

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

[1] HERIBERTO BURGOS-MARTINEZ,  
a/k/a "Spowell", "Spo", "La Cabra"  
(Counts ONE and TWO)

[2] SAUL GUZMAN-FONT,  
a/k/a "Saul Peluca", "El Cubano", "El Nene"  
(Counts ONE and TWO)

[3] MICHAEL APONTE-PINTO,  
a/k/a "Lito",  
(Counts ONE and TWO)

[4] HECTOR TAPIA-RODRIGUEZ,  
a/k/a "Hugo"  
(Counts ONE and TWO)

[5] ROBERTO RAMIREZ-RODRIGUEZ,  
a/k/a "Rockero"  
(Counts ONE and TWO)

[6] XAVIER RODRIGUEZ-CASADO,  
a/k/a "Bebo Gran", "Triple H", "HHH"  
(Counts ONE and TWO)

[7] ROBERTO BAEZ-FIGUEROA,  
a/k/a "Potro"  
(Counts ONE and TWO)

[8] LONNIE TAPIA-RODRIGUEZ,  
a/k/a "Cascote", "Kascote"  
(Counts ONE and TWO)

[9] JOSE W. TELLERIA-ARRIAGA,  
a/k/a "Gordo", "Tille"  
(Counts ONE and TWO)

[10] MAX J. ACEVEDO-ANDINO,  
a/k/a "Max Joel"  
(Counts ONE and TWO)

[11] VICTOR RIVERA-MERCADO,  
a/k/a "Poke", "Pokemon"  
(Counts ONE and TWO)

[12] MECSAC RAMIREZ-RODRIGUEZ,  
a/k/a "Messak"

INDICTMENT

FILED UNDER SEAL

CRIMINAL NO. 14-346 (FAB)

Violations:

(COUNT ONE)

Title 21, United States Code, §§ 841(a)(1)  
and 846.

(COUNT TWO)

Title 21, United States Code, §§ 841(a)(1)  
and Title 18, United States Code, § 2

**Narcotics Forfeiture Allegation**

Title 21, United States Code, § 853 and Rule  
32.2(a) F.R.C.P.

(TWO COUNTS)

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FAB

(Counts ONE and TWO)  
**[13] ANGEL GARCIA-TRINIDAD,**  
a/k/a "Angelito"  
(Counts ONE and TWO)  
**[14] PAULETTE CONCEPCION-DIAZ,**  
a/k/a "Pao"  
(Counts ONE and TWO)  
**[15] YAMIRA DIAZ-ALGARIN,**  
(Counts ONE and TWO)  
**[16] LANDY Y. CASTRO-FLORES,**  
(Counts ONE and TWO)  
**[17] LUIS F. VILLEGAS-NIEVES,**  
a/k/a "Blon Blon"  
(Counts ONE and TWO)  
**[18] NEFTALI GALINDO-ISAAC,**  
a/k/a "Fifty", "17", "Sangre", "Letra"  
(Counts ONE and TWO)  
**[19] ALLAN RODRIGUEZ-CRISPIN,**  
a/k/a "Love", "El Baloncelista"  
(Counts ONE and TWO)  
**[20] JESUS E. MIRANDA-LUGO,**  
a/k/a "Shaka", "Chaca"  
(Counts ONE and TWO)  
**[21] JOSE OLIVERAS-RUIZ,**  
a/k/a "Cascara", "Joseito"  
(Counts ONE and TWO)  
**[22] HECTOR M. ROBLES-ALVIRA,**  
(Counts ONE and TWO)  
**[23] LEFTY MENDEZ-VALENTIN,**  
a/k/a "Zurdo"  
(Counts ONE and TWO)  
**[24] EDWIN M. ROSARIO-RODRIGUEZ,**  
a/k/a "Toto"  
(Counts ONE and TWO)

Defendants.

THE GRAND JURY CHARGES:

**COUNT ONE**

**(Conspiracy to Possess with Intent to Distribute Controlled Substances)**

Beginning on a date unknown, but not later than the year 2009, and continuing up to and

until the return of the instant Indictment, in the District of Puerto Rico and elsewhere within the jurisdiction of this Court,

**[1] HERIBERTO BURGOS-MARTINEZ,**  
a/k/a "Spowell", "Spo", "La Cabra"

**[2] SAUL GUZMAN-FONT,**  
a/k/a "Saul Peluca", "El Cubano", "El Nene"

**[3] MICHAEL APONTE-PINTO,**  
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**[15] YAMIRA DIAZ-ALGARIN,**

**[16] LANDY Y. CASTRO-FLORES,**

**[17] LUIS F. VILLEGAS-NIEVES,**  
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a/k/a "Cascara", "Joseito"  
[22] HECTOR M. ROBLES-ALVIRA,  
[23] LEFTY MENDEZ-VALENTIN,  
a/k/a "Zurdo"  
[24] EDWIN M. ROSARIO-RODRIGUEZ,  
a/k/a "Toto"

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 five (5) kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II, Narcotic Drug Controlled Substance. All in violation of Title 21, United States Code Sections 841(a)(1) and 846.

#### **OBJECT OF THE CONSPIRACY**

The object of the conspiracy was to possess and distribute kilogram quantities of controlled substances, mainly cocaine, in Puerto Rico for further distribution in the continental United States, all for significant financial gain and profit.

#### **MANNER AND MEANS OF THE CONSPIRACY**

The manner and means by which the defendants and his associates would accomplish and further the objects of the conspiracy, among others, included the following:

1. It was part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would obtain kilogram quantities of cocaine for further distribution.
2. It was further part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would recruit individuals to use them as "mules" or couriers in order to transport

kilograms of cocaine from the Luis Muñoz Marín International Airport ("LMMIA"), located in San Juan, Puerto Rico, to the continental United States.

3. It was further part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would conceal kilogram quantities of cocaine using methods of concealment, including but not limited to the children toy "Lite Brite" and DVD players of different brands.

4. It was further part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would travel, or cause others to travel, from Puerto Rico to the continental United States, using commercial airlines carrying kilogram quantities of cocaine hidden in suitcases.

5. It was further part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would receive kilogram quantities of cocaine in the continental United States for further distribution.

6. It was further part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would distribute kilogram quantities of cocaine in the continental United States and would derive profits from those drug trafficking activities.

7. It was further part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would send United States currency from the continental United States to Puerto Rico, which represented payment for the drugs as well as proceeds from the sale of the drugs distributed in the continental United States.

8. It was further part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would often use the recruited couriers and the same containers to transport the profits generated from the sales back to Puerto Rico.

9. It was further part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would use residences located within the area of Orlando, FL and Kissimmee, FL, in order to stash large amounts of U.S. Currency and drugs.

10. It was part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would invest part of the profits of the sales in more narcotics in order to further their drug trafficking activities.

11. It was part of the manner and means of the conspiracy that the leaders of the conspiracy would use part of the proceeds of the illegal activity to purchase legitimate assets and/or services, including but not limited to real estate properties, nightclubs, motor vehicles, vessels, clothing, trips, hotel accommodations, private parties and plastic surgery.

12. It was part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would travel, and use facilities in interstate and foreign commerce, with the intent to promote, manage, establish, carry on and further the conspiracy.

13. It was part of the manner and means of the conspiracy that the co-defendants and their co-conspirators would promote the unlawful drug trafficking activities by conducting financial transactions.

All in violation of Title 21, United States Code, Sections 846, 841(a)(1) and (b)(1)(A)(ii).

**COUNT TWO**

**Aiding and Abetting in the Possession/Distribution of Cocaine**

Beginning on a date unknown, but not later than the year 2009, and continuing up to and until the return of the instant Indictment, in the District of Puerto Rico and elsewhere within the jurisdiction of this Court,

[1] **HERIBERTO BURGOS-MARTINEZ,**  
a/k/a "Spowell", "Spo", "La Cabra"

[2] **SAUL GUZMAN-FONT,**  
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[6] **XAVIER RODRIGUEZ-CASADO,**  
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[7] **ROBERTO BAEZ-FIGUEROA,**  
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[11] **VICTOR RIVERA-MERCADO,**  
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[14] **PAULETTE CONCEPCION-DIAZ,**  
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[15] **YAMIRA DIAZ-ALGARIN,**

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[17] **LUIS F. VILLEGAS-NIEVES,**  
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[22] HECTOR M. ROBLES-ALVIRA,  
[23] LEFTY MENDEZ-VALENTIN,  
a/k/a "Zurdo"  
[24] EDWIN M. ROSARIO-RODRIGUEZ,  
a/k/a "Toto"

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. All in violation of Title 21, United States Code, §§ 841(a)(1) and Title 18, United States Code, § 2.

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### **NARCOTICS FORFEITURE ALLEGATION**

1. Upon conviction of one or more of the offenses alleged in Counts One (1) and Two (2) of this Indictment, pursuant to Title 21, United States Code, Section 853, each defendant who is convicted of one or more of the offenses set forth in said counts, shall forfeit to the United States:

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, directly or indirectly, 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. The property to be forfeited includes, but is not limited to, the following:

i. 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: forty-two million dollars (\$42,000,000.00) 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.

2. 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. The property to be forfeited includes, as a substitute asset, but is not limited to, the following:

URBAN: HORIZONTAL PROPERTY: Unit No. RW-51: Unit of irregular shape located in the RIVERWALK CONDOMINIUM, located on North Avenue Encantada Development, in the Dos Bocas Ward of the Municipality of Trujillo Alto, Puerto Rico, with an approximate area of 2,950.56 square feet, equivalent to 274.12 square meters, of which 430.15 square feet equivalent to 39.96 square meters represents the area dedicated to garage and storage. Its boundaries are as follows: NORTH, in a distance of 35'0", with a common exterior area; SOUTH, in a distance of 35'0", with a common exterior area; EAST, in a distance of 56'11", with a common exterior area and with a median wall that separates it from unit No. RW-50; and by the WEST, in a distance of 49'6", with a common exterior area and with a median wall that separates it from unit No. RW-52. This unit contains two levels, which consist of the following: the first level consists of covered porch, garage for two cars/storage, foyer, powder room, living/dining room, laundry closet, kitchen, covered terrace and stairway that leads to the second floor of the unit. The second level consists of: three bedrooms each with its closets, bathroom, linen closet, corridor, studio, master bedroom, master bathroom, toilet and walk-in-closet. The entrance door of this unit is located on its South side and opens to the common exterior area. This unit has a participation of 2.2306% in the general common elements and in the limited common elements of the Condominium.

PROPERTY: No. 31945, recorded at page 121 of volume 770 of Trujillo Alto. Registry of Property, Fourth Section of San Juan.

Registered owner: MICHAEL APONTE PINTO.


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.

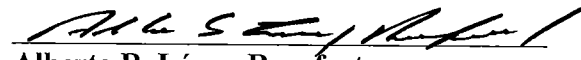
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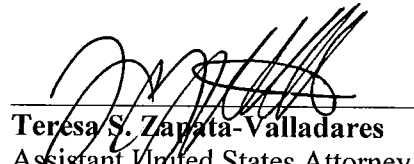
Date: 05/15/2014

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**Teresa S. Zapata-Valladares**  
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