

UNITED STATES DISTRICT COURT  
for the

Southern District of Mississippi

FILED

Mar 04 2024

## ARTHUR JOHNSTON, CLERK

1:24-mj- 515-RPM

*Defendant(s)*

## 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(s) of January 26, 2023 in the county of Harrison in the Southern District of MS, Southern Division, the defendant(s) violated:

### *Code Section*

### *Offense Description*

18 U.S.C. § 1349 and  
18 U.S.C. § 1519

Attempt and conspiracy to alter, destroy, and cover up a tangible object with the intent to impede, obstruct, or influence the investigation.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein

Continued on the attached sheet.

*Complainant's signature*

Alexander W. Smith, Task Force Agent, DEA

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 3-4-2024

City and state: Gulfport, Mississippi

Robert P. Myers, Jr., United State Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

**Agent Background**

Your Affiant, Alexander W. Smith, being duly sworn, deposes and states the following:

1. I am a Police Officer with the Pascagoula Police Department, assigned to the United States Drug Enforcement Administration (DEA) as a Task Force Officer (TFO) since August of 2018. I have served as a sworn law enforcement officer in the State of Mississippi for over seven (7) years. I graduated from the Harrison County Law Enforcement Training Academy in 2016 and have since received extensive training in relation to the investigation of illegal drug trafficking by virtue of my employment with the Pascagoula Police Department and assignment with DEA. My training has included narcotics investigations, hotel, motel, and parcel interdiction, drug search warrants, financial investigations related to drug trafficking, money laundering, asset forfeiture and seizure, and social media analysis. I have participated in and conducted multiple investigations which have led to the arrest and conviction of individuals who have been involved in the smuggling, receiving, and distribution of controlled substances, as well as the seizure of illegal drugs and proceeds derived from the sale of those illegal drugs. In addition, I have conducted, in connection with these and other cases, investigations concerning the concealment of narcotics-produced assets, money, bank records, etc., and the identification of co-conspirators through the use of ledgers, telephone bills and records, and photographs, as related to drug trafficking. I have been involved in various types of electronic surveillance, in the execution of search warrants, and in the debriefing of defendants, witnesses and informants, as well as others who have knowledge of the distribution and transportation of controlled substances, and of the laundering and concealing of proceeds from controlled substance trafficking. I have been involved in multiple investigations relating to the distribution of synthetic cannabinoids in various forms.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested criminal complaint and does not set forth all of my knowledge about this matter.

**Statement of Probable Cause**

3. Between 2020 and 2023, agents with the Drug Enforcement Administration (DEA) and the Mississippi Bureau of Narcotics (MBN), identified the vape/CBD/Kratom business named THE CANDY SHOP, LLC, as a large-scale distributor of synthetic cannabinoids sold in the form of “Cannabidiol (CBD) additives.” On January 26, 2023, agents with DEA, MBN, and numerous other law enforcement agencies executed simultaneous search warrants at all THE CANDY SHOP locations in Mississippi and North Carolina, as well as the residence of the owner, Robert DEMING. During the search of THE CANDY SHOP located at 6916 Cliffdale Road, Suite 7, Fayetteville, NC, DEA TFO Thomas Tew interviewed THE CANDY SHOP manager, T.B. During the recorded interview, T.B. received a phone call from Celeste “CJ” LITTLE, a manager for the Gulf Coast locations for THE CANDY SHOP, who advised her to take the “Additives” and “throw them away.”

**Probable Cause**

4. In late 2020, the Mississippi Bureau of Narcotics (MBN) initiated an investigation into THE CANDY SHOP, LLC, a vape/CBD/Kratom retail company located in South Mississippi and North Carolina. In 2020 and 2021, agents with MBN conducted multiple controlled purchases of “CBD additive” products from THE CANDY SHOP. Between December 2020 and December 2021, the Mississippi Crime Laboratory returned results for the substances

purchased by MBN, indicating that all units except one, tested exclusively for the synthetic cannabinoid **MDMB-4en-PINACA**.

5. In late 2021 to early 2022, agents with the DEA Gulfport Resident Office initiated a federal investigation into THE CANDY SHOP in coordination with MBN. During the initial phases of the investigation, agents conducted analysis of cellular records, financial documents, social media accounts, and other intelligence relating to the business. Agents identified **Robert Leon DEMING III** as the owner and operator of the business along with several other key employees including **Celeste “CJ” LITTLE**, and others. Agents determined that DEMING was profiting significantly from the business and in ways that appeared to be unusual in comparison to other vape/CBD retail outlets. Between December 2021 and December 2022, DEMING purchased a residence in Biloxi, MS for approximately \$500,000.00 cash, and multiple vehicles including a 2020 GMC Sierra HD crew cab, a 2022 BMW SUV, and a luxury Karma GS-6 electric car.

6. On or about May 2023, the DEA Gulfport RO received intelligence from a Source of Information (“SOI”) that THE CANDY SHOP was distributing a new and reportedly more potent “CBD additive” at their stores. In July 2023, agents with DEA and MBN conducted controlled purchases of “CBD additives” from THE CANDY SHOP at multiple locations. Agents purchased several brand names including “**King CBD**,” “**MySerene CBD**,” “**MedEx CBD**,” “**Plus Premium CBD**,” **Girly CBD**,” and a smaller 1mL vape cart branded as “**Jungle Juice**.” Agents later determined that these products were all part of the “**KING**” line of CBD additives/products that were produced and sold exclusively by THE CANDY SHOP.

7. In late 2022, agents received laboratory results from the DEA Southeast Laboratory for all of the above products with the exception of the “Jungle Juice.” The analysis of the products indicated that each of the CBD additive (15ml products) contained the synthetic cannabinoid **5F-**

**MDMB-PICA.** The results initiated no presence of actual CBD. Additionally, agents later received laboratory results for the “Jungle Juice” 1mL vape cartridge which indicated the substance was MMB-4en-PINACA. According to open-source resources relating to chemical manufacturing, this substance is “is an analytical reference standard that is structurally similar to known synthetic cannabinoids.” MMB-4en-PINACA is not currently federally scheduled.

8. *NOTE: 5F-MDMB-PICA was temporarily placed on the list of Schedule I substances under the Federal Controlled Substances Act in 2019, and permanently placed in the list of Schedule I substances under the Federal Controlled Substances Act in April, 2022.*

9. In December 2022, the DEA GRO conducted additional controlled purchases of “CBD additive” products from multiple business locations for THE CANDY SHOP in anticipation of the executing search warrants during the subsequent phases of the investigation.

10. In reviewing the controlled purchases conducted by agents with MBN as well as the later controlled purchases conducted by DEA, agents noted numerous statements made by employees during transactions that were entirely inconsistent with a product advertised as “CBD.”

11. Agents noted multiple statements made by employees in which “CBD additive” products were stated to cause significant effects, e.g. **“legitimately six hours of fucked up”** and **“it is that stupid potent.”** Undercover agents were advised by employees to always **“cut”** the product with regular vape juice, e.g **“You cannot smoke this by itself, it will put you in the hospital, it is way, way, way too strong. There's people who used to do it with the last one, but these, they were modified to where you can hit it with any vape you want”** and **“You gotta cut it”** and **“If you don't you're gonna be sick.”** Agents were additionally advised that the product would not show up on a drug screen, e.g. **“That's what this product is... it mimics the way weed feels and stuff like that but be able to pass a drug screen,”** and **“This will get you**

**high just like that stuff will (*Referring to Delta 8 flower*) so you can pass your test.” One particular employee additionally made an unusual statement regarding the use of products by underage subjects, “Don’t let anyone young use it, because it seems like they have a hard time not using it.”**

12. Your affiant is aware based on knowledge and experience gathered during the course of this investigation and other investigations relating to the distribution of synthetic cannabinoids as well as information obtained from a variety of sources relating to the effects of CBD and synthetic cannabinoids, that the statements as made above regarding the “CBD additives” sold by THE CANDY SHOP were entirely inconsistent with the anticipated effects of CBD products. Additionally, agents noted that the bottles of “CBD additive” purchased from THE CANDY SHOP, despite being labeled as “CBD” had no listed concentration of CBD in milligrams as is typical of legitimate CBD products.

13. Based on intelligence gathered during the above controlled purchases, agents determined that THE CANDY SHOP primarily sold and distributed five (5) “CBD additives” that were stated to be a part of the “KING” line of products exclusive to THE CANDY SHOP. Additionally, the “Jungle Juice” product was also reported to be part of the same line, but were sold as a vape cart rather than a vape “additive.”

14. On January 26, 2023, the DEA GRO executed multiple simultaneous search warrants at the residence of DEMING in Biloxi, MS, and all nine (9) THE CANDY SHOP locations in Mississippi and North Carolina. Agents seized over hundreds of units of products in the “KING” line of CBD additives that were known to contain synthetic cannabinoids, as well as large sums of United States Currency.

15. On January 26, 2023, at 9:22am, TFO Smith initiated the simultaneous execution of all search warrants in North Carolina and Mississippi. During the initial phase of the search warrants, TFO Smith contacted DEMING by phone to inform him of the search warrants and that his residence was being searched. DEMING informed TFO Smith that other employees were calling him regarding the situation. At 9:37am, DEA TFO Joseph Kennedy advised TFO Smith that the “Owner” was continuing to contact employees at THE CANDY SHOP located at 6068-5 US-98, Hattiesburg, MS.

16. TFO Smith reviewed toll records for Robert DEMING, Celeste LITTLE, and other employees of THE CANDY SHOP around the date and time of the search warrants. Analysis of toll records indicated a substantial number of phone calls being made between DEMING and others in an apparent reaction to the presence of law enforcement at all THE CANDY SHOP locations. The following phone calls were noted to be pertinent based on the timeline of events.

- a. At 9:26am, A.R. via (228) 214-8388, attempted two outgoing phone calls to DEMING.
- b. At 9:26am, Celeste LITTLE via (228) 238-9646, attempted an outgoing call to an employee at the Ocean Springs, MS location.
- c. At 9:27am, LITTLE attempted another outgoing phone call to a separate employee at the Ocean Springs, MS location.
- d. At 9:27am, A.R. attempted a third outgoing phone call to DEMING.
- e. At 9:27am, LITTLE made a 15 second phone call to M.A., dating partner of DEMING.
- f. At 9:28am, A.R. made a 4 second outgoing phone call to DEMING.
- g. At 9:29am, A.R. made a 3 second outgoing phone call to DEMING.

- h. At 9:30am, A.R. attempted a phone call to DEMING.
- i. At 9:31am, LITTLE made a 3 second phone call to M.A.
- j. At 9:31am, A.R. made a 2 second phone call to E.K.
- k. At 9:31am, LITTLE made a 3 second phone call to DEMING.
- l. At 9:32am, DEMING made a 20 second phone call to LITTLE.
- m. At 9:33am, TFO Smith made a phone call to DEMING to inform him that agents were executing warrants at his residence and business locations.
- n. At 9:36am, A.R. made a 3 second phone call to DEMING, followed by a 1 minute and 18 second phone call also to DEMING.
- o. At 9:37am, T.B. made a 15 second phone call to DEMING.
- p. At 9:38am, A.R. made a 2 second phone call to L.B. (Pascagoula, MS manager).
- q. At 9:39am, A.R. attempted a phone call to an employee at the Gulfport, MS location.
- r. At 9:41am, A.R. attempted a phone call to J.D. (Hattiesburg, MS manager)
- s. At 9:41am, A.R. attempted a phone call to DEMING's daughter.
- t. At 9:41am, A.R. made a 1 second phone call to E.K..
- u. AT 9:45am, A.R. attempted a phone call to J.D.
- v. At 9:46am, J.Z. made a 3 minute and 19 second phone call to DEMING. J.Z. is a business partner of DEMING under the LLC "STORM DAMAGES, LLC."
- w. At 9:49am, LITTLE attempted two phone calls to (228) 218-6726 (Unknown user).
- x. At 9:50am, LITTLE made a 44 second phone call to T.B.
- y. At 9:51am, LITTLE made a 3 second phone call to E.K.
- z. At 9:51am, DAY made a 1 minute and 32 second phone call to DEMING.

aa. At 9:51am, LITTLE made a 53 second phone call to A.G., dating partner of E.K.

17. At 9:54am, LITTLE made a 48 second phone call to DEMING. During the execution of the search warrant at THE CANDY SHOP located at 6916 Cliffdale Road, Suite 7, Fayetteville, NC, DEA TFO Thomas Tew and other agents encountered **T.B.**, who was identified as the manager of THE CANDY SHOP locations in Fayetteville, NC. On that same date during the active search of the business, TFO Tew conducted a recorded interview with T.B. during which he asked T.B. a variety of questions that had been provided by TFO Smith as a standardized format of questions to be asked of all employees encountered during search warrants.

18. During the initial portion of the interview, TFO Tew activated a recording device and advised T.B. that she was being recorded. T.B. advised “Okay.” Approximately seven (7) minutes into the recorded interview, T.B. received a phone call to her personal cellular phone. TFO Tew allowed T.B. to answer the phone, and due to the volume of call, the contents of the conversation were generally audible in the recording. The caller was identified as **Celeste “CJ” LITTLE** based on T.B.’s identification as well as toll records. I have prepared a transcript of relevant portions of the call based upon my review of the recording:

- a. T.B.: “Hello?”
- b. LITTLE: “Hey are you working?”
- c. T.B.: “Yes”
- d. LITTLE: “Okay, um, go take the additive and throw them away  
(Unintelligible/UI)”
- e. T.B.: “I can’t.”
- f. LITTLE: “(UI) are they there too?”
- g. T.B.: “Yes.”

- h. LITTLE: "What the fuck! Okay... (UI)"
- i. T.B.: "Yes, 'cause I'm not detained."
- j. LITTLE: "(UI) what the fuck (UI) ... Okay?"
- k. T.B.: "Yeah."

19. TFO Smith analyzed toll records received from providers for cellular accounts utilized by **T.B.**, **LITTLE**, and **DEMING** as follows:

20. (228) **669-2037**, identified as utilized by Robert **DEMING** based on toll records and subscriber records.

21. (228) **238-9646**, subscribed to the AT&T cellular account of Jason Little, the father of Celeste **LITTLE**, and identified as utilized by Celeste **LITTLE** based on toll records, statements by T.B., and law enforcement indices.

22. (228) **214-8388**, subscribed to the AT&T cellular account of **A.R.**, dating partner of Celeste **LITTLE** at the time of the these events.

23. (425) **207-6332**, identified as utilized by T.B. based on cell phone records and law enforcement indices. The following pertinent toll records were identified:

- a. 01-26-2023 at 0928 to 0932 hours, **DEMING** received numerous incoming calls that appeared to be unanswered from **A.R.** via (228) 214-8388 and Celeste **LITTLE** via (228) 238-9646.
- b. **01-26-2023 at 0932 hours, **DEMING** made an outgoing call to **LITTLE** lasting 21 seconds.**
- c. 01-26-2023 at 0933 hours, **DEMING** was contacted by TFO Smith and informed of the search warrants occurring at his residence and businesses. Following this

communication, DEMING received/made multiple phone calls between DEMING and A.R. via (228) 214-8388, J.Z., T.B., and other subjects.

**d. 01-26-2023 at 0950 hours, LITTLE made a 44 second phone call to T.B. This is the phone call that was recorded during T.B.'s interview with TFO Tew.**

**e. 01-26-2023 at 0954 hours, LITTLE made a 48 second phone call to DEMING.**

24. Based upon the foregoing, I respectfully submit that there is probable cause to believe that LITTLE, while in the Southern Division of the Southern District of Mississippi, knowingly and intentionally attempted to obstruct justice in violation of Title 18, United States Code, Sections 1349 and 1519. In that on January 26, 2023, LITTLE, knowing that the CANDY SHOP was being investigated by the Drug Enforcement Administration and the U.S. Department of Justice, both of which are departments and agencies of the United States, for matters within their jurisdiction, and with contemplation of such an investigation, did call T.B. on the telephone and instruct her to alter, destroy, and cover up a tangible object with the intent to impede, obstruct, or influence the investigation.



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Alexander W. Smith  
Task Force Agent, US Department of Justice  
Drug Enforcement Administration

Sworn and subscribed before me this 4 day of March 2024.



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Robert P. Myers, Jr.  
United States Magistrate Judge