROSZKOWSKI in custody and seized the firearm as evidence.

7. Based upon the description of the firearm provided to me by members of the Rhode Island State Police, I have concluded that the Hi-Point 9mm semi-automatic pistol possessed by ROSZKOWSKI was manufactured outside of the State of Rhode Island.

Furthermore, in consideration of the fact that ROSZKOWSKI successfully discharged the firearm, I also have concluded that the Hi-Point 9mm semi-automatic pistol is an operable firearm that is capable of expelling a projectile by action of an explosive.


8. Based on the foregoing, I believe there is probable cause to conclude that on November 6, 2009, ROSZKOWSKI did possess a firearm after having been previously convicted of a crime punishable by imprisonment for more than one year, in violation of 18 U.S.C. § 922(g)(1).



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Kevin McNamara  
Special Agent  
Bureau of Alcohol, Tobacco,  
Firearms, and Explosives

Signed and sworn to before me  
this 24<sup>th</sup> day of November,  
2009 at Providence, Rhode Island.



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LINCOLN D. ALMOND  
United States Magistrate Judge  
District of Rhode Island