

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

January 2014 Grand Jury

CR 14 00429

11	UNITED STATES OF AMERICA,	)	CR No. 14-
12	Plaintiff,	)	<u>I N D I C T M E N T</u>
13	v.	)	[18 U.S.C. § 1962(d): Racketeer
14	JAMES GUTIERREZ,	)	Influenced and Corrupt
	aka "Chemo,"	)	Organizations Conspiracy;
15	RICHARD MICHAEL SANCHEZ,	)	18 U.S.C. § 1959: Violent
	aka "Pitbull,"	)	Crime in Aid of Racketeering;
16	ROBERT RODRIGUEZ,	)	21 U.S.C. § 846: Conspiracy
	aka "Mosca,"	)	to Possess with Intent to
17	KENNETH COFER,	)	Distribute and Distribute
	aka "Shady,"	)	Controlled Substances;
18	LOUIS ARMANDO RUIZ,	)	21 U.S.C. §§ 841(a)(1),
	aka "Tall Luis,"	)	841(b)(1)(A), 841(b)(1)(B):
19	aka "Mike Lopez,"	)	Possession with Intent to
	JOHN RIVERA, JR.,	)	Distribute and Distribution
20	aka "Beetle,"	)	of Controlled Substances;
	MARCO GARCIA,	)	18 U.S.C. §§ 924(c)(1)(A),
21	aka "Sleepy,"	)	(c)(1)(B)(ii), (j)(1): Possess,
	LENORE JARA,	)	Use, Carry, Brandish, and/or
22	MARIE GUTIERREZ,	)	Discharge a Firearm in
	JOHNNY MATA,	)	Furtherance of, and During and
23	aka "Minor,"	)	in Relation to, a Crime of
	JOSE SALAS,	)	Violence or Drug Trafficking
24	aka "Violent,"	)	Crime; 18 U.S.C. § 922(g)(1):
	aka "Eddie Boy,"	)	Felon in Possession of a
25	CHRISTIAN LAFARGO,	)	Firearm/Ammunition; 18 U.S.C.
	aka "Bossy,"	)	§ 922(g)(5): Illegal Alien in
26	RICHARD BALLESTEROS,	)	Possession of a Firearm; 26
	aka "Smiley,"	)	U.S.C. § 5861(d): Possession of
27	RAYMOND LOPEZ,	)	Unregistered Firearms; 18 U.S.C.
	aka "Loco Ray,"	)	§ 1956(h): Conspiracy to Launder
28		)	Money; 8 U.S.C. §§ 1326(a),
		)	(b)(2): Illegal Alien Found in
		)	the United States Following

1	JOSE LUIS GARCIA, aka "Lil Azteca,"	)	Deportation; 18 U.S.C.
2	ARNOLD MACHADO, aka "Chunks,"	)	§§ 924(d), 963, 982(a)(1),
3	WILLIAM MCCORMICK, aka "Munchie,"	)	21 U.S.C. § 853, 26 U.S.C.
4	RAFAEL LOMELI, aka "Pelon,"	)	§ 5872, and 28 U.S.C. § 2461(c):
5	RUBEN TRINIDAD, aka "Turk,"	)	Criminal Forfeiture]
6	aka "E-Loc,")	
7	MICHELLE VICTORIA CORTEZ, aka "Dimples,")	
8	BERNADETTE CORTEZ, aka "Smiley,")	
9	ENRIQUE LOPEZ, aka "Kiki,")	
10	aka "Ricky,")	
11	MARK JURADO, aka "Marco,")	
12	VINCENT CARLOS VALENCIA, aka "Solo,")	
13	GUSTAVO MUNOZ, aka "Topo,")	
14	ANTHONY GOMEZ, aka "Kirby,")	
15	aka "Chente,")	
16	ALFRED BESERRA, aka "Enemy,")	
17	RICHARD CASTRO RODRIGUEZ, aka "Turtle,")	
18	aka "Richy Boy,")	
19	SERGIO CORDERO, aka "Bam Bam,")	
20	DANNY CADENA, aka "Serio,")	
21	ANGEL HERNANDEZ, aka "Gangster,")	
22	RICHARD ANTHONY PONCE, aka "Ricky Boy,")	
23	KARL EUGENE BOWERS, aka "Chino,")	
24	MARK JEREMY SALAZAR, aka "Huero,")	
25	MICHAEL SIERRA, aka "Mellow,")	
26	ANGELICA CASTELLANO, MELQUIADES SANCHEZ, aka "Pelon,")	
27	PEDRO SANCHEZ, aka "Toro,")	
28	MANUEL RAMOS,)	

1 SALVADOR HERNANDEZ,)
 . aka "Tiburón," and)
 2 HIRAM RAMIREZ,)
 aka "Tijuas,")
 3)
 Defendants.)
 4)

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

TABLE OF CONTENTS

1

2 GENERAL ALLEGATIONS: THE RACKETEERING ENTERPRISE.....5

3 BACKGROUND ON THE EL MONTE FLORES GANG.....5

4 THE MEXICAN MAFIA'S AUTHORITY OVER AND RELATIONSHIP WITH

5 THE EL MONTE FLORES GANG.....12

6 PURPOSE OF THE ENTERPRISE.....14

7 THE MEANS AND METHODS OF THE ENTERPRISE.....15

8 COUNT ONE (18 U.S.C. § 1962).....17

9 COUNTS TWO THROUGH SIX (VICAR: 18 U.S.C. § 1959).....83-88

10 COUNT SEVEN (21 U.S.C. § 846).....89

11 COUNTS EIGHT through TWENTY-SIX (21 U.S.C. § 841).....95-113

12 COUNTS TWENTY-SEVEN through THIRTY-SEVEN

13 (18 U.S.C. § 924).....114-24

14 COUNTS THIRTY-EIGHT through FIFTY-FIVE (18 U.S.C. § 922)..125-49

15 COUNTS FIFTY-SIX through FIFTY-EIGHT (26 U.S.C. § 5861)...150-52

16 COUNT FIFTY-NINE (18 U.S.C. § 1956).....153

17 COUNTS SIXTY through SIXTY-TWO (8 U.S.C. § 1326).....156-58

18 FORFEITURE ALLEGATION ONE.....159

19 FORFEITURE ALLEGATION TWO.....161

20 FORFEITURE ALLEGATION THREE.....163

21 FORFEITURE ALLEGATION FOUR.....165

1 The Grand Jury charges:

2 GENERAL ALLEGATIONS

3 1. At all times relevant to this Indictment, the criminal
4 organization known as the El Monte Flores street gang (the "El
5 Monte Flores gang" or "EMF") operated in the Central District of
6 California and elsewhere. The El Monte Flores gang, including
7 its leaders, members, and associates, constitutes an
8 "enterprise," as defined by Title 18, United States Code,
9 Section 1961(4), that is, a group of individuals associated in
10 fact, although not a legal entity. The enterprise engages in,
11 and its activities affect, interstate and foreign commerce. The
12 enterprise constitutes an ongoing organization whose members
13 function as a continuing unit for a common purpose of achieving
14 the objectives of the enterprise.

15 A. BACKGROUND OF THE EL MONTE FLORES GANG

16 2. The El Monte Flores gang is a multi-generational
17 street gang that is believed to have been formed in the 1960's.
18 The name of the gang, "El Monte Flores," originates from the Las
19 Flores Barrio, so named for the flower fields in the area; that
20 was located in the City of South El Monte. "Las Flores"
21 translates to "the flowers" in Spanish. The El Monte Flores
22 gang claims as its territory the entire cities of El Monte and
23 South El Monte, which are both located within the San Gabriel
24 Valley region of Southern California. Throughout the years, the
25 El Monte Flores gang has grown in size, and over 800 individuals
26 have either been identified as active El Monte Flores gang
27 members or associates since the date of the gang's inception.
28 The El Monte Flores gang has and continues to control the drug

1 distribution and other illegal activities within the cities of
2 El Monte and South El Monte.

3 3. El Monte Flores gang members commit crimes, including
4 acts of violence (ranging from battery to murder), drug
5 trafficking offenses, robbery, burglary, carjacking, witness
6 intimidation, kidnapping, weapons trafficking, credit card
7 fraud, identity theft, and hate crimes directed against African-
8 Americans who might reside or be present in the cities of El
9 Monte and South El Monte in an effort to rid these cities of all
10 African-Americans. The El Monte Flores gang maintains control
11 of its territory by attacking and threatening rival gang members
12 who enter the city of El Monte or surrounding areas;
13 intimidating and threatening residents of the cities of El Monte
14 and South El Monte; and using graffiti, gang signs, and gang
15 paraphernalia within the cities of El Monte and South El Monte
16 to indicate that the gang controls the affected areas. Members
17 of the El Monte Flores gang possess and carry firearms in order
18 to maintain control of the gang's territory, as well as to
19 retaliate against rival gang members. Members of the El Monte
20 Flores gang also steal vehicles, using generic and shaved
21 ignition keys, to commit violent crimes and to help conceal
22 their identities from law enforcement.

23 4. As a further means of intimidating and controlling the
24 residents of the cities of El Monte and South El Monte and
25 enhancing their own reputations within the El Monte Flores gang,
26 and the overall reputation of the El Monte Flores gang itself,
27 El Monte Flores gang members: resist arrest by running from law
28 enforcement; intimidate, threaten, and assault persons in the

1 cities of El Monte and South El Monte (including potential
2 witnesses who could testify in court about their crimes); rob,
3 assault, and murder persons who show disrespect to the El Monte
4 Flores gang or El Monte Flores gang members; and write graffiti
5 on businesses and residences within the gang's territory.

6 5. El Monte Flores gang members take pride in the crimes
7 committed by other El Monte Flores gang members and believe that
8 the commission of crimes enhances the status of the entire El
9 Monte Flores gang in the eyes of other criminal street gangs and
10 the Mexican Mafia, a powerful criminal organization that
11 operates from within the California state and federal prison
12 systems and exerts control both within and outside the prison
13 system. El Monte Flores gang members also believe that their
14 commission of crimes, particularly crimes of violence (ranging
15 from battery to murder), enhances their standing within the El
16 Monte Flores gang itself and can lead to them attaining greater
17 status within the gang.

18 6. The El Monte Flores gang extorts money from drug
19 traffickers who sell methamphetamine, heroin, and other drugs in
20 the gang's territory in the cities of El Monte and South El
21 Monte. These drug traffickers are forced to pay a drug "tax" or
22 "rent" to the El Monte Flores gang, a portion of which is passed
23 on to the Mexican Mafia. If a drug trafficker refuses to pay
24 this drug "tax" to the El Monte Flores gang, that drug
25 trafficker faces reprisals from the El Monte Flores gang,
26 including fines, robbery, kidnapping, and threatened or actual
27 violence. On the other hand, if a drug trafficker does pay this
28 drug "tax" to the El Monte Flores gang, that drug trafficker

1 will be given authorization from the El Monte Flores gang to
2 sell drugs in the cities of El Monte and South El Monte and will
3 receive protection from the El Monte Flores gang against both El
4 Monte Flores gang members and members of rival gangs.

5 7. In addition to taxing drug traffickers who sell drugs
6 in the cities of El Monte and South El Monte, members of the El
7 Monte Flores gang sell and direct others to sell drugs,
8 including methamphetamine, heroin, cocaine, cocaine base in the
9 form of crack cocaine ("crack cocaine"), and other drugs, to
10 customers in the cities of El Monte and South El Monte. Through
11 El Monte Flores gang members' personal sales of drugs and the El
12 Monte Flores gang's taxation of all other drug traffickers
13 selling drugs in the cities of El Monte and South El Monte, the
14 El Monte Flores gang controls the sale and distribution of drugs
15 in the cities of El Monte and South El Monte.

16 8. "Crawford's Plaza," located at the corner of Valley
17 Boulevard and Garvey Avenue in El Monte, California, and the
18 "Klingerman" apartment complex, located on the 11100-11300 block
19 of Klingerman Street in El Monte, California, have long been
20 central locations for criminal activity by members of the El
21 Monte Flores gang. Gang members regularly use threats and acts
22 of violence to extort "taxes" from drug dealers at "Crawford's
23 Plaza" and the "Klingerman" apartments, and from fraudulent
24 document vendors who operate at "Crawford's Plaza." Members and
25 associates of the El Monte Flores gang also regularly sell drugs
26 in the area surrounding "Crawford's Plaza" and in the
27 "Klingerman" apartments. "Tax collectors" use the collected
28 funds to promote and further the criminal activities of the El

1 Monte Flores gang in a number of ways, including by using the
2 funds to pay the required tribute to Mexican Mafia members and
3 to purchase drugs and firearms. The El Monte Flores gang also
4 lays claim to the Boys & Girls Club of America - San Gabriel
5 Valley Club, located at 2740 Mountain View Road in El Monte, and
6 the gang's members openly sell drugs, collect extortionate
7 taxes, fight, and hold gang meetings at the Boys & Girls Club of
8 America.

9 9. El Monte Flores gang members are typically required to
10 participate in a significant number of criminal acts on behalf
11 of the El Monte Flores gang. This often is referred to as
12 "putting in work" for the El Monte Flores gang, which means
13 committing crimes such as drug trafficking, robbery, carjacking,
14 kidnapping, witness intimidation, credit card fraud, identity
15 theft, murder, and assaults of rival gang members, African-
16 Americans, and law enforcement in the cities of El Monte and
17 South El Monte. New members not only earn "respect" within the
18 El Monte Flores gang for committing these crimes, but also help
19 ensure the El Monte Flores gang's control over its territory by
20 increasing the fear that the citizens within the cities of El
21 Monte and South El Monte have of the gang. Once it has been
22 decided that a prospective El Monte Flores gang member will be
23 admitted into the gang, the prospective member will be "jumped
24 in" to the gang, which means he is subjected to a physical
25 beating by several existing members of the El Monte Flores gang.
26 The beating is expected to demonstrate both dedication to the
27 gang and physical strength. Once a person becomes a member of
28 the El Monte Flores gang, that member will typically continue to

1 commit crimes to generate funds for the gang, build his own
2 reputation within the gang, and enhance the overall reputation
3 of the El Monte Flores gang itself. Some individuals are
4 admitted to the El Monte Flores gang without having to "put in
5 work" or be "jumped in," based upon an older relative's position
6 within the gang or through their long-time association with
7 senior El Monte Flores gang members.

8 10. The El Monte Flores gang includes not only members but
9 associates. An associate is a person with an established
10 relationship to the El Monte Flores gang. El Monte Flores gang
11 associates often act on behalf of, and for the benefit of, the
12 El Monte Flores gang by engaging in drug trafficking, the
13 collection of tax extortion proceeds, and money laundering for
14 members of the El Monte Flores gang and Mexican Mafia. Both
15 members of the El Monte Flores gang and their associates are
16 participants in the El Monte Flores criminal enterprise.

17 11. El Monte Flores gang members identify their territory
18 by spray-painting, or "tagging," on street signs, walls, and
19 buildings such things as "EL MONTE FLORES," "FLORES," and "EMF,"
20 as well as the monikers of El Monte Flores gang members.
21 Members generally engage in tagging not only to identify
22 territory claimed by the El Monte Flores gang, but also to warn
23 and/or terrorize members of the public and law-abiding residents
24 of the neighborhoods with threats that the neighborhood is under
25 the control of the El Monte Flores gang.

26 12. El Monte Flores gang members generally wear clothing
27 that identifies them as members of the gang. In particular, El
28 Monte Flores gang members wear black and blue items that display

1 versions of the "F" and "M" symbol commonly associated with the
2 Florida Marlins and Milwaukee Brewers baseball teams. El Monte
3 Flores gang members also wear clothing and baseball caps with
4 the "Famous Stars and Straps" logo, which is the upper case "F"
5 with a star in the middle. Other articles of clothing include
6 metal belt buckles that display the letters "E," "M," or "F."
7 Some gang members also wear clothing that display "SGV" and "EL
8 MONTE," representing the San Gabriel Valley and the city of El
9 Monte. Additionally, El Monte Flores gang members often tattoo
10 the words "EL MONTE FLORES," "FLORES," and "EMF13" (the number
11 "13" is associated with the Mexican Mafia) in prominent places
12 on their bodies, including their face, neck, chest, back, and on
13 the top or back of their heads. El Monte Flores gang members
14 display these tattoos to show their membership in, and loyalty
15 to, the El Monte Flores gang. Finally, El Monte Flores gang
16 members use hand signs, typically by forming the letter "F" with
17 their hands, to identify themselves to other gang members and to
18 intimidate rivals and members of the public.

19 13. The El Monte Flores gang is controlled principally by
20 a senior member who is known as the "Keyholder" or "Shotcaller."
21 The Keyholder is responsible for ensuring that the goals of the
22 El Monte Flores gang are met. These goals include generating
23 revenue by managing the drug trafficking activities in the El
24 Monte Flores gang's territory and extorting tax proceeds from
25 drug dealers and fraudulent document vendors; and enforcing
26 Mexican Mafia directives and the El Monte Flores gang's code of
27 conduct. Leadership and status in the gang sometimes change
28 based on internal conflicts and power struggles. Those seeking

1 leadership positions are said to be engaged in "politicizing,"
2 which means that they are attempting to gain favor with other
3 gang members and members of the Mexican Mafia in order to attain
4 a position of authority and responsibility in the El Monte
5 Flores gang or Mexican Mafia.

6 B. THE MEXICAN MAFIA'S AUTHORITY OVER AND RELATIONSHIP WITH
7 THE EL MONTE FLORES GANG

8 14. As noted above, the El Monte Flores gang is loyal and
9 committed to the Mexican Mafia. The sole purpose of the Mexican
10 Mafia is to control and organize the criminal activities of
11 Southern California Hispanic street gangs (referred to as
12 "Sureno" gangs). Each Sureno gang in Southern California is
13 controlled by one or more Mexican Mafia members. Typically,
14 Mexican Mafia members are incarcerated within a state or federal
15 correctional institution. Even though the Mexican Mafia member
16 is incarcerated, his custodial status does not inhibit the
17 influence he wields over a particular territory or prevent him
18 from continuing to operate a criminal enterprise.

19 15. The Mexican Mafia, often referred to as "La Eme"
20 (derived from the Spanish pronunciation of the letter "M"), is a
21 criminal organization that operates from within the California
22 state prison system, the federal prison system, the streets and
23 suburbs of large cities throughout Southern California, and
24 elsewhere. Each member of the Mexican Mafia, commonly referred
25 to as a "Carnal," "Brother," "Big Homie," "Tio" (Spanish for
26 "uncle"), and/or "Padrino" (Spanish for "godfather"), comes from
27 the ranks of local Southern California Hispanic street gangs,
28 including the El Monte Flores gang. By controlling the criminal

1 activities occurring within prison facilities, providing
2 protection for imprisoned members and associates of Hispanic
3 gangs, and imposing discipline, often in the form of acts of
4 violence, against both individuals and street gangs who fail to
5 adhere to its directives, the Mexican Mafia has risen to the
6 position where it now exercises control outside the prison
7 system over the Hispanic street gangs of Southern California,
8 including the El Monte Flores gang. The Mexican Mafia charges
9 the street gangs under its control sums of money to be paid on a
10 regular basis, known as "taxes," "rent," "tribute," or "feria"
11 (Spanish for money), which is payable to the Mexican Mafia
12 member staking claim to, and designated to oversee, the
13 particular street gang. The Mexican Mafia members appoint
14 associates to facilitate the collection of the rent proceeds
15 from street gangs. In return for such payments, a street gang
16 receives the Mexican Mafia's authorization to control the
17 criminal activities occurring within the gang's territory, free
18 from interference or competition from other street gangs, as
19 well as protection for the gang's members who are incarcerated.
20 Failure to pay either the "rent," or to adhere to the Mexican
21 Mafia's directives, will result in the street gang being
22 penalized by the Mexican Mafia, which can include violence
23 directed at either individual members of the street gang or the
24 street gang as a whole.

25 16. In recent years, through approximately 2007, the El
26 Monte Flores gang operated under the authority and direction of
27 Mexican Mafia member F.B. Mexican Mafia member F.B. had control
28 over the San Gabriel Valley with the assistance of

1 intermediaries, who helped facilitate his receipt of "rent"
2 payments from the El Monte Flores gang, and communicated or
3 assisted in the communication of Mexican Mafia member F.B.'s
4 directives to the El Monte Flores gang. Mexican Mafia member
5 F.B. died in 2007, and, since that date, members from the El
6 Monte Flores gang have paid "rent" to several Mexican Mafia
7 members vying for control of the El Monte Flores gang, including
8 Mexican Mafia member R.S., Mexican Mafia member C.A., and
9 Mexican Mafia member and defendant JAMES GUTIERREZ, also known
10 as ("aka") "Chemo."

11 C. PURPOSES OF THE ENTERPRISE

12 17. The purposes of the El Monte Flores gang include, but
13 are not limited to, the following:

14 a. Enriching members and associates of the El Monte
15 Flores gang and the Mexican Mafia through, among other things,
16 the control of, and participation in, the distribution of
17 various controlled substances in the El Monte Flores gang's
18 territory; the collection of "taxes" from drug traffickers and
19 fraudulent document vendors who operate in the El Monte Flores
20 gang's territory; and the commission of financially-oriented
21 crimes such as identity theft and robbery.

22 b. Maintaining control and authority over the El
23 Monte Flores gang's territory, often through threats,
24 intimidation, and the commission of acts of violence against
25 local residents and rival gangs.

26 c. Preserving, protecting, and expanding the power
27 of the El Monte Flores gang through the use of intimidation,
28

1 violence, threats of violence, assaults, racially-motivated
2 attacks, and murders.

3 d. Promoting and enhancing the reputations and
4 activities of the El Monte Flores gang and its members and
5 associates.

6 D. THE MEANS AND METHODS OF THE ENTERPRISE

7 18. The means and methods by which the defendants and
8 other members and associates of the El Monte Flores gang conduct
9 and participate in the conduct of the affairs of the El Monte
10 Flores gang include:

11 a. Members and associates of the El Monte Flores
12 gang commit, attempt to commit, and threaten to commit, acts of
13 violence, including murders, assaults, acts of intimidation,
14 threats of violence directed against rival gang members and
15 witnesses in criminal cases, and racially-motivated attacks, in
16 order to protect and expand the scope of the enterprise's
17 criminal operations and to promote a climate of fear.

18 b. Members and associates of the El Monte Flores
19 gang engage in drug trafficking, firearms trafficking, robbery,
20 identity theft, credit card fraud, and extortionate "tax"
21 collection as a means to generate income for the gang.

22 c. The El Monte Flores gang pays "taxes" or
23 "tribute" to the Mexican Mafia in order to ensure protection for
24 its incarcerated members and associates, and in order to obtain
25 continued authorization to exercise exclusive control over the
26 El Monte Flores gang's territory and the criminal conduct
27 occurring therein.

28

1 d. Members and associates of the El Monte Flores
2 gang attempt to conceal from law enforcement the identity of its
3 members and associates, the ways in which the gang conducts its
4 affairs, and the locations where the gang's members and
5 associates discuss and conduct the gang's affairs.

COUNT ONE

[18 U.S.C. § 1962(d)]

1
2
3 1. Paragraphs One through Eighteen of the General
4 Allegations of this Indictment are re-alleged and incorporated
5 by reference as though fully set forth herein.

6 A. OBJECT OF THE RICO CONSPIRACY

7 2. Beginning on a date unknown to the Grand Jury, and
8 continuing to on or about the date of this Indictment, in Los
9 Angeles County, within the Central District of California, and
10 elsewhere, defendants JAMES GUTIERREZ, aka "Chemo"
11 ("J. GUTIERREZ"), RICHARD MICHAEL SANCHEZ, aka "Pitbull"
12 ("R. SANCHEZ"), ROBERT RODRIGUEZ, aka "Mosca" ("ROBERT
13 RODRIGUEZ"), KENNETH COFER, aka "Shady" ("COFER"), LOUIS ARMANDO
14 RUIZ, aka "Tall Luis," aka "Mike Lopez" ("RUIZ"), JOHN RIVERA,
15 JR., aka "Beetle" ("RIVERA"), MARCO GARCIA, aka "Sleepy"
16 ("M. GARCIA"), LENORE JARA ("JARA"), MARIE GUTIERREZ
17 ("M. GUTIERREZ"), JOHNNY MATA, aka "Minor" ("MATA"), JOSE SALAS,
18 aka "Violent," aka "Eddie Boy" ("SALAS"), CHRISTIAN LAFARGO, aka
19 "Bossy" ("LAFARGO"), RICHARD BALLESTEROS, aka "Smiley"
20 ("BALLESTEROS"), RAYMOND LOPEZ, aka "Loco Ray" ("R. LOPEZ"),
21 JOSE LUIS GARCIA, aka "Lil Azteca" ("J. GARCIA"), ARNOLD
22 MACHADO, aka "Chunks" ("MACHADO"), WILLIAM MCCORMICK, aka
23 "Munchie" ("MCCORMICK"), RAFAEL LOMELI, aka "Pelon" ("LOMELI"),
24 RUBEN TRINIDAD, aka "Turk," aka "E-Loc" ("TRINIDAD"), MICHELLE
25 VICTORIA CORTEZ, aka "Dimples" ("M. CORTEZ"), BERNADETTE CORTEZ,
26 aka "Smiley" ("B. CORTEZ"), ENRIQUE LOPEZ, aka "Kiki," aka
27 "Ricky" ("E. LOPEZ"), MARK JURADO, aka "Marco" ("JURADO"),
28 VINCENT CARLOS VALENCIA, aka "Solo" ("VALENCIA"), GUSTAVO MUNOZ,

1 aka "Topo" ("MUNOZ"), ANTHONY GOMEZ, aka "Kirby," aka "Chente"
2 ("GOMEZ"), ALFRED BESERRA, aka "Enemy" ("BESERRA"), RICHARD
3 CASTRO RODRIGUEZ, aka "Turtle," aka "Richy Boy" ("RICHARD
4 RODRIGUEZ"), SERGIO CORDERO, aka "Bam Bam" ("CORDERO"), DANNY
5 CADENA, aka "Serio" ("CADENA"), ANGEL HERNANDEZ, aka "Gangster"
6 ("A. HERNANDEZ"), RICHARD ANTHONY PONCE, aka "Ricky Boy"
7 ("PONCE"), KARL EUGENE BOWERS, aka "Chino" ("BOWERS"), MARK
8 JEREMY SALAZAR, aka "Huero" ("SALAZAR"), MICHAEL SIERRA, aka
9 "Mellow" ("SIERRA"), ANGELICA CASTELLANO ("CASTELLANO"), and
10 HIRAM RAMIREZ, aka "Tijuas" ("RAMIREZ"), and others known and
11 unknown to the Grand Jury, being persons employed by and
12 associated with the El Monte Flores gang, which constitutes an
13 "enterprise" as defined in Title 18, United States Code, Section
14 1961(4), which enterprise engaged in, and the activities of
15 which affected, interstate and foreign commerce, unlawfully and
16 knowingly combined, conspired, confederated, and agreed together
17 and with each other to violate Title 18, United States Code,
18 Section 1962(c), that is, to conduct and participate, directly
19 and indirectly, in the conduct of the affairs of the enterprise
20 through a pattern of racketeering activity, as that term is
21 defined in Title 18, United States Code, Sections 1961(1) and
22 1961(5), consisting of multiple acts involving murder, in
23 violation of California Penal Code Sections 21a, 31, 182, 187,
24 189, and 664; extortion, in violation of California Penal Code
25 Sections 21a, 31, 182, 518, 519, 520, and 664; robbery, in
26 violation of California Penal Code Sections 21a, 31, 182, 211,
27 212.5(a), 213, and 664; kidnapping, in violation of California
28 Penal Code Sections 21a, 31, 182, 209, and 664; multiple

1 offenses involving trafficking in controlled substances,
2 including methamphetamine, heroin, and cocaine, in violation of
3 Title 21, United States Code, Sections 841(a)(1) and 846; and
4 multiple acts indictable under Title 18, United States Code,
5 Sections 1028 (Identity Theft) and 1029 (Access Device Fraud);
6 and Title 18, United States Code, Sections 1512 (Tampering with
7 a Witness, Victim, or an Informant) and 1513 (Retaliating
8 against a Victim, Witness, or an Informant). It was a further
9 part of the conspiracy that each defendant agreed that a
10 conspirator would commit at least two acts of racketeering in
11 the conduct of the affairs of the enterprise.

12 B. MEANS BY WHICH THE OBJECTS OF THE CONSPIRACY WERE TO BE
13 ACCOMPLISHED

14 The objects of the conspiracy were to be accomplished in
15 substance as follows:

16 1. Mexican Mafia members, including defendant J.
17 GUTIERREZ, would pass messages from within the California State
18 and Federal prison systems to defendants R. SANCHEZ, ROBERT
19 RODRIGUEZ, JARA, and M. GUTIERREZ, and others known and unknown
20 to the Grand Jury, instructing El Monte Flores gang leaders to
21 direct certain activities of the El Monte Flores gang, including
22 activities involving the distribution of controlled substances
23 and the collection and distribution of "taxes" collected from
24 those engaged in illegal activities, and to authorize and direct
25 acts of violence committed by members and associates of the El
26 Monte Flores gang.

27

28

1 2. Mexican Mafia members and associates, including
2 defendant J. GUTIERREZ and Mexican Mafia members R.S. and C.A.,
3 and others known and unknown to the Grand Jury, from within the
4 California State and Federal prison system, would grant
5 leadership authority over the El Monte Flores gang to defendants
6 COFER, RUIZ, and M. GARCIA, and others known and unknown to the
7 Grand Jury.

8 3. Defendant J. GUTIERREZ, Mexican Mafia members R.S. and
9 C.A., and others known and unknown to the Grand Jury, would
10 authorize El Monte Flores gang members and associates to extort
11 and collect "taxes" from drug traffickers, fraudulent document
12 vendors, and others in the areas controlled by the El Monte
13 Flores gang.

14 4. Defendants COFER, RUIZ, and M. GARCIA, and others
15 known and unknown to the Grand Jury, would direct other El Monte
16 Flores gang members to commit crimes, including robberies,
17 murders, extortion, witness intimidation, and drug trafficking,
18 in order to promote and further the activities of the El Monte
19 Flores gang.

20 5. Defendants COFER, RIVERA, M. GARCIA, MATA, SALAS,
21 LAFARGO, BALLESTEROS, R. LOPEZ, J. GARCIA, MACHADO, TRINIDAD, B.
22 CORTEZ, VALENCIA, MUNOZ, BESERRA, RICHARD RODRIGUEZ, CORDERO,
23 CADENA, A. HERNANDEZ, PONCE, BOWERS, SALAZAR, and SIERRA, and
24 others known and unknown to the Grand Jury, would obtain and
25 possess firearms and ammunition for El Monte Flores gang
26 members, so they could be used to enforce the authority of the
27 El Monte Flores gang.

1 6. Defendants COFER, RUIZ, and M. GARCIA, and others
2 known and unknown to the Grand Jury, would provide controlled
3 substances to El Monte Flores gang members and associates for
4 further distribution.

5 7. Defendants R. SANCHEZ, ROBERT RODRIGUEZ, COFER, RUIZ,
6 RIVERA, M. GARCIA, JARA, M. GUTIERREZ, SALAS, LAFARGO,
7 BALLESTEROS, R. LOPEZ, J. GARCIA, MACHADO, MCCORMICK, LOMELI,
8 TRINIDAD, M. CORTEZ, B. CORTEZ, E. LOPEZ, JURADO, VALENCIA,
9 MUNOZ, GOMEZ, BESERRA, RICHARD RODRIGUEZ, CORDERO, CADENA, A.
10 HERNANDEZ, PONCE, BOWERS, SALAZAR, SIERRA, and CASTELLANO, and
11 others known and unknown to the Grand Jury, would possess and
12 distribute controlled substances in the neighborhoods controlled
13 by the El Monte Flores gang.

14 8. Defendants R. SANCHEZ, ROBERT RODRIGUEZ, COFER, RUIZ,
15 RIVERA, M. GARCIA, JARA, M. GUTIERREZ, MACHADO, M. CORTEZ, E.
16 LOPEZ, JURADO, VALENCIA, CASTELLANO, and RAMIREZ, and others
17 known and unknown to the Grand Jury, would collect extortionate
18 "tax" payments from drug traffickers, fraudulent document
19 vendors, and others in the neighborhoods controlled by the El
20 Monte Flores gang.

21 9. Defendants R. SANCHEZ, ROBERT RODRIGUEZ, COFER, RUIZ,
22 JARA, M. GUTIERREZ, E. LOPEZ, JURADO, and CASTELLANO, and others
23 known and unknown to the Grand Jury, would deliver payment of
24 the collected extortionate "taxes" to Mexican Mafia members R.S.
25 and C.A. and defendant J. GUTIERREZ as tribute owed by the El
26 Monte Flores gang to the Mexican Mafia and to obtain the
27 protection, favor, and backing of the Mexican Mafia.
28

1 10. Defendants R. SANCHEZ, COFER, MATA, SALAS, LAFARGO,
2 BALLESTEROS, J. GARCIA, MACHADO, TRINIDAD, M. CORTEZ, B. CORTEZ,
3 VALENCIA, MUNOZ, CADENA, A. HERNANDEZ, and SIERRA, and others
4 known and unknown to the Grand Jury, would use firearms and
5 dangerous weapons to commit robberies, kidnappings, and
6 assaults, and to retaliate against, attempt to kill, and kill
7 gang members who obstructed the purposes of the El Monte Flores
8 enterprise, law enforcement officers, potential witnesses to
9 criminal activities committed by El Monte Flores gang members,
10 and residents in the neighborhoods controlled by the El Monte
11 Flores gang, in order to enforce the authority of the El Monte
12 Flores gang.

13 C. OVERT ACTS

14 In furtherance of the conspiracy, and to accomplish the
15 objects of the conspiracy, defendants J. GUTIERREZ, R. SANCHEZ,
16 ROBERT RODRIGUEZ, COFER, RUIZ, RIVERA, M. GARCIA, JARA, M.
17 GUTIERREZ, MATA, SALAS, LAFARGO, BALLESTEROS, R. LOPEZ, J.
18 GARCIA, MACHADO, MCCORMICK, LOMELI, TRINIDAD, M. CORTEZ, B.
19 CORTEZ, E. LOPEZ, JURADO, VALENCIA, MUNOZ, GOMEZ, BESERRA,
20 RICHARD RODRIGUEZ, CORDERO, CADENA, A. HERNANDEZ, PONCE, BOWERS,
21 SALAZAR, SIERRA, CASTELLANO, and RAMIREZ, and others known and
22 unknown to the Grand Jury, committed various overt acts, on or
23 about the following dates, within the Central District of
24 California, and elsewhere, including, but not limited to, the
25 following:

26 1. On January 4, 1995, Mexican Mafia member R.S. told
27 unindicted Mexican Mafia members that Mexican Mafia member R.S.
28 wanted a silencer to kill Mexican Mafia dropout A.M. because

1 there were children present at A.M.'s residence and Mexican
2 Mafia member R.S. did not want to kill the children.

3 2. On April 2, 1995, Mexican Mafia member R.S. sponsored
4 El Monte Flores gang member L.M. for membership into the Mexican
5 Mafia, and although other Mexican Mafia members objected to
6 L.M.'s membership because they did not know L.M. and the Mexican
7 Mafia had decided not to accept new members, Mexican Mafia
8 member R.S. eventually convinced the other Mexican Mafia members
9 to vote in favor of L.M. because L.M. had killed people on
10 behalf of the Mexican Mafia.

11 3. On April 22, 1995, unindicted co-conspirators, hired
12 by El Monte Flores gang member L.M., executed Mexican Mafia
13 dropout A.M. and victims G.A., M.M., L.M., and A.P. inside a
14 residence on Maxon Street in El Monte, California (the "Maxon
15 Murders").

16 4. On January 7, 1998, defendant MUNOZ and an unindicted
17 co-conspirator possessed approximately 6.42 grams of crack
18 cocaine and .57 grams of methamphetamine, as well as \$121 in
19 U.S. currency, in El Monte Flores gang territory.

20 5. On July 26, 2000, defendants MUNOZ and VALENCIA and an
21 unindicted co-conspirator possessed a loaded .380 caliber
22 firearm and gang paraphernalia in their car in El Monte Flores
23 gang territory.

24 6. On February 23, 2001, defendant CADENA and an
25 unindicted co-conspirator approached an African-American male at
26 a party held in El Monte Flores gang territory, said "get the
27 f**k out of here n****r," and attacked the African-American male
28 and chased him on foot as they yelled "El Monte Flores."

1 7. On June 20, 2002, defendant J. GARCIA entered victim
2 J.M.'s taxi in El Monte Flores gang territory, urinated in the
3 taxi, demanded J.M.'s wallet, placed a shoestring around J.M.'s
4 neck and attempted to strangle J.M., punched J.M. in the head
5 after J.M. refused to give defendant J. GARCIA the wallet, and
6 threatened to kill J.M. when defendant J. GARCIA saw a police
7 officer approach the taxi.

8 8. On September 26, 2002, defendant M. CORTEZ possessed
9 handwritten notes of a recipe for manufacturing methamphetamine
10 in her residence, located in El Monte Flores gang territory.

11 9. On January 21, 2003, defendant BALLESTEROS and an
12 unindicted co-conspirator pulled their car next to victim I.T.'s
13 car in El Monte Flores gang territory; defendant BALLESTEROS
14 asked I.T. "where are you from" and told I.T. that "this is
15 Monte Flores"; and the unindicted co-conspirator fired two shots
16 at I.T. and his car.

17 10. On April 19, 2003, defendants J. GARCIA and LOMELI led
18 law enforcement officers on a high-speed car chase through El
19 Monte Flores gang territory while defendant J. GARCIA possessed
20 ammunition for a .25 caliber firearm.

21 11. On October 25, 2003, defendant BOWERS possessed
22 approximately .24 grams of methamphetamine and a .38 caliber
23 firearm while in a residence with other El Monte Flores gang
24 members.

25 12. On January 9, 2004, defendant SALAS possessed
26 approximately .46 grams of methamphetamine at his residence,
27 located in El Monte Flores gang territory.

1 13. On March 15, 2004, defendant B. CORTEZ threatened to
2 harm victim G.V. because G.V. cooperated with law enforcement
3 against an El Monte Flores gang member, demanded that G.V. give
4 defendant B. CORTEZ \$1,000 to bail the El Monte Flores gang
5 member out of jail, and advised G.V. that the El Monte Flores
6 gang member would kill G.V. if G.V. did not provide the money to
7 defendant B. CORTEZ.

8 14. On April 24, 2004, defendant MACHADO and an unindicted
9 El Monte Flores gang member led law enforcement officers on a
10 high-speed car chase through El Monte Flores gang territory,
11 during which defendant MACHADO displayed hand gestures meant to
12 identify himself as a member of the El Monte Flores gang and
13 threw beer bottles from his vehicle at the patrol cars.

14 15. On March 9, 2005, defendant GOMEZ possessed five
15 shaved keys while driving a stolen Honda Accord, and also
16 possessed Department of Motor Vehicle paperwork belonging to
17 other vehicles not registered to defendant GOMEZ.

18 16. On May 19, 2005, defendant JURADO possessed
19 approximately 11.26 grams of heroin in his vehicle in El Monte
20 Flores gang territory that he intended to sell.

21 17. On August 23, 2005, defendant VALENCIA fled from law
22 enforcement officers while he possessed a loaded .380 caliber
23 semi-automatic pistol and a letter written by defendant VALENCIA
24 pledging his allegiance to the El Monte Flores gang and to
25 committing violence in El Monte Flores gang territory.

26 18. On October 28, 2005, defendant SALAS possessed
27 approximately one and one-half pounds of methamphetamine, a
28

1 digital scale, and plastic baggies at his residence, located in
2 El Monte Flores gang territory.

3 19. On January 4, 2006, defendant J. GARCIA possessed 5.48
4 grams of methamphetamine in his residence, in the neighborhood
5 controlled by the El Monte Flores gang.

6 20. On March 5, 2006, defendant R. LOPEZ possessed 19
7 balloons of heroin in his vehicle in El Monte Flores gang
8 territory.

9 21. On April 12, 2006, defendant RICHARD RODRIGUEZ
10 possessed two shaved car keys and approximately .44 grams of
11 methamphetamine while leading law enforcement officers on a
12 high-speed car chase in a stolen vehicle through El Monte Flores
13 gang territory.

14 22. On June 15, 2006, defendant SALAS and unidentified co-
15 conspirators kidnapped victim C.V. over a drug debt and held
16 C.V. hostage at a residence, located in El Monte Flores gang
17 territory.

18 23. On August 18, 2006, defendant RIVERA possessed brass
19 knuckles while in El Monte Flores gang territory.

20 24. On October 10, 2006, defendant TRINIDAD told victim
21 B.B. that defendant TRINIDAD was a "N****r killer," that B.B.
22 did not belong in El Monte, and that defendant TRINIDAD and
23 other El Monte Flores gang members would attack B.B. Later that
24 same day, El Monte Flores gang members attacked and beat B.B. in
25 El Monte Flores gang territory.

26 25. On October 11, 2006, defendant B. CORTEZ possessed
27 approximately 22.64 grams of methamphetamine and .69 grams of
28 crack cocaine, a loaded .38 caliber firearm, a loaded .40

1 caliber firearm, a loaded 9mm firearm, 20 rounds of .357 caliber
2 ammunition, 22 rounds of .40 caliber ammunition, 17 rounds of
3 .22 caliber ammunition, one round of .223 caliber ammunition, a
4 digital scale, and \$1,383 in U.S. currency in her residence,
5 located in El Monte Flores gang territory.

6 26. On March 3, 2007, defendant TRINIDAD asked victim J.B.
7 where he was from, brandished a knife, and attempted to steal
8 J.B.'s car in El Monte Flores gang territory.

9 27. On May 15, 2007, defendant VALENCIA and an El Monte
10 Flores gang prospect were stopped for a traffic violation in
11 rival gang territory; and as the El Monte Flores gang prospect
12 fled the car while pursued by law enforcement officers, he
13 attempted to dispose of two loaded firearms.

14 28. On October 18, 2007, defendant GOMEZ drove a stolen
15 BMW and led law enforcement officers on a high-speed car chase
16 through Pasadena, California.

17 29. On February 17, 2008, co-conspirator Salvador
18 Hernandez, aka "Tiburón" ("S. Hernandez"), possessed
19 approximately 2.4 grams of methamphetamine and \$313 in U.S.
20 currency in his vehicle in El Monte Flores gang territory.

21 30. On May 18, 2008, an unindicted co-conspirator wrote a
22 letter to defendant MATA, who was incarcerated at the time,
23 advising defendant MATA that another unindicted co-conspirator
24 had a new firearm for defendant MATA when defendant MATA
25 returned to El Monte Flores gang territory.

26 31. On July 5, 2008, defendant LAFARGO and an unindicted
27 El Monte Flores gang member possessed a can of spray-paint in
28 their car in El Monte Flores gang territory.

1 32. On July 5, 2008, in El Monte Flores gang territory,
2 defendant MUNOZ struck victim F.F. in the head with a firearm
3 and the firearm discharged.

4 33. On August 5, 2008, defendant MACHADO possessed a
5 generic Honda ignition key and a handcuff key while driving a
6 stolen Honda Civic in El Monte Flores gang territory.

7 34. On October 28, 2008, defendant RIVERA and two
8 unindicted El Monte Flores gang members possessed more than 9.66
9 grams of methamphetamine while selling methamphetamine from
10 their car.

11 35. On November 8, 2008, defendant TRINIDAD possessed a
12 loaded .40 caliber firearm in his waistband while he and another
13 El Monte Flores gang member drank alcohol in defendant
14 TRINIDAD's vehicle, all while in El Monte Flores gang territory.

15 36. On November 21, 2008, defendant LOMELI possessed
16 \$9,330 in U.S. currency, a police scanner, and a cutting agent
17 used to manufacture methamphetamine.

18 37. On November 23, 2008, El Monte Flores gang members
19 held a car wash at the Boys & Girls Club of America in El Monte
20 Flores gang territory (the "Boys & Girls Club of America") to
21 raise money for the family of a murdered El Monte Flores gang
22 member.

23 38. On April 5, 2009, defendant TRINIDAD attacked, beat,
24 and robbed victim L.M., a security guard, after L.M. attempted
25 to break up a fight involving El Monte Flores gang members at
26 Universal City Walk.

27 39. On April 11, 2009, in a telephone conversation using
28 coded language, defendant VALENCIA told defendant J. GUTIERREZ

1 that members from the Artesia street gang had approached
2 defendant VALENCIA and other El Monte Flores gang members and
3 demanded that the El Monte Flores gang pay taxes to Mexican
4 Mafia member D.B. During the same conversation, defendant J.
5 GUTIERREZ agreed to share the tax proceeds collected in El Monte
6 Flores gang territory with Mexican Mafia member R.G. because the
7 representatives for Mexican Mafia members R.S. and C.A. were
8 "weak," and defendant VALENCIA further agreed to send \$200 to
9 defendant J. GUTIERREZ.

10 40. On April 14, 2009, an unidentified co-conspirator sent
11 \$200 in tax proceeds to defendant J. GUTIERREZ via Western
12 Union.

13 41. On May 13, 2009, defendant RICHARD RODRIGUEZ possessed
14 approximately 100 plastic baggies, and led law enforcement
15 officers on a high-speed car chase while flashing gang signs out
16 of the car window.

17 42. On May 27, 2009, defendant VALENCIA possessed
18 approximately .45 grams of methamphetamine and .2 grams of
19 heroin, a loaded .45 caliber Ruger firearm, and gang
20 paraphernalia in El Monte Flores gang territory.

21 43. On July 14, 2009, defendant M. CORTEZ wrote a letter
22 to Mexican Mafia member R.S. requesting authority to collect
23 taxes in El Monte Flores gang territory and telling Mexican
24 Mafia member R.S. that defendant M. CORTEZ had multiple
25 unidentified co-conspirators who were ready to pay taxes to
26 Mexican Mafia member R.S.

27 44. On July 25, 2009, defendant A. HERNANDEZ and an
28 unidentified co-conspirator robbed a "7-Eleven" convenience

1 store in El Monte Flores gang territory, and they threatened to
2 kill the clerk if the clerk called the police.

3 45. On August 2, 2009, defendant LAFARGO, while possessing
4 a 9mm firearm and marijuana packaged for distribution, beat and
5 kicked victim J.D. in the head in El Monte Flores gang
6 territory.

7 46. On August 27, 2009, defendant M. CORTEZ wrote a letter
8 to Mexican Mafia member R.S. requesting permission for defendant
9 VALENCIA to sell drugs in El Monte Flores gang territory.

10 47. On September 4, 2009, in a telephone conversation
11 using coded language, an unindicted co-conspirator told
12 defendant J. GUTIERREZ that defendant VALENCIA was concerned for
13 his safety because defendant VALENCIA had kept extortionate
14 taxes intended for defendant J. GUTIERREZ for himself.

15 48. On September 15, 2009, Mexican Mafia member R.S. wrote
16 a letter to defendant M. CORTEZ authorizing defendant M. CORTEZ
17 to collect taxes in El Monte Flores gang territory.

18 49. On September 17, 2009, in a telephone conversation
19 using coded language, defendant RUIZ told defendant J. GUTIERREZ
20 that Mexican Mafia member R.G. was opposing defendant J.
21 GUTIERREZ's efforts to collect extortionate taxes in El Monte
22 Flores gang territory, and that defendant RUIZ threatened rival
23 gang members who were working on behalf of Mexican Mafia member
24 R.G.

25 50. On October 14, 2009, defendant JURADO sent defendant
26 J. GUTIERREZ \$75 in extortionate taxes collected by the El Monte
27 Flores gang.

1 51. On October 15, 2009, defendants J. GARCIA and LOMELI,
2 while armed with a firearm, entered a convenience store in El
3 Monte Flores gang territory and accidentally shot victim E.R.

4 52. On October 20, 2009, defendant GOMEZ possessed a knife
5 and stolen credit cards in the name of victim S.D.

6 53. On November 18, 2009, in a telephone conversation
7 using coded language, defendant ROBERT RODRIGUEZ told Mexican
8 Mafia member R.S. that defendant ROBERT RODRIGUEZ told defendant
9 M. CORTEZ that defendant M. CORTEZ had to share the tax proceeds
10 collected in El Monte Flores gang territory with Mexican Mafia
11 member R.S., and defendant ROBERT RODRIGUEZ agreed to contact
12 Mexican Mafia member R.G. to resolve a dispute between Mexican
13 Mafia member R.S. and Mexican Mafia member R.G. over the control
14 of El Monte Flores gang territory.

15 54. On November 22, 2009, in a telephone conversation
16 using coded language, defendant M. GUTIERREZ told defendant J.
17 GUTIERREZ that defendant M. CORTEZ told El Monte Flores gang
18 members that defendant M. CORTEZ represented defendant J.
19 GUTIERREZ in El Monte Flores gang territory and that defendant
20 J. GUTIERREZ provided defendant M. CORTEZ with the names and
21 locations of people to tax in El Monte Flores gang territory;
22 and defendant J. GUTIERREZ told defendant M. GUTIERREZ that
23 defendant J. GUTIERREZ did not authorize defendant M. CORTEZ to
24 collect tax proceeds in El Monte Flores gang territory.

25 55. On November 23, 2009, defendant SIERRA approached
26 victim E.P. in El Monte Flores gang territory; and defendant
27 SIERRA asked E.P. "where you from," as he removed a bat from his
28 sweatshirt and attacked E.P. with the bat.

1 56. On November 24, 2009, in a telephone conversation
2 using coded language, defendant M. GUTIERREZ told defendant J.
3 GUTIERREZ that defendants ROBERT RODRIGUEZ and M. GUTIERREZ
4 confronted defendant M. CORTEZ, and defendant M. GUTIERREZ told
5 defendant J. GUTIERREZ that defendant M. CORTEZ should be
6 attacked.

7 57. On December 8, 2009, defendant RIVERA possessed a
8 wooden billy club and approximately .44 grams of methamphetamine
9 hidden in a black magnetic key holder on the kitchen counter in
10 his residence, which was located in El Monte Flores gang
11 territory.

12 58. On December 8, 2009, in a telephone conversation using
13 coded language, defendant ROBERT RODRIGUEZ told Mexican Mafia
14 member R.S. that defendant ROBERT RODRIGUEZ would work with
15 defendant M. CORTEZ distributing drugs and collecting taxes in
16 El Monte Flores gang territory on behalf of Mexican Mafia member
17 R.S.

18 59. On December 21, 2009, in a telephone conversation
19 using coded language, defendant M. GUTIERREZ told defendant J.
20 GUTIERREZ that defendants RUIZ and M. CORTEZ were taxing drug
21 dealers in El Monte Flores gang territory and that defendant M.
22 CORTEZ was using defendant J. GUTIERREZ's name for authorization
23 to collect the taxes.

24 60. On December 21, 2009, in a telephone conversation
25 using coded language, defendant J. GUTIERREZ told defendant RUIZ
26 that defendant M. CORTEZ was taxing drug dealers in El Monte
27 Flores gang territory without defendant J. GUTIERREZ's
28

1 authorization, and defendant RUIZ agreed to find out if anyone
2 had paid these extortionate taxes to defendant M. CORTEZ.

3 61. On January 5, 2010, defendant M. CORTEZ wrote a letter
4 to Mexican Mafia Member R.S. telling Mexican Mafia Member R.S.
5 that defendant M. CORTEZ was attempting to collect taxes in El
6 Monte Flores gang territory on behalf of Mexican Mafia R.S. but
7 that unidentified co-conspirators had refused to accept
8 defendant M. CORTEZ's authority to collect these taxes.

9 62. On January 5, 2010, defendant CASTELLANO possessed
10 approximately 4.0 grams of methamphetamine, 230 pseudoephedrine
11 pills, and 10 hydrocodone pills in a vehicle in Arcadia,
12 California.

13 63. On January 10, 2010, in a telephone conversation using
14 coded language, defendant ROBERT RODRIGUEZ told Mexican Mafia
15 member R.S. that Mexican Mafia member R.G. would provide an
16 unidentified co-conspirator to assist defendant ROBERT RODRIGUEZ
17 with collecting taxes in El Monte Flores gang territory.

18 64. On January 17, 2010, in a telephone conversation using
19 coded language, defendant RUIZ told defendant J. GUTIERREZ that
20 he would send extortionate tax payments collected by the El
21 Monte Flores gang to defendant J. GUTIERREZ the following week,
22 and defendant J. GUTIERREZ asked defendant RUIZ to collect and
23 send additional money from an unidentified co-conspirator.

24 65. On January 22, 2010, in a telephone conversation using
25 coded language, defendant RUIZ told defendant J. GUTIERREZ that
26 defendant RUIZ spoke to defendant M. CORTEZ but defendant M.
27 CORTEZ was defiant, and defendant J. GUTIERREZ gave defendant
28

1 RUIZ permission to attack an unidentified drug distributor who
2 paid taxes to defendant M. CORTEZ.

3 66. On January 24, 2010, in a telephone conversation using
4 coded language, defendant BALLESTEROS told defendant J.
5 GUTIERREZ that defendants RUIZ and BALLESTEROS were present at
6 an El Monte Flores gang meeting with 18 additional El Monte
7 Flores gang members to discuss a problem with rival gang members
8 under the authority of Mexican Mafia members R.G. and R.R. who
9 were selling drugs in El Monte Flores gang territory.

10 67. On January 24, 2010, in a telephone conversation using
11 coded language, defendant RUIZ told defendant J. GUTIERREZ that
12 rival gang members under the authority of Mexican Mafia members
13 R.G. and R.R. were selling drugs in El Monte Flores gang
14 territory that the rival gang members attacked an unidentified
15 El Monte Flores gang member; and defendant J. GUTIERREZ provided
16 authorization to defendant RUIZ to attack the rival gang
17 members.

18 68. On January 25, 2010, in a telephone conversation using
19 coded language, defendant RUIZ told defendant J. GUTIERREZ that
20 defendant RUIZ was going to Western Union to send extortionate
21 taxes collected by the El Monte Flores gang to defendant J.
22 GUTIERREZ; and defendant J. GUTIERREZ told defendant RUIZ not to
23 discuss business over the telephone because defendant J.
24 GUTIERREZ had been recently questioned by prison investigators
25 about defendant J. GUTIERREZ's authorization of an assault on
26 representatives of Mexican Mafia members R.G. and R.R.

27

28

1 69. On January 25, 2010, defendant RUIZ caused \$100 in
2 taxes collected by the El Monte Flores gang to be sent to
3 defendant J. GUTIERREZ.

4 70. On February 10, 2010, in a telephone conversation
5 using coded language, defendant J. GUTIERREZ told defendant
6 JURADO that defendant RUIZ sent \$100 in taxes to defendant J.
7 GUTIERREZ the previous week, and defendants E. LOPEZ and JURADO
8 agreed to send additional money to defendant J. GUTIERREZ at a
9 later date.

10 71. On February 20, 2010, in a telephone conversation
11 using coded language, defendant JURADO told defendant J.
12 GUTIERREZ that defendant JURADO was collecting extortionate
13 taxes from defendant E. LOPEZ and other unidentified co-
14 conspirators.

15 72. On February 24, 2010, in a telephone conversation
16 using coded language, defendant J. GUTIERREZ told defendant
17 JURADO that El Monte Flores gang members had resisted paying
18 extortionate taxes to defendant J. GUTIERREZ, but that the El
19 Monte Flores gang members would not resist paying these taxes
20 after defendant J. GUTIERREZ is released from custody and back
21 in El Monte Flores gang territory.

22 73. On February 24, 2010, in a telephone conversation
23 using coded language, defendant JURADO told defendant J.
24 GUTIERREZ that defendant JURADO was going to collect
25 extortionate taxes on behalf of defendant J. GUTIERREZ later
26 that day, and defendant J. GUTIERREZ told defendant JURADO to
27 admonish defendant E. LOPEZ for not paying taxes and to tell
28

1 defendant E. LOPEZ to provide heroin to defendant JURADO for
2 free.

3 74. On February 25, 2010, in a telephone conversation
4 using coded language, defendant J. GUTIERREZ told defendant
5 JURADO that defendant J. GUTIERREZ received tax proceeds from
6 defendant E. LOPEZ and an unindicted co-conspirator.

7 75. On March 15, 2010, in a telephone conversation using
8 coded language, defendant J. GUTIERREZ told defendant JURADO to
9 contact defendant RUIZ and tell defendant RUIZ that defendant J.
10 GUTIERREZ wanted defendant RUIZ to pay extortionate taxes to
11 defendant J. GUTIERREZ.

12 76. On April 2, 2010, in a telephone conversation using
13 coded language, defendant JURADO told defendant J. GUTIERREZ
14 that defendants E. LOPEZ and JURADO were going to collect taxes
15 in El Monte Flores gang territory later that day, and defendant
16 J. GUTIERREZ complained that defendant RUIZ had not paid taxes
17 recently.

18 77. On April 2, 2010, in a telephone conversation using
19 coded language, defendant E. LOPEZ told defendant J. GUTIERREZ
20 that defendant E. LOPEZ was selling heroin and that defendants
21 E. LOPEZ and JURADO were on their way to Western Union to send
22 defendant J. GUTIERREZ tax money; and defendant J. GUTIERREZ
23 told defendant E. LOPEZ to tell El Monte Flores gang members not
24 to be afraid of Mexican Mafia members R.G. and R.R. even though
25 Mexican Mafia members R.G. and R.R. were collecting taxes in El
26 Monte Flores gang territory.

27 78. On April 4, 2010, in a telephone conversation using
28 coded language, defendant J. GUTIERREZ told defendant E. LOPEZ

1 that El Monte Flores gang members were paying taxes to Mexican
2 Mafia members R.G. and R.R. and to tell the El Monte Flores gang
3 members to pay taxes to defendant J. GUTIERREZ instead of
4 Mexican Mafia members R.G. and R.R.

5 79. On May 26, 2010, defendant TRINIDAD sold approximately
6 13.6 grams of methamphetamine to a law enforcement confidential
7 informant ("CI-1") in El Monte Flores gang territory.

8 80. On June 1, 2010, defendant TRINIDAD sold approximately
9 12.9 grams of methamphetamine to CI-1 in El Monte Flores gang
10 territory.

11 81. On June 17, 2010, in a telephone conversation using
12 coded language, defendant CORDERO told defendant M. GARCIA that
13 defendant CORDERO had not sold all of his drugs, and defendant
14 CORDERO asked defendant M. GARCIA to call him later.

15 82. On June 17, 2010, in a telephone conversation using
16 coded language, defendant CORDERO told defendant M. GARCIA that
17 defendant CORDERO still had one last unit of drugs to sell, and
18 defendant M. GARCIA agreed to give defendant CORDERO more time
19 to sell the drugs before defendant M. GARCIA delivered
20 additional drugs to defendant CORDERO.

21 83. On June 18, 2010, in a telephone conversation using
22 coded language, defendant BOWERS told defendant M. GARCIA that
23 defendant BOWERS had moved into the "Klingerman" apartments,
24 located in El Monte Flores gang territory, and intended to sell
25 heroin in that area, and defendant M. GARCIA agreed to supply
26 heroin to defendant BOWERS.

27 84. On June 21, 2010, in a telephone conversation using
28 coded language, defendant E. LOPEZ agreed to purchase three

1 grams of heroin from defendant M. GARCIA to be distributed to an
2 unidentified co-conspirator in exchange for \$100.

3 85. On June 21, 2010, in a telephone conversation using
4 coded language, defendant E. LOPEZ agreed to purchase \$50 worth
5 of drugs from defendant M. GARCIA to be distributed to an
6 unidentified co-conspirator.

7 86. On June 23, 2010, in a telephone conversation using
8 coded language, defendant M. GARCIA agreed to provide heroin to
9 defendant BOWERS the following day, and defendant M. GARCIA told
10 defendant BOWERS that defendant M. GARCIA could not provide the
11 heroin to defendant BOWERS on credit.

12 87. On June 27, 2010, in a telephone conversation using
13 coded language, co-conspirator Manuel Ramos ("Ramos") told
14 defendant M. GARCIA that defendant RUIZ demanded that co-
15 conspirator Ramos pay \$800 per month in extortionate taxes for
16 selling drugs in El Monte Flores gang territory.

17 88. On June 28, 2010, in a telephone conversation using
18 coded language, defendant E. LOPEZ told defendant M. GARCIA that
19 an unidentified co-conspirator had provided defendant E. LOPEZ
20 with less than the agreed-upon amount of drugs, and defendant E.
21 LOPEZ asked defendant M. GARCIA for permission to tax the
22 unidentified co-conspirator \$100 per week for selling drugs in
23 El Monte Flores gang territory on behalf of Mexican Mafia member
24 R.S.

25 89. On July 2, 2010, defendant ROBERT RODRIGUEZ purchased
26 a money order in the amount of \$375 and sent it to an unindicted
27 co-conspirator on behalf of Mexican Mafia member R.S.

28

1 90. On July 3, 2010, in a telephone conversation using
2 coded language, co-conspirator Ramos offered to sell 25 grams of
3 heroin to defendant M. GARCIA for \$700; and co-conspirator Ramos
4 asked defendant M. GARCIA if defendant M. GARCIA had spoken to
5 defendant RUIZ about lowering co-conspirator Ramos's tax
6 payments from \$800 per month to a more reasonable amount.

7 91. On July 7, 2010, in a telephone conversation using
8 coded language, defendant R. LOPEZ told defendant M. GARCIA that
9 defendant R. LOPEZ wanted to buy defendant M. GARCIA's drugs
10 only if they were the same quality that defendant R. LOPEZ
11 previously purchased from defendant M. GARCIA; and defendant R.
12 LOPEZ also told defendant M. GARCIA that defendant RUIZ wanted
13 defendant M. GARCIA to contact co-conspirator Ramos because co-
14 conspirator Ramos had not paid defendant RUIZ taxes based on co-
15 conspirator Ramos's drug trafficking in El Monte Flores gang
16 territory.

17 92. On July 7, 2010, in a telephone conversation using
18 coded language, defendant R. LOPEZ agreed to buy drugs from
19 defendant M. GARCIA, and defendant R. LOPEZ told defendant M.
20 GARCIA that defendant RUIZ should receive taxes from drug sales
21 in El Monte Flores gang territory.

22 93. On July 8, 2010, in a telephone conversation using
23 coded language, defendant E. LOPEZ told defendant M. GARCIA that
24 defendant E. LOPEZ refused to provide drugs to a customer
25 because defendant E. LOPEZ believed the customer worked on
26 behalf of Mexican Mafia member R.G., and defendant E. LOPEZ
27 agreed to contact defendant M. GARCIA when defendant E. LOPEZ
28 was ready to resume selling drugs.

1 94. On July 10, 2010, in a telephone conversation using
2 coded language, defendant M. GARCIA complained to co-conspirator
3 Melquiades Sanchez, aka "Pelon" ("M. Sanchez"), that the quality
4 of the drugs that co-conspirator M. Sanchez provided to
5 defendant M. GARCIA was poor, and co-conspirator M. Sanchez told
6 defendant M. GARCIA that the drugs were from the same batch from
7 the previous day's supply of drugs.

8 95. On August 2, 2010, defendant E. LOPEZ sent \$140 in
9 extortionate taxes collected by the El Monte Flores gang to
10 defendant J. GUTIERREZ via Western Union.

11 96. On August 8, 2010, defendant LAFARGO shot at and
12 attempted to kill defendant SALAS in El Monte Flores gang
13 territory over a dispute about drug proceeds and taxes.

14 97. On August 8, 2010, defendant SALAS shot at defendant
15 LAFARGO and El Monte Flores gang member A.B. over a dispute
16 about drug proceeds and taxes.

17 98. On August 9, 2010, defendant SALAS possessed a 100-
18 round high-capacity firearm ammunition magazine in his
19 residence, located in El Monte Flores gang territory.

20 99. On August 31, 2010, defendant PONCE and two unindicted
21 co-conspirators possessed approximately 1.8 kilograms of
22 methamphetamine and 48.6 grams of marijuana, two loaded 9mm
23 firearms, body armor, counterfeit currency, a printer, and a
24 fraudulent driver's license.

25 100. On September 2, 2010, defendant ROBERT RODRIGUEZ
26 purchased a money order in the amount of \$375 and sent it to an
27 unindicted co-conspirator on behalf of Mexican Mafia member R.S.

28

1 101. On September 9, 2010, in a telephone conversation
2 using coded language, defendant M. GARCIA told co-conspirator M.
3 Sanchez that several of defendant M. GARCIA's customers wanted
4 to buy heroin, and co-conspirator M. Sanchez agreed to provide
5 heroin to defendant M. GARCIA the following day.

6 102. On September 23, 2010, in a telephone conversation
7 using coded language, co-conspirator Ramos told defendant M.
8 GARCIA that co-conspirator Ramos wanted to continue selling
9 drugs in El Monte Flores gang territory but that co-conspirator
10 Ramos feared defendant RUIZ.

11 103. On September 27, 2010, in a telephone conversation
12 using coded language, co-conspirator S. Hernandez told defendant
13 M. GARCIA that an unindicted co-conspirator was wasting profits
14 from drug sales, and defendant M. GARCIA told co-conspirator S.
15 Hernandez that defendant M. GARCIA would place co-conspirator S.
16 Hernandez in charge of their drug distribution if the unindicted
17 co-conspirator continued to waste their profits from drug sales.

18 104. On September 28, 2010, in a telephone conversation
19 using coded language, co-conspirator M. Sanchez told an
20 unindicted co-conspirator to deliver methamphetamine to another
21 unindicted co-conspirator.

22 105. On September 28, 2010, an unindicted co-conspirator
23 delivered approximately .35 grams of methamphetamine to a
24 customer in El Monte Flores gang territory on behalf of co-
25 conspirator M. Sanchez.

26 106. On September 29, 2010, in a telephone conversation
27 using coded language, co-conspirator S. Hernandez told defendant
28 M. GARCIA that an unindicted co-conspirator had been arrested by

1 law enforcement but law enforcement did not find the unindicted
2 co-conspirator's drugs, and defendant M. GARCIA told co-
3 conspirator S. Hernandez to tell unidentified co-conspirators
4 that co-conspirator S. Hernandez and the unindicted co-
5 conspirator worked for defendant M. GARCIA selling drugs.

6 107. On September 30, 2010, in a telephone conversation
7 using coded language, defendant M. GARCIA asked co-conspirator
8 S. Hernandez how many units of drugs were left and how many
9 units were still available for sale, and co-conspirator S.
10 Hernandez told defendant M. GARCIA that co-conspirator S.
11 Hernandez sold three or four units of drugs the previous day.

12 108. On September 30, 2010, in a telephone conversation
13 using coded language, co-conspirator S. Hernandez told defendant
14 M. GARCIA that five or six units of drugs remained available for
15 sale, and defendant M. GARCIA warned co-conspirator S. Hernandez
16 that an unidentified rival drug trafficker would likely cause
17 trouble for co-conspirator S. Hernandez soon.

18 109. On October 3, 2010, in a telephone conversation using
19 coded language, defendant CORDERO agreed to let defendant M.
20 GARCIA use defendant CORDERO's brother to smuggle drugs into the
21 United States from Mexico.

22 110. On October 7, 2010, in a telephone conversation using
23 coded language, defendant M. GUTIERREZ told defendant J.
24 GUTIERREZ that defendant JARA gave defendant M. GUTIERREZ
25 extortionate taxes collected by the El Monte Flores gang for
26 defendant J. GUTIERREZ, and defendant M. GUTIERREZ agreed to
27 send the money to defendant J. GUTIERREZ.
28

1 111. On October 9, 2010, defendant M. GUTIERREZ deposited
2 \$250 in extortionate taxes collected by the El Monte Flores gang
3 into her Wells Fargo bank account and sent \$100 to defendant J.
4 GUTIERREZ via Western Union.

5 112. On October 9, 2010, in a telephone conversation using
6 coded language, defendant CORDERO told defendant M. GARCIA that
7 the drugs that defendant M. GARCIA recently provided to
8 defendant CORDERO were not as good as the drugs that defendant
9 M. GARCIA previously provided to defendant CORDERO and that
10 defendant CORDERO's customers became sick after using the drugs.

11 113. On October 15, 2010, in a telephone conversation using
12 coded language, co-conspirator S. Hernandez agreed to contact a
13 drug source of supply and to try to obtain heroin for defendant
14 M. GARCIA.

15 114. On October 17, 2010, in a telephone conversation using
16 coded language, defendant R. SANCHEZ told defendant J. GUTIERREZ
17 that defendant R. SANCHEZ was having problems collecting
18 extortionate taxes from unidentified co-conspirators.

19 115. On October 18, 2010, in a telephone conversation using
20 coded language, co-conspirator Ramos told defendant M. GARCIA
21 that co-conspirator Ramos did not want to talk to defendant
22 ROBERT RODRIGUEZ about selling drugs in El Monte Flores gang
23 territory because co-conspirator Ramos owed defendant RUIZ four
24 months' of tax payments and feared that defendant ROBERT
25 RODRIGUEZ would tell defendant RUIZ that co-conspirator Ramos
26 was selling drugs; and defendant M. GARCIA told co-conspirator
27 Ramos that nobody was allowed to sell drugs in El Monte Flores
28 gang territory without paying "taxes."

1 116. On October 19, 2010, in a telephone conversation using
2 coded language, co-conspirator S. Hernandez told defendant M.
3 GARCIA that co-conspirator S. Hernandez had sold all of the
4 drugs that defendant M. GARCIA had given co-conspirator S.
5 Hernandez the previous day and that co-conspirator S. Hernandez
6 would drive to defendant M. GARCIA's residence shortly to
7 acquire \$200 worth of drugs.

8 117. On October 20, 2010, defendant R. SANCHEZ sent \$200 in
9 extortionate taxes collected by the El Monte Flores gang to
10 defendant J. GUTIERREZ via Western Union.

11 118. On October 28, 2010, defendant BESERRA possessed
12 approximately 2.2 grams of marijuana and 1.3 grams of
13 methamphetamine, a digital scale, assorted plastic baggies, and
14 a Glock .40 caliber firearm loaded with 13 hollow-point bullets
15 in a residence, located in El Monte Flores gang territory.

16 119. On November 4, 2010, defendant ROBERT RODRIGUEZ
17 purchased a money order in the amount of \$375 and sent it to an
18 unindicted co-conspirator on behalf of Mexican Mafia member R.S.

19 120. On November 5, 2010, defendant PONCE possessed
20 approximately 17.1 grams of methamphetamine, pay-and-owe sheets,
21 \$2,300 in U.S. currency, a digital scale, a Smith & Wesson .357
22 caliber firearm stolen from the Los Angeles Sheriff's Department
23 San Dimas Station, a loaded Sig Sauer 9mm firearm stolen from
24 the Riverside Sheriff's Department, a Beretta 9mm firearm, a
25 stolen police officer badge from the Inglewood Police
26 Department, a bullet-proof vest, credit cards in the name of
27 victims J.S. and K.T., a document containing multiple names,
28 dates of birth, and social security numbers, a book titled

1 "Hacking Exposed," two counterfeit \$100 bills, and a document
2 that contained an image of a \$100 bill with "EMF" written above
3 the image.

4 121. On November 12, 2010, in a telephone conversation
5 using coded language, defendant R. LOPEZ agreed to sell drugs to
6 defendant ROBERT RODRIGUEZ.

7 122. On November 13, 2010, in a telephone conversation
8 using coded language, defendant R. SANCHEZ told defendant J.
9 GUTIERREZ that one of defendant R. SANCHEZ's workers was
10 arrested by law enforcement and that Mexican Mafia member R.G.
11 was sending unidentified rival gang members into El Monte Flores
12 gang territory to collect extortionate taxes.

13 123. On November 15, 2010, in a telephone conversation
14 using coded language, defendant RUIZ told defendant J. GUTIERREZ
15 that Mexican Mafia member R.R. had been collecting extortionate
16 taxes in El Monte Flores gang territory, that the El Monte
17 Flores gang had held a meeting and had agreed to disregard
18 Mexican Mafia members R.G. and R.R., and that it was difficult
19 for defendant RUIZ to be in a leadership position and defend El
20 Monte Flores gang territory.

21 124. On November 15, 2010, defendant RUIZ directed an
22 unindicted co-conspirator to send \$400 in extortionate taxes
23 collected by the El Monte Flores gang to defendant J. GUTIERREZ.

24 125. On November 15, 2010, in a telephone conversation
25 using coded language, defendant RUIZ told defendant J. GUTIERREZ
26 that defendant RUIZ used an unindicted co-conspirator to send
27 \$400 to defendant J. GUTIERREZ.

28

1 126. On November 17, 2010, in a telephone conversation
2 using coded language, defendant R. LOPEZ agreed to sell drugs to
3 defendant ROBERT RODRIGUEZ.

4 127. On November 19, 2010, in a telephone conversation
5 using coded language, defendant ROBERT RODRIGUEZ agreed to sell
6 a quantity of drugs to an unidentified co-conspirator in
7 exchange for \$200.

8 128. On November 21, 2010, in a telephone conversation
9 using coded language, defendant BALLESTEROS told defendant
10 ROBERT RODRIGUEZ that defendant BALLESTEROS wanted to purchase
11 approximately 25 grams of heroin for between \$575 to \$600, and
12 defendant ROBERT RODRIGUEZ agreed to find the heroin for
13 defendant BALLESTEROS.

14 129. On November 21, 2010, in a telephone conversation
15 using coded language, defendant ROBERT RODRIGUEZ called an
16 unidentified co-conspirator and told the unidentified co-
17 conspirator that one of defendant ROBERT RODRIGUEZ's workers
18 wanted to purchase heroin, and the unindicted co-conspirator
19 agreed to supply heroin to defendant ROBERT RODRIGUEZ.

20 130. On November 30, 2010, defendant PONCE possessed
21 approximately 18.03 grams of methamphetamine, 2.81 grams of
22 crack cocaine, and .56 grams of powder cocaine, a loaded .40
23 caliber firearm, and a loaded 9mm semi-automatic rifle.

24 131. On November 30, 2010, defendant PONCE possessed an "e-
25 card" card embosser and a MAC-10 semi-automatic short-barreled
26 rifle in a storage facility, located in El Monte Flores gang
27 territory.

28

1 132. On December 7, 2010, defendant MCCORMICK possessed
2 approximately 3.53 grams of methamphetamine and 7.98 grams of
3 marijuana, as well as \$343 in U.S. currency, at an El Monte
4 Flores gang hangout.

5 133. On December 21, 2010, in a telephone conversation
6 using coded language, defendant M. GUTIERREZ told defendant J.
7 GUTIERREZ that defendant M. GUTIERREZ received \$300 in
8 extortionate taxes collected by the El Monte Flores gang for
9 defendant J. GUTIERREZ from an unidentified co-conspirator; and
10 defendant M. GUTIERREZ agreed to send \$100 to defendant J.
11 GUTIERREZ and the remaining \$200 to an unindicted co-
12 conspirator.

13 134. On December 21, 2010, defendant M. GUTIERREZ deposited
14 \$100 into her Wells Fargo bank account and sent \$100 to
15 defendant J. GUTIERREZ via Western Union.

16 135. On December 24, 2010, defendant MATA and an unindicted
17 co-conspirator shot and killed rival gang member D.D.

18 136. On January 18, 2011, defendants SALAZAR and SIERRA
19 sold approximately 13.7 grams of methamphetamine to an El Monte
20 Flores gang member known to the Grand Jury in exchange for \$600.

21 137. On January 24, 2011, defendant M. GARCIA possessed
22 approximately 155.4 grams of methamphetamine, \$1,740 in U.S.
23 currency, a digital scale, a loaded .357 caliber firearm, a
24 loaded 9mm firearm, a loaded .22 caliber firearm, two loaded
25 .380 caliber firearms, a loaded .40 caliber firearm, a 7.62
26 caliber rifle, a 9mm firearm, a .45 caliber firearm, and 287
27 rounds of assorted ammunition in his residence in Azusa,
28 California.

1 138. On January 27, 2011, defendant PONCE possessed
2 approximately .96 grams of methamphetamine, a counterfeit \$100
3 bill, a card encoder machine used to create credit cards, a
4 scanner, and a printer in his vehicle in El Monte Flores gang
5 territory.

6 139. On February 7, 2011, defendant GOMEZ threatened to
7 attack victim R.F., pushed R.F. from her car, and stole R.F.'s
8 car in El Monte Flores gang territory.

9 140. On February 9, 2011, in a telephone conversation using
10 coded language, defendant R. SANCHEZ told defendant J. GUTIERREZ
11 that defendant RUIZ was collecting taxes but not sending them to
12 defendant J. GUTIERREZ.

13 141. On February 11, 2011, in a telephone conversation
14 using coded language, defendant R. SANCHEZ told defendant J.
15 GUTIERREZ that when defendant R. SANCHEZ confronted some
16 unidentified El Monte Flores gang members about defendant RUIZ
17 stealing taxes owed to defendant J. GUTIERREZ the unidentified
18 El Monte Flores gang members changed their story. During the
19 same conversation, defendant R. SANCHEZ added that he did not
20 believe defendant RUIZ was able to collect only \$100 in
21 extortionate taxes from the entire El Monte Flores gang
22 territory and believed that defendant RUIZ was stealing taxes
23 owed to defendant J. GUTIERREZ.

24 142. On February 15, 2011, in a telephone conversation
25 using coded language, defendant MCCORMICK told an El Monte
26 Flores gang member known to the Grand Jury that defendant
27 MCCORMICK had sold all of his methamphetamine but agreed to sell
28 additional methamphetamine to the gang member later that week.

1 143. On February 16, 2011, in a telephone conversation
2 using coded language, defendant M. GUTIERREZ told defendant J.
3 GUTIERREZ that defendant JARA had given defendant M. GUTIERREZ
4 \$200 in extortionate taxes collected by the El Monte Flores gang
5 for defendant J. GUTIERREZ, and defendant J. GUTIERREZ told
6 defendant M. GUTIERREZ to keep \$100 for herself and an
7 unindicted co-conspirator and to send the remaining \$100 to
8 defendant J. GUTIERREZ.

9 144. On February 17, 2011, defendant M. GUTIERREZ sent \$100
10 in extortionate taxes collected by the El Monte Flores gang to
11 defendant J. GUTIERREZ via Western Union.

12 145. On February 17, 2011, in a telephone conversation
13 using coded language, defendant MCCORMICK told an El Monte
14 Flores gang member known to the Grand Jury that law enforcement
15 was in the area and to drive to the Greater El Monte Community
16 Hospital to conduct their scheduled drug transaction and look
17 around for law enforcement.

18 146. On February 17, 2011, defendant MCCORMICK sold
19 approximately 25.5 grams of methamphetamine to an El Monte
20 Flores gang member known to the Grand Jury in exchange for
21 \$1,000 in El Monte Flores gang territory.

22 147. On March 4, 2011, in a telephone conversation using
23 coded language, defendant J. GUTIERREZ told defendant RUIZ that
24 no one in El Monte Flores gang territory should pay taxes to
25 Mexican Mafia member A.V. because Mexican Mafia member A.V.'s
26 membership in the Mexican Mafia was invalid.

27 148. On March 15, 2011, in a telephone conversation using
28 coded language, defendant R. LOPEZ offered to sell an El Monte

1 Flores gang member known to the Grand Jury one-half ounce of
2 heroin in exchange for \$375.

3 149. On March 15, 2011, in a telephone conversation using
4 coded language, co-conspirator M. Sanchez offered to sell one
5 pound of methamphetamine to an El Monte Flores gang member known
6 to the Grand Jury in exchange for \$10,000.

7 150. On March 16, 2011, co-conspirator M. Sanchez gave an
8 El Monte Flores gang member known to the Grand Jury
9 approximately .48 grams of methamphetamine as a sample of the
10 methamphetamine that co-conspirator M. Sanchez was willing to
11 sell to the gang member.

12 151. On March 21, 2011, co-conspirator M. Sanchez possessed
13 approximately 418.4 grams of methamphetamine in a vehicle in El
14 Monte Flores gang territory.

15 152. On March 23, 2011, in a telephone conversation using
16 coded language, defendant J. GUTIERREZ told defendant RUIZ that
17 defendant R. SANCHEZ worked for defendant J. GUTIERREZ
18 collecting taxes and that defendant J. GUTIERREZ was giving
19 orders through defendant R. SANCHEZ.

20 153. On April 1, 2011, in a telephone conversation using
21 coded language, defendant M. GUTIERREZ told defendant J.
22 GUTIERREZ that defendant RUIZ provided an unidentified co-
23 conspirator \$300 in taxes and not the agreed-upon \$500 in taxes,
24 and defendant M. GUTIERREZ told defendant J. GUTIERREZ that
25 defendant J. GUTIERREZ should charge defendant RUIZ interest on
26 the remaining taxes defendant RUIZ owed to defendant J.
27 GUTIERREZ.

28

1 154. On April 1, 2011, in a telephone conversation using
2 coded language, defendant J. GUTIERREZ told defendant R. SANCHEZ
3 that defendant RUIZ did not pay the full amount of taxes to
4 defendant J. GUTIERREZ, and defendant J. GUTIERREZ told
5 defendant R. SANCHEZ to collect an additional \$200 from
6 defendant RUIZ.

7 155. On April 19, 2011, defendant R. SANCHEZ sent \$200 in
8 extortionate taxes collected by the El Monte Flores gang to
9 defendant J. GUTIERREZ via Western Union.

10 156. On April 20, 2011, in a telephone conversation using
11 coded language, defendant J. GUTIERREZ told defendant R. SANCHEZ
12 that defendant J. GUTIERREZ told defendant RUIZ that defendant
13 J. GUTIERREZ gave orders through defendant R. SANCHEZ, and
14 defendant J. GUTIERREZ added that defendant RUIZ did not provide
15 the full \$500 tax payment owed by defendant RUIZ to defendant J.
16 GUTIERREZ.

17 157. On April 26, 2011, defendant SALAS told a law
18 enforcement confidential informant ("CI-2") that, on the night
19 defendant SALAS shot at defendant LAFARGO and El Monte Flores
20 gang member A.B., defendant SALAS had his firearm because
21 defendant SALAS was selling a half-pound of drugs to an
22 unidentified co-conspirator.

23 158. On April 27, 2011, defendant SALAZAR possessed
24 approximately 12.25 grams of methamphetamine and 1.25 grams of
25 marijuana, plastic baggies, a digital scale, a 12-gauge shotgun,
26 four rounds of .22 caliber ammunition, a handheld radio scanner,
27 and \$2,416 in U.S. currency inside his residence, located in El
28 Monte Flores gang territory.

1 159. On May 18, 2011, defendant SALAZAR possessed
2 approximately .14 grams of methamphetamine and 1.33 grams of
3 marijuana, seven marijuana plants, two digital scales, plastic
4 baggies, and \$1,332 in U.S. currency hidden in his shoes inside
5 his residence, located in El Monte Flores gang territory.

6 160. On June 2, 2011, defendant CADENA possessed
7 approximately 47.67 grams of marijuana, 26 marijuana plants, 10
8 hydrocodone pills, approximately 54.9 grams of a cutting agent,
9 pay-and-owe sheets, a loaded 9mm firearm, a loaded .22 caliber
10 firearm, hundreds of rounds of assorted ammunition, a digital
11 scale smeared with methamphetamine residue, three other digital
12 scales, \$27,897 in U.S. currency, and El Monte Flores gang
13 paraphernalia at his residence, located in El Monte Flores gang
14 territory.

15 161. On June 10, 2011, defendants M. CORTEZ and B. CORTEZ
16 kidnapped victim V.F. from a "Motel 6" in El Monte Flores gang
17 territory and held V.F. hostage at the "Valley Inn" in the City
18 of Industry; and they forced V.F. to withdraw money from an ATM
19 and buy items for defendants M. CORTEZ and B. CORTEZ at Best Buy
20 and RadioShack.

21 162. On June 16, 2011, defendant R. LOPEZ possessed
22 approximately 2.3 grams of methamphetamine, 4.2 grams of
23 marijuana, 5.5 grams of heroin, 220 oxycontin pills, and four
24 morphine pills in his vehicle as he attempted to enter Mexico
25 from the United States.

26 163. On June 20, 2011, defendant J. GUTIERREZ wrote a
27 letter to defendant M. GUTIERREZ telling defendant M. GUTIERREZ
28 to keep some of the extortionate taxes collected by the El Monte

1 Flores gang for herself but to send the remainder to defendant
2 J. GUTIERREZ and an unindicted co-conspirator.

3 164. On July 1, 2011, defendant SIERRA and an unindicted
4 co-conspirator sold a .380 caliber Bersa firearm to an El Monte
5 Flores gang member known to the Grand Jury in exchange for \$200,
6 and defendant SIERRA offered to sell additional firearms to the
7 gang member.

8 165. On July 12, 2011, defendant RICHARD RODRIGUEZ
9 possessed approximately 8.34 grams of methamphetamine, \$625 in
10 U.S. currency, and a loaded .22 caliber firearm in El Monte
11 Flores gang territory.

12 166. On July 13, 2011, defendant ROBERT RODRIGUEZ told co-
13 conspirator Ramos and an El Monte Flores gang member known to
14 the Grand Jury that there were several Mexican Mafia members who
15 controlled the El Monte Flores gang and that co-conspirator
16 Ramos must pay additional tax money to defendant RUIZ to
17 continue selling drugs in El Monte Flores gang territory; and
18 co-conspirator Ramos told defendant ROBERT RODRIGUEZ that an
19 unidentified co-conspirator working for defendant RUIZ seized
20 one of co-conspirator Ramos's cars that co-conspirator Ramos
21 used to distribute drugs because co-conspirator Ramos owed
22 defendant RUIZ extortionate taxes.

23 167. On July 20, 2011, defendant J. GUTIERREZ wrote a
24 letter to Mexican Mafia member A.V. telling Mexican Mafia member
25 A.V. that there were already two Mexican Mafia members
26 collecting taxes in El Monte Flores gang territory and that
27 Mexican Mafia member A.V. was encroaching on defendant J.
28 GUTIERREZ's territory; and defendant J. GUTIERREZ signed the

1 letter by modifying the last letter of his moniker, "Chemo," to
2 spell "eme" to represent defendant J. GUTIERREZ's membership
3 within the Mexican Mafia.

4 168. On July 20, 2011, in a telephone conversation using
5 coded language, defendant R. LOPEZ agreed to sell 25 grams of
6 heroin to an El Monte Flores gang member known to the Grand Jury
7 in exchange for \$850.

8 169. On August 2, 2011, defendant R. LOPEZ sold
9 approximately 25.4 grams of heroin to an El Monte Flores gang
10 member known to the Grand Jury in El Monte Flores gang
11 territory, and defendant R. LOPEZ told the gang member that the
12 quality of the heroin would be better next time.

13 170. On August 2, 2011, in a telephone conversation using
14 coded language, defendant LAFARGO told an El Monte Flores gang
15 member known to the Grand Jury that an unidentified co-
16 conspirator would pick up drugs in the near future and attempt
17 to smuggle those drugs into Calipatria State Prison for
18 defendant LAFARGO.

19 171. On August 15, 2011, defendant R. LOPEZ possessed
20 approximately 77.4 grams of heroin in his vehicle in El Monte
21 Flores gang territory.

22 172. On August 16, 2011, defendant R. LOPEZ possessed a .40
23 caliber firearm, a loaded .45 caliber firearm, 61 rounds of .45
24 caliber ammunition, approximately .02 grams of methamphetamine,
25 three MDMA tablets, \$1,031 in U.S. currency, and a cutting agent
26 at his residence, located in El Monte Flores gang territory.

27 173. On August 25, 2011, in a telephone conversation using
28 coded language, co-conspirator Ramos told an El Monte Flores

1 gang member known to the Grand Jury that defendant RUIZ was
2 taxing co-conspirator Ramos for selling drugs in El Monte Flores
3 gang territory, that co-conspirator Ramos would pay defendant
4 RUIZ \$200 per month in tax money, and that co-conspirator Ramos
5 would use defendant E. LOPEZ to sell drugs in El Monte Flores
6 gang territory.

7 174. On September 11, 2011, defendant J. GUTIERREZ sent a
8 letter to defendants M. GARCIA and E. LOPEZ telling defendants
9 M. GARCIA and E. LOPEZ not to discuss extortionate taxes
10 collected by the El Monte Flores gang in their communications
11 because federal law enforcement officers read defendant J.
12 GUTIERREZ's mail; and defendant J. GUTIERREZ signed the letter
13 by modifying the last letter of his moniker, "Chemo," to spell
14 "eme" to represent defendant J. GUTIERREZ's membership within
15 the Mexican Mafia.

16 175. On September 21, 2011, defendant E. LOPEZ possessed
17 approximately .59 grams of heroin and three rounds of .380
18 caliber ammunition.

19 176. On October 4, 2011, in a telephone conversation using
20 coded language, defendant M. GUTIERREZ told defendant J.
21 GUTIERREZ that defendant R. SANCHEZ was taxing people in El
22 Monte Flores gang territory on behalf of defendant J. GUTIERREZ.

23 177. On October 15, 2011, defendant JARA visited Mexican
24 Mafia member C.A. at Pelican Bay State Prison and told Mexican
25 Mafia member C.A. that defendant JARA was going to collect taxes
26 from an unidentified co-conspirator who was engaged in drug
27 trafficking, and Mexican Mafia member C.A. told defendant JARA
28 that defendant RUIZ was not allowed to sell drugs or collect

1 taxes in El Monte Flores gang territory because defendant RUIZ
2 changes his allegiance to different Mexican Mafia members to
3 avoid paying taxes on drug trafficking proceeds.

4 178. On October 16, 2011, defendant JARA visited Mexican
5 Mafia member C.A. in Pelican Bay State Prison and told Mexican
6 Mafia member C.A. that an unidentified co-conspirator had been
7 making monthly tax payments to Mexican Mafia member C.A. and
8 that defendant JARA passed along Mexican Mafia member C.A.'s
9 message to defendants COFER and RUIZ that defendant RUIZ was no
10 longer allowed to sell drugs or collect taxes in El Monte Flores
11 gang territory.

12 179. On October 19, 2011, in a text message by telephone,
13 an unidentified co-conspirator offered to sell defendant JARA
14 high quality drugs for \$10,200 or lower quality drugs for
15 \$9,500.

16 180. On October 19, 2011, in a text message by telephone,
17 defendant JARA asked an unidentified co-conspirator for a drug
18 sample.

19 181. On October 31, 2011, in a telephone conversation using
20 coded language, defendant RUIZ told defendant J. GARCIA that
21 Mexican Mafia member A.V. was attempting to collect taxes from
22 defendant RUIZ but defendant RUIZ was already paying taxes to
23 defendant J. GUTIERREZ, who was incarcerated outside of
24 California; and defendant J. GARCIA told defendant RUIZ that he
25 would stand by defendant RUIZ and protect El Monte Flores gang
26 territory from Mexican Mafia member A.V. and that defendant J.
27 GARCIA was getting other El Monte Flores gang members ready to
28

1 protect El Monte Flores gang territory from Mexican Mafia member
2 A.V.

3 182. On November 4, 2011, defendant M. GUTIERREZ sent \$100
4 in tax proceeds to defendant J. GUTIERREZ via Western Union.

5 183. On November 6, 2011, in a telephone conversation using
6 coded language, defendant RUIZ agreed to sell drugs to an
7 unidentified co-conspirator.

8 184. On November 6, 2011, in a telephone conversation using
9 coded language, defendant RUIZ called defendant JARA and
10 arranged to meet the following day.

11 185. On November 7, 2011, defendants COFER, RUIZ, and JARA
12 met at the General Welfare office in El Monte Flores gang
13 territory to discuss the collection of extortionate taxes.

14 186. On November 10, 2011, defendants ROBERT RODRIGUEZ,
15 COFER, RUIZ, and JARA, and an El Monte Flores gang member known
16 to the Grand Jury met at "Don Beto" restaurant in El Monte
17 Flores gang territory to discuss matters related to the criminal
18 activities of the El Monte Flores gang. During the meeting,
19 defendant JARA told defendants ROBERT RODRIGUEZ, COFER, and RUIZ
20 that defendant JARA represented Mexican Mafia member C.A. and
21 that Mexican Mafia member C.A. had ordered defendants ROBERT
22 RODRIGUEZ and RUIZ to stop collecting taxes in El Monte Flores
23 gang territory; and, in response, defendant RUIZ told defendant
24 JARA that defendant RUIZ would continue to collect taxes in El
25 Monte Flores gang territory on behalf of defendant J. GUTIERREZ.

26 187. On November 12, 2011, defendant JARA visited Mexican
27 Mafia member C.A. in Pelican Bay State Prison, and Mexican Mafia
28 member C.A. told defendant JARA that defendant COFER was

1 authorized to attack unidentified individuals who collect taxes
2 in El Monte Flores gang territory without authorization, but
3 defendant COFER must give the unidentified individuals a warning
4 first.

5 188. On November 23, 2011, in a text message by telephone,
6 defendant COFER told defendant JARA that defendant COFER just
7 collected \$200 in taxes from defendant RUIZ.

8 189. On December 6, 2011, in a telephone conversation using
9 coded language, defendant COFER agreed to sell methamphetamine
10 to an El Monte Flores gang member known to the Grand Jury later
11 that day.

12 190. On December 6, 2011, defendant COFER sold
13 approximately 13.4 grams of methamphetamine to an El Monte
14 Flores gang member known to the Grand Jury.

15 191. On December 22, 2011, in a telephone conversation
16 using coded language, defendant COFER told defendant MACHADO
17 that unidentified co-conspirators were hiding from defendant
18 COFER because they owed defendant COFER money, and defendant
19 MACHADO agreed to go with defendant COFER to an unidentified co-
20 conspirator's residence that night at midnight to collect
21 payment.

22 192. On December 22, 2011, in a telephone conversation
23 using coded language, defendant MACHADO offered to shoot an
24 unidentified person the following day because defendant COFER
25 had a dispute with the unidentified person, and defendant COFER
26 authorized the shooting.

27 193. On December 26, 2011, in a telephone conversation
28 using coded language, defendant COFER told defendant JARA that

1 defendant RUIZ failed to show up for a meeting to provide
2 defendant COFER with defendant RUIZ's share of extortionate
3 taxes collected by the El Monte Flores gang, and defendant JARA
4 told defendant COFER that defendant JARA needed the taxes before
5 defendant JARA visited Mexican Mafia member C.A. at Pelican Bay
6 State Prison.

7 194. On December 26, 2011, in a telephone conversation
8 using coded language, defendant COFER told defendant CASTELLANO
9 that defendant COFER was going to purchase additional drugs for
10 resale, but defendant COFER needed defendant CASTELLANO's share
11 of the money.

12 195. On December 26, 2011, in a telephone conversation
13 using coded language, defendant CASTELLANO told defendant COFER
14 that defendant CASTELLANO was losing drug customers because
15 defendant COFER had provided defendant CASTELLANO with less than
16 their agreed-upon amount of drugs and defendant CASTELLANO
17 therefore could not supply drugs to his customers.

18 196. On December 27, 2011, defendant JARA sent \$100 in
19 extortionate taxes collected by the El Monte Flores gang to
20 Mexican Mafia member C.A. via wire transfer.

21 197. On December 27, 2011, in a telephone conversation
22 using coded language, defendant MACHADO requested two grams of
23 heroin from defendant COFER, and defendant COFER told defendant
24 MACHADO that the smallest quantity of heroin defendant COFER
25 would sell was approximately six grams.

26 198. On December 27, 2011, in a telephone conversation
27 using coded language, defendant MACHADO told defendant COFER
28 that the two grams of heroin he requested was for an El Monte

1 Flores gang member and asked defendant COFER the price for six
2 grams of heroin; and defendant COFER told defendant MACHADO that
3 the price was \$250 for six grams of heroin.

4 199. On December 27, 2011, in a telephone conversation
5 using coded language, defendant COFER told defendant MACHADO
6 that defendant COFER was on his way to Alhambra, California, to
7 tell an unidentified co-conspirator that if the unidentified co-
8 conspirator did not pay defendant COFER for 40 grams of heroin
9 then defendant COFER would assault the unidentified co-
10 conspirator, and defendant MACHADO asked to go with defendant
11 COFER.

12 200. On December 27, 2011, in a telephone conversation
13 using coded language, defendant MACHADO offered to shoot the
14 unidentified co-conspirator who defendant COFER was visiting in
15 Alhambra, California, if defendant COFER wanted to cause harm to
16 the co-conspirator, and defendant COFER agreed to pick up
17 defendant MACHADO after defendant COFER dropped off defendant
18 COFER's girlfriend's daughter and then drive to Alhambra,
19 California, to meet the unidentified co-conspirator.

20 201. On December 27, 2011, in a telephone conversation
21 using coded language, defendant MACHADO told defendant COFER
22 that defendant ROBERT RODRIGUEZ attempted to collect taxes from
23 an unidentified female co-conspirator who sold Vicodin in El
24 Monte Flores gang territory, and defendant COFER told defendant
25 MACHADO that defendant ROBERT RODRIGUEZ should not have
26 attempted to collect taxes from the female co-conspirator based
27 on defendant COFER's conversations with Mexican Mafia member
28 C.A. and defendant J. GUTIERREZ.

1 202. On December 27, 2011, in a telephone conversation
2 using coded language, defendant ROBERT RODRIGUEZ told defendant
3 COFER that defendant BOWERS attempted to recruit two
4 unidentified female co-conspirators who sold drugs on behalf of
5 defendant ROBERT RODRIGUEZ, and defendant COFER agreed to talk
6 to defendant BOWERS.

7 203. On December 31, 2011, defendant TRINIDAD and
8 unidentified co-conspirators attacked and beat victim J.R. in El
9 Monte Flores gang territory.

10 204. On January 3, 2012, in a telephone conversation using
11 coded language, defendant MACHADO asked defendant COFER for
12 ammunition, and defendant COFER told defendant MACHADO that
13 defendant COFER would call an unidentified co-conspirator and
14 deliver the ammunition later that day.

15 205. On January 4, 2012, in a telephone conversation using
16 coded language, defendant RAMIREZ told defendant COFER that an
17 unidentified co-conspirator was not paying taxes.

18 206. On January 4, 2012, in a telephone conversation using
19 coded language, defendant RAMIREZ told defendant COFER that an
20 unidentified co-conspirator had paid taxes and someone had told
21 law enforcement that defendants COFER and RAMIREZ were selling
22 drugs at "Crawford's Plaza" in El Monte Flores gang territory.

23 207. On January 6, 2012, in a telephone conversation using
24 coded language, defendant RAMIREZ told defendant COFER that a
25 vendor at "Crawford's Plaza" would not pay taxes, and defendant
26 RAMIREZ told defendant COFER that it was defendant RAMIREZ's
27 problem because defendant RAMIREZ was in charge of collecting
28 taxes from "Crawford's Plaza."

1 208. On January 6, 2012, in a telephone conversation using
2 coded language, defendant RAMIREZ told defendant COFER that a
3 fraudulent document vendor at "Crawford's Plaza" would not pay
4 taxes, and defendant COFER agreed to lower the tax to \$15 per
5 week and told defendant RAMIREZ to talk to the vendor's brother.

6 209. On January 7, 2012, in a telephone conversation using
7 coded language, defendant COFER told defendant MACHADO that
8 defendant COFER had assaulted an unidentified victim, defendant
9 MACHADO told defendant COFER that he would assault the victim
10 for defendant COFER next time, and defendant MACHADO asked
11 defendant COFER for ammunition for a .45 caliber firearm.

12 210. On January 7, 2012, in a telephone conversation using
13 coded language, defendant ROBERT RODRIGUEZ told defendant COFER
14 that defendant ROBERT RODRIGUEZ wanted to talk to defendant
15 BOWERS about defendant BOWERS's attempt to recruit two
16 unidentified female co-conspirators who sold drugs on behalf of
17 defendant ROBERT RODRIGUEZ.

18 211. On January 9, 2012, in a telephone conversation using
19 coded language, defendant MACHADO told defendant COFER that
20 defendant MACHADO had robbed an unidentified victim on the
21 street of \$20, and defendant COFER agreed to sell defendant
22 MACHADO \$20 worth of drugs.

23 212. On January 9, 2012, in a telephone conversation using
24 coded language, defendant RAMIREZ told defendant COFER that
25 defendant RAMIREZ told a new fraudulent document vendor at
26 "Crawford's Plaza" that the vendor must pay taxes in the amount
27 of \$5 for each item the vendor sold but the vendor resisted, and
28 defendant RAMIREZ asked defendant COFER not to get involved yet.

1 213. On January 9, 2012, in a telephone conversation using
2 coded language, defendant RAMIREZ agreed to deliver extortionate
3 taxes collected by the El Monte Flores gang to defendant COFER's
4 residence.

5 214. On January 10, 2012, in a telephone conversation using
6 coded language, defendant COFER agreed to let defendant MUNOZ
7 borrow a firearm.

8 215. On January 10, 2012, in a telephone conversation using
9 coded language, co-conspirator Pedro Sanchez, aka "Toro" ("P.
10 Sanchez"), told defendant COFER that co-conspirator P. Sanchez
11 had been selling drugs all day and asked to meet with defendant
12 COFER later that day.

13 216. On January 11, 2012, in a telephone conversation using
14 coded language, defendant RAMIREZ told defendant COFER that an
15 unidentified rival was going to try to take control of
16 "Crawford's Plaza" from defendant COFER.

17 217. On January 12, 2012, in a telephone conversation using
18 coded language, co-conspirator P. Sanchez agreed to supply drugs
19 to defendant COFER.

20 218. On January 12, 2012, in a telephone conversation using
21 coded language, defendant COFER agreed to sell three ounces of
22 methamphetamine to defendant MACHADO in exchange for \$2,000, and
23 defendant MACHADO told defendant COFER that defendant MACHADO's
24 customers needed the methamphetamine as soon as possible.

25 219. On January 14, 2012, in a telephone conversation using
26 coded language, defendant MUNOZ asked defendant COFER if
27 defendant MUNOZ could borrow an instrument used to seal baggies
28 for drugs for transport or sale.

1 220. On January 16, 2012, in a telephone conversation using
2 coded language, defendant B. CORTEZ told defendant COFER that
3 defendant B. CORTEZ possessed heroin and asked defendant COFER
4 if defendant COFER knew of anyone who wanted to purchase heroin.

5 221. On January 18, 2012, in a telephone conversation using
6 coded language, defendant COFER told co-conspirator P. Sanchez
7 that defendant COFER needed additional drugs but asked co-
8 conspirator P. Sanchez to lower the price for the drugs he was
9 selling, and co-conspirator P. Sanchez agreed to discuss a lower
10 price when they met in person at a restaurant in El Monte Flores
11 gang territory.

12 222. On January 19, 2012, in a telephone conversation using
13 coded language, defendant JARA told defendant CASTELLANO that an
14 unindicted co-conspirator wanted to purchase 40 oxycontin pills
15 from defendant CASTELLANO in exchange for \$60, but defendant
16 CASTELLANO refused to sell the pills for that price and told
17 defendant JARA that defendant CASTELLANO usually sells the
18 oxycontin pills for \$4 per pill.

19 223. On January 22, 2012, defendant MUNOZ possessed a
20 loaded Rossi .32 caliber revolver and a loaded Colt .38 caliber
21 revolver in his vehicle in El Monte Flores gang territory.

22 224. On January 22, 2012, defendant CASTELLANO sent \$55 in
23 extortionate taxes collected by the El Monte Flores gang to
24 Mexican Mafia member C.A. via credit card.

25 225. On January 24, 2012, in a telephone conversation using
26 coded language, defendant COFER agreed to sell methamphetamine
27 the following day to an El Monte Flores gang member known to the
28 Grand Jury.

1 226. On January 25, 2012, defendant COFER sold
2 approximately 12.9 grams of methamphetamine to an El Monte
3 Flores gang member known to the Grand Jury.

4 227. On January 25, 2012, in a telephone conversation using
5 coded language, defendant B. CORTEZ told an El Monte Flores gang
6 member known to the Grand Jury that defendant B. CORTEZ had sold
7 only a small quantity of heroin and that defendant B. CORTEZ
8 still possessed approximately one ounce of heroin for sale.

9 228. On January 25, 2012, in a telephone conversation using
10 coded language, defendant B. CORTEZ offered to sell one ounce of
11 heroin to an El Monte Flores gang member known to the Grand Jury
12 in exchange for \$800.

13 229. On January 25, 2012, defendant B. CORTEZ sold
14 approximately 23.7 grams of heroin to an El Monte Flores gang
15 member known to the Grand Jury in exchange for \$800.

16 230. On January 26, 2012, defendant MUNOZ possessed a Raven
17 Arms .25 caliber firearm in his vehicle in El Monte Flores gang
18 territory.

19 231. On January 26, 2012, defendant BALLESTEROS possessed
20 rubber balloons, a digital scale, and El Monte Flores gang
21 paraphernalia in his residence, located in El Monte Flores gang
22 territory.

23 232. On January 31, 2012, defendant J. GARCIA, while
24 driving in El Monte Flores gang territory, threw a loaded 9mm
25 firearm from his vehicle when he saw a police car.

26 233. On February 11, 2012, in a telephone conversation
27 using coded language, defendant BOWERS told defendant COFER that
28 defendant BOWERS lost drugs when an unidentified female co-

1 conspirator accidentally dropped the drugs in the toilet while
2 at a "Jack In The Box" restaurant, and defendants COFER and
3 BOWERS agreed to bring drugs to a party that night.

4 234. On February 13, 2012, in a telephone conversation
5 using coded language, co-conspirator P. Sanchez agreed to
6 provide additional drugs to defendant COFER.

7 235. On February 15, 2012, in a telephone conversation
8 using coded language, co-conspirator P. Sanchez agreed to
9 provide additional drugs to defendant COFER before co-
10 conspirator P. Sanchez drove to Ensenada, Mexico, to acquire
11 additional drugs.

12 236. On February 16, 2012, in a telephone conversation
13 using coded language, defendant MUNOZ offered to sell drugs to
14 defendant COFER at a discounted price of \$400.

15 237. On February 16, 2012, in a telephone conversation
16 using coded language, defendant COFER told defendant MUNOZ that
17 defendant COFER had the money for the drugs defendant MUNOZ had
18 offered to sell and was outside waiting for defendant MUNOZ.

19 238. On February 16, 2012, co-conspirator P. Sanchez met
20 defendant COFER at a "Mariscos Uruapan" restaurant in Irwindale,
21 California, for the purpose of providing defendant COFER with
22 drugs.

23 239. On February 16, 2012, in a telephone conversation
24 using coded language, defendant RUIZ told defendant J. GUTIERREZ
25 that defendant RUIZ would collect tax payments from an
26 unidentified co-conspirator later that week and promised to send
27 the money to defendant J. GUTIERREZ shortly.

1 240. On February 18, 2012, in a telephone conversation
2 using coded language, defendant SALAZAR asked defendant COFER if
3 defendant SALAZAR could buy drugs on credit because defendant
4 SALAZAR had only \$350, and defendant SALAZAR promised to pay
5 defendant COFER the remaining money for the drugs the following
6 day.

7 241. On February 19, 2012, in a telephone conversation
8 using coded language, defendant SALAZAR told defendant COFER
9 that defendant SALAZAR had the remaining money for the drug
10 transaction that took place between them the previous day.

11 242. On February 19, 2012, in a telephone conversation
12 using coded language, defendant SALAZAR told defendant COFER
13 that the drugs weighed 6.4 grams, which was less than the
14 agreed-upon weight, and defendant COFER agreed to provide the
15 remaining drugs to defendant SALAZAR at a later date.

16 243. On February 19, 2012, defendant MATA possessed a
17 loaded .380 caliber semi-automatic pistol, approximately .03
18 grams of methamphetamine, three stolen credit cards, and a
19 stolen social security card in a motel room in West Covina,
20 California.

21 244. On February 20, 2012, defendant RUIZ caused \$400 in
22 extortionate taxes collected by the El Monte Flores gang to be
23 sent to defendant J. GUTIERREZ via Western Union.

24 245. On February 23, 2012, in a telephone conversation
25 using coded language, defendant LAFARGO told defendant COFER
26 that defendant LAFARGO's dispute with defendant SALAS started
27 when defendant SALAS directed an unidentified co-conspirator to
28 sell drugs in the same area where defendant LAFARGO was selling

1 drugs on behalf of Mexican Mafia member C.A. and defendant J.
2 GUTIERREZ, that defendants RUIZ and JARA were unable to resolve
3 the dispute, that defendants SALAS and TRINIDAD later confronted
4 and pointed firearms at defendant LAFARGO in front of defendant
5 LAFARGO's residence, and that defendant LAFARGO retaliated by
6 shooting at defendant SALAS but defendant LAFARGO missed and
7 defendant SALAS chased and shot at defendant LAFARGO and El
8 Monte Flores gang member A.B. after their car crashed.

9 246. On February 23, 2012, in a telephone conversation
10 using coded language, defendant LAFARGO told defendant COFER
11 that defendant LAFARGO was selling drugs for the El Monte Flores
12 gang and the Mexican Mafia before he was arrested and that
13 defendant LAFARGO was now selling drugs in prison, and defendant
14 LAFARGO asked defendant COFER to contact an unidentified co-
15 conspirator and tell the co-conspirator that defendant LAFARGO
16 worked for defendant COFER.

17 247. On February 23, 2012, defendant BESERRA possessed
18 approximately 6.0 grams of methamphetamine and 39.83 grams of
19 marijuana, pay-and-owe sheets, a digital scale, plastic baggies,
20 a knife, gang paraphernalia, and \$2,811 in U.S. currency in his
21 residence, located in El Monte Flores gang territory.

22 248. On February 24, 2012, in a telephone conversation
23 using coded language, defendant CASTELLANO told defendant COFER
24 that defendant CASTELLANO had been stopped by law enforcement
25 officers on "Roseglen Street" in El Monte, and defendant COFER
26 told defendant CASTELLANO to drink lots of water and to use the
27 bathroom to flush the packaged drugs out of her stomach.

28

1 249. On February 24, 2012, defendant SALAZAR possessed
2 approximately 1.9 grams of methamphetamine in his vehicle while
3 parked at the "Gibson Inn Motel," located in El Monte Flores
4 gang territory.

5 250. On February 26, 2012, in a telephone conversation
6 using coded language, defendant JARA told defendant COFER that
7 defendant JARA did not want to work with defendant RUIZ, and
8 defendant COFER told defendant JARA that defendants COFER and
9 RUIZ had reached an agreement and were collecting taxes together
10 in El Monte Flores gang territory.

11 251. On March 1, 2012, in a telephone conversation using
12 coded language, defendant COFER told defendant JARA that
13 defendants COFER and RUIZ were going to meet at the "Klingerman"
14 apartments in El Monte Flores gang territory later that day
15 because they were expecting a telephone call from defendant J.
16 GUTIERREZ to resolve a dispute over who could collect taxes at
17 "Crawford's Plaza."

18 252. On March 1, 2012, in a telephone conversation using
19 coded language, defendant J. GUTIERREZ told defendants COFER and
20 RUIZ that defendant RUIZ was allowed to collect taxes at
21 "Crawford's Plaza" on behalf of defendant J. GUTIERREZ because
22 defendant J. GUTIERREZ had been collecting taxes at "Crawford's
23 Plaza" before defendant COFER and Mexican Mafia member C.A.
24 started collecting taxes at that location, and defendant J.
25 GUTIERREZ refused to speak to defendant JARA to try to resolve
26 the dispute because defendant JARA was not providing Mexican
27 Mafia member C.A. all of the facts surrounding the dispute.
28

1 253. On March 1, 2012, in a telephone conversation using
2 coded language, defendant COFER told defendant JARA that
3 defendant J. GUTIERREZ had decided that defendant RUIZ was
4 allowed to collect taxes from "Crawford's Plaza" and that
5 defendant J. GUTIERREZ did not want to talk to defendant JARA to
6 resolve the dispute, and defendant JARA agreed to write a letter
7 to Mexican Mafia member C.A. to inform Mexican Mafia member C.A.
8 of the outcome of the dispute.

9 254. On March 6, 2012, defendant COFER possessed
10 approximately 7.9 grams of methamphetamine, a taser gun, a
11 digital scale, an empty bottle of oxycontin pills prescribed to
12 defendant CASTELLANO, debit cards in the name of defendant
13 SALAZAR, a credit card reader machine, and prison letters from
14 Mexican Mafia members.

15 255. On March 7, 2012, in a telephone conversation using
16 coded language, defendant COFER told defendant CASTELLANO that
17 defendant COFER had been arrested after law enforcement found
18 defendant COFER with methamphetamine in his possession, and
19 defendant CASTELLANO agreed to collect taxes with defendant
20 MACHADO.

21 256. On March 9, 2012, in a telephone conversation using
22 coded language, defendant COFER told defendant CASTELLANO to
23 collect taxes with defendant MACHADO from defendant LOMELI and
24 other unidentified co-conspirators while defendant COFER was
25 incarcerated, and defendant CASTELLANO agreed to collect the
26 taxes and provide the taxes collected to defendant JARA.

27 257. On March 20, 2012, in a telephone conversation using
28 coded language, defendant B. CORTEZ offered to sell 25 grams of

1 high quality heroin to an El Monte Flores gang member known to
2 the Grand Jury in exchange for \$700, or 25 grams of lower a
3 quality heroin in exchange for \$450.

4 258. On March 25, 2012, defendant JARA visited Mexican
5 Mafia member C.A. in Pelican Bay State Prison, and defendant
6 JARA told Mexican Mafia member C.A. that defendant RUIZ was
7 still working on behalf of defendant J. GUTIERREZ and requested
8 authority to have defendant RUIZ killed, but Mexican Mafia
9 member C.A. told defendant JARA to wait on killing defendant
10 RUIZ.

11 259. On March 27, 2012, in a telephone conversation using
12 coded language, defendant RUIZ told defendant J. GUTIERREZ that
13 defendant RUIZ was working to ensure that everyone was paying
14 taxes to defendant J. GUTIERREZ, that defendant BESERRA sent
15 money to defendant J. GUTIERREZ, and that defendant JARA was not
16 delivering messages to Mexican Mafia member C.A.

17 260. On March 27, 2012, in a telephone conversation using
18 coded language, defendant J. GUTIERREZ told defendant RUIZ that
19 defendants R. SANCHEZ and RUIZ needed to cooperate on all El
20 Monte Flores gang issues and that the Maxon Murders made the El
21 Monte Flores gang look bad in the eyes of the Mexican Mafia.

22 261. On April 3, 2012, in a text message by telephone,
23 defendant B. CORTEZ told an El Monte Flores gang member known to
24 the Grand Jury that she wanted to purchase a firearm in exchange
25 for \$200.

26 262. On April 4, 2012, defendant CORDERO possessed
27 approximately 2.4 grams of methamphetamine, a digital scale, six
28 rounds of .357 ammunition, and one round of 12-gauge shotgun

1 ammunition in his residence, located in El Monte Flores gang
2 territory.

3 263. On April 10, 2012, in a text message by telephone,
4 defendant B. CORTEZ told defendant M. CORTEZ that defendant B.
5 CORTEZ had heroin for sale and asked defendant M. CORTEZ to find
6 customers for the heroin.

7 264. On April 17, 2012, co-conspirator S. Hernandez
8 possessed approximately 2.0 grams of methamphetamine, plastic
9 baggies, and a scale in El Monte Flores gang territory.

10 265. On April 18, 2012, defendant COFER told an El Monte
11 Flores gang member known to the Grand Jury that defendant COFER
12 paid taxes to Mexican Mafia member C.A. and defendant JARA, that
13 defendant RUIZ and other El Monte Flores gang members had to pay
14 taxes to the Mexican Mafia for drug sales inside El Monte Flores
15 gang territory but were allowed to sell drugs outside of El
16 Monte Flores gang territory without paying taxes to the Mexican
17 Mafia, and that defendant BESERRA sells drugs on behalf of
18 defendant J. GUTIERREZ.

19 266. On April 21, 2012, defendant MATA and an unindicted
20 co-conspirator followed victim T.S. to T.S.'s home in rival gang
21 territory, and they attempted to kill T.S. by firing two shots
22 at T.S. in front of T.S.'s home.

23 267. On May 9, 2012, defendant MACHADO possessed 57 rounds
24 of 12-gauge shotgun ammunition, four shaved automobile keys,
25 handcuffs, and El Monte Flores gang paraphernalia at his
26 residence, located in El Monte Flores gang territory.

1 268. On May 17, 2012, in a telephone conversation using
2 coded language, defendant GOMEZ agreed to sell drugs to
3 defendant B. CORTEZ later that day.

4 269. On May 17, 2012, in a telephone conversation using
5 coded language, defendant GOMEZ told defendant B. CORTEZ that
6 defendant GOMEZ would arrive at the meeting location for their
7 scheduled drug transaction in five minutes, and defendant GOMEZ
8 jokingly told defendant B. CORTEZ to "say no to drugs."

9 270. On May 18, 2012, in a telephone conversation using
10 coded language, defendant B. CORTEZ told defendant GOMEZ that
11 defendant B. CORTEZ urgently needed drugs and that defendant
12 GOMEZ's drugs were high quality.

13 271. On May 24, 2012, defendant MATA and an unindicted El
14 Monte Flores gang member drove a stolen Porsche and led law
15 enforcement officers on a high-speed car chase through El Monte
16 Flores gang territory.

17 272. On May 29, 2012, defendant BESERRA possessed a digital
18 scale smeared with methamphetamine residue, one round of 12-
19 gauge ammunition, as well as stolen checks, bank records, credit
20 cards, and California identification cards, all in his
21 residence, located in El Monte Flores gang territory.

22 273. On June 3, 2012, defendant COFER possessed
23 approximately 31.9 grams of methamphetamine and .12 grams of
24 heroin, as well as a loaded .380 caliber firearm, at the "Monte
25 Carlo Inn" in Azusa, California.

26 274. On June 4, 2012, in a telephone conversation using
27 coded language, defendant R. SANCHEZ told defendant J. GUTIERREZ
28 that Mexican Mafia member A.V. was encroaching on El Monte

1 Flores gang territory, and defendant J. GUTIERREZ told defendant
2 R. SANCHEZ that defendant J. GUTIERREZ regretted voting in favor
3 of Mexican Mafia member A.V.'s induction into the Mexican Mafia
4 as a member.

5 275. On June 14, 2012, co-conspirator Ramos possessed
6 approximately 18.07 grams of heroin in his vehicle.

7 276. On June 14, 2012, co-conspirator Ramos possessed pay-
8 and-owe sheets and a container of a drug cutting agent at his
9 residence.

10 277. On June 18, 2012, defendant A. HERNANDEZ possessed
11 approximately 3.19 grams of methamphetamine packaged for
12 distribution and attempted to rent a room at the "Gibson Inn
13 Motel," located in El Monte Flores gang territory, to use as a
14 location to sell the methamphetamine.

15 278. On June 23, 2012, defendants RUIZ and BALLESTEROS and
16 80 other El Monte Flores gang members held a meeting at the Boys
17 & Girls Club of America, during which a fight occurred between
18 unidentified El Monte Flores gang members.

19 279. On June 26, 2012, defendant JARA sent \$115 in
20 extortionate taxes collected by the El Monte Flores gang to
21 Mexican Mafia member C.A. via wire transfer.

22 280. On July 3, 2012, defendant R. SANCHEZ possessed
23 approximately 26.9 grams of methamphetamine, a loaded .22
24 caliber firearm, a silencer threaded to attach to the barrel of
25 the .22 caliber firearm, a loaded .38 caliber revolver, 192
26 rounds of .22 caliber ammunition, and a bullet-proof vest in his
27 residence.

1 281. On July 11, 2012, in a telephone conversation using
2 coded language, defendant TRINIDAD agreed to sell
3 methamphetamine to a law enforcement confidential informant
4 ("CI-3") in exchange for \$2,300 to be paid later that day.

5 282. On July 11, 2012, defendant TRINIDAD sold
6 approximately 108.9 grams of methamphetamine to CI-3 in exchange
7 for \$2,300.

8 283. On July 21, 2012, defendant BESERRA possessed
9 approximately 2.43 grams of methamphetamine, packaged for
10 distribution, in his vehicle.

11 284. On July 21, 2012, in a text message by telephone,
12 defendant B. CORTEZ offered to trade an AK-47 assault rifle to
13 an El Monte Flores gang member known to the Grand Jury in
14 exchange for two pistols.

15 285. On July 21, 2012, in a text message by telephone,
16 defendant B. CORTEZ agreed to sell an AK-47 assault rifle to an
17 El Monte Flores gang member known to the Grand Jury in exchange
18 for \$800.

19 286. On July 26, 2012, defendant JURADO possessed
20 approximately 1.61 grams of heroin, plastic baggies, and \$277 in
21 U.S. currency in his residence, located in El Monte Flores gang
22 territory.

23 287. On August 1, 2012, defendant J. GARCIA possessed a
24 loaded .45 caliber firearm, a loaded .32 caliber firearm with an
25 "F" sticker, approximately 13.6 grams of methamphetamine and
26 25.2 grams of cocaine, a digital scale, \$559 in U.S. currency,
27 and El Monte Flores gang paraphernalia in his residence, located
28 in El Monte Flores gang territory.

1 288. On August 19, 2012, defendant COFER possessed a
2 Western Union receipt in the amount of \$380.

3 289. On September 3, 2012, an unidentified rival gang
4 member from the Duarte street gang called an El Monte Flores
5 gang member known to the Grand Jury and asked the gang member to
6 tell defendant COFER that the unidentified rival gang member
7 wanted to talk to defendant COFER about how defendant
8 BALLESTEROS stabbed a Duarte gang member in Huntington Beach,
9 California, in retaliation for the murder of an El Monte Flores
10 gang member, and the unidentified rival gang member was upset
11 because the Duarte gang had paid taxes to the El Monte Flores
12 gang as compensation for the murder of the El Monte Flores gang
13 member.

14 290. On September 3, 2012, defendant COFER called an
15 unidentified rival gang member from the Duarte street gang and
16 told the unidentified rival gang member that he would find out
17 why the Duarte gang member was stabbed in Huntington Beach,
18 California.

19 291. On September 22, 2012, defendant A. HERNANDEZ and an
20 unindicted El Monte Flores gang member used force to take
21 baseball hats from the "Su Casa" store, located in El Monte
22 Flores gang territory, while the unindicted El Monte Flores gang
23 member possessed approximately 2.15 grams of methamphetamine
24 packaged for distribution and 6.75 grams of marijuana.

25 292. On September 29, 2012, defendants RUIZ and BALLESTEROS
26 and an El Monte Flores gang member known to the Grand Jury met
27 at the Los Angeles County Fair, and defendant BALLESTEROS
28 admitted that defendant BALLESTEROS and an unindicted co-

1 conspirator fought an unidentified rival gang member from the
2 Duarte street gang in Huntington Beach, California, and that the
3 unidentified Duarte gang member was stabbed in the leg during
4 the fight.

5 293. On October 2, 2012, in a telephone conversation using
6 coded language, defendant LOMELI agreed to sell one-half ounce
7 of methamphetamine to a law enforcement confidential informant
8 ("CI-4") in exchange for \$300.

9 294. On October 2, 2012, defendant LOMELI sold
10 approximately 13.3 grams of methamphetamine to CI-4 in exchange
11 for \$300.

12 295. On October 6, 2012, defendant LOMELI went to the Boys
13 & Girls Club of America and offered to sell methamphetamine to
14 an El Monte Flores gang member known to the Grand Jury, and
15 defendant LOMELI told the gang member that defendant LOMELI's
16 methamphetamine source of supply quoted defendant LOMELI low
17 prices.

18 296. On October 6, 2012, defendant BALLESTEROS went to the
19 Boys & Girls Club of America and told an El Monte Flores gang
20 member known to the Grand Jury that defendant BALLESTEROS was
21 involved in a fight between a rival gang member from the Duarte
22 street gang and an unindicted El Monte Flores gang member in
23 Huntington Beach, California, because the Duarte gang did not
24 handle a gang dispute properly.

25 297. On October 18, 2012, defendant LOMELI sold
26 approximately 81.8 grams of methamphetamine to an El Monte
27 Flores gang member known to the Grand Jury in exchange for
28 \$1,500.

1 298. On October 23, 2012, defendant A. HERNANDEZ possessed
2 a loaded 12-gauge shotgun and fled from law enforcement officers
3 through El Monte Flores gang territory.

4 299. On October 30, 2012, defendant COFER sent \$60 in
5 extortionate taxes collected by the El Monte Flores gang to
6 Mexican Mafia member C.A. via Moneygram.

7 300. On November 3, 2012, in a telephone conversation using
8 coded language, defendant R. SANCHEZ told defendant J. GUTIERREZ
9 that defendant R. SANCHEZ told unidentified El Monte Flores gang
10 members to send taxes they collected directly to defendant J.
11 GUTIERREZ.

12 301. On November 18, 2012, in a telephone conversation
13 using coded language, defendant ROBERT RODRIGUEZ told Mexican
14 Mafia member R.S. that defendant ROBERT RODRIGUEZ had spoken to
15 defendant M. CORTEZ but defendant M. CORTEZ was still collecting
16 taxes and causing problems in El Monte Flores gang territory.

17 302. On January 3, 2013, defendant VALENCIA and unindicted
18 co-conspirators possessed a loaded 9mm firearm and approximately
19 .2 grams of methamphetamine in a truck, and they led law
20 enforcement officers on a high-speed car chase through El Monte
21 Flores gang territory.

22 303. On April 10, 2013, defendant MACHADO possessed two
23 loaded .380 caliber firearms, a loaded 20-gauge sawed-off
24 shotgun, and a silver "F" belt buckle in El Monte Flores gang
25 territory.

26 304. On April 19, 2013, defendant BALLESTEROS and four
27 unindicted co-conspirators attacked victims R.A., R.C., and E.C.
28 at the "Sunset Room," in Hacienda Heights, California, because

1 defendant BALLESTEROS believed that R.A., R.C., and E.C. had
2 shown disrespect to defendant BALLESTEROS and the El Monte
3 Flores gang.

4 305. On September 17, 2013, defendant A. HERNANDEZ
5 possessed approximately 3.28 grams of methamphetamine while
6 driving a stolen vehicle in El Monte Flores gang territory.

7 306. On November 7, 2013, defendant RIVERA met a law
8 enforcement confidential informant ("CI-5") at the Boys & Girls
9 Club of America and collected \$100 in extortionate taxes from
10 CI-5, told CI-5 that the taxes were going to be sent to Mexican
11 Mafia member C.A., and offered to sell drugs to CI-5.

12 307. On December 11, 2013, defendant RIVERA met CI-5 at the
13 Boys & Girls Club of America and offered to sell drugs to CI-5,
14 and defendant RIVERA told CI-5 that defendant RIVERA would
15 protect CI-5 from an unidentified co-conspirator if CI-5
16 purchased drugs from defendant RIVERA.

17 308. On January 9, 2014, in a telephone conversation using
18 coded language, defendant RIVERA told an unidentified co-
19 conspirator that defendant RIVERA and CI-5 would drive to the
20 unidentified co-conspirator's house to purchase methamphetamine.

21 309. On January 9, 2014, defendant RIVERA and an
22 unidentified co-conspirator sold approximately 54.3 grams of
23 methamphetamine to CI-5 in El Monte Flores gang territory.

24 310. On January 9, 2014, defendant RIVERA authorized CI-5
25 to sell drugs in El Monte Flores gang territory after defendant
26 RIVERA collected \$100 in extortionate taxes from CI-5, and
27 defendant RIVERA told CI-5 that defendant RIVERA carried a .22
28

1 caliber firearm and would protect CI-5 from harm while CI-5 sold
2 drugs in El Monte Flores gang territory.

3 311. On March 31, 2014, defendant SIERRA and an unindicted
4 co-conspirator hid a .22 caliber Derringer pistol in defendant
5 SIERRA's trailer, located in El Monte Flores gang territory, and
6 defendant SIERRA and the unindicted co-conspirator attempted to
7 flee from defendant SIERRA's trailer when law enforcement
8 approached it.

9 312. On April 11, 2014, defendant MUNOZ possessed
10 approximately 18.13 grams of methamphetamine, a digital scale,
11 and \$2,810 in U.S. currency.

12 313. On June 9, 2014, defendant A. HERNANDEZ fled from law
13 enforcement while in possession of approximately 9.2 grams of
14 methamphetamine, 4.6 grams of heroin, and 3.3 grams of cocaine
15 in El Monte Flores gang territory.

16 314. On June 12, 2014, defendant RICHARD RODRIGUEZ and an
17 unindicted co-conspirator posted a picture of defendant RICHARD
18 RODRIGUEZ flashing gang signs to Facebook to show his continued
19 allegiance to the El Monte Flores gang.

20
21 THE GRAND JURY FURTHER ALLEGES THAT:

22 1. Beginning on a date unknown to the Grand Jury, and
23 continuing to the date of this Indictment, in Los Angeles
24 County, within the Central District of California, and
25 elsewhere, defendants J. GUTIERREZ, R. SANCHEZ, ROBERT
26 RODRIGUEZ, COFER, RUIZ, RIVERA, M. GARCIA, JARA, M. GUTIERREZ,
27 MATA, SALAS, LAFARGO, BALLESTEROS, R. LOPEZ, J. GARCIA, MACHADO,
28 MCCORMICK, LOMELI, TRINIDAD, M. CORTEZ, B. CORTEZ, E. LOPEZ,

1 JURADO, VALENCIA, MUNOZ, GOMEZ, BESERRA, RICHARD RODRIGUEZ,
2 CORDERO, CADENA, A. HERNANDEZ, PONCE, BOWERS, SALAZAR, SIERRA,
3 CASTELLANO, and RAMIREZ, and others known and unknown to the
4 Grand Jury, conspired and agreed with each other to knowingly
5 and intentionally (i) possess with intent to distribute, and
6 (ii) distribute: at least 50 grams of methamphetamine, a
7 Schedule II controlled substance, and at least one kilogram of a
8 mixture or substance containing a detectable amount of heroin, a
9 Schedule I narcotic drug controlled substance, all in violation
10 of Title 21, United States Code, Sections 846, 841(a)(1), and
11 841(b)(1)(A).

12 2. On or about December 24, 2010, in Los Angeles County,
13 within the Central District of California, defendant MATA and
14 others, unlawfully, willfully, deliberately, and with
15 premeditation killed with malice aforethought rival gang member
16 D.D. in violation of California Penal Code Sections 31, 187, and
17 189.

18 3. On or about April 21, 2012, in Los Angeles County,
19 within the Central District of California, defendant MATA, and
20 others known and unknown to the Grand Jury, willfully,
21 deliberately, and with premeditation, unlawfully attempted to
22 kill with malice aforethought T.S., in violation of California
23 Penal Code Sections 21a, 31, 187, 189, and 664.

24 4. On or about August 8, 2010, in Los Angeles County,
25 within the Central District of California, defendant SALAS
26 willfully, deliberately, and with premeditation, unlawfully
27 attempted to kill with malice aforethought defendant LAFARGO and
28

1 A.B., in violation of California Penal Code Sections 21a, 187,
2 189, and 664.

3 5. On or about August 8, 2010, in Los Angeles County,
4 within the Central District of California, defendant LAFARGO,
5 and others known and unknown to the Grand Jury, willfully,
6 deliberately, and with premeditation, unlawfully attempted to
7 kill with malice aforethought defendant SALAS, in violation of
8 California Penal Code Sections 21a, 31, 187, 189, and 664.

9 6. Beginning on a date unknown, and continuing to on or
10 about August 8, 2010, in Los Angeles County, within the Central
11 District of California, defendant LAFARGO, and others known and
12 unknown to the Grand Jury, conspired to kill with malice
13 aforethought defendant SALAS, in violation of California Penal
14 Code Sections 182, 187, and 189.

15 All in violation of Title 18, United States Code, Section
16 1962(d).

COUNT TWO

[18 U.S.C. § 1959(a)(1)]

1
2
3 1. At all times relevant to this Indictment, the El Monte
4 Flores gang, as described more particularly in Paragraphs One
5 through Eighteen of the General Allegations of this Indictment,
6 which paragraphs are re-alleged and incorporated by reference as
7 if fully set forth herein, constituted an enterprise, as that
8 term is defined in Title 18, United States Code, Section
9 1959(b)(2), that is, a group of individuals associated in fact
10 which was engaged in, and the activities of which affected,
11 interstate and foreign commerce. The enterprise constituted an
12 ongoing organization whose members functioned as a continuing
13 unit for a common purpose of achieving the objectives of the
14 enterprise.

15 2. At all times relevant to this Indictment, the El Monte
16 Flores gang, through its members and associates, engaged in
17 racketeering activity, as defined in Title 18, United States
18 Code, Sections 1959(b)(1) and 1961(1), that is, acts involving
19 murder, robbery, and extortion, in violation of the California
20 Penal Code; and offenses involving the distribution of
21 controlled substances, including methamphetamine, heroin,
22 cocaine, and crack cocaine, in violation of Title 21, United
23 States Code, Sections 841(a)(1) and 846.

24 3. On or about December 24, 2010, in Los Angeles County,
25 within the Central District of California, for the purpose of
26 maintaining and increasing position in the El Monte Flores gang,
27 an enterprise engaged in racketeering activity, defendant JOHNNY
28 MATA, also known as "Minor," murdered victim D.D. with malice

1 aforethought, in violation of California Penal Code Sections 31,
2 187, and 189, all in violation of Title 18, United States Code,
3 Section 1959(a)(1).
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT THREE

[18 U.S.C. § 1959(a)(5)]

1
2
3 1. Paragraphs One through Eighteen of the General
4 Allegations of this Indictment and Paragraphs One and Two of
5 Count Two are hereby re-alleged and incorporated by reference as
6 if fully set forth herein.

7 2. On or about April 21, 2012, in Los Angeles County,
8 within the Central District of California, for the purpose of
9 maintaining and increasing position in the El Monte Flores gang,
10 an enterprise engaged in racketeering activity, defendant JOHNNY
11 MATA, also known as "Minor," knowingly attempted to murder
12 victim T.S., in violation of California Penal Code Sections 21a,
13 31, 187, 189, 664, all in violation of Title 18, United States
14 Code, Section 1959(a)(5).

COUNT FOUR

[18 U.S.C. § 1959(a)(5)]

1
2
3 1. Paragraphs One through Eighteen of the General
4 Allegations of this Indictment and Paragraphs One and Two of
5 Count Two are hereby re-alleged and incorporated by reference as
6 if fully set forth herein.

7 2. On or about August 8, 2010, in Los Angeles County,
8 within the Central District of California, for the purpose of
9 maintaining and increasing position in the El Monte Flores gang,
10 an enterprise engaged in racketeering activity, defendant JOSE
11 SALAS, also known as ("aka") "Violent," aka "Eddie Boy,"
12 knowingly attempted to murder defendant CHRISTIAN LAFARGO, aka
13 "Bossy," and victim A.B., in violation of California Penal Code
14 Sections 21a, 187, 189, and 664, all in violation of Title 18,
15 United States Code, Section 1959(a)(5).

16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT FIVE

[18 U.S.C. § 1959(a)(5)]

1
2
3 1. Paragraphs One through Eighteen of the General
4 Allegations of this Indictment and Paragraphs One and Two of
5 Count Two are hereby re-alleged and incorporated by reference
6 as if fully set forth herein.

7 2. On or about August 8, 2010, in Los Angeles County,
8 within the Central District of California, for the purpose of
9 maintaining and increasing position in the El Monte Flores gang,
10 an enterprise engaged in racketeering activity, defendant
11 CHRISTIAN LAFARGO, also known as "Bossy," knowingly attempted to
12 murder defendant JOSE SALAS, also known as ("aka") "Violent,"
13 aka "Eddie Boy," in violation of California Penal Code Sections
14 21a, 31, 187, 189, and 664, all in violation of Title 18, United
15 States Code, Section 1959(a)(5).
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT SIX

[18 U.S.C. § 1959(a)(5)]

1
2
3 1. Paragraphs One through Eighteen of the General
4 Allegations of this Indictment and Paragraphs One and Two of
5 Count Two are hereby re-alleged and incorporated by reference as
6 if fully set forth herein.

7 2. Beginning on a date unknown to the Grand Jury, and
8 continuing to on or about August 8, 2010, in Los Angeles County,
9 within the Central District of California, for the purpose of
10 maintaining and increasing position in the El Monte Flores gang,
11 an enterprise engaged in racketeering activity, defendant
12 CHRISTIAN LAFARGO, also known as "Bossy," and others known and
13 unknown to the Grand Jury, unlawfully and knowingly conspired to
14 murder defendant JOSE SALAS, also known as ("aka") "Violent,"
15 aka "Eddie Boy," in violation of California Penal Code Sections
16 182, 187, and 189, all in violation of Title 18, United States
17 Code, Section 1959(a)(5).
18
19
20
21
22
23
24
25
26
27
28

COUNT SEVEN

[21 U.S.C. § 846]

Paragraphs One through Eighteen of the General Allegations of this Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

A. OBJECTS OF THE CONSPIRACY

Beginning on a date unknown to the Grand Jury, and continuing to on or about the date of this Indictment, in Los Angeles County, within the Central District of California, and elsewhere, defendants JAMES GUTIERREZ, also known as ("aka") "Chemo" ("J. GUTIERREZ"), RICHARD MICHAEL SANCHEZ, aka "Pitbull" ("R. SANCHEZ"), ROBERT RODRIGUEZ, aka "Mosca" ("ROBERT RODRIGUEZ"), KENNETH COFER, aka "Shady" ("COFER"), LOUIS ARMANDO RUIZ, aka "Tall Luis," aka "Mike Lopez" ("RUIZ"), JOHN RIVERA, JR., aka "Beetle" ("RIVERA"), MARCO GARCIA, aka "Sleepy" ("M. GARCIA"), LENORE JARA ("JARA"), MARIE GUTIERREZ ("M. GUTIERREZ"), JOSE SALAS, aka "Violent," aka "Eddie Boy" ("SALAS"), CHRISTIAN LAFARGO, aka "Bossy" ("LAFARGO"), RICHARD BALLESTEROS, aka "Smiley" ("BALLESTEROS"), RAYMOND LOPEZ, aka "Loco Ray" ("R. LOPEZ"), JOSE LUIS GARCIA, aka "Lil Azteca" ("J. GARCIA"), ARNOLD MACHADO, aka "Chunks" ("MACHADO"), WILLIAM MCCORMICK, aka "Munchie" ("MCCORMICK"), RAFAEL LOMELI, aka "Pelon" ("LOMELI"), RUBEN TRINIDAD, aka "Turk," aka "E-Loc" ("TRINIDAD"), MICHELLE VICTORIA CORTEZ, aka "Dimples" ("M. CORTEZ"), BERNADETTE CORTEZ, aka "Smiley" ("B. CORTEZ"), ENRIQUE LOPEZ, aka "Kiki," "Ricky" ("E. LOPEZ"), MARK JURADO, aka "Marco" ("JURADO"), VINCENT CARLOS VALENCIA, aka "Solo" ("VALENCIA"), GUSTAVO MUNOZ, aka "Topo" ("MUNOZ"), ANTHONY

1 GOMEZ, aka "Kirby," "Chente" ("GOMEZ"), ALFRED BESERRA, aka
2 "Enemy" ("BESERRA"), RICHARD CASTRO RODRIGUEZ, aka "Turtle," aka
3 "Richy boy" ("RICHARD RODRIGUEZ"), SERGIO CORDERO, aka "Bam Bam"
4 ("CORDERO"), DANNY CADENA, aka "Serio" ("CADENA"), ANGEL
5 HERNANDEZ, aka "Gangster" ("A. HERNANDEZ"), RICHARD ANTHONY
6 PONCE, aka "Ricky Boy" ("PONCE"), KARL EUGENE BOWERS, aka
7 "Chino" ("BOWERS"), MARK JEREMY SALAZAR, aka "Huero"
8 ("SALAZAR"), MICHAEL SIERRA, aka "Mellow" ("SIERRA"), ANGELICA
9 CASTELLANO ("CASTELLANO"), MELQUIADES SANCHEZ, aka "Pelon" ("M.
10 SANCHEZ"), PEDRO SANCHEZ, aka "Toro" ("P. SANCHEZ"), MANUEL
11 RAMOS ("RAMOS"), and SALVADOR HERNANDEZ, aka "Tiburon" ("S.
12 HERNANDEZ"), and others known and unknown to the Grand Jury,
13 conspired and agreed with each other to knowingly and
14 intentionally (i) possess with intent to distribute, and (ii)
15 distribute, the following controlled substances:

16 1. at least 50 grams of methamphetamine, a Schedule II
17 controlled substance, in violation of Title 21, United States
18 Code, Sections 841(a)(1) and 841(b)(1)(A)(viii);

19 2. at least five grams of methamphetamine, a Schedule II
20 controlled substance, in violation of Title 21, United States
21 Code, Sections 841(a)(1) and 841(b)(1)(B)(viii);

22 3. at least one kilogram of a mixture or substance
23 containing a detectable amount of heroin, a Schedule I narcotic
24 drug controlled substance, in violation of Title 21, United
25 States Code, Sections 841(a)(1) and 841(b)(1)(A)(i);

26 4. at least 100 grams of a mixture or substance containing
27 a detectable amount of heroin, a Schedule I narcotic drug
28

1 controlled substance, in violation of Title 21, United States
2 Code, Sections 841(a)(1) and 841(b)(1)(B)(i);

3 5. at least 100 kilograms of a mixture or substance
4 containing a detectable amount of marijuana, a Schedule I
5 controlled substance, in violation of Title 21, United States
6 Code, Sections 841(a)(1) and 841(b)(1)(B)(ii);

7 6. hydrocodone, a Schedule II narcotic controlled
8 substance, in violation of Title 21, United States Code,
9 Sections 841(a)(1) and 841(b)(1)(C);

10 7. oxycodone, a Schedule II narcotic controlled
11 substance, in violation of Title 21, United States Code,
12 Sections 841(a)(1) and 841(b)(1)(C); and

13 8. pseudophedrine, a List I chemical, knowing or having
14 reasonable cause to believe that the pseudoephedrine would be
15 used to manufacture a controlled substance, namely,
16 methamphetamine, a Schedule II controlled substance, in
17 violation of Title 21, United States Code, Section 841(c)(2).

18 B. MEANS BY WHICH THE OBJECTS OF THE CONSPIRACY WERE TO BE
19 ACCOMPLISHED

20 The objects of the conspiracy were to be accomplished in
21 substance as follows:

22 1. Defendant J. GUTIERREZ, Mexican Mafia members F.B.,
23 R.S., and C.A., and others known and unknown to the Grand Jury,
24 would authorize El Monte Flores gang members to control drug
25 trafficking in El Monte Flores gang territory.

26 2. El Monte Flores gang "Keyholders," including
27 defendants COFER, RUIZ, and M. GARCIA, and others known and
28 unknown to the Grand Jury, would direct members of the El Monte

1 Flores gang to use violence and intimidation to control drug
2 trafficking in El Monte Flores gang territory.

3 3. Defendants COFER, RUIZ, and M. GARCIA, and others
4 known and unknown to the Grand Jury, would direct street dealers
5 selling drugs in El Monte Flores gang territory, including
6 defendants M. SANCHEZ, RAMOS, and S. HERNANDEZ, to pay "rent" or
7 "taxes" to the El Monte Flores gang in exchange for
8 "authorization" to sell drugs in El Monte Flores gang territory
9 and, in return, defendant M. SANCHEZ, RAMOS, and S. HERNANDEZ
10 were enabled to sell drugs in territory where those who did not
11 pay this "rent" or "taxes" were not authorized to sell drugs.

12 4. Defendants R. SANCHEZ, ROBERT RODRIGUEZ, COFER, RUIZ,
13 RIVERA, M. GARCIA, JARA, M. GUTIERREZ, MACHADO, M. CORTEZ, E.
14 LOPEZ, JURADO, VALENCIA, and CASTELLANO, and others known and
15 unknown to the Grand Jury, would collect or assist in the
16 collection of "rent" or "taxes" from street dealers in El Monte
17 Flores gang territory.

18 5. Defendants R. SANCHEZ, ROBERT RODRIGUEZ, COFER, RUIZ,
19 JARA, M. GUTIERREZ, E. LOPEZ, JURADO, and CASTELLANO, and others
20 known and unknown to the Grand Jury, would deliver "rent" or
21 "tax" payments collected by El Monte Flores gang members to
22 defendant J. GUTIERREZ and Mexican Mafia members R.S. and C.A.

23 6. Defendants R. SANCHEZ, ROBERT RODRIGUEZ, COFER, RUIZ,
24 JARA, M. GUTIERREZ, M. CORTEZ, E. LOPEZ, and JURADO, and others
25 known and unknown to the Grand Jury, would communicate with
26 members of the Mexican Mafia overseeing the El Monte Flores gang
27 about drug trafficking activity in El Monte Flores gang
28 territory.

1 7. Defendants R. SANCHEZ, ROBERT RODRIGUEZ, COFER, RUIZ,
2 RIVERA, M. GARCIA, JARA, M. GUTIERREZ, SALAS, LAFARGO,
3 BALLESTEROS, R. LOPEZ, J. GARCIA, MACHADO, MCCORMICK, LOMELI,
4 TRINIDAD, M. CORTEZ, B. CORTEZ, E. LOPEZ, JURADO, VALENCIA,
5 MUNOZ, GOMEZ, BESERRA, RICHARD RODRIGUEZ, CORDERO, CADENA, A.
6 HERNANDEZ, PONCE, BOWERS, SALAZAR, SIERRA, and CASTELLANO, and
7 others known and unknown to the Grand Jury, would possess with
8 the intent to distribute and distribute controlled substances in
9 El Monte Flores gang territory.

10 8. Defendants M. SANCHEZ, P. SANCHEZ, and RAMOS, and
11 others known and unknown to the Grand Jury, would supply members
12 of the El Monte Flores gang with controlled substances to
13 distribute to drug customers in El Monte Flores gang territory.

14 9. Defendants ROBERT RODRIGUEZ, COFER, RUIZ, JARA, and
15 BALLESTEROS, and others known and unknown to the Grand Jury,
16 would participate in El Monte Flores gang meetings in order to
17 discuss the gang's control of drug trafficking in its territory.

18 10. Defendants R. SANCHEZ, COFER, RUIZ, SALAS, LAFARGO,
19 BALLESTEROS, J. GARCIA, MACHADO, TRINIDAD, M. CORTEZ, B. CORTEZ,
20 VALENCIA, MUNOZ, CADENA, A. HERNANDEZ, and SIERRA, and others
21 known and unknown to the Grand Jury, would plan, commit, and
22 threaten to commit acts of violence on behalf of the El Monte
23 Flores gang in order to enhance the reputation and authority of
24 the El Monte Flores gang, and permit the El Monte Flores gang to
25 maintain control of the drug trafficking activity in El Monte
26 Flores gang territory.

27 11. Defendants COFER, RIVERA, M. GARCIA, MATA, SALAS,
28 LAFARGO, BALLESTEROS, R. LOPEZ, J. GARCIA, MACHADO, TRINIDAD, B.

1 CORTEZ, VALENCIA, MUNOZ, BESERRA, RICHARD RODRIGUEZ, CORDERO,
2 CADENA, A. HERNANDEZ, PONCE, BOWERS, SALAZAR, and SIERRA, and
3 others known and unknown to the Grand Jury, would obtain and
4 possess firearms and other dangerous weapons, and would broker
5 firearms transactions, in order to enforce the authority of the
6 El Monte Flores gang in the gang's territory, exclude others
7 from El Monte Flores gang territory, and permit the El Monte
8 Flores gang to control the drug trafficking activity in its
9 territory.

10 C. OVERT ACTS

11 In furtherance of the conspiracy, and to accomplish the
12 objects of the conspiracy, defendants J. GUTIERREZ, R. SANCHEZ,
13 ROBERT RODRIGUEZ, COFER, RUIZ, RIVERA, M. GARCIA, JARA, M.
14 GUTIERREZ, SALAS, LAFARGO, BALLESTEROS, R. LOPEZ, J. GARCIA,
15 MACHADO, MCCORMICK, LOMELI, TRINIDAD, M. CORTEZ, B. CORTEZ, E.
16 LOPEZ, JURADO, VALENCIA, MUNOZ, GOMEZ, BESERRA, RICHARD
17 RODRIGUEZ, CORDERO, CADENA, A. HERNANDEZ, PONCE, BOWERS,
18 SALAZAR, SIERRA, CASTELLANO, M. SANCHEZ, P. SANCHEZ, RAMOS, and
19 S. HERNANDEZ, and others known and unknown to the Grand Jury,
20 committed various overt acts, within the Central District of
21 California, and elsewhere, including, but not limited to, the
22 overt acts numbered 1 through 314 as set forth in Count One,
23 which are hereby re-alleged and incorporated by reference as if
24 fully set forth herein.

COUNT EIGHT

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii)]

On or about August 31, 2010, in Los Angeles County, within the Central District of California, defendant RICHARD ANTHONY PONCE, also known as "Ricky Boy," knowingly and intentionally possessed with intent to distribute at least 50 grams, that is, approximately 1.8 kilograms, of methamphetamine, a Schedule II controlled substance.

COUNT NINE

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about November 5, 2010, in Los Angeles County, within the Central District of California, defendant RICHARD ANTHONY PONCE, also known as "Ricky Boy," knowingly and intentionally possessed with intent to distribute at least five grams, that is, approximately 17.1 grams, of methamphetamine, a Schedule II controlled substance.

COUNT TEN

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about November 30, 2010, in Los Angeles County,
within the Central District of California, defendant RICHARD
ANTHONY PONCE, also known as "Ricky Boy," knowingly and
intentionally possessed with intent to distribute at least five
grams, that is, approximately 18.03 grams, of methamphetamine, a
Schedule II controlled substance.

COUNT ELEVEN

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about January 18, 2011, in Los Angeles County, within the Central District of California, defendants MARK JEREMY SALAZAR, also known as ("aka") "Huero," and MICHAEL SIERRA, aka "Mellow," knowingly and intentionally distributed at least five grams, that is, approximately 13.7 grams, of methamphetamine, a Schedule II controlled substance.

COUNT TWELVE

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii)]

On or about January 24, 2011, in Los Angeles County, within the Central District of California, defendant MARCO GARCIA, also known as "Sleepy," knowingly and intentionally possessed with intent to distribute at least 50 grams, that is, approximately 155.4 grams, of methamphetamine, a Schedule II controlled substance.

COUNT THIRTEEN

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about February 17, 2011, in Los Angeles County,
within the Central District of California, defendant WILLIAM
MCCORMICK, also known as "Munchie," knowingly and intentionally
distributed at least five grams, that is, approximately 25.5
grams, of methamphetamine, a Schedule II controlled substance.

COUNT FOURTEEN

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii)]

On or about March 21, 2011, in Los Angeles County, within the Central District of California, defendant MELQUIADES SANCHEZ, also known as "Pelon," knowingly and intentionally possessed with intent to distribute at least 50 grams, that is, approximately 418.4 grams of methamphetamine, a Schedule II controlled substance.

COUNT FIFTEEN

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about April 27, 2011, in Los Angeles County, within the Central District of California, defendant MARK JEREMY SALAZAR, also known as "Huero," knowingly and intentionally possessed with intent to distribute at least five grams, that is, approximately 12.25 grams, of methamphetamine, a Schedule II controlled substance.

COUNT SIXTEEN

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about December 6, 2011, in Los Angeles County, within the Central District of California, defendant KENNETH COFER, also known as "Shady," knowingly and intentionally distributed at least five grams, that is, approximately 13.4 grams, of methamphetamine, a Schedule II controlled substance.

COUNT SEVENTEEN

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about January 25, 2012, in Los Angeles County, within the Central District of California, defendant KENNETH COFER, also known as "Shady," knowingly and intentionally distributed at least five grams, that is, approximately 12.9 grams, of methamphetamine, a Schedule II controlled substance.

COUNT EIGHTEEN

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about February 23, 2012, in Los Angeles County, within the Central District of California, defendant ALFRED BESERRA, also known as "Enemy," knowingly and intentionally possessed with intent to distribute at least five grams, that is, approximately 6.0 grams, of methamphetamine, a Schedule II controlled substance.

COUNT NINETEEN

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about June 3, 2012, in Los Angeles County, within the Central District of California, defendant KENNETH COFER, also known as "Shady," knowingly and intentionally possessed with intent to distribute at least five grams, that is, approximately 31.9 grams, of methamphetamine, a Schedule II controlled substance.

COUNT TWENTY

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about July 3, 2012, in Los Angeles County, within the Central District of California, defendant RICHARD MICHAEL SANCHEZ, also known as "Pitbull," knowingly and intentionally possessed with intent to distribute at least five grams, that is, approximately 26.9 grams, of methamphetamine, a Schedule II controlled substance.

COUNT TWENTY-ONE

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii)]

On or about July 11, 2012, in Los Angeles County, within the Central District of California, defendant RUBEN TRINIDAD, also known as ("aka") "Turk," aka "E-Loc," knowingly and intentionally distributed at least 50 grams, that is, approximately 108.9 grams, of methamphetamine, a Schedule II controlled substance.

COUNT TWENTY-TWO

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about August 1, 2012, in Los Angeles County, within the Central District of California, defendant JOSE LUIS GARCIA, also known as "Lil Azteca," knowingly and intentionally possessed with intent to distribute at least five grams, that is, approximately 13.6 grams, of methamphetamine, a Schedule II controlled substance.

COUNT TWENTY-THREE

[21 U.S.C. §§ 841(a)(1), (b)(1)(C)]

On or about August 1, 2012, in Los Angeles County, within the Central District of California, defendant JOSE LUIS GARCIA, also known as "Lil Azteca," knowingly and intentionally possessed with intent to distribute approximately 25.2 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II narcotic controlled substance.

COUNT TWENTY-FOUR

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about October 2, 2012, in Los Angeles County, within the Central District of California, defendant RAFAEL LOMELI, also known as "Pelon," knowingly and intentionally distributed at least five grams, that is, approximately 13.3 grams, of methamphetamine, a Schedule II controlled substance.

COUNT TWENTY-FIVE

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii)]

On or about October 18, 2012, in Los Angeles County, within the Central District of California, defendant RAFAEL LOMELI, also known as "Pelon," knowingly and intentionally distributed at least 50 grams, that is, approximately 81.8 grams, of methamphetamine, a Schedule II controlled substance.

COUNT TWENTY-SIX

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii)]

On or about January 9, 2014, in Los Angeles County, within the Central District of California, defendant JOHN RIVERA, JR., also known as "Beetle," knowingly and intentionally distributed at least 50 grams, that is, approximately 54.3 grams, of methamphetamine, a Schedule II controlled substance.

COUNT TWENTY-SEVEN

[18 U.S.C. § 924(c)(1)(A)(iii)]

On or about August 8, 2010, in Los Angeles County, within the Central District of California, defendant JOSE SALAS, also known as ("aka") "Violent," aka "Eddie Boy," knowingly used and carried a loaded firearm during and in relation to, and possessed that firearm in furtherance of, a crime of violence, namely, conspiracy to engage in racketeering activity, in violation of Title 18, United States Code, Section 1962(d), as charged in Count One of this Indictment, and attempted murder in aid of racketeering activity, in violation of Title 18, United States Code, Section 1959(a)(5), as charged in Count Four of this Indictment, and in so doing, brandished and discharged the firearm.

COUNT TWENTY-EIGHT

[18 U.S.C. § 924(c)(1)(A)(iii)]

On or about August 8, 2010, in Los Angeles County, within the Central District of California, defendant CHRISTIAN LAFARGO, also known as "Bossy," knowingly used and carried at least one of the following firearms, namely, a loaded Colt, .38 caliber revolver, bearing serial number 341575, and a loaded Star, model Firestar, .40 caliber pistol, bearing serial number 2108019, during and in relation to, and possessed at least one of those firearms in furtherance of, a crime of violence, namely, conspiracy to engage in racketeering activity, in violation of Title 18, United States Code, Section 1962(d), as charged in Count One of this Indictment, and attempted murder and conspiracy to commit murder in aid of racketeering activity, in violation of Title 18, United States Code, Section 1959(a)(5), as charged in Counts Five and Six of this Indictment, and in so doing, brandished and discharged at least one of those firearms.

COUNT TWENTY-NINE

[18 U.S.C. § 924(c)(1)(A)(i)]

On or about November 5, 2010, in Los Angeles County, within the Central District of California, defendant RICHARD ANTHONY PONCE, also known as "Ricky Boy," knowingly possessed at least one of the following firearms, namely, a Smith & Wesson, model 19, .357 caliber revolver, bearing serial number 71K2541, a loaded Sig Sauer, model P226, 9mm pistol, bearing serial number U559146, and a Beretta, model PX4 Storm, 9mm pistol, bearing serial number PX32383, in furtherance of a drug trafficking crime, namely, conspiracy to possess with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Section 846, as charged in Count Seven of this Indictment.

COUNT THIRTY

[18 U.S.C. § 924(c)(1)(A)(i)]

On or about November 30, 2010, in Los Angeles County, within the Central District of California, defendant RICHARD ANTHONY PONCE, also known as "Ricky Boy," knowingly possessed at least one of the following firearms, namely, a loaded Glock, model 27, .40 caliber pistol, bearing serial number GYE743, and a loaded Hi-Point, model 995, 9mm rifle, with an obliterated serial number, in furtherance of a drug trafficking crime, namely, conspiracy to possess with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Section 846, as charged in Count Seven of this Indictment, and possession with intent to distribute methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(B)(viii), as charged in Count Ten of this Indictment.

COUNT THIRTY-ONE

[18 U.S.C. §§ 924(c)(1)(A)(iii), (j)(1)]

On or about December 24, 2010, in Los Angeles County, within the Central District of California, defendant JOHNNY MATA, also known as "Minor" ("MATA"), knowingly used and carried a loaded firearm during and in relation to, and possessed that firearm in furtherance of, a crime of violence, namely, conspiracy to commit racketeering activity, in violation of Title 18, United States Code, Section 1962(d), as charged in Count One of this Indictment, and murder in aid of racketeering activity, in violation of Title 18, United States Code, Section 1959(a)(1), as charged in Count Two of this Indictment, and in so doing, brandished and discharged that firearm.

In the commission of this offense, and through the use and discharge of the firearm, defendant MATA caused the death of victim D.D., and victim D.D.'s death constituted a murder, as defined in Title 18, United States Code, Section 1111.

COUNT THIRTY-TWO

[18 U.S.C. § 924(c) (1) (A) (i)]

On or about June 2, 2011, in Los Angeles County, within the Central District of California, defendant DANNY CADENA, also known as "Serio," knowingly possessed at least one of the following firearms, namely, a Walther, model PPK/S, .380 caliber pistol, bearing serial number 236926S, and a North American Arms, model NAA22, .22 caliber revolver, bearing serial number L076224, in furtherance of a drug trafficking crime, namely, conspiracy to possess with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Section 846, as charged in Count Seven of this Indictment.

COUNT THIRTY-THREE

[18 U.S.C. § 924(c)(1)(A)(i)]

On or about July 12, 2011, in Los Angeles County, within the Central District of California, defendant RICHARD CASTRO RODRIGUEZ, also known as "Turtle," knowingly used and carried a firearm, namely, a loaded Jennings Firearms Inc., model J-22, .22 caliber pistol, with an obliterated serial number, during and in relation to, and possessed that firearm in furtherance of, a drug trafficking crime, namely, conspiracy to possess with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Section 846, as charged in Count Seven of this Indictment.

COUNT THIRTY-FOUR

[18 U.S.C. § 924(c) (1) (A) (iii)]

On or about April 21, 2012, in Los Angeles County, within the Central District of California, defendant JOHNNY MATA, also known as "Minor," knowingly used and carried a loaded firearm during and in relation to, and possessed that firearm in furtherance of, a crime of violence, namely, conspiracy to commit racketeering activity, in violation of Title 18, United States Code, Section 1962(d), as charged in Count One of this Indictment, and attempted murder in aid of racketeering activity, in violation of Title 18, United States Code, Section 1959(a) (5), as charged in Count Three of this Indictment, and in so doing, brandished and discharged that firearm.

COUNT THIRTY-FIVE

[18 U.S.C. § 924(c)(1)(A)(i)]

On or about June 3, 2012, in Los Angeles County, within the Central District of California, defendant KENNETH COFER, also known as "Shady," knowingly used and carried a firearm, namely, a loaded Davis Industries, model P-380, .380 caliber pistol, bearing serial number AP268756, during and in relation to, and possessed that firearm in furtherance of, a drug trafficking crime, namely, conspiracy to possess with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Section 846, as charged in Count Seven of this Indictment, and possession with intent to distribute methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(B)(viii), as charged in Count Nineteen of this Indictment.

COUNT THIRTY-SIX

[18 U.S.C. §§ 924(c)(1)(A)(i), (c)(1)(B)(ii)]

On or about July 3, 2012, in Los Angeles County, within the Central District of California, defendant RICHARD MICHAEL SANCHEZ, also known as "Pitbull," knowingly possessed at least one of the following firearms, namely, a loaded Sturm Ruger, model Mark I, .22 caliber pistol, bearing serial number 11-52736, equipped with a silencer, and a loaded Colt, model Detective Special, .38 Special caliber revolver, bearing serial number 31641R, in furtherance of a drug trafficking crime, namely, conspiracy to possess with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Section 846, as charged in Count One of this Indictment, and possession with intent to distribute methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(B)(viii), as charged in Count Twenty of this Indictment.

COUNT THIRTY-SEVEN

[18 U.S.C. § 924(c) (1) (A) (i)]

On or about August 1, 2012, in Los Angeles County, within the Central District of California, defendant JOSE LUIS GARCIA, also known as "Lil Azteca," knowingly possessed at least one of the following firearms, namely, a loaded Colt, model M1911A1, .45 caliber firearm, bearing serial number 735414, and a loaded Walther, model PP, .32 caliber firearm, with an obliterated serial number, in furtherance of a drug trafficking crime, namely, conspiracy to possess with intent to distribute and to distribute controlled substances, in violation of Title 21, United States Code, Section 846, as charged in Count One of this Indictment, possession with intent to distribute methamphetamine, in violation of Title 21, United States Code, Sections 841(a) (1), (b) (1) (B) (viii), as charged in Count Twenty-Two of this Indictment, and possession with intent to distribute cocaine, in violation of Title 21, United States Code, Sections 841(a) (1), (b) (1) (C), as charged in Count Twenty-Three of this Indictment.

COUNT THIRTY-EIGHT

[18 U.S.C. § 922(g)(1)]

On or about August 8, 2010, in Los Angeles County, within the Central District of California, defendant CHRISTIAN LAFARGO, also known as "Bossy" ("LAFARGO"), knowingly possessed firearms, namely, a Colt, .38 caliber revolver, bearing serial number 341575, and a Star, model Firestar, .40 caliber pistol, bearing serial number 2108019, in and affecting interstate and foreign commerce.

Such possession occurred after defendant LAFARGO had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Taking Vehicle Without Owner's Consent, in violation of California Vehicle Code Section 10851(a), in the Superior Court of the State of California, County of Los Angeles, case number KA065316, on or about February 24, 2004;

(2) Felon in Possession of a Firearm, in violation of California Penal Code Section 12021(a)(1), in the Superior Court of the State of California, County of Los Angeles, case number KA087935, on or about January 5, 2010.

COUNT THIRTY-NINE

[18 U.S.C. § 922(g)(1)]

On or about August 31, 2010, in Los Angeles County, within the Central District of California, defendant RICHARD ANTHONY PONCE, also known as "Ricky Boy" ("PONCE"), knowingly possessed firearms, namely, a Glock, model 17, 9mm pistol, bearing serial number CSL808US, and a Springfield Armory, model XD9, 9mm pistol, bearing serial number US847148, and ammunition, namely, 16 rounds of RWS 9mm ammunition and 15 rounds of R-P 9mm ammunition, in and affecting interstate and foreign commerce.

Such possession occurred after defendant PONCE had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Possession of a Controlled Substance for Sale, in violation of California Health & Safety Code Section 11378, in the Superior Court of the State of California, County of San Bernardino, case number FVI013507, on or about July 19, 2001;

(2) Willful Discharge of a Firearm, in violation of California Penal Code Section 246.3, in the Superior Court of the State of California, County of Los Angeles, case number KA046838, on or about July 19, 2001;

(3) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11377(a), in the Superior Court of the State of California, County of Los Angeles, case number GA053274, on or about May 30, 2003;

(4) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11377(a), in the

1 Superior Court of the State of California, County of Los
2 Angeles, case number GA060878, on or about April 11, 2005.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT FORTY

[18 U.S.C. § 922(g)(1)]

On or about October 28, 2010, in Los Angeles County, within the Central District of California, defendant ALFRED BESERRA, also known as "Enemy" ("BESERRA"), knowingly possessed a firearm, namely, a Glock, model 22, .40 caliber pistol, bearing serial number FMG281, in and affecting interstate and foreign commerce.

Such possession occurred after defendant BESERRA had been convicted of a felony punishable by a term of imprisonment exceeding one year, namely, Receiving Stolen Property, in violation of California Penal Code Section 496(a), in the Superior Court of the State of California, County of Los Angeles, case number 2007029305, on or about September 5, 2007.

COUNT FORTY-ONE

[18 U.S.C. § 922(g)(1)]

On or about November 5, 2010, in Los Angeles County, within the Central District of California, defendant RICHARD ANTHONY PONCE, also known as "Ricky Boy" ("PONCE"), knowingly possessed firearms, namely, a Smith & Wesson, model 19, .357 caliber revolver, bearing serial number 71K2541, a Sig Sauer, model P226, 9mm pistol, bearing serial number U559146, and a Beretta, model PX4 Storm, 9mm pistol, bearing serial number PX32383, and ammunition, namely, 11 rounds of R-P 9mm ammunition, in and affecting interstate and foreign commerce.

Such possession occurred after defendant PONCE had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Possession of a Controlled Substance for Sale, in violation of California Health & Safety Code Section 11378, in the Superior Court of the State of California, County of San Bernardino, case number FVI013507, on or about July 19, 2001;

(2) Willful Discharge of a Firearm, in violation of California Penal Code Section 246.3, in the Superior Court of the State of California, County of Los Angeles, case number KA046838, on or about July 19, 2001;

(3) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11377(a), in the Superior Court of the State of California, County of Los Angeles, case number GA053274, on or about May 30, 2003;

(4) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11377(a), in the

1 Superior Court of the State of California, County of Los
2 Angeles, case number GA060878, on or about April 11, 2005.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT FORTY-TWO

[18 U.S.C. § 922(g)(1)]

On or about November 30, 2010, in Los Angeles County, within the Central District of California, defendant RICHARD ANTHONY PONCE, also known as "Ricky Boy" ("PONCE"), knowingly possessed firearms, namely, a Glock, model 27, .40 caliber pistol, bearing serial number GYE743, and a Hi-Point, model 995, 9mm rifle, with an obliterated serial number, and ammunition, namely, 17 rounds of Winchester .40 caliber ammunition and four rounds of Federal .40 caliber ammunition, in and affecting interstate and foreign commerce.

Such possession occurred after defendant PONCE had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Possession of a Controlled Substance for Sale, in violation of California Health & Safety Code Section 11378, in the Superior Court of the State of California, County of San Bernardino, case number FVI013507, on or about July 19, 2001;

(2) Willful Discharge of a Firearm, in violation of California Penal Code Section 246.3, in the Superior Court of the State of California, County of Los Angeles, case number KA046838, on or about July 19, 2001;

(3) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11377(a), in the Superior Court of the State of California, County of Los Angeles, case number GA053274, on or about May 30, 2003;

(4) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11377(a), in the

1 Superior Court of the State of California, County of Los
2 Angeles, case number GA060878, on or about April 11, 2005.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT FORTY-THREE

[18 U.S.C. § 922(g)(1)]

On or about November 30, 2010, in Los Angeles County, within the Central District of California, defendant RICHARD ANTHONY PONCE, also known as "Ricky Boy" ("PONCE"), knowingly possessed a firearm, namely, a Military Armament Corporation, model M10 (MAC-10), .45 caliber rifle, bearing serial number 82-0006634, in and affecting interstate and foreign commerce.

Such possession occurred after defendant PONCE had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Possession of a Controlled Substance for Sale, in violation of California Health & Safety Code Section 11378, in the Superior Court of the State of California, County of San Bernardino, case number FVI013507, on or about July 19, 2001;

(2) Willful Discharge of a Firearm, in violation of California Penal Code Section 246.3, in the Superior Court of the State of California, County of Los Angeles, case number KA046838, on or about July 19, 2001;

(3) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11377(a), in the Superior Court of the State of California, County of Los Angeles, case number GA053274, on or about May 30, 2003;

(4) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11377(a), in the Superior Court of the State of California, County of Los Angeles, case number GA060878, on or about April 11, 2005.

COUNT FORTY-FOUR

[18 U.S.C. § 922(g)(1)]

On or about June 2, 2011, in Los Angeles County, within the Central District of California, defendant DANNY CADENA, also known as "Serio" ("CADENA"), knowingly possessed firearms, namely, a Walther, model PPK/S, .380 caliber pistol, bearing serial number 236926S, and a North American Arms, model NAA22, .22 caliber revolver, bearing serial number L076224, in and affecting interstate and foreign commerce.

Such possession occurred after defendant CADENA had been convicted of a felony punishable by a term of imprisonment exceeding one year, namely, Violation of Civil Rights, in violation of California Penal Code Section 422.7(a), in the Superior Court of the State of California, County of Los Angeles, case number KA052731, on or about August 16, 2001.

COUNT FORTY-FIVE

[18 U.S.C. § 922(g)(1)]

On or about July 1, 2011, in Los Angeles County, within the Central District of California, defendant MICHAEL SIERRA, also known as "Mellow" ("SIERRA"), knowingly possessed a firearm, namely, a Bersa, model 83, .380 caliber pistol, bearing serial number 300098, in and affecting interstate and foreign commerce.

Such possession occurred after defendant SIERRA had been convicted of a felony punishable by a term of imprisonment exceeding one year, namely, Assault with a Deadly Weapon Not a Firearm, in violation of California Penal Code Section 245(a)(1), in the Superior Court of the State of California, County of Los Angeles, case number KA088847, on or about February 22, 2010.

COUNT FORTY-SIX

[18 U.S.C. § 922(g)(1)]

On or about August 16, 2011, in Los Angeles County, within the Central District of California, defendant RAYMOND LOPEZ, also known as "Loco Ray" ("R. LOPEZ"), knowingly possessed firearms, namely, a Smith & Wesson, model SW40VE, .40 caliber pistol, bearing serial number PDJ6871, and a Springfield Armory, model XD45, .45 caliber pistol, bearing serial number US619143, and ammunition, namely, 38 rounds of Federal Cartridge Company .45 caliber ammunition, 12 rounds of Winchester .45 caliber ammunition, and 11 rounds of Companhia Brasileira de Cartuchos .45 caliber ammunition, in and affecting interstate and foreign commerce.

Such possession occurred after defendant R. LOPEZ had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11350(a), in the Superior Court of the State of California, County of Los Angeles, case number KA001209, on or about December 1, 1989;

(2) Possession of a Controlled Substance for Sale, in violation of California Health & Safety Code Section 11351, in the Superior Court of the State of California, County of Los Angeles, case number KA019215, on or about October 4, 1993;

(3) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11377(a), in the Superior Court of the State of California, County of Los Angeles, case number KA067215, on or about July 29, 2004;

1 (4) Possession of a Controlled Substance, in violation of
2 California Health & Safety Code Section 11350(a), in the
3 Superior Court of the State of California, County of Los
4 Angeles, case number GA059046, on or about October 19, 2004;

5 (5) Taking Vehicle Without Owner's Consent, in violation
6 of California Vehicle Code Section 10851(a), in the Superior
7 Court of the State of California, County of Los Angeles, case
8 number KA069855, on or about March 14, 2005;

9 (6) Transportation/Sell a Controlled Substance, in
10 violation of California Health & Safety Code Section 11352(a),
11 in the Superior Court of the State of California, County of Los
12 Angeles, case number GA064902, on or about February 22, 2007.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT FORTY-SEVEN

[18 U.S.C. § 922(g)(1)]

On or about September 21, 2011, in Los Angeles County, within the Central District of California, defendant ENRIQUE LOPEZ, also known as ("aka") "Kiki," aka "Ricky" ("E. LOPEZ"), knowingly possessed ammunition, namely, three rounds of .380 caliber ammunition, in and affecting interstate and foreign commerce.

Such possession occurred after defendant E. LOPEZ had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Possession of Marijuana for Sale, in violation of California Health & Safety Code Section 11359, in the Superior Court of the State of California, County of Los Angeles, case number A89340, on or about June 22, 1989;

(2) Burglary, in violation of California Penal Code Section 459, in the Superior Court of the State of California, County of Los Angeles, case number KA009659, on or about September 26, 1991;

(3) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11350(a), in the Superior Court of the State of California, County of Los Angeles, case number KA026133, on or about March 2, 1995;

(4) Inflict Corporal Injury on Spouse, in violation of California Penal Code Section 273.5(a), in the Superior Court of the State of California, County of Los Angeles, case number KA060417, on or about February 5, 2003.

COUNT FORTY-EIGHT

[18 U.S.C. § 922(g)(1)]

On or about January 22, 2012, in Los Angeles County, within the Central District of California, defendant GUSTAVO MUNOZ, also known as "Topo" ("MUNOZ"), knowingly possessed a firearm, namely, a Rossi, .32 caliber revolver, bearing serial number 70741, and ammunition, namely, six rounds of FC .32 caliber ammunition and five rounds of R-P .38 caliber ammunition, in and affecting interstate and foreign commerce.

Such possession occurred after defendant MUNOZ had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Prevent and Dissuade Witness by Threats and Force, in violation of California Penal Code Section 136.1(c)(1), in the Superior Court of the State of California, County of Los Angeles, case number KA036372, on or about June 27, 1996;

(2) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11350(a), in the Superior Court of the State of California, County of Los Angeles, case number BA161981, on or about April 17, 1998.

COUNT FORTY-NINE

[18 U.S.C. § 922(g)(1)]

On or about January 26, 2012, in Los Angeles County, within the Central District of California, defendant GUSTAVO MUNOZ, also known as "Topo" ("MUNOZ"), knowingly possessed a firearm, namely, a Raven Arms, model MP25, .25 caliber pistol, bearing serial number 1088896, in and affecting interstate and foreign commerce.

Such possession occurred after defendant MUNOZ had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Prevent and Dissuade Witness by Threats and Force, in violation of California Penal Code Section 136.1(c)(1), in the Superior Court of the State of California, County of Los Angeles, case number KA036372, on or about June 27, 1996;

(2) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11350(a), in the Superior Court of the State of California, County of Los Angeles, case number BA161981, on or about April 17, 1998.

COUNT FIFTY

[18 U.S.C. § 922(g)(1)]

On or about April 4, 2012, in Los Angeles County, within the Central District of California, defendant SERGIO CORDERO, also known as "Bam Bam" ("CORDERO"), knowingly possessed ammunition, namely, two rounds of Federal .357 caliber ammunition, two rounds of R-P .357 caliber ammunition, two rounds of CCI .357 caliber ammunition, and one round of Remington 12-gauge shotgun ammunition, in and affecting interstate and foreign commerce.

Such possession occurred after defendant CORDERO had been convicted of a felony punishable by a term of imprisonment exceeding one year, namely, Possession of a Controlled Substance for Sale, in violation of California Health & Safety Code Section 11351, in the Superior Court of the State of California, County of Los Angeles, case number KA046701, on or about March 28, 2000.

COUNT FIFTY-ONE

[18 U.S.C. § 922(g)(1)]

On or about June 3, 2012, in Los Angeles County, within the Central District of California, defendant KENNETH COFER, also known as "Shady" ("COFER"), knowingly possessed ammunition, namely, six rounds of Federal .380 caliber ammunition, in and affecting interstate and foreign commerce.

Such possession occurred after defendant COFER had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Taking Vehicle Without Owner's Consent, in violation of California Vehicle Code Section 10851(a), in the Superior Court of the State of California, County of Los Angeles, case number KA043814, on or about July 12, 2000;

(2) Possession of a Controlled Substance, in violation of California Health & Safety Code Section 11377(a), in the Superior Court of the State of California, County of Los Angeles, case number KA058200, on or about August 14, 2002;

(3) Transportation/Sell a Controlled Substance, in violation of California Health & Safety Code Section 11379(a), in the Superior Court of the State of California, County of Los Angeles, case number KA061031, on or about April 8, 2003;

(4) Using Other's Identification, in violation of California Penal Code Section 530.5(a), in the Superior Court of the State of California, County of Los Angeles, case number KA068533, on or about November 16, 2004;

(5) Transportation/Sell a Controlled Substance, in violation of California Health & Safety Code Section 11379(a),

1 in the Superior Court of the State of California, County of Los
2 Angeles, case number KA080601, on or about October 23, 2007.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

COUNT FIFTY-TWO

[18 U.S.C. § 922(g)(1)]

On or about July 3, 2012, in Los Angeles County, within the Central District of California, defendant RICHARD MICHAEL SANCHEZ, also known as "Pitbull" ("R. SANCHEZ"), knowingly possessed firearms, namely, a Sturm Ruger, model Mark I, .22 caliber pistol, bearing serial number 11-52736, and a Colt, model Detective Special, .38 Special caliber revolver, bearing serial number 31641R, and ammunition, namely, 100 rounds of Remington .22 caliber ammunition, 92 rounds of Super X .22 caliber ammunition, five rounds of Winchester .38 Special caliber ammunition, and two rounds of CBC .32 caliber ammunition, in and affecting interstate and foreign commerce.

Such possession occurred after defendant R. SANCHEZ had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Voluntary Manslaughter, in violation of California Penal Code Section 192.1, in the Superior Court of the State of California, County of Los Angeles, case number A514026, on or about April 17, 1973;

(2) Assault with a Deadly Weapon, in violation of California Penal Code Section 245(a), in the Superior Court of the State of California, County of Los Angeles, case number A518860, on or about March 11, 1976;

(3) Felon in Possession of a Firearm, in violation of California Penal Code Section 12021(a)(1), in the Superior Court of the State of California, County of Los Angeles, case number 267844, on or about August 24, 1981;

1 (4) Possession of a Controlled Substance for Sale, in
2 violation of California Health & Safety Code Section 11378, in
3 the Superior Court of the State of California, County of Los
4 Angeles, case number KA008666, on or about May 5, 1992.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT FIFTY-THREE

[18 U.S.C. § 922(g)(1)]

On or about October 23, 2012, in Los Angeles County, within the Central District of California, defendant ANGEL HERNANDEZ, also known as "Gangster" ("A. HERNANDEZ"), knowingly possessed a firearm, namely, a Maverick Arms, model 88, 12-gauge shotgun, bearing serial number MV18309A, and ammunition, namely, four rounds of Winchester 12-gauge shotgun ammunition, in and affecting interstate and foreign commerce.

Such possession occurred after defendant A. HERNANDEZ had been convicted of a felony punishable by a term of imprisonment exceeding one year, namely, Possession of a Controlled Substance for Sale, in violation of California Health & Safety Code Section 11378, in the Superior Court of the State of California, County of Los Angeles, case number KA098444, on or about September 12, 2012.

1
2
3 COUNT FIFTY-FOUR

4 [18 U.S.C. § 922(g)(1)]

5 On or about January 3, 2013, in Los Angeles County, within
6 the Central District of California, defendant VINCENT CARLOS
7 VALENCIA, also known as ("aka") "Solo," aka "Chente"
8 ("VALENCIA"), knowingly possessed a firearm, namely, a Taurus,
9 model PT 24/7 Pro C, 9mm pistol, bearing serial number TAO58343,
10 and ammunition, namely, five rounds of Wolf 9mm ammunition, five
11 rounds of R-P 9mm ammunition, and four rounds of FC 9mm
12 ammunition, in and affecting interstate and foreign commerce.

13 Such possession occurred after defendant VALENCIA had been
14 convicted of at least one of the following felonies, each
15 punishable by a term of imprisonment exceeding one year:

16 (1) Carrying a Concealed Weapon in a Vehicle, in violation
17 of California Penal Code Section 12025(a)(3), in the Superior
18 Court of the State of California, County of Los Angeles, case
19 number KA049310, on or about October 30, 2000;

20 (2) Taking Vehicle Without Owner's Consent, in violation
21 of California Vehicle Code Section, 10851(a), in the Superior
22 Court of the State of California, County of Los Angeles, case
23 number KA053637, on or about August 28, 2001;

24 (3) Felon in Possession of a Firearm, in violation of
25 California Penal Code Section 12021(a)(1), in the Superior Court
26 of the State of California, County of Los Angeles, case number
27 KA058178, on or about September 25, 2002;

28 (4) Possession of a Controlled Substance, in violation of
California Health & Safety Code Section 11350(a), in the

1 Superior Court of the State of California, County of Los
2 Angeles, case number RIF115244, on or about February 20, 2004;

3 (5) Illegal Possession of a Concealed Firearm, in
4 violation of California Penal Code Section 12021.1, in the
5 Superior Court of the State of California, County of Los
6 Angeles, case number KA072044, on or about September 2, 2005;

7 (6) Felon in Possession of a Firearm, in violation of
8 California Penal Code Section 12021(a)(1), in the Superior Court
9 of the State of California, County of Los Angeles, case number
10 KA087002, on or about July 6, 2009.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT FIFTY-FIVE

[18 U.S.C. § 922(g)(5)]

On or about April 4, 2012, in Los Angeles County, within the Central District of California, defendant SERGIO CORDERO, also known as "Bam Bam," who was then an alien illegally and unlawfully in the United States, knowingly possessed ammunition, namely, two rounds of Federal .357 caliber ammunition, two rounds of R-P .357 caliber ammunition, two rounds of CCI .357 caliber ammunition, and one round of Remington 12-gauge shotgun ammunition, in and affecting interstate and foreign commerce.

COUNT FIFTY-SIX

[26 U.S.C. § 5861(d)]

On or about November 30, 2010, in Los Angeles County, within the Central District of California, defendant RICHARD ANTHONY PONCE, also known as "Ricky Boy" ("PONCE"), knowingly possessed a firearm, namely, a Military Armament Corporation, model M10 (MAC-10), .45 caliber rifle, with a barrel of less than 16 inches in length, bearing serial number 82-0006634, which defendant PONCE knew to be a firearm and a rifle with a barrel of less than 16 inches in length, as defined in Title 26, United States Code, Sections 5845(a)(3) and 5845(c), and which had not been registered to defendant PONCE in the National Firearms Registration and Transfer Record, as required by Chapter 53, Title 26, United States Code.

COUNT FIFTY-SEVEN

[26 U.S.C. § 5861(d)]

On or about April 10, 2013, in Los Angeles County, within the Central District of California, defendant ARNOLD MACHADO, also known as "Chunks" ("MACHADO"), knowingly possessed a firearm, namely, a New England Firearms, model Pardner, 20-gauge shotgun with a barrel of less than 18 inches in length, bearing serial number NB213918, which defendant MACHADO knew to be a firearm and a shotgun with a barrel of less than 18 inches in length, as defined in Title 26, United States Code, Sections 5845(a)(2) and 5845(d), and which had not been registered to defendant MACHADO in the National Firearms Registration and Transfer Record, as required by Chapter 53, Title 26, United States Code.

COUNT FIFTY-EIGHT

[26 U.S.C. § 5861(d)]

On or about July 3, 2012, in Los Angeles County, within the Central District of California, defendant RICHARD SANCHEZ, also known as "Pitbull" ("R. SANCHEZ"), knowingly possessed a firearm, namely, a silencer, bearing no serial number, which defendant R. SANCHEZ knew to be a silencer, as defined in Title 26, United States Code, Section 5845(a)(7), and Title 18, United States Code, Section 921(a)(3), and which had not been registered to defendant R. SANCHEZ in the National Firearms Registration and Transfer Record, as required by Chapter 53, Title 26, United States Code.

COUNT FIFTY-NINE

[18 U.S.C. § 1956(h)]

Paragraphs One through Eighteen of the General Allegations are hereby re-alleged and incorporated by reference as if fully set forth herein.

A. OBJECT OF THE CONSPIRACY

Beginning on a date unknown to the Grand Jury, and continuing until on or about the date of this Indictment, in Los Angeles County, within the Central District of California, and elsewhere, defendants JAMES GUTIERREZ, also known as ("aka") "Chemo" ("J. GUTIERREZ"), RICHARD MICHAEL SANCHEZ, aka "Pitbull" ("R. SANCHEZ"), ROBERT RODRIGUEZ, aka "Mosca" ("ROBERT RODRIGUEZ"), KENNETH COFER, aka "Shady" ("COFER"), LOUIS ARMANDO RUIZ, aka "Tall Luis," aka "Mike Lopez" ("RUIZ"), LENORE JARA ("JARA"), MARIE GUTIERREZ ("M. GUTIERREZ"), ENRIQUE LOPEZ, aka "Kiki," aka "Ricky" ("E. LOPEZ"), MARK JURADO, aka "Marco" ("JURADO"), and ANGELICA CASTELLANO ("CASTELLANO"), and others known and unknown to the Grand Jury, conspired and agreed with each other to knowingly and intentionally conduct financial transactions, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, and which property was, in fact, the proceeds of specified unlawful activity, that is, robbery, extortion, identity theft, and conspiracy to possess with intent to distribute and to distribute methamphetamine, heroin, cocaine, cocaine base in the form of crack cocaine ("crack cocaine"), and marijuana, with the intent to promote the carrying on of said specified unlawful activity, and to conceal and disguise the

1 nature, location, source, ownership, and control of the proceeds
2 of said specified unlawful activity, in violation of Title 18,
3 United States Code, Sections 1956(a)(1)(A)(i), 1956(a)(1)(B)(i).

4 B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE
5 ACCOMPLISHED

6 The object of the conspiracy was to be accomplished in
7 substance as follows:

8 1. The Grand Jury hereby re-alleges and incorporates by
9 reference paragraphs One through Ten of Section B of Count One
10 of this Indictment.

11 2. The Grand Jury hereby re-alleges and incorporates by
12 reference paragraphs One through Eleven of Section B of Count
13 Seven of this Indictment.

14 3. Defendants R. SANCHEZ, ROBERT RODRIGUEZ, COFER, RUIZ,
15 JARA, M. GUTIERREZ, E. LOPEZ, JURADO, and CASTELLANO, and others
16 known and unknown to the Grand Jury, would collect extortionate
17 "rent" or "tax" payments derived from drug trafficking, robbery,
18 extortion, and identity theft, from El Monte Flores gang members
19 and associates, and drug traffickers and fraudulent document
20 vendors operating in El Monte Flores gang territory.

21 4. Defendants R. SANCHEZ, ROBERT RODRIGUEZ, COFER, RUIZ,
22 JARA, M. GUTIERREZ, E. LOPEZ, JURADO, and CASTELLANO, and others
23 known and unknown to the Grand Jury, would deliver extortionate
24 "rent" or "tax" payments derived from drug trafficking, robbery,
25 extortion, and identity theft to El Monte Flores gang members
26 and Mexican Mafia leaders.

27 5. Defendants R. SANCHEZ, ROBERT RODRIGUEZ, COFER, RUIZ,
28 JARA, M. GUTIERREZ, E. LOPEZ, JURADO, and CASTELLANO, and others

1 known and unknown to the Grand Jury, would deposit and direct
2 others to deposit a portion of the extortionate "rent" or "tax"
3 payments into the prison bank accounts of incarcerated El Monte
4 Flores gang members and Mexican Mafia leaders and members.

5 6. Defendants J. GUTIERREZ, R. SANCHEZ, ROBERT RODRIGUEZ,
6 COFER, RUIZ, JARA, M. GUTIERREZ, E. LOPEZ, JURADO, and
7 CASTELLANO, and others known and unknown to the Grand Jury,
8 would use proceeds derived from the sale of drugs, robbery,
9 extortion, identity theft, and the collection of extortionate
10 "rent" or "tax" payments, to conduct transactions in furtherance
11 of the El Monte Flores gang's drug trafficking and other
12 racketeering activities, including paying drug suppliers and
13 firearms suppliers.

14 C. OVERT ACTS

15 In furtherance of the conspiracy, and to accomplish the
16 object of the conspiracy, defendants J. GUTIERREZ, R. SANCHEZ,
17 ROBERT RODRIGUEZ, COFER, RUIZ, JARA, M. GUTIERREZ, E. LOPEZ,
18 JURADO, and CASTELLANO, and others known and unknown to the
19 Grand Jury, committed various overt acts, within the Central
20 District of California, and elsewhere, including, but not
21 limited to, the overt acts numbered 1 through 314 as set forth
22 in Count One, which are hereby re-alleged and incorporated by
23 reference as if fully set forth herein.

COUNT SIXTY

[8 U.S.C. §§ 1326(a), (b)(2)]

On or about April 4, 2012, defendant SERGIO CORDERO, also known as "Bambam" ("CORDERO"), an alien, who had been officially deported and removed from the United States on or about November 9, 2000, was found in Los Angeles County, within the Central District of California, after knowingly and voluntarily re-entering and remaining in the United States without having obtained permission from the Attorney General or his designated successor, the Secretary for Homeland Security, to reapply for admission to the United States following deportation and removal.

Defendant CORDERO's previously alleged deportation and removal from the United States occurred subsequent to defendant CORDERO's conviction for the following aggravated felony: Possession for Sale of a Controlled Substance, to wit, Cocaine, in violation of California Health and Safety Code Section 11351, on or about March 28, 2000, in the Superior Court of the State of California, County of Los Angeles, case number KA046701, a drug trafficking offense for which the sentence imposed was thirteen months or less.

COUNT SIXTY-ONE

[8 U.S.C. §§ 1326(a), (b)(1)]

On or about June 14, 2012, defendant MANUEL RAMOS ("RAMOS"), an alien, who had been officially deported and removed from the United States on or about July 10, 2003, August 26, 2003, November 12, 2003, September 4, 2008, November 12, 2010, and June 19, 2012, was found in Los Angeles County, within the Central District of California, after knowingly and voluntarily re-entering and remaining in the United States without having obtained permission from the Attorney General or his designated successor, the Secretary for Homeland Security, to reapply for admission to the United States following deportation and removal.

At least one of defendant RAMOS's previously alleged deportations and removals from the United States occurred subsequent to defendant RAMOS's conviction for the following aggravated felony: Transportation of a Controlled Substance, to wit, Heroin, in violation of California Health & Safety Code Section 11352(a), on or about April 17, 2003, in the Superior Court of the State of California, County of Los Angeles, case number KA060099; and Transportation of a Controlled Substance, to wit, Heroin, in violation of California Health & Safety Code Section 11352(a), on or about March 14, 2007, in the Superior Court of the State of California, County of Los Angeles, case number BA317592.

COUNT SIXTY-TWO

[8 U.S.C. § 1326(a)]

On or about March 21, 2011, defendant MELQUIADES SANCHEZ, also known as "Pelon," an alien, who had been officially deported and removed from the United States on or about February 27, 2004, was found in Los Angeles County, within the Central District of California, after knowingly and voluntarily re-entering and remaining in the United States without having obtained permission from the Attorney General or his designated successor, the Secretary for Homeland Security, to reapply for admission to the United States following deportation and removal.

FORFEITURE ALLEGATION ONE

[18 U.S.C. § 1963]

1
2
3 1. Paragraphs One through Eighteen of the General
4 Allegations are re-alleged and incorporated by reference as
5 though fully set forth herein.

6 2. The allegations contained in Count One of this
7 Indictment are hereby repeated, re-alleged, and incorporated by
8 reference herein as though fully set forth at length for the
9 purpose of alleging forfeiture pursuant to the provisions of
10 Title 18, United States Code, Section 1963 and Title 28, United
11 States Code, Section 2461(c). Pursuant to Rule 32.2, Fed. R.
12 Crim. P., notice is hereby given to the defendants that the
13 United States will seek forfeiture as part of any sentence, in
14 accordance with Title 18, United States Code, Section 1963, in
15 the event of any defendant's conviction under Count One this
16 Indictment.

17 3. Any and each defendant convicted of Count One of this
18 Indictment:

19 a. has acquired and maintained interests in
20 violation of Title 18, United States Code, Section 1962, which
21 interests are subject to forfeiture to the United States pursuant
22 to Title 18, United States Code, Section 1963(a)(1);

23 b. has an interest in, security of, claims against,
24 and property and contractual rights which afford a source of
25 influence over, the enterprise named and described herein which
26 the defendants established, operated, controlled, conducted, and
27 participated in the conduct of, in violation of Title 18, United
28 States Code, Section 1962, which interests, securities, claims,

1 and rights are subject to forfeiture to the United States
2 pursuant to Title 18, United States Code, Section 1963 (a) (2);
3 and

4 c. has property constituting and derived from
5 proceeds obtained, directly and indirectly, from racketeering
6 activity, in violation of Title 18, United States Code, Section
7 1962, which property is subject to forfeiture to the United
8 States pursuant to Title 18, United States Code, Section
9 1963(a) (3), in the event of any defendant's conviction under
10 Count One this Indictment.

11 4. Pursuant to Title 18, United States Code, Section
12 1963(m), each defendant shall forfeit substitute property, up to
13 the value of the property described in the preceding two
14 paragraphs, if, as the result of any act or omission of that
15 defendant, the property described in the preceding two
16 paragraphs, or any portion thereof (a) cannot be located upon
17 the exercise of due diligence; (b) has been transferred, sold
18 to, or deposited with a third party; (c) has been placed beyond
19 the jurisdiction of the court; (d) has been substantially
20 diminished in value; or (e) has been commingled with other
21 property that cannot be divided without difficulty.

22 5. Any defendant convicted of Count One of this
23 Indictment, and each such defendant, is jointly and severally
24 liable for the forfeiture obligations as alleged above.

1 FORFEITURE ALLEGATION TWO

2 [21 U.S.C. § 853]

3 1. Paragraphs One through Eighteen of the General
4 Allegations of this Indictment are re-alleged and incorporated
5 by reference as though fully set forth herein.

6 2. The allegations contained in Counts Seven through
7 Twenty-Six of this Indictment are hereby repeated, re-alleged,
8 and incorporated by reference herein as though fully set forth
9 at length for the purpose of alleging forfeiture pursuant to the
10 provisions of Title 21, United States Code, Section 853.

11 Pursuant to Rule 32.2, Fed. R. Crim. P., notice is hereby given
12 to the defendants that the United States will seek forfeiture as
13 part of any sentence in accordance with Title 21, United States
14 Code, Section 853, in the event of any defendant's conviction
15 under any of Counts Seven through Twenty-Six of this Indictment.

16 3. Each defendant convicted of any of Counts Seven
17 through Twenty-Six of this Indictment shall forfeit to the United
18 States the following:

19 a. All right, title, and interest in any and all
20 property, real or personal - - (i) constituting, or derived
21 from, any proceeds obtained, directly or indirectly, as a result
22 of any such offense; and (ii) used, or intended to be used, in
23 any manner or part, to commit, or to facilitate the commission
24 of any such offense; and

25 b. A sum of money equal to the total value of the
26 property described in paragraph 3.a. For each of Counts Seven
27 through Twenty-Six of this Indictment for which more than one
28 defendant is found guilty, each such defendant shall be jointly

1 and severally liable for the entire amount ordered forfeited
2 pursuant to that Count.

3 4. Pursuant to Title 21, United States Code, Section
4 853(p), each defendant convicted of any of Counts Seven through
5 Twenty-Six of this Indictment shall forfeit substitute property,
6 up to the total value of the property described in the preceding
7 paragraph if, as the result of any act or omission of a
8 defendant, the property described in the preceding paragraph, or
9 any portion thereof (a) cannot be located upon the exercise of
10 due diligence; (b) has been transferred, sold to, or deposited
11 with a third party; (c) has been placed beyond the jurisdiction
12 of the court; (d) has been substantially diminished in value; or
13 (e) has been commingled with other property that cannot be
14 divided without difficulty.

FORFEITURE ALLEGATION THREE

[18 U.S.C. § 924(d), 26 U.S.C. § 5872, and 28 U.S.C. § 2461(c)]

1. Paragraphs One through Eighteen of the General Allegations of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. The allegations contained in Counts Thirty-Eight through Fifty-Eight of this Indictment are hereby repeated, re-alleged, and incorporated by reference herein as though fully set forth at length for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 924(d), Title 26, United States Code, Section 5872, and Title 28, United States Code, Section 2461(c), in the event of any defendant's conviction under any of Counts Thirty-Eight through Fifty-Eight of this Indictment. Pursuant to Rule 32.2, Fed. R. Crim. P., notice is hereby given to the defendants that the United States will seek forfeiture as part of any sentence in accordance with Title 18, United States Code, Section 924(d), Title 26, United States Code, Section 5872, and Title 28, United States Code, Section 2461(c), in the event of any defendant's conviction under any of Counts Thirty-Eight through Fifty-Eight of this Indictment.

3. Upon any defendant's conviction under any of Counts Thirty-Eight through Fifty-Eight of this Indictment, such defendant shall forfeit to the United States any firearms and/or ammunition involved in, used, or received or possessed in the knowing commission of such offense.

4. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section

1 2461(c), each defendant shall forfeit substitute property, up to
2 the value of the property described in the preceding paragraph,
3 if, as the result of any act or omission of that defendant, the
4 property described in the preceding two paragraphs, or any
5 portion thereof (a) cannot be located upon the exercise of due
6 diligence; (b) has been transferred, sold to, or deposited with
7 a third party; (c) has been placed beyond the jurisdiction of
8 the court; (d) has been substantially diminished in value; or
9 (e) has been commingled with other property that cannot be
10 divided without difficulty.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 FORFEITURE ALLEGATION FOUR

2 [18 U.S.C. § 982(a)(1)]

3 1. Paragraphs One through Eighteen of the General
4 Allegations of this Indictment are re-alleged and incorporated
5 by reference as though fully set forth herein.

6 2. The allegations contained in Count Fifty-Nine of this
7 Indictment are hereby repeated, re-alleged, and incorporated by
8 reference herein as though fully set forth at length for the
9 purpose of alleging forfeiture pursuant to the provisions of
10 Title 18, United States Code, Section 982(a)(1), in the event of
11 any defendant's conviction under Count Fifty-Nine of this
12 Indictment. Pursuant to Rule 32.2(a) of the Federal Rules of
13 Criminal Procedure, notice is hereby given to defendants that
14 the United States will seek forfeiture as part of any sentence
15 in accordance with Title 18, United States Code, Section
16 982(a)(1), in the event of any defendant's conviction under
17 Count Fifty-Nine of this Indictment.

18 3. Each defendant convicted of Count Fifty-Nine of this
19 Indictment shall forfeit to the United States the following:

20 a. All right, title, and interest in any and all
21 property, real or personal, involved in or traceable to the
22 commission of any such offense or any transaction set forth in
23 Count Fifty-Nine of this Indictment; and

24 b. A sum of money equal to the total value of the
25 property described in paragraph 3.a. Should more than one
26 defendant be convicted of Count Fifty-Nine of this Indictment,
27 each such defendant shall be jointly and severally liable for
28 the entire amount ordered forfeited pursuant to that conviction.

1 4. Pursuant to Title 21, United States Code, Section
2 853(p), each defendant convicted of any of Count Fifty-Nine of
3 this Indictment shall forfeit substitute property, up to the
4 total value of the property described in the preceding paragraph
5 if, as the result of any act or omission of a defendant, the
6 property described in the preceding paragraph, or any portion
7 thereof (a) cannot be located upon the exercise of due
8 diligence; (b) has been transferred, sold to, or deposited with
9 a third party; (c) has been placed beyond the jurisdiction of
10 the

11 //

12 //

13 //

14

15

16

17

18

19

20

21

22

23

24

25


26

27

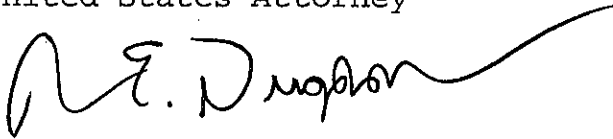
28

1 court; (d) has been substantially diminished in value; or (e)
2 has been commingled with other property that cannot be divided
3 without difficulty.

4
5
6
7
8 A TRUE BILL

9
10 
11 _____
Foreperson

12 ANDRÉ BIROTTE JR.
United States Attorney

13 
14
15 ROBERT E. DUGDALE
Assistant United States Attorney
16 Chief, Criminal Division

17 ELIZABETH R. YANG
Assistant United States Attorney
18 Chief, Violent and Organized Crime Section

19 E. MARTIN ESTRADA
Assistant United States Attorneys
20 Deputy Chief, Violent & Organized Crime Section

21 JEFF MITCHELL
Assistant United States Attorneys
22 Violent & Organized Crime Section