

# IN THE SUPERIOR COURT OF THE COUNTY OF ALAMEDA

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STATE OF CALIFORNIA

State of California)

County of Alameda)

AFFIDAVIT FOR SEARCH WARRANT

Register No.

Arrest No.

Sergeant Louis Cruz, 7369C, Oakland Police Department, Oakland, California, being sworn, says that there is probable and reasonable cause to believe, and I do believe, that there is now on and in the premises and property: structures, rooms, receptacles and safes situated at: 1) 5832 San Pablo Avenue, Oakland, California, (there are three awnings on the front of this multi level building that is described as the Your Black Muslim Bakery, meeting rooms, baking area and offices and other rooms downstairs and living quarters with other rooms upstairs. The building is red brick with three front doors, access to the multi levels can be had through the inside or the Northern most door enters onto a stairway that takes a person to the living quarters or into the Bakery. 5832 is over the front doors of the Bakery. The building is separate from all other buildings. The south side of the building is white washed.) 2) 2007 Dodge Challenger Black, with paper plates that have "Hilltop", VIN 2B3KA53H97H69000

Your affiant says that there is probable and reasonable cause to believe, and that he does believe that the said property constitutes:

- Stolen or embezzled property.
- Property or things used as the means of committing a felony.
- Property or things in the possession of a person with the intent to use it as the means of committing a public offense, or in the possession of another to whom he may have delivered it for the purpose of concealing it or preventing its being discovered.
- Property or things which consist of an item or constitutes evidence which tends to show that a felony has been committed, or tends to show that a particular person has committed a felony.

**Your affiant says the facts in support of the issuance search warrant are as follows:**

Your affiant is a Sergeant of Police for the City of Oakland Police Department. Your affiant has been assigned to the Homicide Section since May 1998. Your affiant has been assigned as the primary investigator in approximately eighty-five homicides and I have assisted in the investigation of approximately two hundred Homicides.

On 8 Jul 07, approximately 0030 hours, I was called out from home to investigate a shooting in the 1000 block of 60<sup>th</sup> Street. I responded to the scene and learned that police responding to reports of gunfire found Odell Roberson at 0008 hours lying on the south sidewalk of the 1000 block of 60th Street, a few yards west of Herzog Street. I saw that there were several 7.62 mm casings present at the scene. Roberson died where he was shot. I saw that he had several large caliber bullet wounds. It was evident that he was shot with a high-powered assault weapon. (Note: Technician K. Potter completed a police report indicating that seven casings with a stamp of NK 1976 were on the scene.)

Note: Sgt. Basa and I reviewed poor quality surveillance video. The source of the video was a camera located on a property across the street from where Roberson was shot. The camera is motion activated, activating on the property, however, it did not activate when someone was walking across the street. It did activate if a vehicle drove through the block. The camera did not activate at the moment of the shooting, indicating that the person(s) who shot Roberson was on foot.

On 12 Jul 07, 0343 hours I was at the Oakland Police Department Homicide Section when Officer Moore called me from the Patrol Desk. He advised that there was a homicide in the 6200 block of San Pablo Ave. I responded to the scene, arriving at 0417 hours. I saw that the victim was still there on the scene. There were several 7.62 mm casings a on the scene. The victim, Michael Wills, had several gunshot wounds from a high-powered weapon. This murder was in close proximity to the murder of Odell Roberson. Additionally, Wills was walking on the sidewalk when he was shot. There was a citizen who saw person running with a rifle after the shooting. This is the information that the citizen provided: The suspect is described as a MB, approx. 20-25, 5-8, an athletic build, wearing a black watch cap with the sides neatly folded upward, a black hooded sweatshirt, and baggy khaki pants. The suspect fled on foot, N/B on San Pablo, E/B on 63<sup>rd</sup> St, continuing to the intersection of 63<sup>rd</sup> St. and Herzog where he was last seen. The suspect is described as having a clean appearance with no beard. The witness said that the pants that the suspect was wearing were unusual in their appearance. The suspect was

armed with a rifle. (Note: Technician J. Jaecksch completed a police report documenting that there were nine casings with a stamp of NK 1976 on the scene.)

On 12 Jul 07 I talked to Lt. Joyner (Homicide Commander) regarding these cases. There were similarities in this case indicating that the same suspect was responsible for both. Additionally, these murder cases happened close to the Your Black Muslim Bakery, located in the 5800 block of San Pablo Ave. There was information that people associated with this group had access to assault rifles and were involved in ongoing serious felonies. I learned that Mr. Cameron Cook was a victim of having his car shot by 7.62 mm rounds in December 2006. The report number for that case is 06-108485. I made a request to have the casings in the two murders and Cook's case examined by the Oakland Police Department Crime Laboratory. Criminalist Mark Bennet determined that the 7.62 mm casings were fired from the same assault rifle.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I showed [REDACTED] a California Driver's License photograph of Joshua Bey. He identified the photograph as Joshua Bey. Joshua was not one of the people who went to [REDACTED] residence with [REDACTED] to shoot [REDACTED] car. [REDACTED] said that he has seen Joshua Bey with a firearm in the past. [REDACTED] saw him with an AK-47 [REDACTED]. It was September 2006. Joshua Bey was coming out of the bakery with the rifle. [REDACTED] said that there was an incident when Yusuf Bey IV shot a lady at the bakery in her leg with that same gun. [REDACTED]

[REDACTED] identified a PFN photograph of Yusuf Bey (BFT729) as the "Fifth." [REDACTED] told [REDACTED] that the Fifth was one of the men who shot [REDACTED] car.

[REDACTED]

[REDACTED] identified a PFN photograph of Yusuf Bey (BEU186) as Yusuf Bey IV. This person is the leader of the Black Muslim Bakery. He decides everything and is the man who lives "upstairs." [REDACTED] said that this is the man who drove [REDACTED] to [REDACTED] house to shoot the car. [REDACTED] has seen Yusuf Bey IV with a gun in front of the Bakery. It was a .45 caliber firearm.

I showed [REDACTED] a photograph of Idris Branch. Branch worked at the Bakery. His PFN# is AYN093.

I showed [REDACTED] a PFN photograph of Antonio Cooks. He identified Cooks as a person who did work at the Bakery.

I Showed [REDACTED] a PFN photograph of Tamon Halfin, BET559. He identified this person as Brother Tamon, Yusuf Bey IV's hit man. [REDACTED] told [REDACTED] that Tamon was the go to guy in the organization. [REDACTED] has seen Tamon with a sidearm. [REDACTED] said that during meetings, people are armed in the Bakery. [REDACTED] went to a meeting for the last time July or August of last year. People are "patted down" at the meeting for weapons. [REDACTED] said that joining the Bakery was

like joining a gang. [REDACTED] described the interior of the Bakery in detail, including the location of the meeting room and the location of armed guards.

I showed [REDACTED] a photograph of Cornell Hurst. He recognized him as Cornelius, a man who works at the counter of the Bakery.

I showed [REDACTED] a photograph of Ajuwon Muhammad. He identified Muhammad as a man who works at the Bakery.

I showed [REDACTED] a photograph of Basheer Muhammad. He recognized him as Brother Basheer, a man who works at the counter of the Bakery. B. Muhammad left the Bakery.

[REDACTED] has never seen guns stored in the Bakery. They are "careful."

I showed [REDACTED] a photograph of Kahlil Raheem, PFN BBF479. [REDACTED] Raheem is associated with the Bakery.

I showed [REDACTED] a photograph of murder victim Odell Roberson. He did not recognize the photograph.

I showed [REDACTED] a photograph of Gary Popoff, PFN AQE527. He said that this man is the bodyguard for Yusuf IV. Popoff simulated a gun to [REDACTED] in the past.

I showed [REDACTED] a photograph of Yasir Azzem, PFN BEG623. [REDACTED]

I showed [REDACTED] a photograph of Ameen Ali. He identified him as an associate of the Bakery. He said that he had seen this man with a gun in July 2006.

I showed [REDACTED] a photograph of JShawn Aubrey Belser. He identified Belser as one of the men who [REDACTED] said shot [REDACTED] car. The CDL # for Belser's photograph is E1647487. [REDACTED] said that the photograph looked like JShawn.

I showed [REDACTED] a photograph of Fard Yusuf Bey. He identified this California Drivers License photograph as a Fard Yusuf Bey. [REDACTED] said that he was one of the people shooting at [REDACTED] car. [REDACTED] said that he was in the white car. Note: There was information from a person in the neighborhood that a white car was seen leaving the scene.

Note: There is information that the rifle used to murder Roberson and Wills is in the possession of people associated with the Your Black Muslim Bakery.

On 19 Jul 07 I reviewed an affidavit written by Officer J. Grant. He is investigating a kidnapping and assault case. The report number for this is 07-39206. The incident was on 17

May 07. The suspects in this case are associates of Your Black Muslim Bakery. The suspects include Yusuf Bey the Fourth, Joshua Bey, and *Khalil Raheem*.

In this case Joshua Bey's cellular telephone was left at the crime scene. Officer Grant inspected the telephone. The phone number for the phone is 510 393-7457 and the email associated with this phone is jbey56@sprintpcs.com. Sprint is now partnered with Nextel.

The outgoing call log listed the following:

Call placed to 586-1753, "Khalil", at 0822 on 17 May 07.

Call placed to (415) 200-6125, at 2104 on 17 May 07.

Call placed to 773-0854, "4<sup>th</sup>", 2240, 17 May 07.

The following is more information that Officer Grant has developed regarding the kidnapping Case (Note: this information is relevant as there is a pattern of associates of the Your Black Muslim Bakery acting in concert when committing crimes, from felony vandalism, to shooting, and assaults.)

The texting logged showed these three final texts were received:

From: (415) 200-6125, "You drive? Do you gotta car?" 2100 on 17 May 07.

From: 712-9975, "What r u doing? SHE TATTED UP!!" 0015, 18 May 07.

Examination of the list of "Contacts" from the phone shows the following numbers associated with the following names:

"Khalil" 586-1753

"4<sup>th</sup>" 773-0854

"Third" 978-6758

The following is information that Officer Grant found during his investigation:

The Samsung cell phone found outside of the side window at 6826 Avenal (the crime scene for the kidnapping) was found directly in the path of the most likely escape route for those who committed this kidnapping and assault with a deadly weapon. Joshua Bey gave a written statement saying his cell phone was lost or stolen the day of this incident. In that statement he also said he was the last person to drive the Ford Crown Victoria which was identified as having been used in this incident. He said the Ford was stolen after he used it and at about the same time of this incident. V2 describes that the suspects used cell phone communication during this

incident. Photographs and personalized writing in the cell phone indicate that the phone is owned or has been possessed by Joshua Bey.

On June 11<sup>th</sup>, 2007, Off. Goodfellow obtained a printout of the phone calls made to communications when the Chrysler and Ford were separately reported stolen. Yusuf Ali Bey III called Communications on 17 May 07 at 2343 to say the Ford Crown Victoria had been stolen. Initially, he called from (510) 978-6758. Bey III called back at 0034 on 18 May 07 from (707) 515-8506 and stated that his cell phone had died. He advised he was enroute to meet his brother who was in the unit above the Muslim Bakery at 5832 San Pablo. They would stand by to make a report. At 0105 Bey III called back to say he had to leave and he would call back when he returned. Bey III did not call back.

On May 18<sup>th</sup>, 2007, at 1826 Ameena Bey called Communications from (510) 597-1214 to report her Chrysler stolen. Only once officers were on scene taking the stolen vehicle report from Ameena Bey were they approached by Yusuf Bey III who reported the Ford Crown Victoria.

On July 6, 2007, I received information back on the phone warrants which I had previously sent out. The information confirms that (510) 586-1753 is subscribed to by Kahlil Raheem; (510)712-9975 is subscribed to by Yusuf Bey at 1083 59<sup>th</sup> Street. It is this phone that was used just after the kidnapping is broken up to text Joshua Bey stating, "What r u doing? SHE TATTED UP!!", (510) 978-6758 is subscribed to by Yusuf Bey, [REDACTED]

[REDACTED] this is Yusuf Bey III, [REDACTED] is subscribed to by [REDACTED] (510) 393-7457 is subscribed to by Joshua Bey, 5 Aug 88, 5832 San Pablo, and (510) 773-0854 is subscribed to by Jason Peterson at 5832 San Pablo according to Sprint. I know from having dealt with Yusuf Bey IV in person that (510) 773-0854 is his personal cell phone. Recently Yusuf Bey IV came to the police department and provided me with this phone number as a way to get a hold of him, [REDACTED]

[REDACTED] Furthermore, Alameda County Consolidated Arrest Report number 07-53524 documents the arrest of Richard Lewis, a known associate of Your Black Muslim Bakery, on which Lewis provides an emergency contact number for Yusuf Bey at (510) 773-0854.

Note: The Crown Victoria resembled a police car and was used by Your Black Muslim Bakery as a security patrol car. The suspects in the case investigated by Grant used this vehicle to stop the victims.

On 19 Jul 07 I reviewed a crime report documenting an incident that Occurred on 30 Jun 07 0030 hours. The report number is 07-051070. Officer Humphrey made a vehicle stop in front of the Your Black Muslim Bakery. Humphrey detained Yusuf Bey IV during the stop. After he was released, gunshots erupted behind the Black Muslim Bakery. Yusuf is described as saying in a mocking tone, "What's that?"

510 773-0854 is a Nextel Sprint telephone number used by Yusuf Bey IV.

The phone number for the phone is 510 393-7457 and the email associated with this phone is jbey56@sprintpcs.com. Sprint is now partnered with Nextel. This is Joshua Bey's telephone number. He provided a statement to Grant and indicated that this is still his telephone number. Joshua Bey is communicating with a computer as reflected in the My Space Page. He could be communicating about criminal activity using his sprint email address.

(510) 586-1753 is subscribed to by Kahlil Raheem. This telephone number is serviced by Metro.

(510) 712-9975 is subscribed to by Yusuf Bey at 1083 59<sup>th</sup> Street it is this phone which was used just after the kidnapping is broken up to text Joshua Bey stating, "What r u doing? SHE TATTED UP!!"

Officer Grant told me that the suspects in this case were also armed with a "long rifle."

On 21 Jul 07 Officer Sanchez was conducting a surveillance and saw Yusuf Bey IV driving a Dodge Charger. He saw the car parked in front of the Black Muslim Bakery at 5832 San Pablo Ave. Bey left the Bakery with other people in the car. Officer Sanchez noted that during the surveillance Bey always traveled with others. At 0115 hours Sanchez saw Bey go East On 59<sup>th</sup> St from San Pablo and drive into a driveway to a residence east of the old fire department. The vehicle drove down the driveway (in the direction of the rear of 5832 San Pablo.)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On 24 Jul 07 1500 hours I called [REDACTED]. He confirmed that as of November 2006, Fard Yusuf Bey lived at 1083 59<sup>th</sup> St. and Khalil Raheem lived at 1085 59<sup>th</sup> Street.

[REDACTED]

[REDACTED]



On 25 Jul 07 0922 hours, I talked to [REDACTED] and asked him to describe the door and entrance to the upstairs area of 5832 San Pablo Ave. He said that entry could be made through the front door. There are stairs with walls on both sides. The stairs lead to the living area for Yusuf Bey IV, and another door leads to the Bakery. (Note: There is access from the upper levels of the building to the area of the Bakery.)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On 26 Jul 07 1120 hours, I spoke to Detective Ali of the San Francisco Police Department. He said that in June 2007 there was an incident at a club called Fanatics. The club caters to young adults, allowing entrance to people eighteen years and older. An incident occurred at the club and people started shooting guns. No one was struck by gunfire. The next day an assault rifle was located in the rear of a Chevy Corvette. There were indicia in the vehicle indicating that Yusuf Bey the Third owned the vehicle.

Detective Ali said that Yusuf Bey IV is wanted in San Francisco California for assault with a deadly weapon. He currently has a felony arrest warrant for this offense. The bail for this warrant is \$375,000.

On 28 Jul 07, 1645 hours, I reviewed the San Francisco Police Depart Crime Report that documents the offense of a loaded assault rifle in a vehicle. The San Francisco Police Department RD# is 070585399. The date and time for the rifle recovery is 10 Jun 07, 0800. The report lists suspect number one for this offense as Yusuf Bey, born on 6 Dec 78. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A magazine for the assault rifle loaded with ammunition was inside the trunk.

The report documents that the shooting occurred the night before. The following morning officers responded to a car alarm and recovered the assault rifle and a loaded ammunition magazine for the weapon inside the vehicle.

[REDACTED]

[REDACTED]

On 29 Jul 07 I spoke to Officer Grant. He said that Cornell Hurst worked at the Coliseum Outlet of Your Black Muslim Bakery. Hurst is a person of interest in his case and lives at 1062 60<sup>th</sup> St #5. Idris Branch has a parole address of 1062 60<sup>th</sup> St. #5. Note: [REDACTED] told me that Branch works at the Bakery. Branch currently has a warrant of his arrest for violating parole. I had showed [REDACTED] a photograph of Cornell Hurst. He recognized him as Cornelius, a man who works at the counter of the Bakery.

On 29 Jul 07 0912 hours, I reviewed police report RD# 07-55500. The report documents Oakland Police Officers responding to San Pablo Ave. to investigate a disturbance. Officer Snyder describes a situation where six Male Blacks were detaining a female who was handcuffed and not wearing pants. Richard Lewis provided a written statement. He said that he lives at 5832 San Pablo Ave. He received a cellular telephone call to respond to the downstairs area of the Bakery to handle a female who was "disrupting" the business. He handcuffed her when he saw the female push an employee of the business. Note: This response and report documents security response at the Bakery and movement that occurs throughout the building.

On 29 Jul 07 0928 hours I reviewed a police report documenting an incident that occurred on 16 Jul 07, 0030 hours. This incident documents extensive response to police presence by people associated with Your Black Muslim Bakery. Officer Sanchez wrote that he was flagged down by a citizen [REDACTED] who said that he had been assaulted. He pointed to five to six Male Blacks standing in front of Your Black Muslim Bakery at 5832 San Pablo Ave. [REDACTED] said that he was walking on the sidewalk when he saw a boy come out of 5832 San Pablo Ave. [REDACTED] told the boy that he should return to the building. Several males came outside and spoke to the boy and then started to argue with him [REDACTED]. One of the males struck him on the head with a bottle. Officer Sanchez documented that nine to ten men lined up in front of the entrance to 5832 San Pablo Ave. They were wearing white shirts, white pants, and white aprons. They began to cross the street toward him. (Officer Sanchez was standing with [REDACTED]). Officer Sanchez saw that men were on the rooftop of 5832 San Pablo Ave and directly across the street at 5881 San Pablo Ave. Additional officers arrived and the men on ground level stopped advancing.

Sanchez saw that [REDACTED] had several cuts on his head. His face was covered in blood. [REDACTED] started yelling that he was not a snitch. [REDACTED] did not want to press charges.

On 29 Jul 07 0954 hours I reviewed a police report that documented the shooting of John Bey on 17 Jun 05 outside of his residence. The shooters were lying in wait for Bey. The firearms used included a shotgun. [REDACTED] provided a statement that Antar Bey and others involved with the Your Black Muslim Bakery were the only people that [REDACTED] knows who would have the motive to shoot John Bey.

There is clear documentation of continuing violent felony activity conducted in concert by members of Your Black Muslim Bakery.

On 4 Mar 94 members of Your Black Muslim Bakery assaulted a man. The members confronted responding police officers. A citywide call additional officers was made. Two arrests were made for assault with a deadly weapon. The RD# is 94-21433.

On 28 May 96 officers were dispatched to a fight at 10319 E-14<sup>th</sup> St. Your Black Muslim Bakery was providing security here. Security members were involved with a man named [REDACTED]. Additional Muslims responded and assisted the security team in assaulting [REDACTED]. The suspects fled in a vehicle registered to Dahood Bey of Your Black Muslim Bakery. The RD# is 96-31823.

On 7 Aug 97 [REDACTED] reported that he went to 5832 San Pablo Ave to collect earnings that were owed to him. He was assaulted and lost consciousness. He made this report from Highland Hospital. The RD# is 97-75095.

On 22 Sep 96 [REDACTED] was walking by the Black Muslim Bakery Outlet at the Coliseum when two members of the Black Muslim Bakers assaulted him after a perceived disrespectful statement. The RD# is 96-90676. The suspects are listed as Naim Bey and John Ayers.

On 16 May 07, [REDACTED] was shot. A member of the Your Black Muslim Bakery Security, Muhammad Salevi, was the suspect. There had been a call earlier regarding several members of Muslim Security armed with guns. The RD# is 98-48391.

On 16 May 98 [REDACTED] was arrested for possession of a 9mm handgun. Basheer Muhammad was in his company. The RD# is 98-48458.

On 25 Oct 98 Officer Neely was investigating a firearm brandishing incident. He recovered a shotgun and a pistol from a vehicle parked in front of 5832 San Pablo Ave. The RD # is 98-107471.

On 25 Oct 07 1829 hours, officers were dispatched to an assault at 1091 55<sup>th</sup> St. There was information that a group of men dressed in suits with bow ties assaulted two people. Bow ties were on the ground. Officers heard a gunshot. Approximately twenty minutes later there was a

report of fighting at 24<sup>th</sup> St. and Telegraph. A store clerk reported that 30-40 Muslims assaulted a person was gone. A gunshot was heard. The RD# is 98-107578.

On 10 Jun 00 Abdul Bey was arrested for possession of a sawed off shotgun. Officers were searching his residence and approximately twenty of Bey's "friends" confronted the officers. Officer M. Miller was one of the arresting officers.

On 10 Aug 00 [REDACTED] reported that he attempted to collect his wages Your Black Muslim Bakery and was assaulted by members. The RD# is 00-72451.

On 9 Sep 01, Yusuf Bey IV was detained after a short failure to yield. A magazine loaded with 9mm bullets was recovered from him. The El Cerrito Police Report Number is 01-5020.

On 22 Jan 03 Officer Estrada, conducting a parole search, recovered a Ruger Mini 14 next to Abdul Bey's bed. The RD# is 03-07080.

On 29 Feb 04, Waajid Aljawwad was reported missing and later found murdered. Aljawwad was the president and CEO of Your Black Muslim Bakery. The RD# is 04-65105.

On 1 Aug 05 0115 hours Oakland Officers responded to 5800 San Pablo Ave to investigate a car jacking. Yusuf Bey IV was arrested. He listed 1083 59<sup>th</sup> St as his address.

On 21 Apr 07 officers responded to a report of a building being fired into. The officers determined from bullet strike marks that the rounds were fired from the rear yard of Your Black Muslim Bakery at 5832 San Pablo Ave. The RD# is 04-36415.

In November 2005, members of Your Black Muslim Bakery, led by Yusuf Bey IV, committed felony vandalism in West Oakland Liquor Stores. Kahlil Raheem and Yusuf Bey IV were among the people arrested for these crimes. The RD# is 05-75887 and 05-75886.

On 26 Jan 06, Ajuwon Muhammad was arrested for Grand Theft at the Golden One Credit Union.

Emeryville Police responded to a call of two people fleeing from members of Your Black Muslim Bakery, including Yusuf Bey IV. The report number is 0601-3127.

On 16 Feb 06, Berkeley Police arrested Yusuf Bey IV pursuant to a grand theft. The Berkeley Report number is 06-8400.

On 19 Mar 06 a man was assaulted with a baseball bat when he was perceived to say something disrespectful regarding a photograph of Dr. Yusuf Bey at 5832 San Pablo Ave. The man, [REDACTED] made this observation to an employee inside the Bakery. The RD# is 06-24833.

On 23 Mar 06, Oakland Officers were dispatched to a call of gunshots inside Your Black Muslim Bakery. The officers did not locate a crime scene.

On 6 Apr 06 Yusuf Bey IV was stopped driving a car with Gary Popoff and Rasoui Bey as passengers. Yusuf Bey was arrested pursuant to a warrant.

On 15 Apr 06 Michael Brown was arrested pursuant to a warrant for assault. He was an employee of the Black Muslim Bakery and he listed his brother as Yusuf Bey.

On 28 Apr 06 Yusuf Bey IV was identified as the person who ran over people with his vehicle. The case occurred in San Francisco. He currently has a \$375,000 warrant for his arrest in this case.

On 16 Jun 06, Ajuwon Muhammad was arrested for fraud at Infiniti of Oakland. This case is documented through RD# CHP VTT06-190.

On 14 Aug 06, Vallejo Police arrested Yusuf Bey IV with a 9mm pistol. Alia Raina Bey was with him. She was arrested for bank fraud. The Vallejo Police Report # is 06-16635.

On 25 Aug 06 officers responded to 1462 High St. to investigate a call that men were beating another man. Your Black Muslim Bakery provided the security for the lot. Two members, Ajuwon Muhammad and Yusuf Bey V were arrested for battery. During the investigation, additional people from Your Black Muslim Bakery arrived in the lot and would not leave when directed to do so. The RD# is 060074148.

On 6 Sep 06 a vicious dog bit a woman. During the preliminary investigation it was determined that the dogs were associated with the Bey family. Officers responded to the scene. Joshua Bey exited 1085 59<sup>th</sup> Street. He was uncooperative. Members of Your Black Muslim Bakery responded to the scene. Members took positions on rooftops, including the roof of the Bakery.

On 30 Oct 06, San Jose Police arrested Ajuwon Jones with a firearm. He resisted arrest and told an officer that he wished he had been shot to fulfill his desire to become a martyr. The San Jose Police Report Number is 06-303-1207.

On 16 Nov 06, Yusuf Bey IV was arrested driving a stolen U-Haul. There was a bulletproof vest in the U-Haul. The RD# is CHP F-866-370-06.

On 18 Dec 06 Yusuf Bey IV, Joshua Bey, and Muhammad Amari were arrested for battery in the parking lot of 1440 High St., where Your Black Muslim Bakery provides security. The RD# is 06-112505.

On 9 Jan 07, Yusuf Bey IV was among three people detained for petty theft at Walgreens. Yusuf Bey IV was taking condoms without paying for them. He was detained with Yusuf Bey V, who was later arrested for possession of an assault pistol at this scene. The RD# is 07-003071.

On 18 Jan 07, an officer responded to a call of a landlord-tenant dispute at [REDACTED]. There was a Crown Victoria with a Black Muslim Security emblem on at the scene. Yusuf Bey IV was illegally attempting to evict someone. He said that he would stop, and was overheard by Officer Tedesco talking about "taking care" of a man who did something inappropriately at a later time.

On 10 Feb 07, [REDACTED] was shot at because she did not heed a warning to stop being a prostitute in the area. She said that she thinks she has seen one of the suspects working for Your Black Muslim Security on High St. The RD# is 07-11884.

[REDACTED]

[REDACTED]

[REDACTED] identified a photograph of Bey, Joshua Yusuf (MB 5 Aug 88, 6-2, 168, CDL# D8387827) as the person in the My Space photograph holding an assault rifle and a shotgun. (Note: I have shown this photograph to Sgt. Wingate, who has extensive firearms training. He identified the firearm as a 7.62 caliber weapon.) [REDACTED] said that the My Space photograph was taken inside 1083 59<sup>th</sup> St. Note: This is a duplex. Facing the front of the residence, 1085 is a door on the right hand side, 1083 is the door on the left. The door on the left leads to the upper level of the structure.

[REDACTED] said that he has also seen Joshua Bey with an AK-47 at 5832 San Pablo Ave.

[REDACTED] identified a PFN photograph of Yusuf Bey (BFT729) as the "Fifth." [REDACTED] told him that the Fifth was one of the men who shot [REDACTED] car. This is the pertinent identifying information: Bey, Yusuf (MB 10 Jan 87, 6-1, 160, CDL# D6084048, PFN BFT729). This is a violation of 247 PC. Yusuf V was arrest in 2007 at the Walgreens carrying an assault pistol. Yusuf IV was with him.

[REDACTED] identified a PFN photograph of Yusuf Bey (BEU186) as Yusuf Bey IV. [REDACTED] said that this is the man who drove [REDACTED] to [REDACTED] house to shoot the car. This is a violation of 247 PC. Here is the identifying information: Bey, Yusuf Ali (MB 18 Jan 86, 5-6, 145, PFN BEU186, CII 23073265). Bey lists addresses of 1083 59<sup>th</sup> St and 5832 San Pablo Ave. Note: There is extensive documentation regarding Yusuf Bey acting in concert with those he directs to commit felony crimes. The firearm used to murder Roberson and Wills is the same one that fired rounds into Cook's vehicle at the direction of Yusuf Bey. The property at 1083/1085 San Pablo is under

his control. The 7.62 weapon is used by personnel with Your Black Muslim Bakery and could be either location. The murders occurred near Your Black Muslim Bakery, with a weapon controlled by its members, and near associated properties, including 1085 and 1083 59<sup>th</sup> St. Joshua Bey is holding a 7.62 caliber weapon inside 1083 59<sup>th</sup> St. an address claimed by Yusuf Bey IV.

I showed [redacted] a photograph of Kahlil Raheem, PFN BBF479. [redacted] Raheem is associated with the Bakery. [redacted] said that Raheem has been living at 1083 59<sup>th</sup> St.

I showed [redacted] a photograph of JShawn Aubrey Belser. He identified Belser as one of the men who [redacted] said shot [redacted] car, a violation of 247 PC. This is the identifying information: Belser, Jshawn Aubrey (MB 11 Jan 89, 6-8, 227, CDL # E1647487). [redacted]

[redacted] said that Brossard, Devaughndre Monique (MB 11 Oct 87, 5-11, 165, CDL# D9185596) was one of the people who fired into [redacted] car according to [redacted]

[redacted] identified a photograph of Hearn, Tommie Wayne, (MB 5 May 86, 5-9, 139, CDL# D900338) as the person that [redacted] said was driving the shooters who fired into [redacted] vehicle.

I showed [redacted] a photograph of Fard Yusuf Bey. He identified this California Drivers License photograph as a Fard Yusuf Bey. [redacted] said that he was one of the people shooting at [redacted] car, a violation of 247 PC. [redacted] Note: There was information from a person in the neighborhood that a white car was seen leaving the scene. This is his identifying information: Bey, Fard Yusuf (MB 14 Feb 89, 6-2, 175, CDL# D3061147). He listed his address as 1083 59<sup>th</sup> St. This is part of the duplex at 1083/1085 59<sup>th</sup> St. [redacted] said that Fard lived on the 1085 side of the duplex, and there is information that he possessed a shotgun or an assault rifle in the incident when Cook's vehicle was fired upon. There is a rear exit for this duplex onto the rear of 5832 San Pablo. There is extensive documentation regarding interaction between people at 1083/1085 59<sup>th</sup> St and the Your Black Muslim Bakery.

5832 San Pablo, and the duplex of 1083/1085 59<sup>th</sup> St are locations where firearms probably are. 1083/1085 59<sup>th</sup> St. exit into the rear courtyard of 5832 San Pablo Ave. Joshua Bey and Your Black Muslim Bakery both have pages on the Internet. For this reason there could be documentation of the crimes on hard drives, and other electronic storage media, including documentation through photographs of criminal activity, such as the My Space photograph of Joshua Bey. There may be written materials, both on electronic media or hard copy documenting who was tasked with patrolling the grounds (the Your Black Muslim Bakery Security Lists), or motives behind shooting two narcotics users multiple times, and possibly a prostitute. I know that people involved in the crime of murder will keep newspaper articles about the crime. The firearms involved will have associated items indicating their possession,

including ammunition, packaging for the firearms, targets, ammunition packaging and ammunition. There is a clothing description of one suspect provided by a witness.

There is extensive information regarding the military type response by personnel at the Bakery to any police action, including posting on the roof. Officer Grant's kidnapping case and other incidents document the use of communication equipment including radios. There is extensive history regarding firearms and personnel possessing them at Your Black Muslim Bakery. This exposes any police officer and citizens to increased danger if the personnel at this Bakery receive warning and are allowed to quickly organize, including posting people on the rooftop. Incidents with Your Black Muslim Bakery have resulted in additional people from the Bakery responding to different locations quickly. The firearms that are documented are powerful, including assault rifles. This group has acted in concert to perform acts of violence. There is information that indicates that personnel from this group have recently been involved in murder and kidnapping.

For these reasons your affiant requests exemption from the knock and announce requirement, and night service for the warrants. It will be important to serve the warrants when there is as little activity as possible.

[REDACTED] is documented as driving the following vehicle in RD 07-051070: 2007 Dodge Challenger Black [REDACTED]

know that people involved in criminal activity will store and transport contraband, including firearms in their vehicles. There is no witnesses to the murders at this time who can advise as to the number of suspects present at the shooting or if the suspects were armed with additional firearms. This group operates largely in concert. For this reason your affiant is searching for all firearms. Your Black Muslim Bakery operates a security company that has been involved in violence. For this reason Your affiant is searching for documents relative to the Security company.

WHEREFORE, AFFIANT prays that a SEARCH WARRANT be issued based upon the above facts for the seizure of said property or any part thereof. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Subscribed and sworn to before  
me on

30 Jul 07

[Signature]  
Signature of Affiant

[Signature]  
Signature of Magistrate