

U.S. DISTRICT COURT
SAN JUAN, PR

IN THE UNITED STATES DISTRICT COURT 2013 DEC 12 PM 4: 20
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

- [1] NESTOR CLASS-HERNANDEZ, aka "PAPITO," [Counts 1-8],
- [2] ANGEL A. MENDEZ-GONZALEZ, aka "CORINA," [Counts 1, 3-6],
- [3] AMAURY BALBINO-NAZARIO, aka "AMAURY," [Counts 1, 3-6],
- [4] CARLOS L. CARRERO-RAMOS, aka "CARLITOS" and "CARLOS EL GORDO," [Counts 1, 3-6],
- [5] LUIS FOSSE-MORALES, aka "PITO," [Counts 1, 3-7],
- [6] HENRY RODRIGUEZ-LOPEZ, aka "MOÑA," [Counts 1, 3-7],
- [7] OVIDIO DATIZ-RODRIGUEZ, [Counts 1, 3-6],
- [8] FRANCIS H. ROMAN-TAVARES, aka "FANFI" and "LA F," [Counts 1, 3-6],
- [9] JOSE J. LOPEZ-CALERO, aka "EL GORDO," [Counts 1-6],
- [10] ANA HERNANDEZ-VALENTIN, aka "LA TIA," [Counts 1-6],
- [11] ISOEL CUEVAS MEDINA, [Counts 1-6],
- [12] WILMY PACHECO-UREÑA, aka "CACO," [Counts 1-6],
- [13] JORGE ISRAEL BONILLA-IRIZARRY, [[Counts 1-6],
- [14] WILSON QUINTANA-HERNANDEZ, aka "BIMBO," [Counts 1-6],
- [15] JOSHUA CLASS-HERNANDEZ, [Counts 1-8],
- [16] MARK ANTHONY IRIZARRY-RIVERA, aka "MIKEY," [Counts 1-6],
- [17] JOSUE CLASS-HERNANDEZ, aka "CHINO," [Counts 1-7],

INDICTMENT

CRIMINAL NO. 13- 888 (ADC)

Violations:

COUNT ONE - Conspiracy
21 U.S.C. §§ 841(a)(1), 846, and 860

COUNT TWO – Distribute Heroin
21 U.S.C. §§ 841(a)(1) and 860
and 18 U.S.C. § 2

COUNT THREE – Distribute Crack
21 U.S.C. §§ 841(a)(1) and 860
and 18 U.S.C. § 2

COUNT FOUR – Distribute Cocaine
21 U.S.C. §§ 841(a)(1) and 860
and 18 U.S.C. § 2

COUNT FIVE – Distribute Marijuana
21 U.S.C. §§ 841(a)(1) and 860
and 18 U.S.C. § 2

COUNT SIX – Firearms Conspiracy
18 U.S.C. § 924(o)

COUNT SEVEN– Unlawful Dealing
18 U.S.C. § 922(a)(1)(A)

COUNT EIGHT – Possession by a Prohibited Person
18 U.S.C. § 922(g)(1)

Narcotics Forfeiture Allegation
21 U.S.C. § 853 and
Rule 32.2(a) F.R.C.P.

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| <p>[18] RUBEN ALEXIS RUIZ-VAZQUEZ, aka
"MOZAN," [Counts 1-6],</p> <p>[19] JOHANNA IRIZARRY-RODRIGUEZ,
[Counts 1-6],</p> <p>[20] JULIO RUIZ-MAYO, [Counts 1-6],</p> <p>[21] ONIEL J. RUIZ-TORRES, [Counts 1-6],</p> <p>[22] CARLOS CLAUDIO-AQUINO, aka
"CARLI BEMBA," [Counts 1-5],</p> <p>[23] NELSON JUNIO RUIZ-JUSTINIANO,
aka "ROCKERITO," [Counts 1-6],</p> <p>[24] ANNETTE GAYA-CONCEPCION,
[Counts 1-6],</p> <p>[25] JUAN C. BRACERO-CRESPO, aka
"JOAQUIN," [Counts 1-6], and</p> <p>[26] CHRISTOPHER ACEVEDO-DIAZ, aka
"BOCAJO," [Counts 1-6],</p> <p>Defendants.</p> | <p>(EIGHT COUNTS & FORFEITURE
ALLEGATIONS)</p> |
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THE GRAND JURY CHARGES:

COUNT ONE

**Conspiracy to Possess and Distribute Controlled Substances
Within a Protected Location**

Title 21, *United States Code*, Sections 841(a)(1), 846, and 860

Beginning on a date unknown, but no later than in or about the year 2010, and continuing up to and until the return of the instant Indictment, in the Municipality of Añasco, District of Puerto Rico and within the jurisdiction of this Court,

- [1] NESTOR CLASS-HERNANDEZ, aka "PAPITO,"
- [2] ANGEL A. MENDEZ-GONZALEZ, aka "CORINA,"
- [3] AMAURY BALBINO-NAZARIO, aka "AMAURY,"
- [4] CARLOS L. CARRERO-RAMOS, aka "CARLITOS" and "CARLOS EL GORDO,"
- [5] LUIS FOSSE-MORALES, aka "PITO,"
- [6] HENRY RODRIGUEZ-LOPEZ, aka "MOÑA,"
- [7] OVIDIO DATIZ-RODRIGUEZ,
- [8] FRANCIS H. ROMAN-TAVARES, aka "FANFI" and "LA F,"
- [9] JOSE J. LOPEZ-CALERO, aka "EL GORDO,"
- [10] ANA HERNANDEZ-VALENTIN, aka "LA TIA,"
- [11] ISOEL CUEVAS MEDINA,
- [12] WILMY PACHECO-UREÑA, aka "CACO,"
- [13] JORGE ISRAEL BONILLA-IRIZARRY,
- [14] WILSON QUINTANA-HERNANDEZ, aka "BIMBO,"

- [15] JOSHUA CLASS-HERNANDEZ,
- [16] MARK ANTHONY IRIZARRY-RIVERA, aka "MIKEY,"
- [17] JOSUE CLASS-HERNANDEZ, aka "CHINO,"
- [18] RUBEN ALEXIS RUIZ-VAZQUEZ, aka "MOZAN,"
- [19] JOHANNA IRIZARRY-RODRIGUEZ,
- [20] JULIO RUIZ-MAYO,
- [21] ONIEL J. RUIZ-TORRES,
- [22] CARLOS CLAUDIO-AQUINO, aka "CARLI BEMBA,"
- [23] NELSON JUNIO RUIZ-JUSTINIANO, aka "ROCKERITO,"
- [24] ANNETTE GAYA-CONCEPCION,
- [25] JUAN C. BRACERO-CRESPO, aka "JOAQUIN," and
- [26] CHRISTOPHER ACEVEDO-DIAZ, aka "BOCAJO,"

the defendants herein, did knowingly and intentionally, combine, conspire, and agree with each other and with diverse other persons known and unknown to the Grand Jury, to commit an offense against the United States, that is, to knowingly and intentionally possess with intent to distribute and/or to distribute controlled substances, to wit: in excess of two hundred and eighty (280) grams of cocaine base (crack), a Schedule II Narcotic Drug Controlled Substance; in excess of one (1) kilogram of heroin, a Schedule I, Narcotic Drug Controlled Substance; in excess of five (5) kilograms of cocaine, a Schedule II, Narcotic Drug Controlled Substance; and in excess of one hundred (100) kilograms of marijuana, a Schedule I, Controlled Substance; within one thousand (1,000) feet of the real property comprising a housing facility owned by a public housing authority. All in violation of Title 21, *United States Code*, Sections 841(a)(1), 846 and 860.

I. OBJECT OF THE CONSPIRACY

The object of the conspiracy was to distribute controlled substances at the Francisco Figueroa Public Housing Project located in the Municipality of Añasco, Puerto Rico, all for significant financial gain and profit.

II. MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendants and co-conspirators would accomplish and further the object of the conspiracy, among others, included the following:

1. It was part of the manner and means of the conspiracy that the defendants and their co-conspirators would purchase wholesale quantities of heroin, cocaine and marijuana in order to distribute the same in street quantity amounts at their drug distribution points located at the Francisco Figueroa Public Housing Project in the Municipality of Añasco, Puerto Rico (the “PHP”).

2. It was further part of the manner and means of the conspiracy that the leaders would use a group of co-defendants to manage and administer the daily activities of the drug distribution points at the PHP. The defendants and their co-conspirators would act in different roles in order to further the goals of the conspiracy, to wit: leaders and drug point owners who directed or supervised runners, enforcers, sellers, drug processors and facilitators.

3. It was a further part of the manner and means of the conspiracy that some of the cocaine purchased at wholesale quantities would be converted (“cooked”) into cocaine base (“crack”) for subsequent sale and distribution at their drug distribution points.

4. It was further part of the manner and means of the conspiracy that some of the defendants and their co-conspirators would weigh, “cut,” divide and package the heroin, cocaine, “crack cocaine” and marijuana in distinctive “baggies” and/or “vials” in order to keep track of their narcotics.

5. It was further part of the manner and means of the conspiracy that some of the defendants and their co-conspirators would use apartments and other areas inside and nearby the PHP in order to store and conceal heroin, cocaine base (“crack”), cocaine, marijuana, drug paraphernalia, firearms and ammunition used in furtherance of their criminal activities.

6. It was further part of the manner and means of the conspiracy that some of the defendants and their co-conspirators would often package and prepare the narcotics in various apartments located within the PHP, using those apartments as “drug laboratories”.

7. It was a further part of the manner and means of the conspiracy that some of the defendants and their co-conspirators would have access to apartments located within the PHP in order to abscond during law enforcement interventions and/or initiatives aimed at disrupting their drug trafficking activities.

8. It was further part of the manner and means of the conspiracy that some of the defendants and their co-conspirators would be armed while selling narcotics at the drug points, including the sale of controlled substances during the night shifts.

9. It was further part of the manner and means of the conspiracy that the drug points would rove through different locations at the PHP to avoid detection of the criminal distribution of controlled substances by law enforcement.

10. It was further part of the manner and means of the conspiracy that some of the defendants and their co-conspirators would routinely possess, carry, brandish, and use firearms to protect themselves and their drug trafficking organization. At different points during the conspiracy, the leaders would provide to some members of the organization with different types of firearms in order to protect themselves, the narcotics and their profits from rival drug trafficking gangs.

11. It was further part of the manner and means of the conspiracy that at times material to this Indictment some of the defendants would knowingly transfer, purchase and sell firearms from members of the DTO and other conspirators, known and unknown to the Grand Jury, knowing that the firearms would be used in furtherance of the drug trafficking crimes of the DTO.

12. It was further part of the manner and means of the conspiracy that members of the drug trafficking organization would use force, violence, and intimidation in order to intimidate

rival drug trafficking organizations and in order to discipline members of their own drug trafficking organization.

13. It was further part of the manner and means of the conspiracy that the leaders of the drug trafficking organization had final approving authority as to disciplinary action to be imposed upon residents of the PHP and/or members of the conspiracy, as well as enemies of the drug trafficking organization.

14. It was further part of the manner and means of the conspiracy that at times material to this Indictment there would be different drug owners for the drugs sold at the drug points, sometimes with the drugs of more than two (2) persons being sold by the same seller in furtherance of the conspiracy.

III. ROLES OF THE MEMBERS OF THE CONSPIRACY

A. Leaders/Drug Point Owners

Leaders directly controlled and supervised the drug trafficking activities at the drug distribution points located at the PHP. During the span of the conspiracy, leaders purchased multi-kilogram quantities of narcotics and oversaw the transportation and sale of such narcotics by their subordinates at the PHP. At various times during the course of the conspiracy, leaders purchased firearms and would provide firearms and ammunition to the members of the conspiracy in order to protect the drug distribution activities.

The following co-conspirators acted as leaders:

[1] **NESTOR CLASS-HERNANDEZ, aka "PAPITO,"** is the main leader of the drug trafficking organization operating at the PHP (the "DTO") during the term of the conspiracy. Sometime before the year 2008, [1] **NESTOR CLASS-HERNANDEZ, aka "PAPITO,"** acquired control of the drug distribution activities in the PHP. As the main leader, he directly oversaw and supervised the DTO's distribution of controlled substances at the PHP, received the

proceeds from the distribution of narcotics sold during the span of his leadership in the conspiracy and was in charge of maintaining control of all the drug distribution activities. He had the final approving authority as to the discipline to be imposed upon residents of the PHP, members of the conspiracy, as well as its enemies and rivals. He was known as the “owner” of the six dollar (\$6.00) baggies of heroin, the red, green or clear five dollar (\$5.00) baggies of cocaine and the three dollar (\$3.00) baggies of cocaine sold at the PHP. He would also act as an enforcer, supplier and as a drug processor within the conspiracy. As an enforcer, he would carry and possess firearms in furtherance of the DTO and would provide firearms to other members of the conspiracy. As drug processor, he would weigh, “cut,” divide and package the heroin and cocaine, in distinctive “baggies” and/or “vials” in order to keep track of his narcotics.

[2] **ANGEL A. MENDEZ-GONZALEZ, aka “CORINA,”** was also a leader in the DTO. He was the “owner” of some of the five dollar (\$5.00) baggies of crack cocaine and five dollar (\$5.00) baggies of marijuana sold at the PHP. He would purchase wholesale cocaine from [1] **NESTOR CLASS-HERNANDEZ, aka “PAPITO,”** and other wholesalers to “cook” into crack cocaine. He would also act as an enforcer, seller, as a facilitator and a drug processor within the conspiracy and he would carry and possess firearms in furtherance of the drug trafficking activities.

[3] **AMAURY BALBINO-NAZARIO, aka “AMAURY,”** was also a leader in the DTO. He was known as the “owner” of the blue five dollar (\$5.00) baggies of crack cocaine sold at the drug point in the PHP. He would purchase wholesale cocaine from [1] **NESTOR CLASS-HERNANDEZ, aka “PAPITO,”** and other wholesalers to “cook” into crack cocaine. He would also act as an enforcer, seller, as a facilitator and a drug processor within the conspiracy and he would carry and possess firearms in furtherance of the drug trafficking activities.

[4] **CARLOS L. CARRERO-RAMOS, aka “CARLITOS” and “CARLOS EL GORDO,”** was also a leader in the DTO. He was the “owner” of the five dollar (\$5.00) baggies of crack cocaine, five dollar (\$5.00) baggies of cocaine, ten dollar (\$10.00) baggies of cocaine, twenty dollar (\$20.00) baggies of cocaine and five dollar (\$5.00) baggies of marijuana sold at the drug point in the PHP. He would purchase wholesale cocaine from [1] **NESTOR CLASS-HERNANDEZ, aka “PAPITO,”** and other wholesalers to “cook” into crack cocaine. He would also act as an enforcer, seller, as a facilitator and a drug processor within the conspiracy and he would carry and possess firearms in furtherance of the drug trafficking activities.

B. Suppliers and Facilitators

The suppliers and facilitators were defendants and co-conspirators who would perform or carry out several acts to further the economic success of the conspiracy, including but not limited to, supplying narcotics and/or firearms and/or ammunition to the DTO and/or the drug points located in the Municipality of Añasco, Puerto Rico. In addition to those previously mentioned, the following individuals and others known and unknown to the Grand Jury, acted as suppliers or facilitators for the drug trafficking organization:

[5] **LUIS FOSSE-MORALES, aka “PITO,”** was a supplier and facilitator for the DTO. He was known as a common supplier of the narcotics to be distributed at the DTO’s drug points located at the PHP and firearms used by the DTO members. He would often act as a drug processor and facilitator by providing loans of money to [1] **NESTOR CLASS-HERNANDEZ, aka “PAPITO,”** in furtherance of the conspiracy. Additionally, he would carry and possess firearms in furtherance of the DTO’s criminal activities.

[6] **HENRY RODRIGUEZ-LOPEZ, aka “MOÑA,”** was a supplier and facilitator for the DTO. He was known as a common supplier of firearms and narcotics to the DTO’s members. He also acted as a drug processor and facilitator for [1] **NESTOR CLASS-**

HERNANDEZ, aka "PAPITO." He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

[7] **OVIDIO DATIZ-RODRIGUEZ**, was a supplier and facilitator for the DTO. He was known as a supplier of narcotics (including cocaine and marijuana) and firearms to [1] **NESTOR CLASS-HERNANDEZ, aka "PAPITO,"** and other DTO members. He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

[8] **FRANCIS H. ROMAN-TAVARES, aka "FANFI" and "LA F,"** was a supplier and facilitator for the DTO. He was known as a supplier of narcotics (including cocaine and marijuana) to [1] **NESTOR CLASS-HERNANDEZ, aka "PAPITO."** He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

[9] **JOSE J. LOPEZ-CALERO, aka "EL GORDO,"** was a supplier and facilitator for the DTO. He was known as a supplier of narcotics to [1] **NESTOR CLASS-HERNANDEZ, aka "PAPITO."** He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

C. Enforcers

Enforcers did possess, carry, brandish, use and discharge firearms to protect the leaders and members of the drug trafficking organization, the narcotics, the proceeds derived from their sales, and to further accomplish the goals of the conspiracy. Enforcers often acted upon instructions given by the leaders of this organization. Enforcers would often provide protection to the DTO's drug points. In addition to those previously mentioned, the following individuals and others known and unknown to the Grand Jury, acted as enforcers for the drug trafficking organization:

[14] **WILSON QUINTANA-HERNANDEZ, aka "BIMBO,"** acted as an enforcer for the drug trafficking organization. He would also often act as a runner, seller and a facilitator

within the conspiracy. He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

[15] **JOSHUA CLASS-HERNANDEZ**, acted as an enforcer for the drug trafficking organization. He would also often act as a seller and a facilitator within the conspiracy. He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

[16] **MARK ANTHONY IRIZARRY-RIVERA**, aka “**MIKEY**,” acted as an enforcer for the drug trafficking organization. He would also often act as a seller and a facilitator within the conspiracy. He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

D. Runners

The runners worked under the direct supervision of the leaders of the drug trafficking organization. They were responsible for providing sufficient narcotics to the sellers for further distribution at the drug points. They were also responsible for collecting the proceeds of drug sales and paying the street sellers and storing and distributing firearms to the sellers to use for protection of the narcotics and drug proceeds during their shifts. They would also supervise and make sure that there were street sellers for every shift of the drug point. They would make schedules and prepare ledgers to maintain accountability of the sales of the narcotics sold at the drug point. At various times, they would be responsible for recruiting street sellers and additional runners. The runners had a supervisory role within the conspiracy, as they would directly supervise on a daily basis, the activities of multiple sellers, and the daily activities of the drug points. In addition to those previously mentioned, the following individuals and others known and unknown to the Grand Jury, acted as runners for the drug trafficking organization:

[10] **ANA HERNANDEZ-VALENTIN**, aka “**LA TIA**,” acted as the main runner for the DTO. She would often act as facilitator within the conspiracy, storing the narcotics, the drug

proceeds and firearms used by the DTO members to conduct daily business. She would also often act as a seller within the conspiracy.

[11] **ISOEL CUEVAS MEDINA**, acted as a runner, cook and seller for the DTO. He would often act as facilitator within the conspiracy, storing the narcotics and the drug proceeds for the DTO. He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

[12] **WILMY PACHECO-UREÑA, aka "CACO,"** acted as a runner and seller for the DTO. He would often act as facilitator within the conspiracy, storing the narcotics and the drug proceeds for the DTO. He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

[13] **JORGE ISRAEL BONILLA-IRIZARRY**, acted as a runner and seller for the DTO, particularly related to the sale and distribution of the five dollar (\$5.00) baggies of crack cocaine and five dollar (\$5.00) baggies of marijuana sold at the PHP and that belonged to [2] **ANGEL A. MENDEZ-GONZALEZ, aka "CORINA."** He would often act as facilitator within the conspiracy, storing the narcotics and the drug proceeds for the DTO. He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

[14] **WILSON QUINTANA-HERNANDEZ, aka "BIMBO,"** acted as a runner, enforcer and seller for the DTO. He would often act as facilitator within the conspiracy, storing the narcotics and the drug proceeds for the DTO. He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

E. Sellers

The sellers would distribute street quantity amounts of heroin, crack cocaine, cocaine, and marijuana at the drug points in the PHP. As sellers, they were accountable for the drug proceeds and the narcotics sold at the drug distribution points. In addition to the above-mentioned drug point owners, enforcers and runners who also acted as sellers, the following individuals and others known and unknown to the Grand Jury, acted as sellers for the above described drug trafficking organization:

[15] **JOSHUA CLASS-HERNANDEZ**, who also acted as an enforcer and facilitator within the conspiracy and would carry and possess firearms in furtherance of the drug trafficking organization.

[16] **MARK ANTHONY IRIZARRY-RIVERA, aka "MIKEY,"** who also acted as an enforcer and facilitator within the conspiracy and would carry and possess firearms in furtherance of the drug trafficking organization.

[17] **JOSUE CLASS-HERNANDEZ, aka "CHINO,"** who also acted as a facilitator within the conspiracy and would carry and possess firearms in furtherance of the drug trafficking organization.

[18] **RUBEN ALEXIS RUIZ-VAZQUEZ, aka "MOZAN,"** who also acted as a facilitator within the conspiracy, managing the business of "El Ultimo Brinco" for [1] **NESTOR CLASS-HERNANDEZ, aka "PAPITO,"** at La Calle Nueva where narcotics were sold and firearms stored, and would carry and possess firearms in furtherance of the drug trafficking organization.

[19] **JOHANNA IRIZARRY-RODRIGUEZ**, who also acted as a facilitator within the conspiracy by storing drugs, drugs proceeds and firearms in her apartment at the PHP.

[20] **JULIO RUIZ-MAYO**, who also acted as a facilitator within the conspiracy by storing drugs, drugs proceeds and firearms in his apartment at the PHP. He commonly carried and possessed firearms in furtherance of the drug trafficking crimes.

[21] **ONIEL J. RUIZ-TORRES**, who also acted as a facilitator within the conspiracy by aiding and abetting DTO members in their criminal activities. He commonly carried and possessed firearms during the night time shifts he completed in furtherance of the drug trafficking crimes.

[22] **CARLOS CLAUDIO-AQUINO**, aka “**CARLI BEMBA**,”

[23] **NELSON JUNIO RUIZ-JUSTINIANO**, aka “**ROCKERITO**,” who also commonly carried and possessed firearms during the shifts he completed in furtherance of the drug trafficking crimes.

[24] **ANNETTE GAYA-CONCEPCION**, who also acted as a facilitator within the conspiracy by storing drugs, drugs proceeds and firearms in her apartment at the PHP.

[25] **JUAN C. BRACERO-CRESPO**, aka “**JOAQUIN**,” who also commonly carried and possessed firearms during the shifts he completed in furtherance of the drug trafficking crimes.

[26] **CHRISTOPHER ACEVEDO-DIAZ**, aka “**BOCAJO**,” who also acted as a facilitator within the conspiracy by aiding and abetting DTO members in their criminal activities. He commonly carried and possessed firearms during the night time shifts he completed in furtherance of the drug trafficking crimes.

F. Drug Processors

Drug processors would meet under the direction of the leaders of the drug trafficking organization in order to weigh, cut, mix, and prepare the controlled substances for street distribution. They would also package the heroin, crack, cocaine and marihuana in single dosage

amounts and in distinctive “baggies,” “decks,” and/or “vials.” In addition to the above-mentioned drug processors, the following individuals and others known and unknown to the Grand Jury acted as drug processors for the above described drug trafficking organization:

- [1] NESTOR CLASS-HERNANDEZ, aka “PAPITO,”
- [2] ANGEL A. MENDEZ-GONZALEZ, aka “CORINA,”
- [3] AMAURY BALBINO-NAZARIO, aka “AMAURY,”
- [4] CARLOS L. CARRERO-RAMOS, aka “CARLITOS” and “CARLOS EL GORDO,”
- [5] LUIS FOSSE-MORALES, aka “PITO,”
- [6] HENRY RODRIGUEZ-LOPEZ, aka “MOÑA,”
- [10] ANA HERNANDEZ-VALENTIN, aka “LA TIA,”
- [11] ISOEL CUEVAS MEDINA, and
- [14] WILSON QUINTANA-HERNANDEZ, aka “BIMBO.”

H. Facilitators

Some facilitators allowed the use of their apartments in the public housing project in order to process, store, and package narcotics for distribution. Some facilitators allowed members of the drug trafficking organization to run and hide in their apartments to avoid police detection. Facilitators would additionally deliver monies, to and from the drug point owners, runners, and sellers; they often served as messengers for members of the conspiracy; and would often serve as intermediaries during drug transactions. All in violation of Title 21, *United States Code*, Sections 841(a)(1), 860;

COUNT TWO

Aiding and Abetting in the Possession/Distribution of Heroin

Title 21, *United States Code*, §§ 841(a)(1) and 860; and Title 18, *United States Code*, § 2.

Beginning on a date unknown, but no later than in or about the year 2010, and continuing up to and until the return of the instant Indictment, in the Municipality of Añasco, District of Puerto Rico and within the jurisdiction of this Court,

- [1] NESTOR CLASS-HERNANDEZ, aka “PAPITO,”
- [9] JOSE J. LOPEZ-CALERO, aka “EL GORDO,”
- [10] ANA HERNANDEZ-VALENTIN, aka “LA TIA,”
- [11] ISOEL CUEVAS MEDINA,
- [12] WILMY PACHECO-UREÑA, aka “CACO,”
- [13] JORGE ISRAEL BONILLA-IRIZARRY,
- [14] WILSON QUINTANA-HERNANDEZ, aka “BIMBO,”

- [15] JOSHUA CLASS-HERNANDEZ,
- [16] MARK ANTHONY IRIZARRY-RIVERA, aka "MIKEY,"
- [17] JOSUE CLASS-HERNANDEZ, aka "CHINO,"
- [18] RUBEN ALEXIS RUIZ-VAZQUEZ, aka "MOZAN,"
- [19] JOHANNA IRIZARRY-RODRIGUEZ,
- [20] JULIO RUIZ-MAYO,
- [21] ONIEL J. RUIZ-TORRES,
- [22] CARLOS CLAUDIO-AQUINO, aka "CARLI BEMBA,"
- [23] NELSON JUNIO RUIZ-JUSTINIANO, aka "ROCKERITO,"
- [24] ANNETTE GAYA-CONCEPCION,
- [25] JUAN C. BRACERO-CRESPO, aka "JOAQUIN," and
- [26] CHRISTOPHER ACEVEDO-DIAZ, aka "BOCAJO,"

the defendants herein, aiding and abetting each other, did knowingly and intentionally possess with intent to distribute one (1) kilogram or more of a mixture or substance containing a detectable amount of heroin, a Schedule I Narcotic Drug Controlled Substance, within one thousand (1,000) feet of the real property comprising a public or private school and/or the Francisco Figueroa Public Housing Project, a housing facility owned by a public housing authority. All in violation of Title 21, *United States Code*, Sections 841(a)(1) and 860; and Title 18, *United States Code*, Section 2.

COUNT THREE

Aiding and Abetting in the Possession/Distribution of Cocaine Base

Title 21, *United States Code*, §§ 841(a)(1) and 860; and Title 18, *United States Code*, § 2.

Beginning on a date unknown, but no later than in or about the year 2010, and continuing up to and until the return of the instant Indictment, in the Municipality of Añasco, District of Puerto Rico and within the jurisdiction of this Court,

- [1] NESTOR CLASS-HERNANDEZ, aka "PAPITO,"
- [2] ANGEL A. MENDEZ-GONZALEZ, aka "CORINA,"
- [3] AMAURY BALBINO-NAZARIO, aka "AMAURY,"
- [4] CARLOS L. CARRERO-RAMOS, aka "CARLITOS" and "CARLOS EL GORDO,"
- [5] LUIS FOSSE-MORALES, aka "PITO,"
- [6] HENRY RODRIGUEZ-LOPEZ, aka "MOÑA,"
- [7] OVIDIO DATIZ-RODRIGUEZ,
- [8] FRANCIS H. ROMAN-TAVARES, aka "FANFI" and "LA F,"
- [9] JOSE J. LOPEZ-CALERO, aka "EL GORDO,"
- [10] ANA HERNANDEZ-VALENTIN, aka "LA TIA,"
- [11] ISOEL CUEVAS MEDINA,
- [12] WILMY PACHECO-UREÑA, aka "CACO,"

- [13] **JORGE ISRAEL BONILLA-IRIZARRY,**
- [14] **WILSON QUINTANA-HERNANDEZ, aka "BIMBO,"**
- [15] **JOSHUA CLASS-HERNANDEZ,**
- [16] **MARK ANTHONY IRIZARRY-RIVERA, aka "MIKEY,"**
- [17] **JOSUE CLASS-HERNANDEZ, aka "CHINO,"**
- [18] **RUBEN ALEXIS RUIZ-VAZQUEZ, aka "MOZAN,"**
- [19] **JOHANNA IRIZARRY-RODRIGUEZ,**
- [20] **JULIO RUIZ-MAYO,**
- [21] **ONIEL J. RUIZ-TORRES,**
- [22] **CARLOS CLAUDIO-AQUINO, aka "CARLI BEMBA,"**
- [23] **NELSON JUNIO RUIZ-JUSTINIANO, aka "ROCKERITO,"**
- [24] **ANNETTE GAYA-CONCEPCION,**
- [25] **JUAN C. BRACERO-CRESPO, aka "JOAQUIN," and**
- [26] **CHRISTOPHER ACEVEDO-DIAZ, aka "BOCAJO,"**

the defendants herein, aiding and abetting each other, did knowingly and intentionally possess with intent to distribute two hundred and eighty (280) grams or more of a mixture or substance containing a detectable amount of cocaine base (Crack), a Schedule II Narcotic Drug Controlled Substance, within one thousand (1,000) feet of the real property comprising a public or private school and/or the Francisco Figueroa Public Housing Project, a housing facility owned by a public housing authority. All in violation of Title 21, *United States Code*, Sections 841(a)(1) and 860; and Title 18, *United States Code*, Section 2.

COUNT FOUR

Aiding and Abetting in the Possession/Distribution of Cocaine

Title 21, *United States Code*, §§ 841(a)(1) and 860; and Title 18, *United States Code*, § 2.

Beginning on a date unknown, but no later than in or about the year 2010, and continuing up to and until the return of the instant Indictment, in the Municipality of Añasco, District of Puerto Rico and within the jurisdiction of this Court,

- [1] **NESTOR CLASS-HERNANDEZ, aka "PAPITO,"**
- [2] **ANGEL A. MENDEZ-GONZALEZ, aka "CORINA,"**
- [3] **AMAURY BALBINO-NAZARIO, aka "AMAURY,"**
- [4] **CARLOS L. CARRERO-RAMOS, aka "CARLITOS" and "CARLOS EL GORDO,"**
- [5] **LUIS FOSSE-MORALES, aka "PITO,"**
- [6] **HENRY RODRIGUEZ-LOPEZ, aka "MOÑA,"**
- [7] **OVIDIO DATIZ-RODRIGUEZ,**
- [8] **FRANCIS H. ROMAN-TAVARES, aka "FANFI" and "LA F,"**

- [9] JOSE J. LOPEZ-CALERO, aka "EL GORDO,"
- [10] ANA HERNANDEZ-VALENTIN, aka "LA TIA,"
- [11] ISOEL CUEVAS MEDINA,
- [12] WILMY PACHECO-UREÑA, aka "CACO,"
- [13] JORGE ISRAEL BONILLA-IRIZARRY,
- [14] WILSON QUINTANA-HERNANDEZ, aka "BIMBO,"
- [15] JOSHUA CLASS-HERNANDEZ,
- [16] MARK ANTHONY IRIZARRY-RIVERA, aka "MIKEY,"
- [17] JOSUE CLASS-HERNANDEZ, aka "CHINO,"
- [18] RUBEN ALEXIS RUIZ-VAZQUEZ, aka "MOZAN,"
- [19] JOHANNA IRIZARRY-RODRIGUEZ,
- [20] JULIO RUIZ-MAYO,
- [21] ONIEL J. RUIZ-TORRES,
- [22] CARLOS CLAUDIO-AQUINO, aka "CARLI BEMBA,"
- [23] NELSON JUNIO RUIZ-JUSTINIANO, aka "ROCKERITO,"
- [24] ANNETTE GAYA-CONCEPCION,
- [25] JUAN C. BRACERO-CRESPO, aka "JOAQUIN," and
- [26] CHRISTOPHER ACEVEDO-DIAZ, aka "BOCAJO,"

the defendants herein, aiding and abetting each other, did knowingly and intentionally possess with intent to distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Narcotic Drug Controlled Substance, within one thousand (1,000) feet of the real property comprising a public or private school and/or the Francisco Figueroa Public Housing Project, a housing facility owned by a public housing authority. All in violation of Title 21, *United States Code*, Sections 841(a)(1) and 860; and Title 18, *United States Code*, Section 2.

COUNT FIVE

Aiding and Abetting in the Distribution of Marijuana

Title 21, *United States Code*, §§ 841(a)(1) and 860; and Title 18, *United States Code*, § 2.

Beginning on a date unknown, but no later than in or about the year 2010, and continuing up to and until the return of the instant Indictment, in the Municipality of Añasco, District of Puerto Rico and within the jurisdiction of this Court,

- [1] NESTOR CLASS-HERNANDEZ, aka "PAPITO,"
- [2] ANGEL A. MENDEZ-GONZALEZ, aka "CORINA,"
- [3] AMAURY BALBINO-NAZARIO, aka "AMAURY,"
- [4] CARLOS L. CARRERO-RAMOS, aka "CARLITOS" and "CARLOS EL GORDO,"
- [5] LUIS FOSSE-MORALES, aka "PITO,"
- [6] HENRY RODRIGUEZ-LOPEZ, aka "MOÑA,"

- [7] OVIDIO DATIZ-RODRIGUEZ,
- [8] FRANCIS H. ROMAN-TAVARES, aka "FANFI" and "LA F,"
- [9] JOSE J. LOPEZ-CALERO, aka "EL GORDO,"
- [10] ANA HERNANDEZ-VALENTIN, aka "LA TIA,"
- [11] ISOEL CUEVAS MEDINA,
- [12] WILMY PACHECO-UREÑA, aka "CACO,"
- [13] JORGE ISRAEL BONILLA-IRIZARRY,
- [14] WILSON QUINTANA-HERNANDEZ, aka "BIMBO,"
- [15] JOSHUA CLASS-HERNANDEZ,
- [16] MARK ANTHONY IRIZARRY-RIVERA, aka "MIKEY,"
- [17] JOSUE CLASS-HERNANDEZ, aka "CHINO,"
- [18] RUBEN ALEXIS RUIZ-VAZQUEZ, aka "MOZAN,"
- [19] JOHANNA IRIZARRY-RODRIGUEZ,
- [20] JULIO RUIZ-MAYO,
- [21] ONIEL J. RUIZ-TORRES,
- [22] CARLOS CLAUDIO-AQUINO, aka "CARLI BEMBA,"
- [23] NELSON JUNIO RUIZ-JUSTINIANO, aka "ROCKERITO,"
- [24] ANNETTE GAYA-CONCEPCION,
- [25] JUAN C. BRACERO-CRESPO, aka "JOAQUIN," and
- [26] CHRISTOPHER ACEVEDO-DIAZ, aka "BOCAJO,"

the defendants herein, aiding and abetting each other, did knowingly and intentionally possess with intent to distribute one hundred (100) kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I Controlled Substance, within one thousand (1,000) feet of the real property comprising a public or private school and/or the Francisco Figueroa Public Housing Project, a housing facility owned by a public housing authority. All in violation of Title 21, *United States Code*, Sections 841(a)(1) and 860; and Title 18, *United States Code*, Section 2.

COUNT SIX

Conspiracy to Possess Firearms During and in Relation to Narcotics Trafficking Offenses

Title 18, *United States Code*, §§ 924(o).

Beginning on a date unknown, but no later than in or about the year 2010, and continuing up to and until the return of the instant Indictment, in the Municipality of Añasco, District of Puerto Rico and within the jurisdiction of this Court,

- [1] NESTOR CLASS-HERNANDEZ, aka "PAPITO,"
- [2] ANGEL A. MENDEZ-GONZALEZ, aka "CORINA,"
- [3] AMAURY BALBINO-NAZARIO, aka "AMAURY,"
- [4] CARLOS L. CARRERO-RAMOS, aka "CARLITOS" and "CARLOS EL GORDO,"

- [5] LUIS FOSSE-MORALES, aka "PITO,"
- [6] HENRY RODRIGUEZ-LOPEZ, aka "MOÑA,"
- [7] OVIDIO DATIZ-RODRIGUEZ,
- [8] FRANCIS H. ROMAN-TAVARES, aka "FANFI" and "LA F,"
- [9] JOSE J. LOPEZ-CALERO, aka "EL GORDO,"
- [10] ANA HERNANDEZ-VALENTIN, aka "LA TIA,"
- [11] ISOEL CUEVAS MEDINA,
- [12] WILMY PACHECO-UREÑA, aka "CACO,"
- [13] JORGE ISRAEL BONILLA-IRIZARRY,
- [14] WILSON QUINTANA-HERNANDEZ, aka "BIMBO,"
- [15] JOSHUA CLASS-HERNANDEZ,
- [16] MARK ANTHONY IRIZARRY-RIVERA, aka "MIKEY,"
- [17] JOSUE CLASS-HERNANDEZ, aka "CHINO,"
- [18] RUBEN ALEXIS RUIZ-VAZQUEZ, aka "MOZAN,"
- [19] JOHANNA IRIZARRY-RODRIGUEZ,
- [20] JULIO RUIZ-MAYO,
- [21] ONIEL J. RUIZ-TORRES,
- [23] NELSON JUNIO RUIZ-JUSTINIANO, aka "ROCKERITO,"
- [24] ANNETTE GAYA-CONCEPCION,
- [25] JUAN C. BRACERO-CRESPO, aka "JOAQUIN," and
- [26] CHRISTOPHER ACEVEDO-DIAZ, aka "BOCAJO,"

the defendants herein, did knowingly and intentionally conspire, combine, and agree with each other and diverse other persons known and unknown to the Grand Jury, to commit an offense against the United States, that is, to possess firearms and ammunition during and in relation to a drug trafficking crimes as charged in Counts One through Five of this Indictment, which offenses may be prosecuted in a Court of the United States, in violation of Title 18, *United States Code*, Section 924(c)(1)(A); all in violation of Title 18, *United States Code*, Section 924(o).

COUNT SEVEN

Engaging in the Business Without a License (Firearms)

Title 18, *United States Code*, §§ 922(a)(1)(A).

Beginning on a date unknown, but no later than in or about the year 2010, and continuing up to and until the return of the instant Indictment, in the Municipality of Añasco, District of Puerto Rico and within the jurisdiction of this Court,

- [1] NESTOR CLASS-HERNANDEZ, aka "PAPITO,"
- [5] LUIS FOSSE-MORALES, aka "PITO,"
- [6] HENRY RODRIGUEZ-LOPEZ, aka "MOÑA,"
- [15] JOSHUA CLASS-HERNANDEZ, and

[17] **JOSUE CLASS-HERNANDEZ, aka "CHINO,"**

not being a licensed dealers of firearms within the meaning of Chapter 44, Title 18, *United States Code*, did willfully engage in the business of dealing in firearms, in violation of Title 18, *United States Code*, Sections 922(a)(1)(A), 923(a), and 924(a)(1)(D).

COUNT EIGHT

Possession of a Firearm by a Prohibited Person

Title 18, *United States Code*, §§ 922(g)(1).

Beginning on a date unknown, but no later than in or about the year 2010, and continuing up to and until the return of the instant Indictment, in the Municipality of Añasco, District of Puerto Rico and within the jurisdiction of this Court,

[1] **NESTOR CLASS-HERNANDEZ, aka "PAPITO,"**
[6] **HENRY RODRIGUEZ-LOPEZ, aka "MOÑA," and**
[15] **JOSHUA CLASS-HERNANDEZ,**

having been convicted of a crime punishable by imprisonment for a term exceeding one year did knowingly possess in and affecting interstate and foreign commerce a firearm and ammunition, that is, a Ruger SR caliber .40, a Keltec 9 mm., and a revolver, among others, said firearms having been shipped and transported in interstate and foreign commerce; in violation of Title 18, *United States Code*, Section 922(g)(1) and 924(a)(2).

NARCOTICS FORFEITURE ALLEGATION

Upon conviction of one or more of the offenses alleged in Counts One (1) through Five (5) of this Indictment, pursuant to Title 21, *United States Code*, Section 853 and Title 18, *United States Code*, Section 982(a)(1), each defendant who is convicted of one or more of the offenses set forth in said counts, shall forfeit to the United States the following property:

a. All right, title, and interest in any and all property involved in each offense in violation of Title 21, *United States Code*, Sections 841, 846, 860 and 853 for which the defendants are convicted, and all property traceable to such property, including the following: 1) all commissions,

fees and other property constituting proceeds obtained as a result of those violations; and 2) all property used in any manner or part to commit or to facilitate the commission of those violations.

b. A sum of money equal to the total amount of money involved in each offense, or conspiracy to commit such offense, for which the defendant is convicted, to wit: ten million dollars (\$10,000,000.00) in U.S. Currency. If more than one defendant is convicted of an offense, the defendants so convicted are jointly and severally liable for the amount involved in such offense.

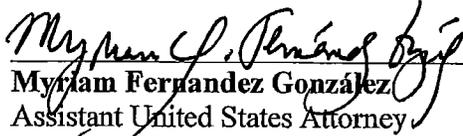
c. Pursuant to Title 21, *United States Code*, Section 853(p), as incorporated by Title 18, *United States Code*, Section 982(b), each defendant shall forfeit substitute property, up to the value of the amount described in paragraph one (1), if, by any act or omission of the defendant, the property described in paragraph one (1), or any portion thereof, 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 which cannot be divided without difficulty.

All in accordance with Title 18, *United States Code*, Sections 853 and 982(a)(1) and Rule 32.2(a) of the Federal Rules of Criminal Procedure.

TRUE BILL

ROSA EMILIA RODRIGUEZ-VELEZ
United States Attorney


for **José Ruiz Santiago**
Assistant United States Attorney
Chief Criminal Division


Myriam Fernandez González
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