

CRIMINAL COMPLAINT

ORIGINAL

UNITED STATES DISTRICT COURT	CENTRAL DISTRICT OF CALIFORNIA CLERK, U.S. DISTRICT COURT
UNITED STATES OF AMERICA v.	DOCKET NO.
ANTHONY EUGENE NOTARSTEFANO	MAGISTRATE'S CASE NO. 7-

Mar 13 2007
07-0320M

Complaint for violation of 18 U.S.C. § 2314

NAME OF MAGISTRATE JUDGE JENNIFER LUM		UNITED STATES MAGISTRATE JUDGE	LOCATION Los Angeles, CA
DATE OF OFFENSE On or about February 25, 2007	PLACE OF OFFENSE Los Angeles County	ADDRESS OF ACCUSED (IF KNOWN)	

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

On or about February 25, 2007, ANTHONY EUGENE NOTARSTEFANO did transport and transfer in interstate and foreign commerce goods, wares, and merchandise, of the value of \$5,000 or more, knowing the same to have been stolen, converted, or taken by fraud, in violation of 18 U.S.C. § 2314.

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

(See attached affidavit which is incorporated as part of this Complaint)

MATERIAL WITNESSES IN RELATION TO THIS CHARGE:

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.

SIGNATURE OF COMPLAINANT

Christopher A. Calarco

OFFICIAL TITLE

Special Agent - Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

SIGNATURE OF MAGISTRATE JUDGE (1)

DATE

March 13, 2007

1) See Federal Rules of Criminal Procedure rules 3 and 54.

DCK:se REC: Detention

A F F I D A V I T

I, Christopher A. Calarco, being duly sworn, hereby depose and say as follows:

I.

INTRODUCTION

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") and have been so employed since January 1999. Since April 1999, I have been assigned to the Los Angeles Division of the FBI, where I have been assigned to investigate crimes within the Violent Crimes and Major Offender program, to include major theft investigations and art crimes. I am a member of the FBI Art Crime Team, a national squad specializing in the investigation of art and cultural heritage related crimes. For three years, I also worked for the FBI Legal Unit. In this position I was assigned to the United States Attorney's Office for the Central District of California and was cross-designated as a Special Assistant United States Attorney ("SAUSA") assigned to the Criminal Division. As a SAUSA, I investigated and prosecuted a wide variety of criminal matters to include white-collar crime and violent crime cases. Because of my training and experience, I am familiar with the elements and investigation of major thefts. Prior to joining the FBI, I was a Los Angeles County Deputy District Attorney and had nearly eight years of experience as a reserve deputy sheriff.

PURPOSE OF AFFIDAVIT AND OVERVIEW

2. The purpose of this affidavit is to set forth probable cause in support of a criminal complaint and arrest warrant charging ANTHONY EUGENE NOTARSTEFANO ("NOTARSTEFANO") with interstate transportation of stolen property, in violation of Title 18, United States Code, Section 2314. The elements of interstate transportation of stolen property are as follows: (1) the defendant moved or caused to be moved stolen property worth at least \$5,000 from one state to another or moved the property in foreign commerce; (2) at the time the property crossed state lines, the defendant knew it was stolen; and (3) the defendant intended to deprive the owner of the use of the property temporarily or permanently. It is not necessary to prove who stole the property.

3. The facts set forth in this affidavit are based upon my own observations, my training and experience, as well as information obtained during this investigation from other sources, including: (a) other agents from the FBI, and other law enforcement personnel involved in this investigation, including detectives from the Los Angeles Police Department; (b) statements made or reported by various witnesses with personal knowledge of relevant facts; and (c) my review of records obtained during the course of this investigation. Because this affidavit is submitted for the limited purpose of establishing probable cause

in support of a criminal complaint and arrest warrant, I have not set forth each and every fact I have learned in connection with this investigation. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part only.

4. Based on the facts set forth herein, and my experience and expertise, I believe there is probable cause to believe that NOTARSTEFANO is in violation of Title 18, United States Code, Section 2314.

II.

FACTS SUPPORTING PROBABLE CAUSE

SUMMARY OF PROBABLE CAUSE

5. On or about February 25, 2007, NOTARSTEFANO traveled from Los Angeles, California, to Europe for the purpose of selling two stolen violins. NOTARSTEFANO transported the stolen violins, knowing them to be stolen, from Los Angeles, California to Amsterdam, Netherlands, and then to Paris, France.

BACKGROUND OF NOTARSTEFANO

6. On or about March 9, 2007, I reviewed NOTARSTEFANO's California Department of Motor Vehicles ("DMV") records and criminal history report generated on March 6, 2007, and learned the following:

a. NOTARSTEFANO used the address of 1341 West 16th Street, Long Beach, California. NOTARSTEFANO was born on

April 8, 1964.

b. On or about June 7, 1983, NOTARSTEFANO was convicted of attempted grand theft of property in violation of California Penal Code section 487.1, a misdemeanor. NOTARSTEFANO was sentenced to 36 months summary probation.

c. On or about July 27, 1984, NOTARSTEFANO was convicted of first degree (residential) burglary in violation of California Penal Code section 459, a felony. NOTARSTEFANO was sentenced to two years prison.

d. On or about June 16, 1986, NOTARSTEFANO was convicted of trespassing to commit vandalism in violation of California Penal Code section 602(J), a misdemeanor. NOTARSTEFANO was sentenced to 10 days jail and 24 months probation.

e. On or about May 29, 1987, NOTARSTEFANO was convicted of second degree burglary in violation of California Penal Code section 459, a felony. NOTARSTEFANO was sentenced to 16 months prison.

f. On or about February 16, 1994, NOTARSTEFANO was sentenced to four years prison for an assault with a firearm on a person, in violation of California Penal Code section 245(A)(2), a felony.

g. On or about February 3, 1997, NOTARSTEFANO was convicted of possessing a controlled substance in violation of

California Health and Safety Code section 11377, a felony.

NOTARSTEFANO was sentenced to four years prison.

h. On or about March 21, 2002, NOTARSTEFANO was found in violation of his parole for charges of second degree burglary in violation of California Penal Code section 459, a felony.

NOTARSTEFANO was sentenced to 32 months prison.

j. In total, NOTARSTEFANO's criminal history report indicated that he had 15 potential felony conviction entries associated to him.

THE INVESTIGATION

The Burglary

7. On March 9, 2007, I reviewed a Los Angeles Police Department ("LAPD") preliminary burglary investigation report, case number 06-0636085. From my review of the report, and from speaking to LAPD detective Don Hrycyk on March 9, 2007, the investigating officer of the burglary, I was able to ascertain the following information:

a. Between December 22, 2006 and December 23, 2006, a residential burglary occurred at the Hollywood area of Los Angeles, California. The owner of the residence was Mark Kashper, who is a lead violinist for the Los Angeles Philharmonic Orchestra.

b. During the burglary, an unknown suspect broke-in through the back door of the house and ransacked a dresser in

Kashper's bedroom, taking jewelry. In addition, two violins and cases were removed from the bedroom and taken by the burglar. A wallet was also taken and later recovered several miles from the residence. Kashper was also missing a Kodak C330 digital camera.

c. More specifically, the following items, among others, were stolen from Kashper's residence:

i. A Carlo Tononi violin, owned by the Los Angeles Philharmonic and valued at approximately \$225,000;

ii. A Jean Baptise Vuillaume violin, owned by Kashper and valued at approximately \$65,000;

iii. A Vyazemsky bow, owned by Kashper and valued at approximately \$600;

iv. A violin case owned by Kashper and valued at approximately \$500;

v. A double violin case owned by Barry and Michael King, on loan to Kashper. Said case contained a velvet cover with the inscription "Lady Margaret 1694." The case, brown in color, contained a tag on the outside near the handle with the inscription "Morry King;" and

vi. A Tourte bow owned by Barry and Michael King, valued at approximately \$30,000.

d. The violins and bows were reported to the Art Loss Register, the FBI's National Stolen Art File, and Interpol's stolen art database. Said items were also listed on the LAPD

website, www.lapdonline.org.

The Recovery of the Violins and the Arrest of NOTARSTEFANO

8. On or about March 8, 2007, I communicated with FBI Assistant Legal Attache ("ALAT") Steven S. Tarchak, who is assigned to the American Embassy in Paris, Office of the Legal Attache. ALAT Tarchak advised me that he has been in contact with the French police in Paris, to include Jean Luc Taltazull, and learned, among other things, the following:

a. On March 5, 2007, NOTARSTEFANO made inquiries at several music stores on Rue de Rome in Paris, a street which is known for having music stores on it.

b. At one of the music stores, NOTARSTEFANO presented two violins for sale. NOTARSTEFANO used one case to carry both violins. NOTARSTEFANO offered to sell the violins to the merchant for 50,000 Euros, which is approximately \$65,000. The merchant did not purchase the violins but requested that NOTARSTEFANO return to the store later.

c. Said merchant made several inquiries with other music store merchants in the area and learned that NOTARSTEFANO had made other inquiries in attempt to sell the violins. Said merchant then searched the internet, researched the violins, and concluded that the violins being offered for sale by NOTARSTEFANO were likely the violins listed as stolen in wanted flyers on the LAPD website. The merchant then contacted the police in Paris.

d. On March 5, 2007, the French police arrested NOTARSTEFANO in the area of Rue de Rome in Paris, France. NOTARSTEFANO was in possession of two violins and one double violin case. The French police had experts inspect the recovered violins. Based on a comparison of photographs of the stolen violins provided to the French police, the experts concluded that the violins and the violin case found in NOTARSTEFANO's possession are the same violins and case stolen from Kashper's residence in December 2006.

e. The double violin case had a metal label plate that stated "Lifton," "Made in the USA," and "Built Like a Fortress." On the outside of the case, there was a small metal plate with the name "Morry King" inscribed on it.

f. NOTARSTEFANO was being held in custody by French authorities.

9. I reviewed several photographs taken by the French police of the violin case and one violin recovered from NOTARSTEFANO by the police in Paris. Said photographs were provided by Jean-Philippe Goudet, Police Liaison Officer from the French Consulate in Los Angeles, to LAPD detective Hrycyk. I concluded that the property appears to be the items stolen from Kashper.

10. On March 7, 2007, I spoke with detective Hrycyk who

told me that he spoke with Barry King, owner of the stolen double violin case, and learned the following:

- a. The stolen violin case had a tag on it that said "Morry King." Morry is the nickname for his father Morris King.
- b. The stolen case also contained a stand alone velvet cover with the inscription "Lady Margaret 1694." The cover was not attached to the case and could easily be removed.

NOTARSTEFANO Knew the Violins Were Stolen and Transported the Violins in Foreign Commerce

11. On March 12, 2007, I reviewed a Los Angeles Times article, dated February 10, 2007, entitled "Sounds of silence on stolen violins," by reporter J. Michael Kennedy, and learned, among other things, the following:

- a. The article described the theft of the violins and other property stolen from Kashper in December 2006. The article described the violins as being worth approximately \$300,000.
- b. The article described the violins and the velvet cover with the inscription "Lady Margaret 1694" that was taken along with the violins and the cases.
- c. There was a \$10,000 reward for the return of the violins.

12. On March 7, 2007, I interviewed Patricia Sjaarda and learned, among other things, the following:

a. Sjaarda was the girlfriend of NOTARSTEFANO and saw him approximately 1 ½ weeks ago. Sjaarda met with NOTARSTEFANO at a hotel in Hollywood. While at the hotel, Sjaarda saw a brown violin case but did not see violins.

b. NOTARSTEFANO told Sjaarda that he had violins and that he was going to Europe to try to sell them.

c. NOTARSTEFANO acted paranoid about the violins and told Sjaarda that he thought people were following him because of the violins.

d. NOTARSTEFANO told Sjaarda that he obtained the violins from some guy. Sjaarda did not ask any questions about the violin because she did not want NOTARSTEFANO to get mad at her.

13. On March 7, 2007, I interviewed John Vincent Dolan while he was in custody at the Los Angeles County Jail and learned, among other things, the following:

a. Dolan advised that he knew NOTARSTEFANO and NOTARSTEFANO told him that he was going to travel to Europe to sell a couple of violins.

b. NOTARSTEFANO discussed with Dolan that NOTARSTEFANO was cautious about selling the violins in the United States because they were stolen and he did not want the violins to be traced back to him. NOTARSTEFANO also told Dolan that the

violins were worth a lot of money.

c. Dolan first became aware of the violins approximately two months ago, which he estimated to be shortly after Christmas 2006. Dolan stated that NOTARSTEFANO showed Dolan the violins at NOTARSTEFANO's residence in Long Beach, California. Dolan also saw two rectangular boxes, which Dolan described as brown with dark brown straps. NOTARSTEFANO showed Dolan one of the violins inside the brown case.

d. Dolan believed NOTARSTEFANO knew the violins were stolen because NOTARSTEFANO told Dolan about information on the internet that indicated the violins were stolen. NOTARSTEFANO told Dolan that the owner of the violins valued the violin bows at \$30,000. NOTARSTEFANO told Dolan that the owner of the violins overinflated the price of the bows. NOTARSTEFANO also told Dolan that he found information on the internet claiming only seven of these violins "went to the auction block."

e. NOTARSTEFANO advised Dolan that the violins were made in Italy and that he would go to Europe to sell them.

f. Dolan stated that on another occasion, approximately three weeks ago, Dolan met with NOTARSTEFANO at a Motel 6 located on Whitley and Hollywood Boulevard. During this meeting, Dolan saw only one of the violin cases. NOTARSTEFANO told Dolan that he was planning to go to Las Vegas to sell the

violins. Dolan thought NOTARSTEFANO was lying about his plans to travel to Las Vegas. NOTARSTEFANO also told Dolan that he planned to travel to Amsterdam.

g. Dolan stated that NOTARSTEFANO commonly broke into homes to steal property. Dolan stated that NOTARSTEFANO chose homes to break into randomly, and often committed these thefts in the Hollywood area.

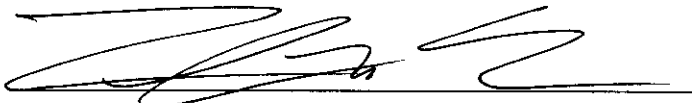
14. On March 6, 2007, I reviewed information from law enforcement databases and learned, among other things, that NOTARSTEFANO had flight plans on United Airlines to travel to Amsterdam on February 25, 2007.

III.

CONCLUSION

15. Based on the foregoing, I respectfully submit that there is probable cause to believe that ANTHONY EUGENE NOTARSTEFANO is in violation of Title 18, United States Code, Section 2314.

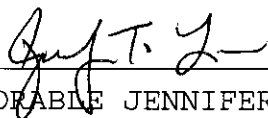
16. Based on the foregoing, I respectfully request that the court issue a complaint and arrest warrant for NOTARSTEFANO.



SPECIAL AGENT CHRISTOPHER A. CALARCO
FEDERAL BUREAU OF INVESTIGATION

Executed and sworn before me

this 16th day of March, 2007.



HONORABLE JENNIFER T. LUM
UNITED STATES MAGISTRATE JUDGE