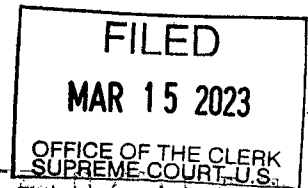


22-1121

No. 22-____



ORIGINAL

IN THE
Supreme Court of the United States

KAMALADOSS SELVAM,

Petitioner,

v.

UNITED STATES OF AMERICA,
PATRICK CONNOR, Unknown Defendants,
UNITED STATES FOOD AND DRUG ADMINISTRATION,

Respondents.

**On Petition for a Writ of Certiorari to the
United States Court of Appeals
for the Second Circuit**

PETITION FOR A WRIT OF CERTIORARI

KAMALADOSS SELVAM

Pro Se

P.O. Box 863695

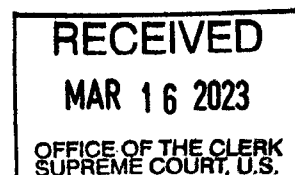
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March 15, 2023

WILSON-EPES PRINTING CO., INC. - (202) 789-0096 - WASHINGTON, D.C. 20002



QUESTIONS PRESENTED

U.S. Code, Title 21, Chapter 13 (Drug Abuse Prevention and Control), SubChapter 1 (Control and Enforcement) , Part E (Administrative and Enforcement Provisions), § 878 – Powers of enforcement personnel, provides that, “(a) Any officer or employee of the Drug Enforcement Administration or any State, tribal, or local law enforcement officer designated by the Attorney General may—(1) carry firearms; (2) execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas, and summonses issued under the authority of the United States.”

The questions presented are:

1. Whether Food and Drug Administration (FDA) has jurisdiction to enforce Drug Abuse Prevention and Control Act?
2. Whether Food and Drug Administration (FDA) has jurisdiction to execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas and summonses under Drug Abuse Prevention and Control Act?

RELATED PROCEEDINGS

United States Court of Appeals (2nd Circuit):

Selvam v. United States of America,
No: 21-2513, 12/27/2022.

United States District Court (EDNY, Brooklyn):

Selvam v. United States of America,
No: 1:20-cv-03299, 12/17/2021.

United States District Court (EDNY, Brooklyn)

USA v. Kamaldoss, et al.
No: 1:19-mj-00793-RLM-10.

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OPINIONS BELOW

Second Circuit's order denying panel rehearing and hearing *en banc* is attached as Appendix A.

Second Circuit's order affirming the dismissal by District Court is attached as Appendix B.

Excerpts (pp. 5-6) of Petitioner's Complaint under *Bivens* and FTCA is attached as Appendix C.

Excerpts (pp. 1-3) of Criminal Complaint filed by FDA Agent is attached as Appendix D.

JURISDICTION

The court of appeals entered its order denying petition for panel rehearing or in the alternative, for rehearing *en banc* on December 16, 2022. This Court has jurisdiction under 28 U.S.C § 1254(1).

STATUTORY PROVISIONS INVOLVED

U.S. Code, Title 21, Chapter 13 (Drug Abuse Prevention and Control), SubChapter 1 (Control and Enforcement), Part E (Administrative and Enforcement Provisions), § 878 – Powers of enforcement personnel, states that, “(a) Any officer or employee of the Drug Enforcement Administration or any State, tribal, or local law enforcement officer designated by the Attorney General may—(1) carry firearms; (2) execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas, and summonses issued under the authority of the United States.”

STATEMENT OF THE CASE

Food and Drug Administration (“FDA”) agent executed and served search warrants and arrest warrant under U.S. Code, Title 21, Chapter 13 (Drug Abuse Prevention and Control Act). Petitioner was imprisoned and sub-

sequently the criminal complaint against Petitioner was dismissed by United States Attorney. Petitioner brought civil action under *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971) and Federal Tort Claims Act (“FTCA”) against Food and Drug Administration, its agent, unknown defendants and United States of America. The Second Circuit Court of Appeals affirmed the District Court’s dismissal of Petitioner’s *Bivens* and FTCA actions stating that “Selvam (Petitioner) was arrested pursuant to a warrant signed by a magistrate judge.”

REASONS FOR GRANTING CERTIORARI

The magistrate judge that signed the warrant, the District Court that dismissed the Petitioner’s *Bivens* and FTCA actions and the Second Circuit Court that affirmed the District Court’s dismissal, have all (incorrectly) assumed as a premise and consequently decided the issues in this case, without expressly stating, that Food and Drug Administration (FDA) and its Agent has jurisdiction to enforce, execute and serve warrants under U.S. Code, Title 21, Chapter 13 (Drug Abuse Prevention and Control Act).

21 U.S. Code § 878 states in part that, “(a) Any officer or employee of the Drug Enforcement Administration or any State, tribal, or local law enforcement officer designated by the Attorney General may— (1) carry firearms; (2) execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas, and summonses issued under the authority of the United States.”

Food and Drug Administration (“FDA”) is not a part of Drug Enforcement Administration (“DEA”) and FDA is not a State and not a Tribal and not a local law enforcement agency. Therefore, FDA has no jurisdic-

tion to enforce and execute and serve warrants under 21 U.S. Code, Chapter 13 Drug Abuse Prevention and Control Act. (Controlled Substances Act)

Petitioner raised this issue of enforcement jurisdiction in the *Bivens* and FTCA Complaint. There was no discovery or any other proceedings for the finding of the facts on the issues raised by the Petitioner's complaint. District Court granted Respondent's motion to dismiss Petitioner's Complaint.

Petitioner alleged in the Complaint that, (#18) "Upon information and belief, FDA has no jurisdiction in the enforcement or investigation of alleged violations under Controlled Substances Act" and (#19) "Upon information and belief, United States Congress has vested Drug Enforcement Agency ("DEA") and not FDA to enforce and investigate alleged violation under Controlled Substances Act" and (#20) "Upon information, for any violation of regulation or laws under the authority of FDA, Food Drug and Cosmetics Act ("FDCA") states: "Before any violation of this Act is reported by the Secretary to any United States attorney for institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given appropriate notice and an opportunity to present his view, either orally or in writing with regard to such contemplated proceeding" (SECTION 305 NOTICE) and (#21) Plaintiff never received any SECTION 305 NOTICE and (#22) "FDA Regulatory Manual mandates internal administrative procedures and written reports, if criminal prosecution/investigation is initiated without Section 305 notice. Chapter 6 (Judicial Actions) page 59 of 226, in FDA Regulatory Procedures Manual."

The FDA agent that executed warrants under Controlled Substances Act, is from the FDA – OCI (Office of Criminal Investigations). The United States

Government Accountability Office (GAO) report number GAO-10-221, that was submitted to U.S Congress, entitled "Food and Drug Administration: Improved Monitoring and Development of Performance Measures Needed to Strengthen Oversight of Criminal and Misconduct Investigations" concluded that "FDA's oversight of these (OCI) investigations has been limited" and recommended "OCI's compliance with (FDA) investigative policies."

CONCLUSION

Petitioner respectfully request to grant this petition for a writ of certiorari and conclude that FDA has no jurisdiction to enforce and execute and serve warrants under Drug Abuse Prevention and Control Act and remand this case to the Court of Appeals or District Court for further actions.

Respectfully submitted,

KAMALADOSS SELVAM

Pro Se

P.O. Box 863695

Ridgewood, NY 11386

(718) 541-2175

celwham@yahoo.com

March 15, 2023

APPENDIX

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1a

APPENDIX A

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

Docket No: 21-2513

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 16th day of December, two thousand twenty-two.

KAMALADOSS SELVAM,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA, PATRICK CONNOR,

Defendants- Appellees,

UNKNOWN DEFENDANTS,

Defendants.

ORDER

Appellant, Kamaladoss Selvam, filed a petition for panel rehearing, or, in the alternative, for rehearing *en banc*. The panel that determined the appeal has considered the request for panel rehearing, and the active members of the Court have considered the request for rehearing *en banc*.

IT IS HEREBY ORDERED that the petition is denied.

2a

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

[Catherine O'Hagan Wolfe Seal]

3a

APPENDIX B

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

No. 21-2513-cv

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 11th day of October, two thousand twenty-two.

PRESENT: ROBERT D. SACK,
RAYMOND J. LOHIER, JR.,
MYRNA PÉREZ,
Circuit Judges.

4a

KAMALADOSS SELVAM,

Plaintiff-Appellant,

v.

UNITED STATES OF AMERICA, PATRICK CONNOR,

Defendants-Appellees,

UNKNOWN DEFENDANTS,

*Defendants.**

FOR PLAINTIFF-APPELLANT:

Kamaladoss Selvam, *pro se*,
Ridgewood, NY

FOR DEFENDANTS-APPELLEES:

Varuni Nelson, Ekta R. Dharia,
Assistant United States Attorneys, *for* Breon Peace,
United States Attorney for the Eastern District of New
York, Brooklyn, NY

Appeal from an order of the United States District
Court for the Eastern District of New York (Rachel P.
Kovner, *Judge*).

UPON DUE CONSIDERATION, IT IS HEREBY
ORDERED, ADJUDGED, AND DECREED that the
judgment of the District Court is AFFIRMED.

Kamaladoss Selvam, proceeding *pro se*, appeals
from a judgment of the United States District Court
for the Eastern District of New York (Kovner, J.)
dismissing his complaint against the United States,
Patrick Connor (an agent for the United States Food

* The Clerk of Court is directed to amend the caption as set
forth above.

and Drug Administration (the “FDA”)), and “unknown” federal employees.¹ Selvam brought this action under 42 U.S.C. § 1983, *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971), and the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, alleging, among other things, that Agent Connor made false statements in a warrant affidavit that led to Selvam’s arrest. After the District Court granted the defendant-appellees’ motion to dismiss under Federal Rule of Civil Procedure 12(b)(6), Selvam appealed. We assume the parties’ familiarity with the underlying facts and the record of prior proceedings, to which we refer only as necessary to explain our decision to affirm.

We review *de novo* a district court’s dismissal of a complaint under Rule 12(b)(6), accepting as true all factual allegations and drawing all reasonable inferences in the plaintiff’s favor. *Dolan v. Connolly*, 794 F.3d 290, 293 (2d Cir. 2015). We also “liberally construe pleadings and briefs submitted by pro se litigants, reading such submissions to raise the strongest arguments they suggest.” *McLeod v. Jewish Guild for the Blind*, 864 F.3d 154, 156 (2d Cir. 2017) (quotation marks omitted). *Pro se* appellants must still comply with Federal Rule of Appellate Procedure 28(a), which requires that their briefs “provide the court with a clear statement of the issues on appeal.” *Moates v. Barkley*, 147 F.3d 207, 209 (2d Cir. 1998). So while “*pro se* litigants are afforded some latitude in meeting the rules governing litigation,” we “need not, and normally will not, decide issues that a party fails to raise in his or her appellate brief.” *Id.*

¹ Selvam also sued the FDA, but in the proceedings below the FDA was dismissed as a defendant and Selvam did not object.

On appeal, Selvam expressly waives his false arrest, false imprisonment, and equal protection claims against Agent Connor, as well as his false arrest, false imprisonment, and negligence claims against the United States. Selvam also makes conclusory arguments with respect to several other claims contained in the complaint, including his claims against Agent Connor for fabrication of evidence, “physical pain and suffering,” negligence, gross negligence, “future loss of income and medical expenses” and his claims against the United States for negligent and intentional infliction of emotional distress.² “It is well-established that an argument not raised on appeal is deemed abandoned.” *United States v. Black*, 918 F.3d 243, 256 (2d Cir. 2019) (quotation marks omitted). Because Selvam’s brief lacks any argument as to those claims, we affirm their dismissal by the District Court. *See Moates*, 147 F.3d at 209.

As to two of his remaining claims against Agent Connor, Selvam cannot rely on *Bivens* to provide a cause of action. First Amendment retaliation claims cannot proceed under *Bivens*. *See Egbert v. Boule*, 142 S. Ct. 1793, 1807 (2022). And Selvam’s intentional infliction of emotional distress claim against Agent Connor fails because he does not allege a constitutional violation—a prerequisite for a *Bivens* claim, which is the only cause of action that Selvam can even plausibly invoke. *See Thomas v. Ashcroft*, 470 F.3d 491, 496 (2d Cir. 2006) (“A plaintiff bringing a claim

² Selvam cannot rely on § 1983 to bring an action against Agent Connor. “An action brought pursuant to 42 U.S.C. § 1983 cannot lie against federal officers.” *Kingsley v. Bureau of Prisons*, 937 F.2d 26, 30 n.4 (2d Cir. 1991). We nevertheless construe his claims brought under § 1983 as proceeding under *Bivens*. *See Daloia v. Rose*, 849 F.2d 74, 75 (2d Cir. 1988).

under *Bivens* must allege that he has been deprived of a constitutional right”); *Tierney v. Davidson*, 133 F.3d 189, 199 n.7 (2d Cir. 1998) (“Plaintiffs assert an emotional distress claim . . . but such a claim would give rise only to a common law tort, not to a constitutional violation.”).

Whether a claim for malicious prosecution can proceed under *Bivens* is an open question in this Circuit. We need not decide that today, because even assuming for the sake of argument that such a claim can proceed, Selvam’s malicious prosecution claim against Agent Connor cannot survive dismissal. Government officials are entitled to qualified immunity when the challenged action was “objectively legally reasonable,” *Manganiello v. City of New York*, 612 F.3d 149, 164 (2d Cir. 2010) (quotation marks omitted), and a search under “a warrant issued by a judicial officer upon a finding of probable cause is presumptively reasonable,” *Ganek v. Leibowitz*, 874 F.3d 73, 81 (2d Cir. 2017) (quotation marks omitted). Here, Selvam was arrested pursuant to a warrant signed by a magistrate judge. Even accepting Selvam’s factual allegations as true, he presents no credible reason for us to conclude that Agent Connor’s reliance on the warrant was unreasonable. Therefore, Agent Connor is entitled to qualified immunity, and the *Bivens* claim was properly dismissed.

Selvam’s malicious prosecution claim against the United States under the FTCA also cannot survive dismissal. “[T]he extent of the United States’ liability under the FTCA is generally determined by reference to state law.” *Molzof v. United States*, 502 U.S. 301, 305 (1992). To establish a claim for malicious prosecution under New York law, a plaintiff must show “(1) the commencement or continuation of a criminal

proceeding by the defendant against the plaintiff, (2) the termination of the proceeding in favor of the accused, (3) the absence of probable cause for the criminal proceeding and (4) actual malice.” *Dufort v. City of New York*, 874 F.3d 338, 350 (2d Cir. 2017); *see also* 28 U.S.C. § 1346(b)(1) (permitting suit against the United States for torts committed by federal employees “under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred”). The existence of probable cause is a complete defense to malicious prosecution claims in New York. *See Dufort*, 874 F.3d at 351. Substantially for the reasons provided by the District Court, we conclude that Selvam’s allegations fail to plausibly establish the absence of probable cause. Selvam’s malicious prosecution claims therefore fail as a matter of law. *See Fabrikant v. French*, 691 F.3d 193, 216 (2d Cir. 2012).

Finally, the District Court correctly concluded that Selvam’s complaint does not adequately state a due process claim against Agent Connor. Selvam relies largely on labels and conclusions rather than factual allegations that might support his claim of a due process violation. “While a complaint attacked by a Rule 12(b)(6) motion to dismiss does not need detailed factual allegations, a plaintiff’s obligation to provide the grounds of his entitlement to relief requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do.” *TechnoMarine SA v. Giftports, Inc.*, 758 F.3d 493, 505 (2d Cir. 2014) (citing *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007)). For that reason, we conclude, dismissal of the due process claim was appropriate.

9a

We have considered Selvam's remaining arguments and conclude that they are without merit. For the foregoing reasons, the judgment of the District Court is AFFIRMED.³

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court
[Catherine O'Hagan Wolfe Seal]

³ Selvam also moved for a default judgment against the "unknown defendants." The motion is DENIED, as Selvam never raised the issue before the District Court and we "[g]enerally . . . do[] not consider an issue not passed upon below." *Amalgamated Clothing & Textile Workers Union v. Wal-Mart Stores*, 54 F.3d 69, 73 (2d Cir. 1995) (quotation marks omitted); *see also Greathouse v. JHS Sec. Inc.*, 784 F.3d 105, 116 (2d Cir. 2015) ("The decision whether to enter default judgment is committed to the district court's discretion . . .").

APPENDIX C

**Petitioner's Complaint under Bivens and
FTCA Eastern District of New York, Brooklyn
(December 17, 2021) (Excerpts pp. 5-6)**

* * *

motion still pending.

16. In retaliation to the United States Government dismissing the case against Plaintiff and releasing the Plaintiff from jail, and in retaliation to Plaintiff petitioning the Court for hearing, defendant Patrick Connor, upon information and belief, under color of law, contacted Plaintiffs banks, and had the Plaintiff's bank accounts closed and credit cards cancelled, causing continuing financial damages to the Plaintiff.

**GENERAL ALLEGATIONS ON
POLICY AND PROCDEDURES**

17. Defendant Patrick Connor was employed by defendant USA, through the Food and Drug Administration ("FDA"). Upon Information and belief his title at the FDA was Special Agent, Office of Criminal Investigations, FDA. Prior to that, upon information and belief, defendant was an Investigator, employed by US Army.

18. Upon information and belief, FDA has no jurisdiction in the enforcement or investigation of alleged violations under Controlled Substances Act.

19. Upon information and belief, United States Congress has vested Drug Enforcement Agency ("DEA") and not FDA to enforce and investigate alleged violations under Controlled Substances Act.

20. Upon Information, for any violation of regulation or laws under the authority of FDA, Food Drug

and Cosmetics Act ("FDCA") states: "Before any violation of this Act is reported by the Secretary to any United States attorney for institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given appropriate notice and an opportunity to present his views, either orally or in writing, with regard to such contemplated proceeding." (SECTION 305 NOTICE).

21. Plaintiff never received any SECTION 305 NOTICE.

22. FDA Regulatory Manual mandates internal administrative procedures and written reports, if criminal prosecution/investigation is initiated without Section 305 notice. (Chapter 6 (Judicial Actions) page 59 of 226, in FDA Regulatory Procedures Manual).

23. Upon information and belief, on the basis of such information known and unknown, Plaintiff alleges that Patrick Connor and Unknown defendant(s), with deliberate indifference, malicious intention, gross negligence and/or reckless disregard for safety, security and statutory rights of the Plaintiff, maintained, enforced, tolerated, permitted, acquiesced in, and applied policies, practices, causing permanent irreparable damage to Plaintiff.

PROBABLE CAUSE and ARREST WARRANT

24. At arraignment, Plaintiff requested and did not waive probable cause hearing.

25. Prior to the scheduled probable cause hearing, on the motion of the United States Government, Plaintiffs case was dismissed and Plaintiff released from jail.

26. Defendant Patrick Connor, procured arrest warrant against Plaintiff.

* * *

12a

APPENDIX D

MEG:NJM/ADG
F. #2018R02270

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Case No. 19-MJ-793

UNITED STATES OF AMERICA

- against -

EZHIL SEZHIAN KAMALDOSS, also known as
“Kamaldoss Sezhian,” “Kamal Doss” and “Ezhil
Cezhian,” HARPREET SINGH, also known as “Vicky
Singh,” PARTHIBIAN NARAYANASAMY, also known as
“Pat,” [REDACTED]

[REDACTED]
BALJEET SINGH, also known as “Sunny,” DEEPAK
MANCHANDA, GULAB GULAB, MUKUL CHUGH, VIKAS
M. VERMA and KAMALADOSS VETRI SELVAM, also
known as “Vetri Selvam” and “Kamala Doss Selvam,”

Defendants.

FILED UNDER SEAL

COMPLAINT AND AFFIDAVIT IN SUPPORT OF
APPLICATION FOR ARREST WARRANTS

(T. 18, U.S.C., § 1956(h); T. 21, U.S.C., § 846)

EASTERN DISTRICT OF NEW YORK, SS:

PATRICK CONNOR, being duly sworn, deposes and
states that he is a Special Agent with the United

States Food and Drug Administration ("FDA"), duly appointed according to law and acting as such.

In or about and between April 2018 and August 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants EZHIL SEZHIAN KAMALDOSS, also known as "Kamaldoss Sezhian," "Kamal Doss" and "Ezhil Cezhian," HARPREET SINGH, also known as "Vicky Singh"; PARTHIBIAN NARAYANASAMY, also known as "Pat"; [REDACTED]

[REDACTED] BALJEET SINGH, also known as "Sunny"; DEEPAK MANCHANDA; GULAB GULAB; MUKUL CHUGH; VIKAS M. VERMA; and KAMALADOSS VETRI SELVAM, also known as "Vetri Selvam" and "Kamala Doss Selvam," together with others, did knowingly and intentionally conspire to possess with intent to distribute a controlled substance, which offense involved a substance containing tramadol, a Schedule IV controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Section 846)

In or about and between April 2018 and August 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants EZHIL SEZHIAN KAMALDOSS, also known as "Ezhil Kamaldoss," "Kamal Doss" and "Ezhil Cezhian," and KAMALADOSS VETRI SELVAM, also known as "Vetri Selvam" and "Kamala Doss Selvam," together with others, did knowingly and intentionally conspire to (a) conduct financial transactions in and affecting interstate and foreign commerce, to wit: the transfer of funds between India and the United States through the use of foreign and United States financial institutions, knowing that the property

involved in the financial transactions represented the proceeds of some form of unlawful activity and which transactions in fact involved the proceeds of specified unlawful activity, to wit: conspiracies to import and to possess with intent to distribute and distribute controlled substances, in violation of Title 21, United States Codes, Sections 963 and 846, respectively, with the intent to promote the carrying on of specified unlawful activity, contrary to Title 18, United States Code, Section 1956(a)(1)(A)(i), and (b) transport, transmit, and transfer funds to a place in the United States, from and through a place outside the United States, to wit: from financial institutions in India to one or more bank accounts in the United States, with the intent to promote the carrying on of specified unlawful activity, to wit: conspiracies to import and to possess with intent to distribute and distribute controlled substances, in violation of Title 21, United States Codes, Sections 963 and 846, respectively, contrary to Title 18, United States Code, Section 1956(a)(2)(A).

(Title 18, United States Code, Section 1956(h))

The source of your deponent's information and the grounds for his belief are as follows:¹

BACKGROUND OF THE AFFIANT AND THE INVESTIGATION

1. I am a Special Agent with the United States Food and Drug Administration's Office of Criminal Investigations ("FDA-OCI") and have been so since March 2014. Previously, I was a Special Agent with the

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

15a

United States Army Criminal Investigation Command for 18 years, where I investigated economic and drug offenses, among others. As a Special Agent, I am responsible for investigating violations of the Federal Food, Drug and Cosmetic Act ("FDCA"), and related Title 18 and Title 21 offenses.

* * *