

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

GRAND JURY N-11-4

UNITED STATES OF AMERICA

CRIMINAL NO.

VIOLATIONS:

V.

ADRIAN PINZON-GALLARDO, a.k.a.
"The Mexican";

ANTOVANY ACOSTA, a.k.a. "Tony";

ARNOLDO AVINA-ROLON;

DAVID CASTELLANO-NUNEZ;

ZACARIAS CEPEDA-NUNEZ, a.k.a.

"Carlos";

JOEL CODERO-SANTIAGO, a.k.a. "Jose";

ALBERTO DELGADO, a.k.a. "Tito";

RAMON GOMEZ, a.k.a. "Moncho";

WILSON LEMUS;

LUIS PLASENCIA;

JAVISH ROSA;

SERGIO RUBIO;

JOSE HERNANDEZ, a.k.a. "Chieto";

DWIGHT BROWN;

ANGEL FLORES, a.k.a. "Flaco";

GABRIEL KELLY; and

GEORGE SOTO

21 U.S.C. §§ 841(a)(1), 841(b)(1)(A) and 846
(Conspiracy to Distribute and to Possess With
Intent to Distribute One Kilogram or More of
Heroin)

21 U.S.C. §§ 841(a)(1), 841(b)(1)(B) and 846
(Conspiracy to Distribute and to Possess With
Intent to Distribute 500 Grams or More of
Cocaine)

21 U.S.C. §§ 841(a)(1), 841(b)(1)(C) and 846
(Conspiracy to Distribute and to Possess With
Intent to Distribute Cocaine)

21 U.S.C. §§ 841(a)(1), 841(b)(1)(D) and 846
(Conspiracy to Distribute and to Possess With
Intent to Distribute Marijuana)

21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)
(Possession With Intent to Distribute One
Kilogram or More of Heroin)

21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C)
(Possession With Intent to Distribute and
Distribution of Heroin)

21 U.S.C. §§ 841(a)(1) and 841(b)(1)(D)
(Possession With Intent to Distribute Marijuana)

21 U.S.C. § 843(b) (Use of a Telephone to
Facilitate the Commission of a Drug
Trafficking Felony)

18 U.S.C. § 2 (Aiding and Abetting)

21 U.S.C. § 853 (Criminal Forfeiture)

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE

(Conspiracy to Distribute and to Possess With Intent
to Distribute One Kilogram or More of Heroin)

1. From approximately January 2011 through November 2011, the exact dates being unknown to the Grand Jury, in the District of Connecticut and elsewhere, the defendants, ADRIAN PINZON-GALLARDO, a.k.a. "The Mexican"; ANTOVANY ACOSTA, a.k.a. "Tony"; ARNOLDO AVINA-ROLON; SERGIO RUBIO; JOEL CODERO-SANTIAGO, a.k.a. "Jose"; RAMON GOMEZ, a.k.a. "Moncho"; DAVID CASTELLANO-NUNEZ; ZACARIAS CEPEDA-NUNEZ, a.k.a. "Carlos"; and ALBERTO DELGADO, a.k.a. "Tito"; and others known and unknown to the Grand Jury, did knowingly and intentionally conspire to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that the defendants, ADRIAN PINZON-GALLARDO, a.k.a. "The Mexican"; ANTOVANY ACOSTA, a.k.a. "Tony"; ARNOLDO AVINA-ROLON; SERGIO RUBIO; JOEL CODERO-SANTIAGO, a.k.a. "Jose"; RAMON GOMEZ, a.k.a. "Moncho"; DAVID CASTELLANO-NUNEZ; ZACARIAS CEPEDA-NUNEZ, a.k.a. "Carlos"; and ALBERTO DELGADO, a.k.a. "Tito"; and others known and unknown to the Grand Jury, would distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance involved in the offense was one kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(A)(i).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

(Conspiracy to Distribute and to Possess with Intent to Distribute
500 Grams or More of Cocaine)

4. From approximately June 2011 through August 2011, the exact dates being unknown to the Grand Jury, in the District of Connecticut and elsewhere, the defendants, ANTOVANY ACOSTA, a.k.a. "Tony," and JOEL CODERO-SANTIAGO, a.k.a. "Jose," and others known and unknown to the Grand Jury, did knowingly and intentionally conspire to violate the narcotics laws of the United States.

5. It was a part and an object of the conspiracy that the defendants, ANTOVANY ACOSTA, a.k.a. "Tony," and JOEL CODERO-SANTIAGO, a.k.a. "Jose," and others known and unknown to the Grand Jury, would distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

6. The controlled substance involved in the offense was 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B)(ii).

All in violation of Title 21, United States Code, Section 846.

COUNT THREE

(Conspiracy to Distribute and to Possess with Intent to Distribute
500 Grams or More of Cocaine)

7. On or about August 30, 2011, and for some time prior thereto, the exact dates being unknown to the Grand Jury, in the District of Connecticut, the defendants, ADRIAN PINZON-GALLARDO, a.k.a. "The Mexican"; SERGIO RUBIO; LUIS PLASENCIA and JAVISH ROSA, and others known and unknown to the Grand Jury, did knowingly and

intentionally conspire to violate the narcotics laws of the United States:

8. It was a part and an object of the conspiracy that the defendants, ADRIAN PINZON-GALLARDO, a.k.a. "The Mexican"; SERGIO RUBIO; LUIS PLASENCIA and JAVISH ROSA, and others known and unknown to the Grand Jury, would distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

9. The controlled substance involved in the offense was 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B)(ii).

In violation of Title 21, United States Code, Section 846.

COUNT FOUR

(Possession With Intent to Distribute and Distribution of Heroin)

10. On or about February 28, 2011, in the District of Connecticut, the defendant, ANTOVANY ACOSTA, a.k.a. "Tony," did knowingly and intentionally possess with intent to distribute, and did distribute, a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FIVE

(Possession With Intent to Distribute and Distribution of Heroin)

11. On or about March 4, 2011, in the District of Connecticut, the defendant, ANTOVANY ACOSTA, a.k.a. "Tony," did knowingly and intentionally possess with intent to distribute, and did distribute, a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT SIX

(Possession With Intent to Distribute and Distribution of Heroin)

12. On or about March 14, 2011, in the District of Connecticut, the defendant, ANTOVANY ACOSTA, a.k.a. "Tony," did knowingly and intentionally possess with intent to distribute, and did distribute, a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT SEVEN

(Possession With Intent to Distribute and Distribution of Heroin)

13. On or about July 19, 2011, in the District of Connecticut, the defendant, ALBERTO DELGADO, a.k.a. "Tito," did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT EIGHT

(Possession with Intent to Distribute 500 Grams or More of Cocaine)

14. On or about August 30, 2011, in the District of Connecticut, the defendants, LUIS PLASENCIA and JAVISH ROSA, did knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(ii), and Title 18, United States Code, Section 2(a).

COUNT NINE

(Possession with Intent to Distribute One Kilogram or More of Heroin)

15. On or about September 2, 2011, in the District of Connecticut and elsewhere, the defendants, ADRIAN PINZON-GALLARDO and ARNOLDO AVINA-ROLON, did knowingly and intentionally possess with intent to distribute one kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(i) and Title 18, United States Code, Section 2(a).

COUNT TEN

(Possession with Intent to Distribute Marijuana)

16. On or about October 27, 2011, in the District of Connecticut, the defendants, SERGIO RUBIO and WILSON LEMUS, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D) and Title 18, United States Code, Section 2(a).

COUNT ELEVEN

(Conspiracy to Distribute and to Possess with Intent to Distribute Marijuana)

17. From approximately May 2011 through June 2011, the exact dates being unknown to the Grand Jury, in the District of Connecticut, the defendants, JOSE HERNANDEZ, a.k.a. "Chieto"; ANGEL FLORES, a.k.a. "Flaco"; GABRIEL KELLY; and GEORGE SOTO; and others known and unknown to the Grand Jury, did knowingly and intentionally conspire to violate the narcotics laws of the United States.

18. It was a part and an object of the conspiracy that the defendants, JOSE

HERNANDEZ, a.k.a. "Chieto"; ANGEL FLORES, a.k.a. "Flaco"; GABRIEL KELLY; and GEORGE SOTO; and others known and unknown to the Grand Jury, would distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

19. The controlled substance involved in the offense was a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(D).

All in violation of Title 21, United States Code, Section 846.

COUNT TWELVE

(Conspiracy to Distribute and to Possess with Intent to Distribute Cocaine)

20. On or about May 13, 2011, and for some time prior thereto, the exact dates being unknown to the Grand Jury, in the District of Connecticut, the defendants, JOSE HERNANDEZ, a.k.a. "Chieto"; ANGEL FLORES, a.k.a. "Flaco"; and DWIGHT BROWN; and others known and unknown to the Grand Jury, did knowingly and intentionally conspire to violate the narcotics laws of the United States.

21. It was a part and an object of the conspiracy that the defendants, JOSE HERNANDEZ, a.k.a. "Chieto"; ANGEL FLORES, a.k.a. "Flaco"; and DWIGHT BROWN; and others known and unknown to the Grand Jury, would distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

22. The controlled substance involved in the offense was a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

All in violation of Title 21, United States Code, Section 846.

COUNT THIRTEEN

(Use of a Telephone to Facilitate Commission of a Drug Trafficking Felony)

23. On or about May 13, 2011, in the District of Connecticut, the defendant, JOSE HERNANDEZ, a.k.a. "Chieto," knowingly, intentionally and unlawfully used a communications facility, that is a telephone, to facilitate the knowing, intentional and unlawful possession with intent to distribute and the distribution of oxycontin, a Schedule II controlled substance, which acts are prohibited by the provisions of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 843(b).

COUNT FOURTEEN

(Use of a Telephone to Facilitate Commission of a Drug Trafficking Felony)

24. On or about May 13, 2011, in the District of Connecticut, the defendant, ANGEL FLORES, a.k.a. "Flaco," knowingly, intentionally and unlawfully used a communications facility, that is a telephone, to facilitate the knowing, intentional and unlawful possession with intent to distribute and the distribution of oxycontin, a Schedule II controlled substance, which acts are prohibited by the provisions of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 843(b).

COUNT FIFTEEN

(Use of a Telephone to Facilitate Commission of a Drug Trafficking Felony)

25. On or about May 13, 2011, in the District of Connecticut, the defendant, GEORGE SOTO, knowingly, intentionally and unlawfully used a communications facility, that is a telephone, to facilitate the knowing, intentional and unlawful possession with intent to distribute and the distribution of oxycontin, a Schedule II controlled substance, which acts are prohibited by the provisions of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 843(b).

COUNT SIXTEEN

(Use of a Telephone to Facilitate Commission of a Drug Trafficking Felony)

26. On or about June 3, 2011, in the District of Connecticut, the defendant, ANGEL FLORES, a.k.a. "Flaco," knowingly, intentionally and unlawfully used a communications facility, that is a telephone, to facilitate the knowing, intentional and unlawful possession with intent to distribute and the distribution of heroin, a Schedule I controlled substance, which acts are prohibited by the provisions of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 843(b).

COUNT SEVENTEEN

(Use of a Telephone to Facilitate Commission of a Drug Trafficking Felony)

27. On or about June 3, 2011, in the District of Connecticut, the defendant, DWIGHT BROWN, knowingly, intentionally and unlawfully used a communications facility, that is a telephone, to facilitate the knowing, intentional and unlawful possession with intent to distribute and the distribution of heroin, a Schedule I controlled substance, which acts are prohibited by the provisions of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 843(b).

FORFEITURE ALLEGATION

(Controlled Substance Offenses)

28. Upon conviction of one or more of the controlled substance offenses alleged in Counts One through Seventeen, the defendants, ADRIAN PINZON-GALLARDO, a.k.a. "The Mexican"; ANTOVANY ACOSTA, a.k.a. "Tony"; ARNOLDO AVINA-ROLON; SERGIO RUBIO; JOEL CODERO-SANTIAGO, a.k.a. "Jose"; RAMON GOMEZ, a.k.a. "Moncho"; DAVID CASTELLANO-NUNEZ; ZACHARIAS CEPEDA-NUNEZ, a.k.a. "Carlos"; ALBERTO DELGADO, a.k.a. "Tito"; LUIS PLASENCIA; JAVISH ROSA; WILSON LEMUS;

JOSE HERNANDEZ, a.k.a. "Chieto"; DWIGHT BROWN; ANGEL FLORES, a.k.a. "Elaco"; GABRIEL KELLY; and GEORGE SOTO, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, all right, title, and interest in any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the violations of Title 21, United States Code, Sections 841 and 846, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violations, and a sum of money equal to the total amount of proceeds obtained as a result of the offenses.

29. If any of the above-described forfeitable property, as a result of any act or omission of the defendants, cannot be located upon the exercise of due diligence, has been transferred, sold to, or deposited with a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property that cannot be divided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above.

All in accordance with Title 21, United States Code, Section 853, and Rule 32.2(a),
Federal Rules of Criminal Procedure.

A TRUE BILL

FOREPERSON

UNITED STATES OF AMERICA



DAVID B. FEIN
UNITED STATES ATTORNEY



S. DAVE VATTI
ASSISTANT UNITED STATES ATTORNEY