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UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2007 Grand Jury

|                           |   |                                |
|---------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA, | ) | No. CR 07-1172(B)-DDP          |
|                           | ) |                                |
| Plaintiff,                | ) | <u>S E C O N D</u>             |
|                           | ) | <u>S U P E R S E D I N G</u>   |
| v.                        | ) | <u>I N D I C T M E N T</u>     |
| SERGIO PANTOJA,           | ) |                                |
| aka "Tricky,"             | ) | [18 U.S.C. § 1962(d):          |
| ISAAC GUILLEN,            | ) | Racketeer Influenced and       |
| aka "Coach,"              | ) | Corrupt Organizations          |
| INGRID VERONICA TERCERO,  | ) | Conspiracy; 21 U.S.C. § 846:   |
| aka "Morena,"             | ) | Conspiracy to Possess with     |
| aka "More,"               | ) | Intent to Distribute and       |
| JOSE GUADALUPE DELAGUILA, | ) | Distribute Cocaine Base in the |
| aka "Skipper,"            | ) | form of Crack Cocaine; 21      |
| SALVADOR RUIZ,            | ) | U.S.C. §§ 841(a)(1),           |
| aka "Shaggie,"            | ) | (b)(1)(A)(iii) and             |
| EDUARDO HERNANDEZ,        | ) | (b)(1)(B)(iii): Distribution   |
| aka "Oso,"                | ) | of Cocaine Base in the form of |
| aka "Terco,"              | ) | Crack Cocaine; 18 U.S.C.       |
| JOSE CRUZ SALDANA,        | ) | § 1959(a)(1): Violent Crime in |
| aka "Tiger,"              | ) | Aid of Racketeering; 1956(h):  |
| JUAN PABLO MURILLO,       | ) | Conspiracy to Commit Money     |
| aka "Face,"               | ) | Laundrying; 18 U.S.C.          |
| VLADIMIR IRAHETA,         | ) | §§ 1956(a)(1): Money           |
| aka "Jokes,"              | ) | Laundrying; 18 U.S.C.          |
| aka "Slick,"              | ) | § 1201(c): Conspiracy to       |
| aka "the Twin,"           | ) | Commit Kidnaping; 18 U.S.C.    |
| LEONIDAS IRAHETA,         | ) | § 1201(a)(1): Kidnaping; 18    |
| aka "Druggy,"             | ) | U.S.C. § 2: Aiding and         |
| aka "Drugs,"              | ) | Abetting and Causing an Act to |
| aka "the Twin,"           | ) | be Done]                       |
| aka "Shysty,"             | ) |                                |
| DAVID RODRIGUEZ,          | ) |                                |
| aka "Player,"             | ) |                                |

1 LUISA NAVARRO, )  
aka "Diabla," )  
2 AGRIPINO MATEO, )  
aka "Shadow," )  
3 LEONARDO MELGAREJO, )  
aka "Stranger," )  
4 SAMUEL EDGAR GUERRA, )  
aka "Sammy," )  
5 JAVIER PEREZ, )  
aka "Ranger," )  
6 CIPRIANO ESTRADA, )  
aka "Grumpy," )  
7 STEFANI BRIZUELA, )  
aka "Raven," )  
8 DAVID GONZALEZ, )  
aka "Lil Primo," )  
9 YOVANNI VELASQUEZ, )  
aka "BG," )  
10 JUVENAL CARDENAS MEJIA, )  
aka "Atlas," )  
11 GUADALUPE RANGEL, )  
aka "Barios," )  
12 JANET GONZALEZ, )  
aka "La Bullet," )  
13 ARMANDO AREVALO, )  
aka "Klumzy," )  
14 ALEXANDER RIVERA, )  
aka "Alex," )  
15 JOSE ATUNEES, )  
aka "Lobo," )  
16 JENNY ALAS, )  
aka "La Shorty," )  
17 JAMES WOOTEN, )  
aka "Crow," )  
18 JOSE ALBERTO ALVARENGA )  
VILLEDA, )  
19 aka "Chepe," )  
aka "El Gordo," )  
20 aka "El Señor," )  
LETY BERTOTTY HERNANDEZ, )  
21 aka "La Señora," )  
aka "La Huera," )  
22 ROXANA DELACRUZ RODRIGUEZ, )  
aka "Rox," )  
23 APOLONIA RAMIREZ, )  
aka "Reina," )  
24 MARCO ANTONIO CAPETILLO, )  
aka "Chupon," )  
25 MARCO ANTHONY FONSECA, )  
aka "Junior," )  
26 aka "Primo," )  
aka "Catracho," )  
27 MARCOS GONZALES, )  
aka "Mudo," )  
28

1 ANTONIO DIAZ, )  
aka "Anibal Hernandez," )  
2 aka "Toño," )  
EDI PINEDA RIVAS, )  
3 aka "Javier Garcia," )  
aka "El Zarco," )  
4 JUAN VELAZQUEZ )  
aka "La Viuda," and )  
5 FNU LNU, )  
aka "El Buki," )  
6 )  
Defendants. )  
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1 The Grand Jury charges:

2 INTRODUCTORY ALLEGATIONS

3 A. RACKETEERING ENTERPRISE

4 1. At all times relevant to this Indictment, defendants  
5 SERGIO PANTOJA, also known as ("aka") "Tricky" ("PANTOJA"); ISAAC  
6 GUILLEN, aka "Coach" ("GUILLEN"); INGRID VERONICA TERCERO, aka  
7 "Morena," aka "More" ("TERCERO"); JOSE GUADALUPE DELAGUILA, aka  
8 "Skipper" ("DELAGUILA"); SALVADOR RUIZ, aka "Shaggie" ("RUIZ");  
9 EDUARDO HERNANDEZ, aka "Oso," aka "Terco" ("EDUARDO HERNANDEZ");  
10 JOSE CRUZ SALDANA, aka "Tiger" ("SALDANA"); JUAN PABLO MURILLO,  
11 aka "Face" ("MURILLO"); VLADIMIR IRAHETA, aka "Jokes," aka  
12 "Slick," aka "the Twin" ("V. IRAHETA"); LEONIDAS IRAHETA, aka  
13 "Druggy," aka "Drugs," aka "the Twin," aka "Shysty" ("L.  
14 IRAHETA"); DAVID RODRIGUEZ, aka "Player" ("D. RODRIGUEZ"); LUISA  
15 NAVARRO, aka "Diabla" ("NAVARRO"); AGRIPINO MATEO, aka "Shadow"  
16 ("MATEO"); LEONARDO MELGAREJO, aka "Stranger" ("MELGAREJO");  
17 SAMUEL EDGAR GUERRA, aka "Sammy" ("GUERRA"); JAVIER PEREZ, aka  
18 "Ranger" ("PEREZ"); CIPRIANO ESTRADA, aka "Grumpy" ("ESTRADA");  
19 STEFANI BRIZUELA, aka "Raven" ("BRIZUELA"); DAVID GONZALEZ, aka  
20 "Lil Primo" ("D. GONZALEZ"); YOVANNI VELASQUEZ, aka "BG" ("Y.  
21 VELASQUEZ"); JUVENAL CARDENAS MEJIA, aka "Atlas" ("MEJIA"); JANET  
22 GONZALEZ, aka "La Bullet" ("J. GONZALEZ"); ARMANDO AREVALO, aka  
23 "Klumzy" ("AREVALO"); ALEXANDER RIVERA, aka "Alex" ("RIVERA");  
24 JOSE ATUNEES, aka "Lobo" ("ATUNEES"); JENNY ALAS, aka "La Shorty"  
25 ("ALAS"); and GUADALUPE RANGEL, aka "Barios" ("RANGEL"), and  
26 others known and unknown to the Grand Jury, were members and  
27 associates of an organization, hereinafter referred to as the  
28 "CLCS Organization," an enterprise, that was engaged in, among

1 other things, murder, extortion, robbery, kidnaping, money  
2 laundering, witness intimidation, and narcotics trafficking. At  
3 all relevant times, the CLCS Organization was comprised of  
4 members and associates of the Columbia Lil Cycos ("CLCS") clique  
5 of the 18th Street Gang, and it operated in the Central District  
6 of California and elsewhere. The CLCS Organization, including  
7 its leadership, membership and associates, constituted an  
8 "enterprise," as defined by Title 18, United States Code, Section  
9 1961(4), that is, a group of individuals associated in fact,  
10 although not a legal entity, which is engaged in, and the  
11 activities of which affected, interstate commerce. The  
12 enterprise constituted an ongoing organization whose members and  
13 associates functioned as a continuing unit for a common purpose  
14 of achieving the objectives of the enterprise.

15 B. GENERAL BACKGROUND

16 2. The Mexican Mafia, often referred to as "la EME"  
17 (derived from the Spanish pronunciation of the letter "M"), is a  
18 criminal organization that operates within the California state  
19 prison system and, to a lesser extent, the federal prison system.  
20 Members of the Mexican Mafia, commonly referred to as "big  
21 homies," "tios" (Spanish for "uncles"), and/or "padrino" (slang  
22 for "godfather"), come from the ranks of local Southern  
23 California street gangs, including the 18th Street Gang. By  
24 controlling the criminal activities occurring within prison  
25 facilities, providing protection for members and associates of  
26 imprisoned Hispanic gangs, and imposing discipline, often in the  
27 form of acts of violence, against both individuals and gangs who  
28 fail to adhere to its directives, the Mexican Mafia has risen to

1 the position where it now exercises control over the Hispanic  
2 street gangs of Southern California, including the 18th Street  
3 Gang. The Mexican Mafia charges the street gangs under its  
4 control a specified sum of money to be paid on a regular basis,  
5 known as "taxes" or "rent" ("rent"), which is payable to the  
6 Mexican Mafia member designated to oversee the particular clique,  
7 or subset, of the gang. In return for such payments, the cliques  
8 receive the Mexican Mafia's authorization to control the criminal  
9 activities occurring within the clique's territory free of  
10 interference or competition from other cliques, as well as  
11 protection for gang members who are incarcerated. Failure to pay  
12 either the requisite rent or to adhere to the Mexican Mafia's  
13 directives will result in the clique being penalized by the  
14 Mexican Mafia, which can include having violence directed at  
15 either individual members of the clique or the clique as a whole.

16 3. The 18th Street Gang is a broad-based criminal street  
17 gang that originated in the Los Angeles area and that is  
18 comprised of numerous cliques. The CLCS Organization operates in  
19 areas west of downtown Los Angeles near MacArthur Park under the  
20 ultimate authority and direction of an unindicted co-conspirator  
21 (Mexican Mafia Member 1). Mexican Mafia Member 1, who is  
22 incarcerated in federal prison, exercises control over the CLCS  
23 Organization with the assistance of intermediaries who facilitate  
24 his receipt of rent payments and either communicate or assist in  
25 the communication of Mexican Mafia Member 1's directives to the  
26 CLCS Organization's leadership.

27 4. The CLCS Organization is controlled principally by  
28 senior members, or leaders, who are known in gang terms as "shot

1 callers." Shot callers are responsible for, among other things,  
2 generating revenue by managing the drug trafficking in CLCS  
3 Organization territory; collecting extortion payments, commonly  
4 referred to as rent, from individuals conducting activities  
5 within CLCS Organization territory; enforcing Mexican Mafia  
6 Member 1's directives and CLCS Organization rules; resolving  
7 intra-clique disputes; recruiting associates, including members  
8 of other 18th Street Gang cliques, to assist the CLCS  
9 Organization in achieving its objectives; and ensuring that  
10 Mexican Mafia Member 1 receives the rent payments that he  
11 demands.

12         5. The CLCS Organization generates revenue primarily by  
13 controlling the drug trafficking occurring within its territory.  
14 It does so through a system whereby CLCS Organization-approved  
15 drug wholesalers, known as "mayoristas," and street level  
16 dealers, known as "traqueteros," are permitted to conduct  
17 narcotics sales, primarily involving cocaine base in the form of  
18 crack cocaine ("crack cocaine"), within CLCS Organization  
19 territory, with protection from rivals and without other  
20 interference, in return for providing the CLCS Organization with  
21 regular payments of a designated percentage of the proceeds of  
22 their narcotics sales. Like the required payments to the Mexican  
23 Mafia, these payments are commonly referred to as rent or taxes.

24         6. The CLCS Organization also generates revenue by taxing  
25 other illegal activity occurring within its territory, including  
26 the trafficking of fraudulent documents by street dealers known  
27 as "miqueros" and the sale of goods by street vendors, as well as  
28 through a wide array of crimes committed by CLCS Organization

1 members and associates, including extortion and robbery.

2       7. The CLCS Organization, through its members and  
3 associates, takes steps to conceal and disguise its criminal  
4 activities from law enforcement including the proceeds generated  
5 from its illegal conduct. For example, members and associates of  
6 the CLCS Organization regularly used coded language to disguise  
7 the content of telephone communications relating to illegal  
8 conduct and frequently converted narcotics proceeds and rent  
9 collections into money orders, which are used for numerous  
10 purposes, including, but not limited to: (a) transferring funds  
11 to Mexican Mafia Member 1 and others known and unknown to the  
12 Grand Jury; (b) using money orders to promote the enterprise's  
13 financial interests; and (c) using money orders to conceal the  
14 nature and origin of the narcotics proceeds and rent collections  
15 generated by the enterprise.

16       8. Individuals who impede the CLCS Organization's efforts  
17 to generate revenue, including the collection of rent imposed on  
18 drug traffickers and street vendors, or who otherwise disregard  
19 its directives, are subject to discipline and/or retribution from  
20 CLCS Organization members and associates, which can include  
21 monetary fines, threats, and acts of violence.

22       9. By participating in CLCS Organization-directed  
23 activities and adhering to CLCS Organization directives, members  
24 and associates are able to maintain and increase their standing  
25 with the CLCS Organization. This is particularly true for acts  
26 of violence committed at the direction, and on behalf, of the  
27 CLCS Organization, which not only maintains and increases the  
28 standing of the individual who executed the act but also

1 maintains and increases the CLCS Organization's control of its  
2 territory by reinforcing its reputation for intimidation and  
3 violence.

4 C. THE PARTIES

5 10. The members of the CLCS Organization and their  
6 associates constitute an enterprise, referred to herein as the  
7 "CLCS Organization," or the "enterprise." The word "member"  
8 below refers to a member of the CLCS clique. Individuals  
9 affiliated with the CLCS Organization and who assist its members,  
10 including members of other cliques of the 18th Street Gang, are  
11 referred to as "associates" of the CLCS Organization. Both  
12 members of the CLCS clique and their associates are participants  
13 in the CLCS Organization.

14 11. Mexican Mafia Member 1 is the Mexican Mafia member who  
15 has been given authority to supervise and control the activities  
16 of the CLCS Organization. Incarcerated for life at the federal  
17 maximum security prison at Florence, Colorado ("ADX-Florence"),  
18 Mexican Mafia Member 1 controls the CLCS Organization with the  
19 help of defendant GUILLEN and others, who facilitate  
20 communications and money transfers between Mexican Mafia Member 1  
21 and the CLCS Organization.

22 12. Defendant DELAGUILA served as the CLCS Organization  
23 shot caller from in or about 2001 to 2002. DELAGUILA served as  
24 the 18th Street Gang's liaison to the Mexican Mafia from that  
25 time until approximately 2006, and during such time continued to  
26 hold a position of leadership within the CLCS Organization.

27 13. Defendant RUIZ served as the CLCS Organization shot  
28 caller from in or about 2002 to 2003, after which time he served

1 as a liaison between Mexican Mafia Member 1, the CLCS  
2 Organization, and other cliques of the 18th Street Gang operating  
3 under the authority of Mexican Mafia Member 1.

4 14. Defendant PANTOJA was the shot caller of the CLCS  
5 Organization from in or about 2005 through 2007. As shot caller,  
6 PANTOJA used violence and intimidation to control, oversee, and  
7 direct the distribution of narcotics and the collection of rent  
8 from drug traffickers, miqueros, and street vendors operating  
9 within CLCS Organization territory. PANTOJA also was accountable  
10 for the delivery of CLCS Organization rent proceeds to defendant  
11 GUILLEN, who subsequently delivered the money to Mexican Mafia  
12 Member 1 or his designees.

13 15. Defendant TERCERO is a member of the 18th Street Gang  
14 and defendant PANTOJA's wife. TERCERO closely assisted PANTOJA  
15 in overseeing all aspects of narcotics distribution in CLCS  
16 Organization territory, including directing and coordinating the  
17 purchase of narcotics from wholesale suppliers for distribution  
18 to street dealers, the collection of money from street dealers  
19 that was used to purchase narcotics from wholesale suppliers, the  
20 collection of rent from street dealers, and the delivery of rent  
21 to Mexican Mafia Member 1 via defendant GUILLEN.

22 16. Defendant GUILLEN is an attorney and CLCS Organization  
23 associate who acts as a liaison between Mexican Mafia Member 1  
24 and CLCS Organization leadership by delivering the CLCS  
25 Organization's rent payments to Mexican Mafia Member 1 and by  
26 relaying orders from Mexican Mafia Member 1 to the CLCS  
27 Organization. GUILLEN and Mexican Mafia Member 1 are partners in  
28 several businesses, including a limousine service, a liquor

1 distributor, and a real estate holding corporation.

2 17. Defendant SALDANA is a member of the CLCS Organization  
3 who assisted defendants PANTOJA and TERCERO with the distribution  
4 of narcotics in CLCS Organization territory, including the  
5 distribution of narcotics from wholesale suppliers to street  
6 dealers, the collection of money from street dealers that was  
7 used to purchase narcotics from wholesale suppliers, and the  
8 collection of rent from street dealers engaged in the sale of  
9 narcotics.

10 18. Defendants EDUARDO HERNANDEZ, V. IRAHETA, L. IRAHETA,  
11 D. RODRIGUEZ, NAVARRO, MATEO, MELGAREJO, and ESTRADA are CLCS  
12 Organization members who collected rent and enforced CLCS  
13 Organization control of its territory by means of extortion,  
14 violence, and threats of violence.

15 19. Defendant J. GONZALEZ is a CLCS Organization member who  
16 distributed narcotics, assisted in enforcing CLCS Organization  
17 control of its territory, and facilitated communications between  
18 other members of the CLCS Organization and Mexican Mafia Member  
19 1.

20 20. Defendant GUERRA is a CLCS Organization associate who  
21 was a wholesale distributor of marijuana for the CLCS  
22 Organization and who collected rent for the CLCS Organization  
23 from street narcotics dealers and miqueros operating in CLCS  
24 Organization territory.

25 21. Defendant MURILLO is a CLCS Organization associate and  
26 a member of the South Central clique of the 18th Street Gang.  
27 Under the direction of defendant PANTOJA, MURILLO distributed  
28 narcotics, collected rent from street dealers engaged in the sale

1 of narcotics, extorted rent from shop owners and street vendors  
2 engaged in commerce in CLCS Organization territory, and enforced  
3 CLCS Organization control of its territory through intimidation,  
4 threats of violence, and actual violence. In 2007, MURILLO took  
5 over control of CLCS Organization narcotics trafficking  
6 activities from PANTOJA.

7 22. Defendant PEREZ is a CLCS Organization associate and a  
8 member of the South Central clique of the 18th Street Gang, who  
9 assisted defendant MURILLO under the direction of defendant  
10 PANTOJA in enforcing CLCS Organization control of its territory  
11 through intimidation, threats of violence, and actual violence.

12 23. Defendants BRIZUELA, AREVALO, and RIVERA are CLCS  
13 Organization associates who assisted other CLCS Organization  
14 members with rent collection and the enforcement of CLCS  
15 Organization control of its territory.

16 24. Defendant ALAS is a CLCS Organization associate and  
17 member of the Grand View Locos clique of the 18th Street Gang who  
18 distributed narcotics on behalf of the CLCS Organization and  
19 assisted in enforcing CLCS Organization control of its territory.

20 25. Defendants D. GONZALEZ, Y. VELASQUEZ, MEJIA, ATUNEES,  
21 and RANGEL are CLCS Organization associates who distributed  
22 narcotics, collected rent from street dealers who engaged in the  
23 sale of narcotics, extorted rent from shop owners and street  
24 vendors who engaged in commerce in CLCS Organization territory,  
25 and enforced CLCS Organization control of its territory through  
26 intimidation, threats of violence, and actual violence.

27 D. PURPOSES OF THE ENTERPRISE

28 26. The purposes of the CLCS Organization include, but are

1 not limited to, the following:

2 a. Enriching the members and associates of the  
3 enterprise through, among other things, the distribution of  
4 narcotics; the collection of rent from narcotics traffickers,  
5 miqueros, and street vendors; and the commission of financially-  
6 oriented crimes such as robbery.

7 b. Maintaining control over all CLCS Organization  
8 territory.

9 c. Preserving, protecting, and expanding the power and  
10 profits of the enterprise through the use of fines, intimidation,  
11 threats of violence, and actual acts of violence.

12 d. Promoting and enhancing the enterprise and the  
13 activities of its members and associates.

14 E. MEANS AND METHODS OF THE ENTERPRISE

15 27. Among the means and methods by which the defendants and  
16 other members and associates of the CLCS Organization participate  
17 in the conduct of the affairs of the enterprise are the  
18 following:

19 a. Members of the CLCS Organization use the enterprise  
20 to impose fines and to commit, and attempt and threaten to  
21 commit, acts of violence to protect and expand the enterprise's  
22 criminal operations. Members of the CLCS Organization further  
23 use the enterprise to promote a climate of intimidation and fear  
24 through violence and threats of violence.

25 b. Members of the CLCS Organization promulgate certain  
26 rules to be followed by all members and associates of the  
27 enterprise, including the rule that members and associates of the  
28 enterprise may not act as informants to law enforcement

1 authorities regarding the illegal activities of the enterprise.

2 c. To generate income, members and associates of the  
3 CLCS Organization are "entitled" to conduct, and in fact do  
4 conduct, illegal activities under the protection of the  
5 enterprise. This includes participating in drug trafficking,  
6 committing robberies, and collecting rent from narcotics  
7 traffickers, miqueros, and street vendors who operate within CLCS  
8 Organization territory.

9 e. The CLCS Organization pays taxes or rent to the  
10 Mexican Mafia in order to ensure protection for its incarcerated  
11 members and associates and to obtain continued authorization  
12 permitting it to exercise exclusive control over its territory  
13 and the criminal conduct occurring therein.

14 f. To perpetuate the CLCS Organization, members and  
15 associates of the enterprise attempt to conceal from law  
16 enforcement the existence of the CLCS Organization, the identity  
17 of its participants, the ways in which it conducts its affairs,  
18 and the locations at which it discusses and conducts its affairs.

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1 C. 21 U.S.C. § 841(a)(1) (possession with intent to  
2 distribute/distribution/aiding and abetting the  
3 distribution of illegal controlled substances);

4 D. 21 U.S.C. § 846 (narcotics conspiracy);

5 and multiple acts involving:

6 E. murder, in violation of California Penal Code Sections  
7 21(a), 31, 182, 187, 189, and 664;

8 F. extortion, in violation of California Penal Code  
9 Sections 519 and 524; and

10 G. robbery, in violation of California Penal Code Section  
11 211.

12 It was a further part of the conspiracy that each of the  
13 above-named defendants agreed that a co-conspirator would commit  
14 at least two acts of racketeering in the conduct of the affairs  
15 of the enterprise.

16 A. MEANS BY WHICH THE OBJECTS OF THE CONSPIRACY WERE TO BE  
17 ACCOMPLISHED

18 The objects of the conspiracy were to be accomplished in  
19 substance as follows:

20 3. Defendants PANTOJA, TERCERO, DELAGUILA, and RUIZ, and  
21 others known and unknown to the Grand Jury, would identify and  
22 recruit wholesale narcotics suppliers and street narcotics  
23 dealers to engage in the distribution and sale of narcotics in  
24 CLCS Organization territory.

25 4. Defendants PANTOJA, TERCERO, DELAGUILA, and RUIZ, and  
26 others known and unknown to the Grand Jury, would negotiate  
27 prices and quantities of narcotics, including crack cocaine, to  
28 be distributed among wholesale suppliers and street dealers  
selling narcotics in CLCS Organization territory.

1           5. Defendants PANTOJA, TERCERO, SALDANA, MURILLO, D.  
2 RODRIGUEZ, NAVARRO, MATEO, GUERRA, Y. VELASQUEZ, J. GONZALEZ,  
3 AREVALO, RIVERA, and ALAS, and others known and unknown to the  
4 Grand Jury, would possess with intent to distribute and  
5 distribute narcotic controlled substances, including cocaine base  
6 in the form of crack cocaine.

7           6. Defendants PANTOJA, TERCERO, DELAGUILA, RUIZ, EDUARDO  
8 HERNANDEZ, SALDANA, D. RODRIGUEZ, and GUERRA, and others known  
9 and unknown to the Grand Jury, would inform street narcotics  
10 dealers that they were required to obtain specific quantities of  
11 narcotics exclusively from wholesalers and suppliers designated  
12 by the CLCS Organization.

13           7. Defendants PANTOJA, TERCERO, DELAGUILA, RUIZ, EDUARDO  
14 HERNANDEZ, SALDANA, MURILLO, D. RODRIGUEZ, GUERRA, AREVALO, and  
15 RIVERA, and others known and unknown to the Grand Jury, would  
16 instruct the wholesale and street narcotics dealers that they  
17 were required to pay rent, typically a portion of their proceeds  
18 from the sales of narcotics, to the CLCS Organization in order to  
19 continue their narcotics trafficking activities in CLCS  
20 Organization territory, with the protection of the CLCS  
21 Organization from competition or interference from rival  
22 narcotics dealers, robbers, and other gangs, and that the failure  
23 to do so would result in retribution, including fines and acts of  
24 violence, directed at them by the CLCS Organization.

25           8. Defendants PANTOJA, TERCERO, DELAGUILA, RUIZ, EDUARDO  
26 HERNANDEZ, SALDANA, MURILLO, D. RODRIGUEZ, GUERRA, AREVALO, and  
27 RIVERA, and others known and unknown to the Grand Jury, would  
28 collect rent at regular intervals from narcotics wholesalers and

1 street narcotics dealers in CLCS Organization territory.

2 9. Defendants PANTOJA, SALDANA, MURILLO, Y. VELASQUEZ,  
3 MEJIA, RANGEL, and ATUNEES, and others known and unknown to the  
4 Grand Jury, would use intimidation, threats of violence, and  
5 actual violence in order to demand that shop owners and street  
6 vendors engaged in commerce in CLCS Organization territory pay  
7 rent to the CLCS Organization, in exchange for which they were  
8 allowed to operate their businesses within CLCS Organization  
9 territory without interference from the CLCS Organization. Rent  
10 collected from the narcotics traffickers and extorted from street  
11 vendors and shop owners would be delivered to the CLCS  
12 Organization shot callers, including but not limited to,  
13 defendants PANTOJA, DELAGUILA, and RUIZ.

14 10. Defendants PANTOJA, DELAGUILA, and RUIZ, and others  
15 known and unknown to the Grand Jury, would deliver, or cause to  
16 be delivered, a portion of the CLCS Organization rent proceeds to  
17 Mexican Mafia Member 1, through his designated intermediaries,  
18 including defendant GUILLEN.

19 11. Defendant GUILLEN and his co-conspirators would receive  
20 rent in the form of narcotic proceeds and other illegally  
21 obtained proceeds from the CLCS Organization, and transfer the  
22 money by money order or other means to Mexican Mafia Member 1's  
23 prison account and/or his designees, including, but not limited  
24 to, other members of the Mexican Mafia.

25 12. Defendants would enforce their control over the  
26 commerce and criminal activities conducted in CLCS Organization  
27 territory by employing intimidation, violence, and threats of  
28 violence against individuals who did not comply with CLCS

1 Organization directives. Defendants PANTOJA, DELAGUILA, RUIZ,  
2 and EDUARDO HERNANDEZ, and others known and unknown to the Grand  
3 Jury, would either engage in such enforcement acts directly, or  
4 order subordinate CLCS Organization members and associates to  
5 carry out such enforcement acts. Defendants MURILLO, V. IRAHETA,  
6 L. IRAHETA, D. RODRIGUEZ, NAVARRO, MATEO, MELGAREJO, PEREZ,  
7 ESTRADA, BRIZUELA, D. GONZALEZ, Y. VELASQUEZ, MEJIA, J. GONZALEZ,  
8 ATUNEES, ALAS, and RANGEL, and others known and unknown to the  
9 Grand Jury, would execute such enforcement actions, under the  
10 direction of CLCS Organization shot callers or other CLCS  
11 Organization members authorized by CLCS Organization shot callers  
12 to direct such enforcement actions.

13 13. Defendants PANTOJA, GUILLEN, TERCERO, DELAGUILA, RUIZ,  
14 EDUARDO HERNANDEZ, SALDANA, MURILLO, V. IRAHETA, L. IRAHETA, D.  
15 RODRIGUEZ, NAVARRO, MATEO, MELGAREJO, GUERRA, PEREZ, ESTRADA,  
16 BRIZUELA, D. GONZALEZ, Y. VELASQUEZ, MEJIA, J. GONZALEZ, AREVALO,  
17 RIVERA, ATUNEES, ALAS, and RANGEL, and others known and unknown  
18 to the Grand Jury, would further maintain the CLCS Organization's  
19 control of its territory by engaging in acts of intimidation,  
20 threats of violence, and actual violence against individuals who  
21 were, or who were perceived by the CLCS Organization members to  
22 be, members of rival gangs to the 18th Street Gang or the CLCS  
23 Organization, to prevent those gangs from encroaching on CLCS  
24 Organization territory, conducting narcotics trafficking or  
25 criminal activities in CLCS Organization territory, or otherwise  
26 competing with the criminal operations of the enterprise.

27 14. Defendants PANTOJA, GUILLEN, TERCERO, DELAGUILA, RUIZ,  
28 EDUARDO HERNANDEZ, SALDANA, MURILLO, V. IRAHETA, L. IRAHETA, D.

1 RODRIGUEZ, NAVARRO, MATEO, MELGAREJO, GUERRA, ESTRADA, BRIZUELA,  
2 Y. VELASQUEZ, MEJIA, J. GONZALEZ, AREVALO, RIVERA, ATUNEES, ALAS,  
3 and RANGEL, and others known and unknown to the Grand Jury, would  
4 further maintain the CLCS Organization's control of its territory  
5 by allying the CLCS Organization with the Mexican Mafia, and  
6 paying "taxes" to the Mexican Mafia in return for the Mexican  
7 Mafia's protection and authorization to control narcotics  
8 trafficking and other illegal activities in CLCS Organization  
9 territory.

10 15. Through the collection of rent and the control of  
11 commerce and criminal activity in CLCS Organization territory,  
12 defendants PANTOJA, GUILLEN, TERCERO, DELAGUILA, RUIZ, EDUARDO  
13 HERNANDEZ, SALDANA, MURILLO, V. IRAHETA, L. IRAHETA, D.  
14 RODRIGUEZ, NAVARRO, MATEO, MELGAREJO, GUERRA, ESTRADA, BRIZUELA,  
15 Y. VELASQUEZ, MEJIA, J. GONZALEZ, AREVALO, RIVERA, ATUNEES, ALAS,  
16 and RANGEL, and others known and unknown to the Grand Jury,  
17 operated an enterprise generating significant proceeds from  
18 narcotics trafficking and other illegal activity in CLCS  
19 Organization territory. The proceeds of the narcotics  
20 trafficking and other illegal activities controlled by the CLCS  
21 Organization generated profits for the CLCS Organization and its  
22 individual members and associates.

23 B. OVERT ACTS

24 16. In furtherance of the racketeering conspiracy and to  
25 accomplish its objects, defendants PANTOJA, GUILLEN, TERCERO,  
26 DELAGUILA, RUIZ, EDUARDO HERNANDEZ, SALDANA, MURILLO, V. IRAHETA,  
27 L. IRAHETA, D. RODRIGUEZ, NAVARRO, MATEO, MELGAREJO, GUERRA,  
28 PEREZ, ESTRADA, BRIZUELA, D. GONZALEZ, Y. VELASQUEZ, MEJIA, J.

1 GONZALEZ, AREVALO, RIVERA, ATUNEES, ALAS, and RANGEL, and others  
2 known and unknown to the Grand Jury, committed various overt  
3 acts, in Los Angeles County, within the Central District of  
4 California, and elsewhere, including, but not limited to, the  
5 following, on or about the dates set forth below:

6 (1) On July 21, 2001, defendants EDUARDO HERNANDEZ, L.  
7 IRAHETA, and V. IRAHETA shot and killed J.B.

8 (2) On July 21, 2001, defendants EDUARDO HERNANDEZ, L.  
9 IRAHETA, and V. IRAHETA shot and wounded A.H.

10 (3) On or about January 19, 2002, defendant V. IRAHETA  
11 attacked a car occupied by individuals not associated with the  
12 CLCS Organization that encroached upon CLCS Organization  
13 territory, by throwing a hard object into the window of the  
14 vehicle and yelling, "Where are you from?"

15 (4) On October 30, 2002, defendant L. IRAHETA  
16 possessed a loaded firearm while in CLCS Organization territory  
17 with defendant MELGAREJO.

18 (5) On October 31, 2002, defendant MATEO possessed and  
19 distributed crack cocaine in CLCS Organization territory.

20 (6) On August 19, 2003, defendants L. IRAHETA and  
21 EDUARDO HERNANDEZ collected rent from CLCS Organization member  
22 A.S. in CLCS Organization territory.

23 (7) On March 27, 2004, defendant ESTRADA committed a  
24 robbery, during which he asked the victims, "What gang are you  
25 from?" and thereafter fled to a known CLCS Organization meeting  
26 place.

27 (8) On June 9, 2004, defendant MATEO distributed  
28 narcotics in CLCS Organization territory.

1           (9) On February 16, 2005, at his home in CLCS  
2 Organization territory, defendant RIVERA possessed approximately  
3 3.56 grams of crack cocaine, approximately \$2,409 in United  
4 States currency, a loaded Walther PPK .380 semi-automatic  
5 handgun, and multiple rounds of .380 caliber ammunition.

6           (10) On March 8, 2005, CLCS Organization member James  
7 Anthony Villalobos ("Villalobos") collected rent money from  
8 defendant GUERRA in CLCS Organization territory, which Villalobos  
9 then attempted to deliver to defendant DELAGUILA.

10           (11) On June 14, 2005, defendant MELGAREJO, using  
11 racial slurs and invoking 18th Street Gang authority, attempted  
12 to collect rent from African-American individuals living in CLCS  
13 Organization territory.

14           (12) On June 29, 2005, defendant PANTOJA delivered  
15 rent money to defendant DELAGUILA.

16           (13) On July 13, 2005, defendant GUERRA extorted \$600  
17 from a store owner in CLCS Organization territory.

18           (14) On July 15, 2005, defendant GUERRA forced a store  
19 owner operating in CLCS Organization territory to allow a CLCS  
20 Organization narcotics street dealer to sell narcotics outside of  
21 the store.

22           (15) On July 20, 2005, defendant GUERRA extorted \$200  
23 from a store owner whose business was located in CLCS  
24 Organization territory.

25           (16) On July 23, 2005, defendant D. RODRIGUEZ  
26 committed an armed robbery in 18th Street Gang territory, on the  
27 border of CLCS Organization territory and the territory of the  
28 rival "Rockwood" gang.

1 (17) On August 1, 2005, defendant PANTOJA ordered  
2 defendant NAVARRO and other 18th Street Gang members to assault  
3 two individuals present in a laundromat in CLCS Organization  
4 territory who PANTOJA believed were members of a rival gang.

5 (18) On August 1, 2005, pursuant to orders from  
6 defendant PANTOJA, defendant NAVARRO and other 18th Street Gang  
7 members assaulted D.R.V. and W.V., who was visibly pregnant at  
8 the time, in a laundromat in CLCS Organization territory and told  
9 them to get out of CLCS Organization territory.

10 (19) On September 10, 2005, defendant D. RODRIGUEZ  
11 possessed narcotics for sale and narcotics proceeds in CLCS  
12 Organization territory.

13 (20) On October 13, 2005, defendant EDUARDO HERNANDEZ  
14 harbored in CLCS Organization territory notorious fugitive 18th  
15 Street Gang member W.V., aka "Crook," who was the subject of a  
16 state arrest arising from his involvement in multiple homicides  
17 committed on behalf of the 18th Street Gang.

18 (21) On October 15, 2005, Villalobos paid defendant  
19 DELAGUILA \$2,500 to be allowed to step down as shot caller of the  
20 CLCS Organization without being assaulted.

21 (22) On December 28, 2005, defendants V. IRAHETA and  
22 EDUARDO HERNANDEZ violated a State of California gang injunction  
23 by associating with fellow CLCS Organization members in CLCS  
24 Organization territory.

25 (23) On January 9, 2006, CLCS Organization members  
26 defendants EDUARDO HERNANDEZ, L. IRAHETA, and V. IRAHETA attended  
27 a CLCS Organization meeting with approximately six other CLCS  
28 Organization members at the home of CLCS Organization member F.E.

1           (24) On April 6, 2006, in defendant PANTOJA's tattoo  
2 shop located in CLCS Organization territory, PANTOJA and  
3 defendant ESTRADA, using coded language, discussed 18th Street  
4 Gang business, including rent collections and setting up new  
5 cliques of the 18th Street Gang.

6           (25) On April 11, 2006, defendant PANTOJA met with  
7 defendant RIVERA and others inside PANTOJA's tattoo shop, and,  
8 using coded language, discussed how he was a member of the CLCS  
9 Organization and further discussed the distribution of narcotics  
10 within CLCS Organization territory.

11           (26) On April 13, 2006, in CLCS Organization  
12 territory, defendant TERCERO, acting at the direction of and in  
13 concert with defendant PANTOJA, possessed narcotics for sale.

14           (27) On April 14, 2006, in defendant PANTOJA's tattoo  
15 shop, using coded language, PANTOJA discussed the distribution of  
16 narcotics and CLCS Organization business, including PANTOJA's  
17 need for additional narcotics dealers to sell in CLCS  
18 Organization territory, and the quality, quantity, and price of  
19 crack cocaine that PANTOJA would supply to narcotics traffickers  
20 in CLCS Organization territory.

21           (28) On April 18, 2006, in defendant PANTOJA's tattoo  
22 shop, PANTOJA directed a cooperating witness ("CW-2") to pay \$400  
23 per week in rent in exchange for the right to distribute  
24 narcotics in CLCS Organization territory, and to tell anyone who  
25 challenged CW-2 that CW-2 had authorization from PANTOJA to sell  
26 narcotics in CLCS Organization territory.

27           (29) On April 18, 2006, in CLCS Organization  
28 territory, defendant TERCERO, acting at the direction of and in

1 concert with defendant PANTOJA, possessed narcotics for sale.

2 (30) On April 19, 2006, in CLCS Organization  
3 territory, defendant TERCERO, acting at the direction of and in  
4 concert with defendant PANTOJA, possessed narcotics for sale.

5 (31) On April 25, 2006, in defendant PANTOJA's tattoo  
6 shop, PANTOJA collected \$400 in rent from CW-2.

7 (32) On April 26, 2006, defendant MELGAREJO carried a  
8 loaded handgun in 18th Street Gang territory.

9 (33) On April 27, 2006, Mexican Mafia Member 1 sent a  
10 letter to defendant RUIZ, stating that the money order RUIZ sent  
11 to Mexican Mafia Member 1 had been returned, and that the 18th  
12 Street Gang members should make peace because that is the way  
13 Mexican Mafia Member 1 wanted it to be.

14 (34) On May 2, 2006, in defendant PANTOJA's tattoo  
15 shop, PANTOJA collected \$400 in rent from CW-2.

16 (35) On May 2, 2006, in CLCS Organization territory,  
17 defendant TERCERO, acting at the direction of and in concert with  
18 defendant PANTOJA, possessed narcotics for sale.

19 (36) On May 2, 2006, using coded language, defendant  
20 PANTOJA discussed how to package crack cocaine so that it could  
21 be swallowed to avoid law enforcement detection.

22 (37) On May 8, 2006, Mexican Mafia Member 1 sent a  
23 letter to defendant RUIZ instructing RUIZ that CLCS Organization  
24 members should not falsely invoke the authority of the Mexican  
25 Mafia for infighting. Using coded language, Mexican Mafia Member  
26 1 further told RUIZ not to interfere with defendant PANTOJA's  
27 work if he was not willing to help PANTOJA, to inform PANTOJA  
28 that Mexican Mafia Member 1 would back him up as long as PANTOJA

1 paid taxes to Mexican Mafia Member 1, and to assemble a meeting  
2 of shot callers for the cliques of the 18th Street Gang under  
3 Mexican Mafia Member 1's control in order to stop infighting and  
4 to unite their efforts on behalf of the 18th Street Gang and the  
5 Mexican Mafia.

6 (38) On May 12, 2006, defendant RUIZ wrote a letter to  
7 Mexican Mafia Member 1, in which he addressed Mexican Mafia  
8 Member 1 as "padrino," and further noted that he had done  
9 everything possible to please Mexican Mafia Member 1 since  
10 receiving Mexican Mafia Member 1's letter and would continue  
11 doing whatever Mexican Mafia Member 1 asked of him, including  
12 making amends between members of the various cliques of the 18th  
13 Street Gang under Mexican Mafia Member 1's control.

14 (39) On May 17, 2006, in defendant PANTOJA's tattoo  
15 shop, PANTOJA collected \$400 in rent from CW-2.

16 (40) On May 17, 2006, defendant PANTOJA stated to  
17 another member of the 18th Street Gang that the Mexican Mafia had  
18 given PANTOJA "the keys" (i.e., control) of all 18th Street Gang  
19 territories west of downtown Los Angeles, which included control  
20 of the distribution of crack cocaine in CLCS Organization  
21 territory.

22 (41) On June 17, 2006, defendant RUIZ wrote a letter  
23 to Mexican Mafia Member 1 in which he gave Mexican Mafia Member 1  
24 telephone numbers Mexican Mafia Member 1 could use to reach RUIZ,  
25 and RUIZ asked Mexican Mafia Member 1 to send a picture of  
26 himself to RUIZ.

27 (42) On July 26, 2006, defendants PANTOJA and TERCERO  
28 sold narcotics in CLCS Organization territory.

1 (43) On July 26, 2006, in defendant PANTOJA's tattoo  
2 shop, PANTOJA collected \$400 in rent from CW-2.

3 (44) On July 26, 2006, in CLCS Organization territory,  
4 narcotics street dealer Marco Anthony Fonseca, aka "Junior," aka  
5 "Primo," aka "Catracho" ("Fonseca"), acting at the direction of  
6 and in concert with defendants PANTOJA and TERCERO, possessed  
7 approximately 31.7 grams of crack cocaine that PANTOJA, TERCERO,  
8 and Fonseca sold to CW-2.

9 (45) On August 13, 2006, defendant PANTOJA wrote a  
10 letter to Mexican Mafia Member 1 in which he provided Mexican  
11 Mafia Member 1 with his contact information, and, using coded  
12 language, advised Mexican Mafia Member 1 that he and other shot  
13 callers of the 18th Street Gang were acting in concert to further  
14 the business of the Mexican Mafia and 18th Street Gang.

15 (46) On August 14, 2006, defendant PANTOJA directed an  
16 individual to pay rent in exchange for permission to sell  
17 narcotics in CLCS Organization territory.

18 (47) On August 15, 2006, defendant PANTOJA collected  
19 \$800 in rent from CW-2 in PANTOJA's tattoo shop.

20 (48) On August 31, 2006, Mexican Mafia Member 1 wrote  
21 a letter to defendant PANTOJA stating that he did not want to  
22 hear any excuses as to why PANTOJA did not write to Mexican Mafia  
23 Member 1 and instructing PANTOJA to dedicate himself to becoming  
24 a Mexican Mafia member.

25 (49) On September 13, 2006, using coded language,  
26 defendant PANTOJA and CLCS Organization member Edgar Hernandez  
27 discussed arrangements for Edgar Hernandez to deliver rent from  
28 PANTOJA to defendant GUILLEN.

1 (50) On September 13, 2006, using coded language,  
2 defendant PANTOJA and Edgar Hernandez discussed Edgar Hernandez's  
3 efforts to deliver rent to defendant GUILLEN.

4 (51) On September 14, 2006, using coded language,  
5 defendant PANTOJA told Edgar Hernandez to deliver rent money to  
6 PANTOJA, and that PANTOJA would deliver it to defendant GUILLEN.

7 (52) On September 20, 2006, using coded language,  
8 Edgar Hernandez and defendant TERCERO discussed Edgar Hernandez's  
9 delivery of rent money to defendant GUILLEN.

10 (53) On September 25, 2006, using coded language,  
11 defendants PANTOJA and MELGAREJO discussed ongoing CLCS  
12 Organization criminal activity within the prison where MELGAREJO  
13 was then incarcerated.

14 (54) On September 26, 2006, using coded language,  
15 defendant PANTOJA and Edgar Hernandez discussed Edgar Hernandez's  
16 delivery of rent to defendant GUILLEN.

17 (55) On September 26, 2006, using coded language,  
18 defendant TERCERO and Edgar Hernandez discussed defendant  
19 PANTOJA's delivery of rent to defendant GUILLEN.

20 (56) On October 4, 2006, using coded language, Edgar  
21 Hernandez and defendant PANTOJA discussed Edgar Hernandez's  
22 attempt to deliver rent to defendant GUILLEN.

23 (57) On October 5, 2006, using coded language, Edgar  
24 Hernandez and defendant PANTOJA discussed delivering rent to  
25 defendant GUILLEN.

26 (58) On October 5, 2006, using coded language, Edgar  
27 Hernandez and defendant TERCERO discussed delivering rent to  
28 defendant GUILLEN.

1 (59) On October 9, 2006, using coded language,  
2 defendants PANTOJA and RUIZ discussed the recent arrests on  
3 federal charges of numerous members of other cliques of the 18th  
4 Street Gang.

5 (60) On October 10, 2006, using coded language,  
6 defendants PANTOJA and AREVALO discussed with Edgar Hernandez  
7 Edgar Hernandez delivering rent to PANTOJA with the assistance of  
8 AREVALO.

9 (61) On October 10, 2006, using coded language,  
10 defendants TERCERO and AREVALO discussed the payment of rent by  
11 Edgar Hernandez and others.

12 (62) On October 10, 2006, using coded language,  
13 defendants PANTOJA and TERCERO discussed efforts to collect rent  
14 from Jose Luis Miranda ("Miranda"), a wholesale distributor of  
15 crack cocaine who operated in CLCS Organization territory.

16 (63) On October 17, 2006, defendant AREVALO arranged a  
17 meeting between defendant TERCERO and Miranda at defendant  
18 PANTOJA's tattoo shop.

19 (64) On October 24, 2006, Mexican Mafia Member 1 wrote  
20 a letter to defendant RUIZ that, using coded language, instructed  
21 RUIZ to contact defendant PANTOJA and that further advised RUIZ  
22 that 18th Street Gang members should communicate better with each  
23 other so there are no misunderstandings about gang business.

24 (65) On November 1, 2006, using coded language,  
25 defendants PANTOJA and GUILLEN discussed PANTOJA delivering rent  
26 to GUILLEN the next day, at the same place where they had met for  
27 that purpose in the past.

28 (66) On November 2, 2006, defendant PANTOJA delivered

1 rent to defendant GUILLEN at GUILLEN's law office.

2 (67) On November 8, 2006, defendant AREVALO arranged a  
3 meeting between defendants PANTOJA and SALDANA at defendant  
4 PANTOJA's tattoo shop.

5 (68) On November 11, 2006, using coded language,  
6 defendants PANTOJA and TERCERO discussed the collection of rent.

7 (69) On November 13, 2006, using coded language,  
8 defendant RIVERA warned defendant TERCERO about the presence of  
9 police in CLCS Organization territory.

10 (70) On November 13, 2006, using coded language,  
11 defendants PANTOJA and TERCERO discussed a money order that they  
12 previously sent to a Mexican Mafia member incarcerated at ADX-  
13 Florence and specifically whether PANTOJA should try to re-send  
14 the money order, which had been returned.

15 (71) On November 16, 2006, using coded language,  
16 defendants TERCERO and AREVALO discussed packaging narcotics for  
17 sale.

18 (72) On November 20, 2006, using coded language,  
19 defendants TERCERO and SALDANA discussed the presence of police  
20 in CLCS Organization territory, and that the street narcotics  
21 dealers had left the area, but were returning.

22 (73) On November 21, 2006, using coded language,  
23 defendant TERCERO and Miranda arranged to meet so that Miranda  
24 could deliver rent to TERCERO.

25 (74) On November 22, 2006, using coded language,  
26 defendant PANTOJA wrote a letter to Mexican Mafia Member 1 saying  
27 that he would like to talk to one of his fellow gang members or  
28 Mexican Mafia brothers about his problems, and that PANTOJA would

1 stay focused in his efforts to become a Mexican Mafia member.

2 (75) On November 29, 2006, using coded language,  
3 defendants TERCERO and SALDANA discussed that the rent payments  
4 from the street narcotics dealers should be ready for pick up by  
5 5:00 p.m.

6 (76) On November 29, 2006, Mexican Mafia Member 1  
7 wrote a letter to defendant PANTOJA and, using coded language,  
8 instructed him to stay focused in order to achieve his goal of  
9 becoming a Mexican Mafia brother.

10 (77) On November 29, 2006, using coded language,  
11 defendant TERCERO told defendant SALDANA to pick up rent from  
12 street dealers on the day shift, not the night shift.

13 (78) On November 29, 2006, using coded language,  
14 defendant TERCERO told defendant SALDANA that she was waiting for  
15 Edgar Hernandez, but that "Crash" (referring to a Los Angeles  
16 Police Department unit) was in the vicinity of CLCS Organization  
17 territory.

18 (79) On December 1, 2006, using coded language,  
19 defendant PANTOJA identified himself as the "boss" of narcotics  
20 street dealer Juan Velasquez, aka "La Viuda" ("J. Velasquez"),  
21 discussed with J. Velasquez his purchase of crack cocaine from a  
22 wholesale supplier in CLCS Organization territory who charged  
23 less than another supplier who had been approved by PANTOJA, and  
24 instructed J. Velasquez that he could continue this practice if  
25 he also regularly purchased crack cocaine from PANTOJA's  
26 designated supplier.

27 (80) On December 2, 2006, using coded language,  
28 defendant TERCERO directed narcotics wholesaler Miranda to

1 deliver rent early to defendant PANTOJA, and to have Fonseca also  
2 deliver rent early, because when PANTOJA is upset "he strikes to  
3 kill."

4 (81) On December 3, 2006, using coded language,  
5 defendant SALDANA told defendant TERCERO that narcotics street  
6 dealer Edi Pineda Rivas, aka "Javier Garcia," aka "El Zarco"  
7 ("Rivas"), was in J. Velasquez' narcotics sales area within CLCS  
8 Organization territory and had a lot of crack cocaine for sale  
9 and SALDANA added that, after Rivas falsely claimed that the  
10 crack cocaine belonged to J. Velasquez, SALDANA "smacked" Rivas  
11 for selling crack cocaine in J. Velasquez' area without  
12 "authorization" from the CLCS Organization and then took Rivas'  
13 crack cocaine and cell phone.

14 (82) On December 3, 2006, using coded language,  
15 defendant TERCERO and J. Velasquez discussed defendant SALDANA's  
16 assault on Rivas after Rivas was caught selling crack cocaine  
17 without authorization in J. Velasquez's "area," that defendant  
18 PANTOJA was "making his rounds" in CLCS Organization territory,  
19 and that the narcotics street dealers should realize that PANTOJA  
20 watches them.

21 (83) On December 3, 2006, using coded language,  
22 defendant PANTOJA told defendant RIVERA that PANTOJA had Rivas  
23 assaulted for selling crack cocaine in J. Velasquez' area without  
24 "authorization" and that RIVERA should look out to see if Rivas  
25 was still dealing in CLCS Organization territory.

26 (84) On December 3, 2006, using coded language,  
27 defendant SALDANA told defendant TERCERO that if he saw Rivas  
28 selling crack cocaine in CLCS Organization territory that Rivas

1 would "get it worse than" the last time, for which TERCERO  
2 thanked SALDANA.

3 (85) On December 4, 2006, using coded language,  
4 defendant SALDANA warned defendant TERCERO that the police were  
5 in CLCS Organization territory.

6 (86) On December 5, 2006, using coded language,  
7 defendant TERCERO and defendant SALDANA discussed that Rivas was  
8 allowed to sell crack cocaine in CLCS Organization territory  
9 again, and TERCERO directed SALDANA to give Rivas back his cell  
10 phone but not his crack cocaine.

11 (87) On December 7, 2006, using coded language,  
12 defendant AREVALO told defendant TERCERO that the police had just  
13 released him and that the police had searched Miranda's home and  
14 found Miranda's crack cocaine.

15 (88) On December 9, 2006, using coded language,  
16 defendant PANTOJA directed defendant SALDANA to hide rent he was  
17 carrying while on the street in the bra of a female companion.

18 (89) On December 9, 2006, using coded language,  
19 defendants TERCERO and SALDANA discussed how CLCS Organization  
20 associate Christian Gavarette ("Gavarette") would begin providing  
21 crack cocaine to street dealers because Miranda had been  
22 arrested, and that Gavarette needed a place to store the crack  
23 cocaine.

24 (90) On December 9, 2006, using coded language,  
25 defendant PANTOJA told defendant TERCERO that street dealers had  
26 threatened to quit selling narcotics due to the quality of crack  
27 cocaine provided to them, in response to which PANTOJA stated he  
28 was considering assaults on the dealers, among other

1 repercussions.

2 (91) On December 10, 2006, using coded language,  
3 defendant TERCERO told defendant SALDANA that she was with the  
4 "lady" (referring to narcotics wholesaler Lety Bertotty  
5 Hernandez, aka "La Señora," aka "La Huera" ("Bertotty")) with the  
6 crack cocaine and directed SALDANA to bring the money to pay for  
7 the crack cocaine.

8 (92) On December 10, 2006, using coded language,  
9 defendant SALDANA told defendant TERCERO that he had collected  
10 one-half of the rent owed by Edgar Hernandez and would collect  
11 the other half that day.

12 (93) On December 10, 2006, using coded language,  
13 defendant TERCERO told defendant SALDANA that defendant PANTOJA  
14 had beaten up two gang members who represented themselves to be  
15 from "7th and Broadway" (referring to a particular 18th Street  
16 Gang clique that had problems with the CLCS Organization) because  
17 they had encroached upon CLCS Organization territory.

18 (94) On December 11, 2006, using coded language,  
19 defendant PANTOJA told defendant TERCERO that the narcotics  
20 street dealers are going to need more crack cocaine, to which  
21 TERCERO responded that she had ordered more crack cocaine from  
22 narcotics wholesaler Jose Alberto Alvarenga Villeda, aka "Chepe,"  
23 aka "El Gordo," aka "El Señor" ("Villeda"), and needed \$1,000 to  
24 pay Villeda for these drugs.

25 (95) On December 12, 2006, using coded language,  
26 defendant PANTOJA directed defendant SALDANA to collect rent from  
27 street dealers working at night because they were behind in their  
28 payments and because street dealers working in the day had not

1 fully paid PANTOJA what he was owed.

2 (96) On December 14, 2006, using coded language,  
3 defendant TERCERO told Villeda that she would introduce Gavarette  
4 to him so that Gavarette could begin picking up crack cocaine  
5 from Villeda; that defendant PANTOJA was not "going to be putting  
6 himself at risk anymore," and that, going forward, TERCERO would  
7 "only be in charge of . . . the money," which she would collect  
8 from Gavarette and then deliver to Villeda; and that Villeda  
9 would "only meet with" Gavarette to deliver crack cocaine to him.

10 (97) On December 14, 2006, using coded language,  
11 defendant TERCERO told Gavarette that, based on the quantity of  
12 crack cocaine provided by Villeda, Gavarette should be able to  
13 make "fifteen or sixteen" packets of crack cocaine to distribute  
14 to street dealers and that there should be some additional crack  
15 cocaine left over, in response to which Gavarette stated that the  
16 "night crew usually calls" him when they get there and that the  
17 quality of the pieces of crack cocaine Gavarette had were "good,  
18 they almost look like chunkies."

19 (98) On December 14, 2006, using coded language,  
20 Gavarette told defendant TERCERO that he was lacking enough  
21 "flats" (referring to a style of crack cocaine) "to make another  
22 bag" of them to give to a street dealer, and TERCERO responded  
23 that she would give him her "leftovers" to combine with his  
24 "leftovers."

25 (99) On December 15, 2006, using coded language,  
26 defendant PANTOJA asked defendant TERCERO for a quantity of crack  
27 cocaine, to which TERCERO replied that Gavarette should have  
28 "sixteen" packets of crack cocaine, but that they were short "ten

1 or twenty" pieces for the sixteenth packet, and thus only had  
2 fifteen complete packets, for which Gavarette owed them \$1,500.

3 (100) On December 15, 2006, using coded language,  
4 defendant PANTOJA directed defendant TERCERO to "place the order"  
5 and quickly have the crack cocaine delivered to Gavarette because  
6 street dealers were "asking for some right now," in response to  
7 which TERCERO stated that she would call Villeda, that Gavarette  
8 and Villeda had "agreed on a place" to meet, and that the "money  
9 is no problem" because TERCERO had told Villeda she would "give  
10 it to him later."

11 (101) On December 15, 2006, using coded language,  
12 defendant TERCERO told Gavarette that he came up short on money,  
13 and Gavarette informed TERCERO that two narcotics street dealers  
14 came by yesterday and each bought two packages of cocaine base.

15 (102) On December 15, 2006, using coded language,  
16 Gavarette told defendant TERCERO that, the prior night, the  
17 police had been watching Gavarette and some street dealers while  
18 they were on the street in CLCS Organization territory selling  
19 crack cocaine to customers, and TERCERO warned Gavarette that  
20 they needed to be careful.

21 (103) On December 16, 2006, defendant PANTOJA told a  
22 narcotics street dealer that Gavarette would not sell him any  
23 crack cocaine until the street dealer paid what he owed, and  
24 PANTOJA then instructed Gavarette to follow this directive.

25 (104) On December 17, 2006, using coded language,  
26 defendants TERCERO and SALDANA discussed Gavarette's collection  
27 of money for crack cocaine from street dealers.

28 (105) On December 17, 2006, using coded language,

1 defendants TERCERO and RIVERA discussed the collection of rent  
2 from street dealers.

3 (106) On December 18, 2006, using coded language,  
4 defendant RIVERA told defendant PANTOJA that he would deliver all  
5 of the rent he owed, as well as the rent owed by another street  
6 dealer.

7 (107) On December 18, 2006, using coded language,  
8 defendants PANTOJA and SALDANA discussed that street dealers were  
9 not selling crack cocaine because of the amount of rent they had  
10 to pay and that, in order to address customer demand, SALDANA  
11 should have Gavarette and Edgar Hernandez sell narcotics on the  
12 street.

13 (108) On December 19, 2006, using coded language,  
14 defendant PANTOJA and Edgar Hernandez discussed Edgar Hernandez'  
15 collection of rent and his delivery of money to defendant  
16 GUILLEN.

17 (109) On December 23, 2006, using coded language,  
18 defendant TERCERO asked Gavarette if he still had crack cocaine,  
19 to which Gavarette replied that he only had "two of the chunky  
20 kind and flat too" (referring to styles of crack cocaine), and  
21 that he had given defendant SALDANA \$300 in rent and \$300 for  
22 crack cocaine.

23 (110) On December 23, 2006, using coded language,  
24 Gavarette told defendant TERCERO that he was owed \$600 from  
25 street dealers, that none of them had paid that day, and that  
26 defendant SALDANA told him what to do if they failed to pay.

27 (111) On December 23, 2006, defendant TERCERO told  
28 Gavarette that she was going to order the "chunky kind"

1 (referring to a style of crack cocaine) from Villeda for delivery  
2 to Gavarette.

3 (112) On December 25, 2006, using coded language,  
4 defendant TERCERO told defendant SALDANA to collect money from  
5 Gavarette because she did not want Gavarette "to have all that  
6 money on him," and that Gavarette had told her he had the "ten"  
7 (\$1,000) that he owed, to which SALDANA replied that he would  
8 pick up the money from Gavarette.

9 (113) On December 25, 2006, using coded language,  
10 defendant PANTOJA told defendant SALDANA to tell Edgar Hernandez  
11 to deliver rent to PANTOJA.

12 (114) On December 28, 2006, using coded language,  
13 defendant TERCERO complained to Villeda that the crack cocaine  
14 Villeda was "sending is no good" because it was "too thin" and  
15 "falls apart," to which Villeda responded that no street dealers  
16 had previously complained to him.

17 (115) On December 28, 2006, using coded language,  
18 Villeda told defendant TERCERO that, at times, Villeda had  
19 provided crack cocaine directly to street dealers, but that  
20 Villeda knew "what the rules are" and did not want to violate  
21 CLCS Organization rules by not deferring to PANTOJA's control of  
22 dealings between the narcotics wholesalers and street dealers in  
23 CLCS Organization territory.

24 (116) On December 28, 2006, using coded language,  
25 defendant PANTOJA instructed Gavarette that Gavarette needed to  
26 be readily available to provide crack cocaine to street dealers.

27 (117) On December 29, 2006, using coded language,  
28 defendants TERCERO and SALDANA discussed with Gavarette the

1 quantities and styles -- including "chunky," "skinny," and "flat"  
2 -- of crack cocaine being provided to street dealers, and the  
3 money owed by these street dealers.

4 (118) On or about December 30, 2006, using coded  
5 language, defendant PANTOJA directed defendant SALDANA to talk to  
6 Gavarette about problems with how Gavarette had been handling  
7 money and crack cocaine.

8 (119) On December 30, 2006, using coded language,  
9 defendant PANTOJA told defendant SALDANA to remind Edgar  
10 Hernandez about rent that was missing from the previous week.

11 (120) On December 30, 2006, using coded language,  
12 Gavarette and defendant PANTOJA discussed why Gavarette was  
13 coming up short on sales of narcotics, and Gavarette told PANTOJA  
14 that he suspected that "Chava" was stealing the narcotics.

15 (121) On December 30, 2006, defendant PANTOJA told  
16 Gavarette to straighten out the situation regarding the narcotics  
17 that were not accounted for, because if PANTOJA had to handle it  
18 "there is going to be some shit."

19 (122) On December 30, 2006, using coded language,  
20 defendant PANTOJA told defendant SALDANA to find "Chava" and  
21 assault him and then to go hit Gavarette for being a "dumbass"  
22 for letting "Chava" steal narcotics.

23 (123) On December 31, 2006, using coded language,  
24 defendant SALDANA told defendant PANTOJA that he had \$500 to give  
25 to PANTOJA, after which PANTOJA chastised SALDANA for calling him  
26 "on the wrong phone" and told SALDANA that he "just might as well  
27 go turn me in" to the police.

28 (124) On January 2, 2007, using coded language,

1 defendant SALDANA told defendant TERCERO that Villeda had  
2 delivered "seven and one-half of the fatty ones" (referring to a  
3 quantity and style of crack cocaine) to Gavarette and discussed  
4 with TERCERO rent collected from street dealers and money  
5 collected by Gavarette to pay for crack cocaine.

6 (125) On January 2, 2007, using coded language,  
7 Gavarette told defendant TERCERO that he had set "those two"  
8 (referring to packages of cocaine base) aside for two street  
9 dealers.

10 (126) On January 3, 2007, using coded language,  
11 defendant PANTOJA asked defendant SALDANA to call Edgar Hernandez  
12 to make sure Edgar Hernandez met PANTOJA at 7:00 p.m.

13 (127) On January 3, 2007, using coded language,  
14 defendants PANTOJA and SALDANA discussed Edgar Hernandez getting  
15 pulled over by the police, and SALDANA informed PANTOJA that  
16 Edgar Hernandez had already delivered the rent he possessed to  
17 defendant GUILLEN before he was stopped by police.

18 (128) On January 3, 2007, using coded language,  
19 defendants PANTOJA and SALDANA agreed to meet with Edgar  
20 Hernandez to discuss what happened when he was stopped by the  
21 police.

22 (129) On January 4, 2007, using coded language,  
23 defendant TERCERO asked Gavarette how many "chunkies" he had left  
24 and then told him to take his share of \$250 out of the \$1,000 in  
25 his possession and give the remaining \$750 to defendant SALDANA  
26 to deliver to TERCERO.

27 (130) On January 5, 2007, using coded language,  
28 defendants PANTOJA, TERCERO, and SALDANA discussed that Gavarette

1 needed more of the "thin kind" of crack cocaine and that SALDANA  
2 had picked up \$750 from Gavarette that was owed to TERCERO.

3 (131) On January 5, 2007, using coded language,  
4 defendants PANTOJA and SALDANA discussed putting a new street  
5 dealer in CLCS Organization territory, the style of crack cocaine  
6 the new dealer would sell, and that the new dealer would start by  
7 paying \$100 in rent.

8 (132) On January 10, 2007, using coded language,  
9 defendant PANTOJA told defendant TERCERO that the police stopped  
10 defendant SALDANA and took his "check," which PANTOJA explained  
11 consisted of \$500 in ten- and twenty-dollar bills.

12 (133) On January 10, 2007, defendant PANTOJA told  
13 defendant TERCERO that Edgar Hernandez was not welcome in the  
14 neighborhood anymore and that, if he came back, the "homies"  
15 would give him a beating.

16 (134) On January 10, 2007, defendant PANTOJA told  
17 defendant TERCERO that he was going to let the "traqs" buy from  
18 whoever they want.

19 (135) On February 6, 2007, defendant PANTOJA possessed  
20 approximately 5.76 grams of crack cocaine and approximately  
21 \$10,000 in United States currency.

22 (136) In or about September 2007, defendant PANTOJA  
23 demanded a rent payment from street vendor F.C. and then issued a  
24 verbal threat to F.C., who refused to make payment.

25 (137) On September 15, 2007, defendants PANTOJA,  
26 MURILLO, D. GONZALEZ, Y. VELASQUEZ, MEJIA, J. GONZALEZ, ALAS, and  
27 RANGEL, and unindicted co-conspirator #1 ("CC-1") agreed to  
28 assault F.C.

1 (138) On September 15, 2007, CC-1 attempted to murder  
2 F.C. by shooting him, resulting in permanent bodily injury to  
3 F.C.

4 (139) On September 15, 2007, CC-1, in attempting to  
5 murder F.C., killed L.A.G, a twenty-three day old child.

6 (140) On September 15, 2007, defendants PANTOJA,  
7 MURILLO, D. GONZALEZ, Y. VELASQUEZ, MEJIA, J. GONZALEZ, ALAS, and  
8 RANGEL aided and abetted the killing of L.A.G.

9 (141) On September 16, 2007, in CLCS Organization  
10 territory, defendant ESTRADA threatened J.M., a witness to the  
11 murder of L.A.G. and attempted murder of F.C., and told J.M. that  
12 if J.M. told the police what J.M. had seen regarding the murder  
13 and attempted murder, ESTRADA would "come get [J.M.] and [J.M.'s]  
14 family."

15 (142) On September 17, 2007, defendants ESTRADA and  
16 BRIZUELA threatened J.M., a witness to the murder of L.A.G. and  
17 attempted murder of F.C., by dragging J.M. into an alley and  
18 telling J.M. that if J.M. told the police what J.M. had seen  
19 regarding the murder and attempted murder, J.M. would "get  
20 [J.M.'s] ass whooped" by ESTRADA and BRIZUELA, and that J.M.  
21 would be "jumped by the homies" (assaulted by CLCS Organization  
22 members and associates).

23 (143) On September 19, 2007, defendants PANTOJA and  
24 MURILLO agreed that CC-1 would be taken to Mexico under the false  
25 pretense of hiding him from the police officers who were  
26 investigating the murder of L.A.G., so that MURILLO could kill  
27 CC-1 and remove the "green light" that the Mexican Mafia had  
28 placed on the 18th Street Gang because CC-1 killed L.A.G.

1           (144) On September 19, 2007, through September 21,  
2 2007, defendants MURILLO and PEREZ kidnaped CC-1, taking him from  
3 Los Angeles to Mexico, under the false pretense of hiding him  
4 from the police, while their true intent was to murder CC-1 at  
5 the direction of defendant PANTOJA, in order to remove the "green  
6 light" placed on the 18th Street Gang by the Mexican Mafia  
7 because CC-1 had killed L.A.G.

8           (145) On September 21, 2007, defendants MURILLO and  
9 PEREZ attempted to murder CC-1 by strangling him until he was  
10 unconscious and leaving him for dead on the side of a road,  
11 resulting in serious bodily injury to CC-1.

12           (146) On October 16, 2007, using coded language,  
13 defendant MURILLO told unindicted co-conspirator #2 ("CC-2") that  
14 defendant PANTOJA would allow the sales of crack cocaine they  
15 were discussing and that they needed to start selling quickly  
16 before the "clients" went somewhere else.

17           (147) On October 16, 2007, CC-2, using coded language,  
18 CC-2 told defendant MURILLO that he and "Marcos" were  
19 distributing narcotics at a location in CLCS Organization  
20 territory.

21           (148) On October 16, 2007, using coded language,  
22 defendant MURILLO told CC-2 that CC-2 and "Marcos" were going to  
23 be the narcotics suppliers at the location identified by CC-2.

24           (149) On October 16, 2007, using coded language,  
25 defendant MURILLO and CC-2 discussed collecting rent payments  
26 from the narcotics dealers at a rate of \$400 per week.

27           (150) On October 16, 2007, using coded language,  
28 defendants MURILLO and ATUNEES discussed the collection of rent

1 from street vendors operating in CLCS Organization territory, and  
2 compiling a list of the vendors who owed rent.

3 (151) On October 16, 2007, defendant ATUNEES called  
4 defendant MURILLO and put a vendor on the phone who owed MURILLO  
5 fifty dollars (\$50) in rent, at which time MURILLO told the  
6 vendor that he could pay the \$50 to ATUNEES the following week.

7 (152) On October 17, 2007, using coded language, CC-2  
8 told defendant MURILLO that there was a "miquero" (fraudulent  
9 identification/immigration document dealer) called "Colo" who was  
10 going to pay the rent he owed, and CC-2, in turn, would give the  
11 money to MURILLO.

12 (153) On October 17, 2007, using coded language, CC-2  
13 and MURILLO discussed assaulting a narcotics street dealer who  
14 was selling narcotics at 4th Street and Burlington Avenue, within  
15 CLCS Organization territory, with MURILLO telling CC-2 that they  
16 would have the "little homies go dump on those niggas" at that  
17 location.

18 (154) On October 17, 2007, using coded language,  
19 defendant MURILLO and CC-2 discussed selling narcotics at 4th  
20 Street and Burlington Avenue within CLCS Organization territory,  
21 with MURILLO telling CC-2 that he wanted to put "two from  
22 Columbia" at that location.

23 (155) On October 17, 2007, using coded language,  
24 defendant MURILLO and CC-2 discussed collecting rent from  
25 defendant Y. VELASQUEZ and his brothers because "ain't nobody  
26 doing no dope slanging for free, dog."

27 (156) On October 17, 2007, using coded language,  
28 defendant MURILLO told CC-2 that defendant Y. VELASQUEZ had asked

1 for "a seven" (referring to an amount of narcotics).

2 (157) On October 17, 2007, using coded language,  
3 defendant MURILLO and CC-2 discussed the Rockwood Gang's tagging  
4 in CLCS Organization territory and the need to get guns.

5 (158) On October 17, 2007, using coded language,  
6 defendant MURILLO instructed CC-2 to ask the "homies" to get some  
7 9mm Beretta bullets.

8 (159) On October 19, 2007, using coded language,  
9 defendants MURILLO and ATUNEES discussed collecting rent from  
10 people who play card games in the park.

11 (160) On October 19, 2007, using coded language,  
12 defendant MURILLO and CC-2 discussed producing and selling false  
13 documents, with MURILLO telling CC-2 that he would inform  
14 defendant PANTOJA about their plans.

15 (161) On October 21, 2007, using coded language,  
16 defendant MURILLO told defendant BRIZUELA that there was a black  
17 car on Burlington Avenue that he thought was a cop.

18 (162) On October 21, 2007, using coded language,  
19 defendant MURILLO told defendant BRIZUELA if she saw the car she  
20 suspected was a cop, she should take a "homeboy" and "light that  
21 motherfucker up" (shoot at the car), to which BRIZUELA replied,  
22 "All right."

23 (163) On October 21, 2007, using coded language,  
24 defendant MURILLO told an 18th Street Gang member that the  
25 occupants of the black car that he had previously discussed with  
26 defendant BRIZUELA were "MS" (from the rival "MS-13" street  
27 gang), and MURILLO instructed CC-2 to sneak up on the car, make  
28 sure there were no "youngsters" in it, and shoot the occupants in

1 the car.

2 (164) On October 21, 2007, using coded language,  
3 defendants MURILLO and ATUNEES discussed assaulting someone who  
4 was collecting rent from the card players in the park and who was  
5 not authorized to do so by the CLCS Organization.

6 (165) On October 21, 2007, using coded language,  
7 defendants MURILLO and ATUNEES agreed that ATUNEES would make a  
8 list of all the vendors who were paying rent because MURILLO said  
9 there were "a lot of people . . . selling DVDs that haven't  
10 paid."

11 (166) On October 21, 2007, using coded language,  
12 defendant MURILLO told defendant ATUNEES that he already picked  
13 up the rent, but that MURILLO still wanted the list of all the  
14 vendors who were supposed to pay rent to the CLCS Organization.

15 (167) On October 22, 2007, using coded language,  
16 defendant MURILLO told defendant ATUNEES to get "all the money  
17 today from the 'miqueros'" (fraudulent document dealers)."

18 (168) On October 22, 2007, using coded language,  
19 defendant ATUNEES told defendant MURILLO that he had collected  
20 \$110 from the miqueros.

21 (169) On October 22, 2007, using coded language,  
22 defendant MURILLO told "Rosie" Last Name Unknown ("LNU") that he  
23 had "the keys for Columbia" (that he was the current shot caller  
24 for the CLCS Organization).

25 (170) On October 23, 2007, using coded language,  
26 defendant ATUNEES told defendant MURILLO that a vendor did not  
27 currently have the rent he owed to the CLCS Organization, to  
28 which MURILLO replied, "tell him when I get there I want the

1 fuckin' money."

2 (171) On October 23, 2007, using coded language,  
3 defendant ATUNEES told defendant MURILLO that ATUNEES had advised  
4 the vendor who owed the CLCS Organization rent but who had not  
5 yet paid that if the vendor did not pay the rent, ATUNEES would  
6 not be responsible for what "they can do to you."

7 (172) On October 23, 2007, using coded language,  
8 defendant ESTRADA called defendant MURILLO and told MURILLO,  
9 "Whatever you tell me to do, that's what I'm gonna do, homie.  
10 You know already."

11 (173) On October 23, 2007, using coded language,  
12 defendants MURILLO and ATUNEES discussed how much rent they  
13 should charge "Conejo," and ATUNEES told MURILLO that "Conejo"  
14 still owed one week's rent, plus a \$30 fine that ATUNEES had  
15 placed on him.

16 (174) On October 23, 2007, using coded language,  
17 defendant MURILLO told defendant ATUNEES to collect this week's  
18 rent and the money that "Conejo" owed ATUNEES, and that "Conejo"  
19 could not come back to work in CLCS Organization territory unless  
20 he paid this money.

21 (175) On October 23, 2007, using coded language, CC-2  
22 called defendant ATUNEES and asked ATUNEES if he had all of the  
23 rent ATUNEES was responsible for collecting on behalf of the CLCS  
24 Organization.

25 (176) On October 23, 2007, using coded language,  
26 defendant ATUNEES told CC-2 that he did not have all of the rent  
27 due to the CLCS Organization because four individuals the CLCS  
28 Organization was taxing had not paid.

1 (177) On October 23, 2007, using coded language,  
2 defendant MURILLO and CC-2, using coded language, talked about  
3 fining people who had not timely paid rent demanded by the CLCS  
4 Organization.

5 (178) On October 23, 2007, using coded language,  
6 defendant ATUNEES told defendant MURILLO that a street vendor had  
7 only paid \$45 in rent, and that ATUNEES had told the street  
8 vendor that the rent owed was \$75.

9 (179) On October 23, 2007, using coded language,  
10 defendant MURILLO told defendant ATUNEES to collect the rest of  
11 the money from the vendor, or else MURILLO did not want to see  
12 the vendor in CLCS Organization territory anymore.

13 (180) On October 23, 2007, using coded language,  
14 defendant ESTRADA called defendant MURILLO and asked if MURILLO  
15 needed him for anything (to sell drugs or commit other criminal  
16 activity), explaining that he was broke.

17 (181) On October 23, 2007, using coded language,  
18 defendant MURILLO told defendant ESTRADA that a few of his street  
19 dealers had been arrested and that ESTRADA could still sell drugs  
20 if he wanted to do so.

21 (182) On the following dates, defendant GUILLEN  
22 transferred the following approximate amounts in CLCS  
23 Organization rent proceeds into the federal Bureau of Prisons  
24 commissary account of unindicted coconspirator Mexican Mafia  
25 Member 1:

|    | <u>DATE</u>      | <u>AMOUNT</u> |
|----|------------------|---------------|
| 26 |                  |               |
| 27 | (183) 10/16/2003 | \$1,000       |
| 28 | (184) 11/19/2003 | \$ 500        |

|    |       |            |    |     |
|----|-------|------------|----|-----|
| 1  | (185) | 12/08/2003 | \$ | 500 |
| 2  | (186) | 01/21/2004 | \$ | 500 |
| 3  | (187) | 02/10/2004 | \$ | 500 |
| 4  | (188) | 03/09/2004 | \$ | 500 |
| 5  | (189) | 04/21/2004 | \$ | 500 |
| 6  | (190) | 05/12/2004 | \$ | 500 |
| 7  | (191) | 06/14/2004 | \$ | 500 |
| 8  | (192) | 07/27/2004 | \$ | 500 |
| 9  | (193) | 08/18/2004 | \$ | 500 |
| 10 | (194) | 09/15/2004 | \$ | 500 |
| 11 | (195) | 11/02/2004 | \$ | 500 |
| 12 | (196) | 12/10/2004 | \$ | 500 |
| 13 | (197) | 02/07/2005 | \$ | 500 |
| 14 | (198) | 03/08/2005 | \$ | 500 |
| 15 | (199) | 04/05/2005 | \$ | 500 |
| 16 | (200) | 05/06/2005 | \$ | 500 |
| 17 | (201) | 06/10/2005 | \$ | 500 |
| 18 | (202) | 07/19/2005 | \$ | 500 |
| 19 | (203) | 08/02/2005 | \$ | 500 |
| 20 | (204) | 09/08/2005 | \$ | 500 |
| 21 | (205) | 10/08/2005 | \$ | 500 |
| 22 | (206) | 11/14/2005 | \$ | 500 |
| 23 | (207) | 02/02/2006 | \$ | 500 |
| 24 | (208) | 04/07/2006 | \$ | 500 |
| 25 | (209) | 05/09/2006 | \$ | 500 |
| 26 | (210) | 05/15/2006 | \$ | 500 |
| 27 | (211) | 06/20/2006 | \$ | 500 |
| 28 | (212) | 07/22/2006 | \$ | 500 |

|    |       |            |    |     |
|----|-------|------------|----|-----|
| 1  | (213) | 08/14/2006 | \$ | 500 |
| 2  | (214) | 09/18/2006 | \$ | 500 |
| 3  | (215) | 10/18/2006 | \$ | 500 |
| 4  | (216) | 11/21/2006 | \$ | 500 |
| 5  | (217) | 12/17/2006 | \$ | 500 |
| 6  | (218) | 01/15/2007 | \$ | 500 |
| 7  | (219) | 02/25/2007 | \$ | 500 |
| 8  | (220) | 03/31/2007 | \$ | 500 |
| 9  | (221) | 04/08/2007 | \$ | 500 |
| 10 | (222) | 05/17/2007 | \$ | 500 |
| 11 | (223) | 06/29/2007 | \$ | 500 |
| 12 | (224) | 07/29/2007 | \$ | 500 |
| 13 | (225) | 09/03/2007 | \$ | 500 |
| 14 | (226) | 11/03/2007 | \$ | 500 |
| 15 | (227) | 12/02/2007 | \$ | 500 |
| 16 | (228) | 01/04/2008 | \$ | 500 |
| 17 | (229) | 02/05/2008 | \$ | 500 |
| 18 | (230) | 03/11/2008 | \$ | 500 |
| 19 | (231) | 04/14/2008 | \$ | 500 |
| 20 | (232) | 04/28/2008 | \$ | 500 |
| 21 | (233) | 06/06/2008 | \$ | 500 |
| 22 | (234) | 06/30/2008 | \$ | 500 |
| 23 | (235) | 07/29/2008 | \$ | 500 |
| 24 | (236) | 09/17/2008 | \$ | 500 |
| 25 |       |            |    |     |
| 26 |       |            |    |     |
| 27 |       |            |    |     |
| 28 |       |            |    |     |



1 controlled substance, in violation of Title 21, United States  
2 Code, Sections 841(a)(1), (b)(1)(A)(iii).

3 Special Finding Four (Felony Murder of L.A.G.)

4 On or about September 15, 2007, in Los Angeles County,  
5 within the Central District of California, CC-1, in attempting  
6 to unlawfully, willfully, deliberately, and with premeditation,  
7 kill F.C. with malice aforethought, did commit the felony murder  
8 of L.A.G., in violation of California Penal Code Sections 31,  
9 187, 189, 190 and 664.

10 At the above time and place, defendants PANTOJA, MURILLO,  
11 D. GONZALEZ, Y. VELASQUEZ, MEJIA, J. GONZALEZ, ALAS, and RANGEL  
12 aided, abetted, counseled, commanded, induced, and procured the  
13 commission of this offense.

14 Special Finding Five (Conspiracy to Murder G.M.)

15 Beginning no later than September 15, 2007, and continuing  
16 through on or about September 21, 2007, in Los Angeles County,  
17 within the Central District of California, and elsewhere,  
18 defendants PANTOJA, MURILLO, and PEREZ conspired to commit the  
19 unlawful, willful, deliberate, and premeditated murder of G.M.,  
20 in violation of California Penal Code Sections 21a, 31, 182,  
21 187, 189, and 190.

22 Special Finding Six (Attempted Murder of G.M.)

23 On or about September 21, 2007, in Los Angeles County,  
24 within the Central District of California, and elsewhere,  
25 defendants MURILLO and PEREZ, aided, abetted, counseled,  
26 commanded, induced, and procured by defendant PANTOJA,

27 //

28 //

1 willfully, deliberately, and with premeditation, unlawfully  
2 attempted to kill with malice aforethought G.M., in violation of  
3 California Penal Code Sections 21a, 187, 189, and 664.

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1 substance containing a detectable amount of cocaine base in the  
2 form of crack cocaine ("crack cocaine"), a schedule II narcotic  
3 drug controlled substance, in violation of Title 21, United  
4 States Code, Sections 841(a)(1) and (b)(1)(A)(iii).

5 B. MEANS BY WHICH THE OBJECTS OF THE CONSPIRACY WERE TO BE  
6 ACCOMPLISHED

7 The objects of the conspiracy were to be accomplished in  
8 substance as follows:

9 1. The CLCS Organization, acting at the direction of the  
10 presiding CLCS Organization shot caller, would use violence and  
11 intimidation to control narcotics trafficking in its territory.

12 2. Defendants PANTOJA, TERCERO, SALDANA, MURILLO, GUERRA,  
13 AREVALO, RIVERA, and R. RODRIGUEZ, and other members and  
14 associates of the CLCS Organization, would recruit and organize  
15 narcotics wholesale suppliers and street dealers to traffic in  
16 narcotic controlled substances, primarily crack cocaine, in CLCS  
17 Organization territory.

18 3. Defendants PANTOJA, TERCERO, SALDANA, MURILLO, GUERRA,  
19 AREVALO, RIVERA, and R. RODRIGUEZ, and other members and  
20 associates of the CLCS Organization, would direct the wholesale  
21 suppliers, including defendants VILLEDA and BERTOTTY, and street  
22 dealers, including defendants RAMIREZ, CAPETILLO, FONSECA, M.  
23 GONZALES, DIAZ, RIVAS, J. VELASQUEZ, and EL BUKI, to regularly  
24 pay rent to the CLCS Organization in exchange for  
25 "authorization" to sell narcotic controlled substances,  
26 including crack cocaine, in CLCS Organization territory.

27 4. Defendants PANTOJA, TERCERO, SALDANA, MURILLO, GUERRA,  
28 AREVALO, RIVERA, and R. RODRIGUEZ, and other members and

1 associates of the CLCS Organization, would regularly collect and  
2 assist with the collection of rent from narcotics street dealers  
3 operating in CLCS Organization territory, including defendants  
4 RAMIREZ, CAPETILLO, FONSECA, M. GONZALES, DIAZ, RIVAS, J.  
5 VELASQUEZ, and EL BUKI.

6 5. Defendants PANTOJA, TERCERO, SALDANA, MURILLO,  
7 AREVALO, RIVERA, and R. RODRIGUEZ, and other members and  
8 associates of the CLCS Organization, would direct street dealers  
9 operating in CLCS Organization territory, including defendants  
10 RAMIREZ, CAPETILLO, FONSECA, M. GONZALES, DIAZ, RIVAS, J.  
11 VELASQUEZ, and EL BUKI, regarding where and when in CLCS  
12 Organization territory they could sell narcotic controlled  
13 substances, the wholesale suppliers from whom they were to  
14 regularly purchase narcotic controlled substances, and the  
15 quantity and price of narcotic controlled substances they were  
16 expected to purchase regularly from wholesale suppliers.

17 6. Defendants PANTOJA, TERCERO, SALDANA, AREVALO, RIVERA,  
18 and R. RODRIGUEZ, and other members and associates of the CLCS  
19 Organization, would regularly purchase narcotic controlled  
20 substances, including crack cocaine, from wholesale suppliers,  
21 including defendants VILLEDA and BERTOTTY, for distribution in  
22 CLCS Organization territory.

23 7. Defendants PANTOJA, TERCERO, SALDANA, AREVALO, RIVERA,  
24 and R. RODRIGUEZ, and other members and associates of the CLCS  
25 Organization, would regularly provide narcotic controlled  
26 substances, including crack cocaine, that had been purchased  
27 from wholesale suppliers to street dealers operating in CLCS  
28 Organization territory, including defendants RAMIREZ, CAPETILLO,

1 FONSECA, M. GONZALES, DIAZ, RIVAS, J. VELASQUEZ, and EL BUKI,  
2 for distribution to customers in CLCS Organization territory.

3 8. Defendants PANTOJA, TERCERO, SALDANA, MURILLO, AREVALO,  
4 RIVERA, and R. RODRIGUEZ, and other members and associates of  
5 the CLCS Organization, would regularly collect narcotics  
6 proceeds from street dealers operating in CLCS Organization  
7 territory, including defendants RAMIREZ, CAPETILLO, FONSECA, M.  
8 GONZALES, DIAZ, RIVAS, J. VELASQUEZ, and EL BUKI, in order to  
9 pay wholesale suppliers, including defendants VILLEDA and  
10 BERTOTTY, for narcotic controlled substances, including crack  
11 cocaine, which had been and would be provided to street dealers  
12 for distribution in CLCS Organization territory.

13 9. Defendants PANTOJA, TERCERO, SALDANA, MURILLO, D.  
14 RODRIGUEZ, MATEO, Y. VELASQUEZ, AREVALO, RIVERA, R. RODRIGUEZ,  
15 VILLEDA, BERTOTTY, RAMIREZ, CAPETILLO, FONSECA, M. GONZALES,  
16 DIAZ, RIVAS, J. VELASQUEZ, and EL BUKI, and other members and  
17 associates of the CLCS Organization, would possess with intent  
18 to distribute, distribute, and aid and abet the distribution of,  
19 narcotic controlled substances, including crack cocaine, in CLCS  
20 Organization territory.

21 10. Defendants PANTOJA, TERCERO, SALDANA, MURILLO,  
22 AREVALO, RIVERA, and R. RODRIGUEZ, and other members and  
23 associates of the CLCS Organization, would regularly monitor the  
24 amount of narcotic controlled substances, including crack  
25 cocaine, being sold by street dealers in CLCS Organization  
26 territory to insure that the street dealers had an adequate  
27 supply for sale to customers.

28 11. Defendants PANTOJA, TERCERO, SALDANA, MURILLO,

1 AREVALO, RIVERA, and R. RODRIGUEZ, and other members and  
2 associates of the CLCS Organization, would act and/or give  
3 direction to others to act as necessary in order to resolve  
4 issues that would arise in the narcotics distribution operation.

5 12. Defendants PANTOJA, TERCERO, SALDANA, MURILLO, D.  
6 RODRIGUEZ, MATEO, Y. VELASQUEZ, AREVALO, RIVERA, R. RODRIGUEZ,  
7 VILLEDA, BERTOTTY, RAMIREZ, CAPETILLO, FONSECA, M. GONZALES,  
8 DIAZ, RIVAS, J. VELASQUEZ, and EL BUKI, and other members and  
9 associates of the CLCS Organization, would regularly use the  
10 telephone and face-to-face meetings in order to maintain  
11 communication regarding narcotics distribution and rent  
12 collection activities in CLCS Organization territory.

13 13. In order to evade detection and maintain the narcotics  
14 distribution operation, defendants PANTOJA, TERCERO, SALDANA,  
15 MURILLO, D. RODRIGUEZ, MATEO, GUERRA, AREVALO, RIVERA, R.  
16 RODRIGUEZ, Y. VELASQUEZ, VILLEDA, BERTOTTY, RAMIREZ, CAPETILLO,  
17 FONSECA, M. GONZALES, DIAZ, RIVAS, J. VELASQUEZ, and EL BUKI,  
18 and other members and associates of the CLCS Organization, would  
19 regularly communicate in coded and/or guarded language, limit  
20 their use of certain telephones, and warn co-conspirators about  
21 the presence of law enforcement in CLCS Organization territory,  
22 as well as of other threats to the narcotics trafficking  
23 operation.

24 14. In order to further evade detection and maintain the  
25 narcotics distribution operation, defendants PANTOJA, TERCERO,  
26 SALDANA, and AREVALO, and other members and associates of the  
27 CLCS Organization, would regularly conduct narcotics trafficking  
28 activities, including the distribution of narcotic controlled

1 substances and the collection of rent and money used to pay for  
2 narcotic controlled substances, from within "Unico's Tattoo  
3 Shop," a business operated by PANTOJA in CLCS Organization  
4 territory ("defendant PANTOJA's tattoo shop").

5 C. OVERT ACTS

6 1. In furtherance of the conspiracy and to accomplish the  
7 objects of the conspiracy, defendants PANTOJA, TERCERO, SALDANA,  
8 MURILLO, D. RODRIGUEZ, MATEO, GUERRA, Y. VELASQUEZ, AREVALO,  
9 RIVERA, R. RODRIGUEZ, VILLEDA, BERTOTTY, RAMIREZ, CAPETILLO,  
10 FONSECA, M. GONZALES, DIAZ, RIVAS, J. VELASQUEZ, and EL BUKI,  
11 and others known and unknown to the Grand Jury, committed  
12 various overt acts, within the Central District of California  
13 and elsewhere, on or about the dates set forth below:

14 (1) On November 8, 2005, defendant RAMIREZ sold crack  
15 cocaine in CLCS Organization territory.

16 (2) On March 15, 2006, defendant VILLEDA possessed  
17 approximately 110.8 grams of crack cocaine, which he sold to a  
18 cooperating witness ("CW-1").

19 (3) On April 11, 2006, in defendant PANTOJA's tattoo  
20 shop, defendant PANTOJA offered to sell CW-2 "chunky" (referring  
21 to a style of crack cocaine) at "sixty for a hundred" (sixty  
22 pieces for \$100) that CW-2 could then provide to street dealers  
23 to sell to customers.

24 (4) On April 27, 2006, defendant RAMIREZ sold four  
25 grams of crack cocaine to CW-2.

26 (5) On May 2, 2006, in CLCS Organization territory,  
27 defendant TERCERO, acting at the direction of and in concert  
28 with defendant PANTOJA, sold approximately 68.7 grams of crack

1 cocaine to CW-2.

2 (6) On May 22, 2006, defendant VILLEDA possessed  
3 approximately 58.7 grams of crack cocaine that he sold to a  
4 federal agent acting in an undercover capacity ("UC-1").

5 (7) On June 14, 2006, at her home in CLCS  
6 Organization territory, defendant R. RODRIGUEZ possessed  
7 approximately 44.04 grams of crack cocaine, approximately \$1,293  
8 in U.S. currency, and a drug ledger regarding rent collected  
9 from street dealers in CLCS Organization territory.

10 (8) On September 21, 2006, in CLCS Organization  
11 territory, defendants CAPETILLO and FONSECA distributed crack  
12 cocaine to customers in CLCS Organization territory in the  
13 vicinity of 5th Street and Burlington Avenue.

14 (9) On October 11, 2006, using coded language,  
15 defendants AREVALO and EL BUKI arranged for EL BUKI to meet  
16 defendant PANTOJA at defendant PANTOJA's tattoo shop.

17 (10) On October 13, 2006, using coded language,  
18 defendant PANTOJA warned defendant TERCERO about coming to  
19 defendant PANTOJA's tattoo shop because of police activity, and  
20 TERCERO stated that she would not come.

21 (11) On October 19, 2006, using coded language,  
22 defendant RIVERA told defendant TERCERO that he warned a street  
23 dealer that defendant PANTOJA would "go after" the dealer if a  
24 problem was not resolved.

25 (12) On October 21, 2006, defendant AREVALO told  
26 defendant PANTOJA to call him back from another telephone.

27 (13) On October 21, 2006, using coded language,  
28 defendant PANTOJA and an unidentified male briefly discussed the

1 arrest of defendant FONSECA, and PANTOJA told the unidentified  
2 male to come to defendant PANTOJA's tattoo shop because the  
3 phone line at defendant PANTOJA's tattoo shop had been  
4 wiretapped.

5 (14) On October 26, 2006, using coded language,  
6 defendant AREVALO told defendant EL BUKI that defendant PANTOJA  
7 would call him because PANTOJA could not talk on the phone line  
8 at defendant PANTOJA's tattoo shop.

9 (15) On October 30, 2006, using coded language,  
10 defendants TERCERO and R. RODRIGUEZ arranged to meet so that R.  
11 RODRIGUEZ could deliver money.

12 (16) On November 4, 2006, using coded language,  
13 defendants TERCERO and R. RODRIGUEZ discussed the collection of  
14 rent from defendant FONSECA and Miranda.

15 (17) On November 4, 2006, using coded language,  
16 defendant FONSECA arranged to deliver rent to defendants PANTOJA  
17 and TERCERO via defendant R. RODRIGUEZ and indicated that he had  
18 previously delivered money to the wrong person, in response to  
19 which PANTOJA directed FONSECA to retrieve the money and deliver  
20 it to R. RODRIGUEZ.

21 (18) On November 5, 2006, using coded language,  
22 defendants TERCERO and R. RODRIGUEZ arranged to meet so that R.  
23 RODRIGUEZ could deliver rent that she had collected from  
24 defendant FONSECA.

25 (19) On November 8, 2006, using coded language,  
26 defendant PANTOJA complained to defendant TERCERO that CW-2 was  
27 using the term rent when "talking over the fucking phone" to  
28 PANTOJA.

1 (20) On November 16, 2006, using coded language,  
2 defendants TERCERO and AREVALO discussed the presence of police  
3 near defendant PANTOJA's tattoo shop and that AREVALO should not  
4 prepare the crack cocaine "light," but instead "loaded."

5 (21) On November 16, 2006, using coded language,  
6 defendant TERCERO asked defendant RIVERA if he had any crack  
7 cocaine for a customer because Miranda was unavailable.

8 (22) On November 19, 2006, using coded language,  
9 defendant TERCERO and Miranda discussed that Miranda had  
10 collected "four" (\$400) from the narcotics street dealers, that  
11 FONSECA was going to give \$740 collected from street dealers to  
12 Miranda, and that Miranda should deliver the money to defendant  
13 R. RODRIGUEZ.

14 (23) On November 19, 2006, using coded language,  
15 defendants TERCERO and VILLEDA discussed the delivery of crack  
16 cocaine by defendant BERTOTTY to Miranda.

17 (24) On November 19, 2006, using coded language,  
18 Miranda told defendant TERCERO that he had a firearm when he  
19 went to meet defendant BERTOTTY, who was waiting for him with  
20 crack cocaine.

21 (25) On November 19, 2006, using coded language,  
22 defendants TERCERO and R. RODRIGUEZ discussed collecting rent  
23 from street dealers, including defendants RIVAS, CAPETILLO,  
24 FONSECA, M. GONZALES, DIAZ, and J. VELASQUEZ, and Miranda.

25 (26) On November 21, 2006, using coded language,  
26 defendants TERCERO and J. VELASQUEZ discussed J. VELASQUEZ's  
27 payment of \$450 in rent to TERCERO via defendant R. RODRIGUEZ,  
28 and that J. VELASQUEZ still owed \$50 in rent.

1 (27) On November 21, 2006, using coded language,  
2 Miranda told defendant TERCERO that he was stopped by the police  
3 and had to discard his supply of crack cocaine as a result.

4 (28) On November 25, 2006, using coded language,  
5 defendants TERCERO and VILLEDA discussed that Miranda was  
6 falling behind in payments for crack cocaine, that VILLEDA was  
7 owed "thirteen" (\$1,300), and that VILLEDA had recently  
8 delivered "five and three" (quantities of two styles of crack  
9 cocaine) to Miranda.

10 (29) On November 26, 2006, using coded language,  
11 defendants TERCERO and J. VELASQUEZ discussed the payment of  
12 rent to TERCERO via defendant R. RODRIGUEZ, and that J.  
13 VELASQUEZ owed an additional \$100 in rent.

14 (30) On November 26, 2006, using coded language,  
15 defendants TERCERO and VILLEDA discussed that Miranda owed  
16 VILLEDA \$2,700 for crack cocaine.

17 (31) On November 26, 2006, using coded language,  
18 defendant PANTOJA scolded Miranda for failing to meet defendant  
19 BERTOTTY to pick up crack cocaine.

20 (32) On November 26, 2006, using coded language,  
21 defendants TERCERO and VILLEDA discussed money Miranda owed  
22 VILLEDA, as well as VILLEDA's delivery of "skinny stuff" and  
23 "fat ones" (referring to two styles of crack cocaine) to  
24 Miranda.

25 (33) On November 27, 2006, using coded language,  
26 defendant TERCERO discussed with defendants BERTOTTY and VILLEDA  
27 the possibility that a taxi driver they used was a police  
28 informant.

1 (34) On November 29, 2006, using coded language,  
2 defendant TERCERO and Miranda discussed when defendant DIAZ, a  
3 new street dealer, would begin paying rent.

4 (35) On November 29, 2006, using coded language,  
5 defendant TERCERO told defendant SALDANA that defendant DIAZ had  
6 to start paying rent.

7 (36) On November 29, 2006, using coded language,  
8 defendant TERCERO told defendant EL BUKI he could pay rent the  
9 next day instead of on the day that he was regularly required to  
10 pay rent.

11 (37) On November 30, 2006, using coded language,  
12 defendant BERTOTTY told defendant TERCERO that she had delivered  
13 crack cocaine to Miranda and that Miranda owed "six" (\$600).

14 (38) On December 1, 2006, using coded language,  
15 defendant TERCERO directed Miranda to tell defendant FONSECA to  
16 deliver money to defendant R. RODRIGUEZ's apartment.

17 (39) On December 3, 2006, using coded language,  
18 defendant PANTOJA told Miranda that defendant FONSECA "owed"  
19 money for "one day" that Miranda should collect.

20 (40) On December 5, 2006, using coded language,  
21 defendant TERCERO told Miranda only to give defendant RIVAS back  
22 his cell phone, but not the crack cocaine Miranda had taken from  
23 Rivas.

24 (41) On December 6, 2006, using coded language,  
25 defendant TERCERO told Miranda to collect rent from EL BUKI and  
26 deliver it to defendant R. RODRIGUEZ and further discussed with  
27 Miranda the collection of rent from Edgar Hernandez, who owed  
28 "one and a half" (\$150).

1 (42) On December 6, 2006, using coded language,  
2 defendant TERCERO directed defendant SALDANA to collect money,  
3 including rent, from Miranda and Edgar Hernandez.

4 (43) On December 6, 2006, using coded language,  
5 defendants TERCERO and EL BUKI discussed how Miranda previously  
6 delivered crack cocaine to EL BUKI and that EL BUKI was going to  
7 deliver rent to TERCERO via Miranda.

8 (44) On December 7, 2006, Miranda possessed  
9 approximately 34.47 grams of crack cocaine, a sawed-off shotgun,  
10 and a drug ledger at his home.

11 (45) On December 7, 2006, using coded language,  
12 defendant PANTOJA told defendant TERCERO that there was a  
13 problem, that he would call her on a different phone, and that  
14 she should not use the phone.

15 (46) On December 7, 2006, using coded language,  
16 defendants TERCERO and SALDANA discussed Miranda's arrest and  
17 that TERCERO did not want to talk on the phone.

18 (47) On December 7, 2006, using coded language,  
19 defendant TERCERO told defendant BERTOTTY about Miranda's  
20 arrest, and BERTOTTY told TERCERO that she would call her back  
21 on a different phone.

22 (48) On December 8, 2006, using coded language,  
23 defendants TERCERO and VILLEDA discussed Miranda's arrest and  
24 arranged to meet.

25 (49) On December 9, 2006, using coded language,  
26 defendants TERCERO and VILLEDA arranged to have VILLEDA deliver  
27 "five and five" (referring to quantities of two styles of crack  
28 cocaine).

1 (50) On December 9, 2006, using coded language,  
2 defendants TERCERO and SALDANA arranged to meet, and TERCERO  
3 warned SALDANA to be careful because the police had been in CLCS  
4 Organization territory.

5 (51) On December 9, 2006, using coded language,  
6 defendant PANTOJA directed defendant EL BUKI to pay \$200 in  
7 rent.

8 (52) On December 9, 2006, defendants TERCERO and  
9 VILLEDA met.

10 (53) On December 9, 2006, using coded language,  
11 defendant TERCERO complained to defendant BERTOTTY that the  
12 pieces of crack cocaine she had just obtained from defendant  
13 VILLEDA were too small, and BERTOTTY responded that they had  
14 been making the pieces of crack cocaine small and thick and that  
15 they had been selling on the street.

16 (54) On December 9, 2006, using coded language,  
17 defendant VILLEDA told defendant TERCERO not to worry about the  
18 crack cocaine he had sold her because they had been selling on  
19 the street, although some pieces were "tiny," and that VILLEDA  
20 had been working on making the pieces "long and short."

21 (55) On December 10, 2006, using coded language,  
22 defendant TERCERO directed defendant RIVERA to pick up "two  
23 fives" (referring to quantities of two styles of crack cocaine)  
24 from defendant VILLEDA the next day.

25 (56) On December 10, 2006, using coded language,  
26 defendant TERCERO asked defendant BERTOTTY to have defendant  
27 VILLEDA deliver the "fat kind" (referring to a style of crack  
28 cocaine), and BERTOTTY responded that she would have it ready as

1 soon as possible and "use whatever" she had in her "kitchen" to  
2 make the crack cocaine.

3 (57) On December 11, 2006, using coded language,  
4 defendant TERCERO asked defendant VILLEDA to "bring her five and  
5 five for tonight" (referring to quantities of two styles of  
6 crack cocaine).

7 (58) On December 11, 2006, using coded language,  
8 defendant BERTOTTY told defendant TERCERO that BERTOTTY and  
9 defendant VILLEDA were in the midst of preparing crack cocaine  
10 that TERCERO had ordered.

11 (59) On December 11, 2006, using coded language,  
12 defendant TERCERO asked defendant BERTOTTY if she could bring  
13 the crack cocaine, and BERTOTTY responded that she and defendant  
14 VILLEDA were in the midst of preparing the crack cocaine.

15 (60) On December 11, 2006, defendants TERCERO, VILLEDA  
16 and BERTOTTY met.

17 (61) On December 12, 2006, using coded language,  
18 defendants TERCERO and VILLEDA discussed that VILLEDA would  
19 deliver "seven and eight" (referring to quantities of two styles  
20 of crack cocaine) and when TERCERO would make payment for it.

21 (62) On December 12, 2006, using coded language,  
22 defendant PANTOJA directed Gavarette to memorize PANTOJA's cell  
23 phone number and not to put it into Gavarette's own cell phone.

24 (63) On December 14, 2006, defendants VILLEDA and  
25 TERCERO met with Gavarette.

26 (64) On December 14, 2006, using coded language,  
27 defendant TERCERO told defendant PANTOJA that defendant VILLEDA  
28 and Gavarette had met.

1 (65) On December 14, 2006, using coded language,  
2 defendant VILLEDA told defendant TERCERO the quantity and styles  
3 of crack cocaine - "six small taquitos and five big hamburgers"  
4 - VILLEDA had delivered to Gavarette.

5 (66) On December 15, 2006, using coded language,  
6 defendant TERCERO asked defendant VILLEDA to drop off crack  
7 cocaine to Gavarette, and VILLEDA responded that he needed an  
8 hour to prepare the "small tacos" (referring to a style of crack  
9 cocaine), but that he could quickly deliver as many of the "big  
10 kind" (referring to a different style of crack cocaine) that  
11 TERCERO wanted because the narcotics street dealers needed it  
12 "right now."

13 (67) On December 15, 2006, using coded language,  
14 defendants PANTOJA and SALDANA discussed collecting rent from  
15 defendant CAPETILLO and that \$740 had been collected from  
16 daytime street dealers.

17 (68) On December 16, 2006, using coded language,  
18 defendant SALDANA told defendant TERCERO that Gavarette needed  
19 more of "both" kinds of crack cocaine because he had "five of  
20 the chunkies left and he is out of the flats," and then  
21 discussed with TERCERO how much more crack cocaine she should  
22 order from defendant VILLEDA.

23 (69) On December 16, 2006, using coded language,  
24 defendant BERTOTTY agreed to deliver "eight and five chunkies"  
25 (referring to quantities and styles of crack cocaine) to  
26 defendant TERCERO.

27 (70) On December 16, 2006, using coded language,  
28 defendant TERCERO told Gavarette that defendant BERTOTTY was

1 going to deliver crack cocaine to him.

2 (71) On December 16, 2006, using coded language,  
3 defendants TERCERO and VILLEDA discussed payment for crack  
4 cocaine and that defendant BERTOTTY was going to deliver crack  
5 cocaine to Gavarette.

6 (72) On December 18, 2006, using coded language,  
7 defendant TERCERO told defendant VILLEDA that street dealers  
8 were upset with the amount of rent they had to pay defendant  
9 PANTOJA and had stopped selling crack cocaine in CLCS  
10 Organization territory.

11 (73) On December 19, 2006, using coded language,  
12 defendant R. RODRIGUEZ told defendant TERCERO that she had  
13 collected \$400 in rent from defendant J. VELASQUEZ but that he  
14 still owed more money.

15 (74) On December 20, 2006, using coded language,  
16 defendant SALDANA told defendant PANTOJA that defendant M.  
17 GONZALES and another street dealer had purchased crack cocaine  
18 from Gavarette that day.

19 (75) On December 20, 2006, using coded language,  
20 defendants TERCERO and VILLEDA arranged to meet twice each week  
21 so that TERCERO could purchase crack cocaine from VILLEDA on a  
22 regular basis.

23 (76) On December 21, 2006, using coded language,  
24 defendant AREVALO helped arrange a meeting between defendants  
25 TERCERO and VILLEDA so that VILLEDA could deliver crack cocaine  
26 to TERCERO.

27 (77) On December 23, 2006, using coded language,  
28 defendant VILLEDA asked defendant TERCERO if, later that day, he

1 should deliver "the same as always" to TERCERO, to which TERCERO  
2 replied "yes, seven" (referring to a quantity of crack cocaine).

3 (78) On December 27, 2006, using coded language,  
4 defendant SALDANA told defendant TERCERO that defendant RIVAS  
5 had paid two days worth of rent, that SALDANA was owed \$800 from  
6 Gavarette, and that SALDANA would try to collect rent from Edgar  
7 Hernandez.

8 (79) On December 27, 2006, using coded language,  
9 defendant TERCERO and Gavarette discussed money for crack  
10 cocaine he had collected from street dealers, including  
11 defendants DIAZ and RIVAS.

12 (80) On December 29, 2006, using coded language,  
13 defendants SALDANA and TERCERO, and Gavarette, discussed  
14 quantities and styles -- including "chunky," "skinny," and  
15 "flat" -- of crack cocaine provided to, and money owed by,  
16 street dealers, including RIVAS.

17 (81) On December 29, 2006, using coded language,  
18 defendant TERCERO told Gavarette that defendant VILLEDA would  
19 deliver crack cocaine to him.

20 (82) On December 29, 2006, using coded language,  
21 defendant TERCERO told Gavarette that if the narcotics street  
22 dealers asked for some crack cocaine they must pay for it then  
23 and not be given "credit" if they did not have money available  
24 to pay for it.

25 (83) On December 29, 2006, using coded language,  
26 defendant VILLEDA told defendant TERCERO that he had delivered  
27 "seven fat ones and five skinny ones" (referring to quantities  
28 and styles of crack cocaine) to Gavarette.

1 (84) On December 29, 2006, using coded language,  
2 defendant VILLEDA told defendant TERCERO to bring him money so  
3 that he could pay his own narcotics supplier, and TERCERO  
4 replied that she was waiting for defendant SALDANA to deliver  
5 money to her.

6 (85) On December 29, 2006, using coded language,  
7 defendants TERCERO and SALDANA arranged to meet so that SALDANA  
8 could deliver money to be used to pay for crack cocaine supplied  
9 by defendant VILLEDA.

10 (86) On December 29, 2006, using coded language,  
11 defendant TERCERO told defendant VILLEDA that defendant PANTOJA  
12 would meet him with money.

13 (87) On January 2, 2007, using coded language,  
14 defendant TERCERO directed defendant RIVERA to deliver rent  
15 collections.

16 (88) On January 2, 2007, using coded language,  
17 defendant TERCERO asked defendant VILLEDA to deliver "eight of  
18 the chunky kind" (referring to a quantity and style of crack  
19 cocaine) to Gavarette, to which defendant VILLEDA responded that  
20 he would call Gavarette "when it's ready."

21 (89) On January 2, 2007, using coded language,  
22 defendants PANTOJA, TERCERO, and SALDANA discussed the amount of  
23 money that SALDANA gave to Gavarette to pay defendant VILLEDA  
24 for crack cocaine.

25 (90) On January 4, 2007, using coded language,  
26 defendant TERCERO and Gavarette discussed how the police had  
27 stopped and searched him, but that they did not find anything on  
28 him.

1 (91) On January 5, 2007, using coded language,  
2 defendant TERCERO asked defendant VILLEDA to deliver the "thin  
3 kind" of crack cocaine to Gavarette, and VILLEDA agreed to do so  
4 later.

5 (92) On January 9, 2007, defendants PANTOJA, TERCERO,  
6 VILLEDA, and BERTOTTY met.

7 (93) On January 11, 2007, using coded language,  
8 defendants PANTOJA and SALDANA discussed the collection of rent  
9 from defendant FONSECA.

10 (94) On February 27, 2007, defendants DIAZ, GONZALES,  
11 and CAPETILLO possessed and distributed crack cocaine in CLCS  
12 Organization territory.

13 (95) On June 6, 2007, defendants DIAZ, GONZALES, and  
14 RIVAS possessed and distributed crack cocaine in CLCS  
15 Organization territory.

16 (96) On June 8, 2007, defendants DIAZ and RIVAS  
17 possessed and distributed crack cocaine in CLCS Organization  
18 territory.

COUNT THREE

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(iii); 18 U.S.C. § 2(a)]

On or about April 13, 2006, in Los Angeles County, within the Central District of California, defendant INGRID VERONICA TERCERO, also known as ("aka") "Morena," aka "More," knowingly and intentionally distributed at least five grams, that is, approximately 38.4 grams, of a mixture or substance containing a detectable amount of cocaine base in the form of crack cocaine, a schedule II narcotic drug controlled substance.

At the above time and place, defendant SERGIO PANTOJA, aka "Tricky," aided, abetted, counseled, commanded, induced, and procured the commission of the offense alleged above.

COUNT FOUR

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(iii); 18 U.S.C. § 2(a)]

On or about April 18, 2006, in Los Angeles County, within the Central District of California, defendant INGRID VERONICA TERCERO, also known as ("aka") "Morena," aka "More," knowingly and intentionally distributed at least five grams, that is, approximately 24.5 grams, of a mixture or substance containing a detectable amount of cocaine base in the form of crack cocaine, a schedule II narcotic drug controlled substance.

At the above time and place, defendant SERGIO PANTOJA, aka "Tricky," aided, abetted, counseled, commanded, induced, and procured the commission of the offense alleged above.

COUNT FIVE

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(iii); 18 U.S.C. § 2(a)]

On or about April 19, 2006, in Los Angeles County, within the Central District of California, defendant INGRID VERONICA TERCERO, also known as ("aka") "Morena," aka "More," knowingly and intentionally distributed at least five grams, that is, approximately 47.9 grams, of a mixture or substance containing a detectable amount of cocaine base in the form of crack cocaine, a schedule II narcotic drug controlled substance.

At the above time and place, defendant SERGIO PANTOJA, aka "Tricky," aided, abetted, counseled, commanded, induced, and procured the commission of the offense alleged above.

COUNT SIX

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(iii); 18 U.S.C. § 2(a)]

On or about May 2, 2006, in Los Angeles County, within the Central District of California, defendant INGRID VERONICA TERCERO, also known as ("aka") "Morena," aka "More," knowingly and intentionally distributed at least 50 grams, that is, approximately 68.7 grams, of a mixture or substance containing a detectable amount of cocaine base in the form of crack cocaine, a schedule II narcotic drug controlled substance.

At the above time and place, defendant SERGIO PANTOJA, aka "Tricky," aided, abetted, counseled, commanded, induced, and procured the commission of the offense alleged above.

COUNT SEVEN

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(iii); 18 U.S.C. § 2(a)]

On or about July 26, 2006, in Los Angeles County, within the Central District of California, defendant MARCO ANTHONY FONSECA, also known as ("aka") "Junior," aka "Primo," aka "Catracho," knowingly and intentionally distributed at least five grams, that is, approximately 31.7 grams, of a mixture or substance containing a detectable amount of cocaine base in the form of crack cocaine, a schedule II narcotic drug controlled substance.

At the above time and place, defendants SERGIO PANTOJA, aka "Tricky," and INGRID VERONICA TERCERO, aka "Morena," aka "More," aided, abetted, counseled, commanded, induced, and procured the commission of the offense alleged above.

COUNT EIGHT

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

On or about March 15, 2006, in Los Angeles County, within the Central District of California, defendant JOSE ALBERTO ALVARENGA VILLEDA, also known as ("aka") "Chepe," aka "El Gordo," aka "El Señor," knowingly and intentionally distributed at least 50 grams, that is, approximately 110.8 grams, of a mixture or substance containing a detectable amount of cocaine base in the form of crack cocaine, a schedule II narcotic drug controlled substance.

COUNT NINE

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

On or about May 22, 2006, in Los Angeles County, within the Central District of California, defendant JOSE ALBERTO ALVARENGA VILLEDA, also known as ("aka") "Chepe," aka "El Gordo," aka "El Señor," knowingly and intentionally distributed at least 50 grams, that is, approximately 58.7 grams, of a mixture or substance containing a detectable amount of cocaine base in the form of crack cocaine, a schedule II narcotic drug controlled substance.



1 B. MEANS BY WHICH THE OBJECTS OF THE CONSPIRACY WERE TO BE  
2 ACCOMPLISHED

3 The objects of the conspiracy were to be accomplished in  
4 substance as follows:

5 1. The presiding CLCS Organization shot caller, which  
6 role was held by defendant PANTOJA from approximately 2005 to  
7 2007, assisted by other members and associates of the CLCS  
8 Organization, including defendants TERCERO, SALDANA, AREVALO,  
9 and RIVERA, would direct narcotics distributors operating in  
10 CLCS Organization territory to regularly pay rent to the CLCS  
11 Organization in exchange for "authorization" to sell narcotic  
12 controlled substances, including crack cocaine, in CLCS  
13 Organization territory.

14 2. The presiding CLCS Organization shot caller, which  
15 role was held by defendant PANTOJA from approximately 2005 to  
16 2007, assisted by other members and associates of the CLCS  
17 Organization, including defendants TERCERO, SALDANA, AREVALO,  
18 and RIVERA, would regularly collect and assist with the  
19 collection of rent from narcotics distributors operating in CLCS  
20 Organization territory.

21 3. The presiding CLCS Organization shot caller, which  
22 role was held by defendant PANTOJA from approximately 2005 to  
23 2007, assisted by other members and associates of the CLCS  
24 Organization, including defendant TERCERO, would maintain an  
25 accounting of the rent amounts paid to the CLCS Organization by  
26 narcotics distributors during each rent collection period, and  
27 calculate the percentage of the illicitly obtained proceeds that  
28 the CLCS Organization was required to pay to Mexican Mafia

1 Member 1, an unindicted co-conspirator.

2 4. Defendant GUILLEN would arrange a date, time, and/or  
3 method by which the rent money due and owing to Mexican Mafia  
4 Member 1 would be delivered, or caused to be delivered, to  
5 GUILLEN or his designee.

6 5. The presiding CLCS Organization shot caller, which  
7 role was held by defendant PANTOJA from approximately 2005 to  
8 2007, assisted by other members and associates of the CLCS  
9 Organization, would then deliver the money owed to Mexican Mafia  
10 Member 1 to either defendant GUILLEN or his designee.

11 6. Defendant GUILLEN would purchase or direct others on  
12 his behalf to purchase money orders with a portion of this  
13 money.

14 7. Defendant GUILLEN would then cause the money to be  
15 deposited into the Bureau of Prisons commissary account of  
16 Mexican Mafia Member 1.

17 8. As directed by Mexican Mafia Member 1, defendant  
18 GUILLEN would distribute the remaining money among Mexican Mafia  
19 Member 1's designees, including Mexican Mafia Member 1's family,  
20 other incarcerated Mexican Mafia members and their designees,  
21 and in businesses that GUILLEN operated on behalf of Mexican  
22 Mafia Member 1.

23 C. OVERT ACTS

24 In furtherance of the conspiracy and to accomplish the  
25 objects of the conspiracy, defendants PANTOJA, GUILLEN, TERCERO,  
26 SALDANA, AREVALO, and RIVERA, and others known and unknown to  
27 the Grand Jury, committed various overt acts, within the Central  
28 District of California, and elsewhere, including overt acts 5,

1 8-10, 12-15, 19, 25-31, 34-36, 39-40, 42-44, 46-47, 49-52, 54-  
2 58, 60-63, 65-73, 75, 77-92, 94-125, 129-35, 146-49, 153-56,  
3 181, and 183-236 as set forth in Count 1; overt acts 1-96, as  
4 set forth in Count 2; and Counts 11 through 20, hereby  
5 incorporated by reference, on the dates specified therein.

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COUNTS ELEVEN THROUGH FIFTEEN

[18 U.S.C. §§ 1956(a)(1)(B)(i), 2(a)]

On or about the following dates, in Los Angeles County, within the Central District of California, and elsewhere, defendant ISAAC GUILLEN, also known as ("aka") "Coach," knowing that the property involved in each of the financial transactions described below represented the proceeds of some form of unlawful activity, knowingly conducted and aided, abetted, counseled, commanded, and procured, and willfully caused others to conduct, the following financial transactions affecting interstate commerce, which transactions in fact involved the proceeds of specified unlawful activity, namely, conspiracy to distribute cocaine base in the form of crack cocaine, in violation of Title 21, United States Code, Section 846, knowing that each of the transactions was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of such specified unlawful activity:

| <u>COUNT</u> | <u>DATE</u> | <u>TRANSACTION</u>   |
|--------------|-------------|--|
| ELEVEN       | 8/14/06     | Deposit of \$500 in United States currency into the Bureau of Prisons Commissary account for Mexican Mafia Member 1, an unindicted co-conspirator. |
| TWELVE       | 9/18/06     | Deposit of \$500 in United States currency into the Bureau of Prisons Commissary account for Mexican Mafia Member 1, an unindicted co-conspirator. |
| THIRTEEN     | 10/18/06    | Deposit of \$500 in United States currency into the Bureau of Prisons Commissary account for Mexican Mafia Member 1, an unindicted co-conspirator. |
| FOURTEEN     | 11/21/06    | Deposit of \$500 in United States currency into the Bureau of Prisons Commissary account for Mexican Mafia Member 1, an unindicted co-conspirator. |

| 1  | <u>COUNT</u> | <u>DATE</u> | <u>TRANSACTION</u>                      |
|----|--------------|-------------|---|
| 2  | FIFTEEN      | 12/17/06    | Deposit of \$500 in United States       |
| 3  |              |             | currency into the Bureau of Prisons     |
| 4  |              |             | Commissary account for Mexican Mafia    |
| 5  |              |             | Member 1, an unindicted co-conspirator. |
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| 1  | <u>COUNT</u> | <u>DATE</u> | <u>TRANSACTION</u>                      |
|----|--------------|-------------|---|
| 2  | TWENTY       | 12/17/06    | Deposit of \$500 in United States       |
| 3  |              |             | currency into the Bureau of Prisons     |
| 4  |              |             | Commissary account for Mexican Mafia    |
| 5  |              |             | Member 1, an unindicted co-conspirator. |
| 6  |              |             |   |
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COUNT TWENTY-ONE

[18 U.S.C. §§ 1959(a)(1), 2(a)]

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3 1. At all times relevant to this Indictment, the CLCS  
4 Organization, as described more particularly in paragraphs 1  
5 through 27 of the Introductory Allegations of this Indictment,  
6 which paragraphs are incorporated and realleged herein as if set  
7 forth in full, has constituted an enterprise as that term is  
8 defined in Title 18, United States Code, Section 1959(b)(2),  
9 that is, a group of individuals associated in fact, which was  
10 engaged in, and the activities of which affected, interstate and  
11 foreign commerce.

12 2. At all times relevant to this Indictment, the above-  
13 described enterprise, through its members and associates,  
14 engaged in racketeering activity as defined in Title 18, United  
15 States Code, Sections 1959(b)(1) and 1961(1), namely, acts  
16 involving murder, extortion, and robbery, in violation of the  
17 laws of the state of California; narcotics trafficking, in  
18 violation of Title 21, United States Code, Sections 841 and 846;  
19 witness tampering, in violation of Title 18, United States Code,  
20 Section 1512; and money laundering, in violation of Title 18,  
21 United States Code, Section 1956.

22 3. On or about July 21, 2001, in Los Angeles County,  
23 within the Central District of California, defendants EDUARDO  
24 HERNANDEZ, L. IRAHETA, and V. IRAHETA, for the purpose of  
25 maintaining and increasing position in the above-described  
26 enterprise, an enterprise engaged in racketeering activity,

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1 unlawfully and knowingly murdered, and aided, abetted,  
2 counseled, commanded, induced, and procured the murder of, J.B.,  
3 in violation of California Penal Code Sections 31, 187, and 189.

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COUNT TWENTY-TWO

[18 U.S.C. § 1959(a)(5)]

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3 1. Paragraphs 1 through 27 of the Introductory Allegations  
4 and paragraphs 1 and 2 of Count 21 of this Indictment are hereby  
5 incorporated and realleged herein as if set forth in full.

6 2. Beginning no later than September 15, 2007, and  
7 continuing through on or about September 21, 2007, in Los  
8 Angeles County, within the Central District of California, and  
9 elsewhere, defendants PANTOJA, MURILLO, Y. VELASQUEZ, D.  
10 GONZALEZ, MEJIA, J. GONZALEZ, ALAS, RANGEL, and JAMES WOOTEN,  
11 and others known and unknown to the Grand Jury, for the purpose  
12 of maintaining and increasing position in the CLCS Organization,  
13 an enterprise engaged in racketeering activity, unlawfully and  
14 knowingly conspired to commit an assault resulting in serious  
15 bodily injury to F.C., in violation of California Penal Code  
16 Sections 31 and 245.

COUNT TWENTY-THREE

[18 U.S.C. §§ 1959(a)(2), 2(a)]

1  
2  
3 1. Paragraphs 1 through 27 of the Introductory  
4 Allegations and paragraphs 1 and 2 of Count 21 of this  
5 Indictment are hereby incorporated and realleged herein as if  
6 set forth in full.

7 2. On September 15, 2007, in Los Angeles County, within  
8 the Central District of California, defendants PANTOJA, MURILLO,  
9 Y. VELASQUEZ, MEJIA, RANGEL, and D. GONZALEZ, and others known  
10 and unknown to the grand jury, for the purpose maintaining and  
11 increasing position in the CLCS Organization, an enterprise  
12 engaged in racketeering activity, unlawfully and knowingly  
13 maimed, and aided, abetted, counseled, commanded, induced, and  
14 procured the maiming of F.C., in violation of California Penal  
15 Code Sections 31, 203, and 204.

COUNT TWENTY-FOUR

[18 U.S.C. §§ 1959(a)(2), 2(a)]

1  
2  
3 1. Paragraphs 1 through 27 of the Introductory  
4 Allegations and paragraphs 1 and 2 of Count 21 of this  
5 Indictment are hereby incorporated and realleged herein as if  
6 set forth in full.

7 2. On September 15, 2007, in Los Angeles County, within  
8 the Central District of California, defendants PANTOJA, MURILLO,  
9 D. GONZALEZ, Y. VELASQUEZ, MEJIA, and RANGEL, and others known  
10 and unknown to the grand jury, for the purpose maintaining and  
11 increasing position in the CLCS Organization, an enterprise  
12 engaged in racketeering activity, unlawfully and knowingly  
13 assaulted, and aided, abetted, counseled, commanded, induced,  
14 and procured the assault resulting in serious bodily injury to  
15 F.C., in violation of California Penal Code Sections 31 and 245.

COUNT TWENTY-FIVE

[18 U.S.C. §§ 1959(a)(1), 2(a)]

1  
2  
3 1. Paragraphs 1 through 27 of the Introductory  
4 Allegations and paragraphs 1 and 2 of Count 21 of this  
5 Indictment are hereby incorporated and realleged herein as if  
6 set forth in full.

7 2. On or about September 15, 2007, in Los Angeles County,  
8 within the Central District of California, defendants PANTOJA,  
9 MURILLO, Y. VELASQUEZ, MEJIA, ALAS, RANGEL, D. GONZALEZ, J.  
10 GONZALEZ, and JAMES WOOTEN, and others known and unknown to the  
11 Grand Jury, for the purpose of maintaining and increasing  
12 position in the CLCS Organization, an enterprise engaged in  
13 racketeering activity, unlawfully and knowingly aided, abetted,  
14 counseled, commanded, induced, and procured the unlawful felony-  
15 murder of L.A.G., in violation of California Penal Code Sections  
16 31, 187, 189, and 245.

COUNT TWENTY-SIX

[18 U.S.C. § 1959(a)(5)]

1  
2  
3 1. Paragraphs 1 through 27 of the Introductory Allegations  
4 and paragraphs 1 and 2 of Count 21 of this Indictment are hereby  
5 incorporated and realleged herein as if set forth in full.

6 2. Beginning no later than September 15, 2007, and  
7 continuing through on or about September 21, 2007, in Los  
8 Angeles County, within the Central District of California, and  
9 elsewhere, defendants PANTOJA, MURILLO, and PEREZ, and others  
10 known and unknown to the Grand Jury, for the purpose of  
11 maintaining and increasing position in the CLCS Organization,  
12 an enterprise engaged in racketeering activity, unlawfully and  
13 knowingly conspired to murder G.M., in violation of California  
14 Penal Code Sections 31, 182, 187, and 189.

COUNT TWENTY-SEVEN

[18 U.S.C. § 1959(a)(5)]

1  
2  
3 1. Paragraphs 1 through 27 of the Introductory  
4 Allegations and paragraphs 1 and 2 of Count 21 of this  
5 Indictment are hereby incorporated and realleged herein as if  
6 set forth in full.

7 2. Beginning on or about September 15, 2007, and  
8 continuing through on or about September 21, 2007, in Los  
9 Angeles County, within the Central District of California, and  
10 elsewhere, defendants PANTOJA, MURILLO, and PEREZ, and others  
11 known and unknown to the Grand Jury, for the purpose of  
12 maintaining and increasing position in the CLCS Organization,  
13 an enterprise engaged in racketeering activity, unlawfully and  
14 knowingly conspired to kidnap G.M., in violation of Title 18,  
15 United States Code, Section 1201(a)(1).

COUNT TWENTY-EIGHT

[18 U.S.C. §§ 1959(a)(5), 2(a)]

1  
2  
3 1. Paragraphs 1 through 27 of the Introductory Allegations  
4 and paragraphs 1 and 2 of Count 21 of this Indictment are hereby  
5 incorporated and realleged herein as if set forth in full.

6 2. Beginning on or about September 19, 2007, and  
7 continuing through on or about September 21, 2007, in Los  
8 Angeles County, within the Central District of California, and  
9 elsewhere, defendants MURILLO and PEREZ, aided, abetted,  
10 counseled, commanded, induced, and procured by defendant  
11 PANTOJA, and others known and unknown to the Grand Jury, for the  
12 purpose of maintaining and increasing position in the CLCS  
13 Organization, an enterprise engaged in racketeering activity,  
14 unlawfully and knowingly attempted to murder G.M., in violation  
15 of California Penal Code Sections 21a, 31, 187, 189, and 664.

COUNT TWENTY-NINE

[18 U.S.C. §§ 1959(a)(1), 2(a)]

1. Paragraphs 1 through 27 of the Introductory Allegations and paragraphs 1 and 2 of Count 21 of this Indictment are hereby incorporated and realleged herein as if set forth in full.

2. Beginning on or about September 19, 2007, and continuing through on or about September 21, 2007, in Los Angeles County, within the Central District of California, and elsewhere, defendants MURILLO and PEREZ, aided, abetted, counseled, commanded, induced, and procured by defendant PANTOJA, and others known and unknown to the Grand Jury, for the purpose of maintaining and increasing position in the CLCS Organization, an enterprise engaged in racketeering activity, unlawfully and knowingly kidnaped G.M., in violation of Title 18, United States Code, Section 1201(a)(1).



1 another co-conspirator, defendant PEREZ, to assist with  
2 transporting and killing G.M.

3 4. Defendants MURILLO and PEREZ would transport G.M. from  
4 Los Angeles, California, to Tijuana, Mexico.

5 5. When in Tijuana, Mexico, defendants MURILLO and PEREZ  
6 would ply G.M. with large quantities of alcohol in order to get  
7 G.M. intoxicated.

8 6. Defendants MURILLO and PEREZ would drive G.M. to a  
9 remote area near Mexicali, Mexico.

10 7. Defendants MURILLO and PEREZ would strangle G.M. until  
11 they believed G.M. was dead.

12 8. Defendants MURILLO and PEREZ would remove G.M.'s body  
13 from the car and dump it on the side of the road.

14 9. Defendants MURILLO and PEREZ would return to the  
15 United States.

16 C. OVERT ACTS

17 On or about each of the following dates, within the Central  
18 District of California, and elsewhere, in furtherance of the  
19 conspiracy and to accomplish the object of the conspiracy,  
20 defendants PANTOJA, MURILLO, and PEREZ, and others known and  
21 unknown to the Grand Jury, committed the following overt acts,  
22 among others:

23 1. On September 18, 2007, defendant PANTOJA spoke with  
24 G.M. and instructed him that he needed to travel from Los  
25 Angeles, California, to Mexico in order to hide from the law  
26 enforcement investigation into the murder of L.A.G.

27 2. On September 18, 2007, defendant MURILLO advised G.M.  
28 that he would transport G.M. from Los Angeles, California, to

1 Mexico so that G.M. could hide from the law enforcement  
2 investigation into the murder of L.A.G.

3 3. On September 19, 2007, defendant MURILLO recruited  
4 defendant PEREZ to assist in transporting G.M. to Mexico, and in  
5 killing G.M. while in Mexico.

6 4. On September 19, 2007, defendant MURILLO recruited an  
7 18th Street Gang Member (Gang Member-1) to drive defendants  
8 MURILLO and PEREZ, along with G.M., from Los Angeles,  
9 California, to Mexico.

10 5. On September 19, 2007, defendants MURILLO and PEREZ,  
11 with the assistance of Gang Member-1, transported G.M. from Los  
12 Angeles, California, to Tijuana, Mexico.

13 6. On September 20, 2007, defendants MURILLO and PEREZ  
14 plied G.M. with a significant quantity of alcohol in order to  
15 get G.M. intoxicated.

16 7. In the early morning of September 21, 2007, defendants  
17 MURILLO and PEREZ, with the assistance of Gang Member-1,  
18 transported an intoxicated G.M. to a remote roadside location  
19 near Mexicali, Mexico.

20 8. On September 21, 2007, defendant MURILLO instructed  
21 Gang Member-1 to park the car on the side of the road at the  
22 remote roadside location.

23 9. On September 21, 2007, defendants MURILLO and PEREZ  
24 strangled G.M. in the car by jointly pulling a rope around his  
25 neck until MURILLO and PEREZ believed G.M. was dead.

26 10. On September 21, 2007, defendants MURILLO and PEREZ  
27 removed the apparently lifeless body of G.M. from Gang Member-  
28 1's vehicle.

1           11. On September 21, 2007, defendants MURILLO and PEREZ  
2 dumped the apparently lifeless body of G.M. on the side of the  
3 road.

4           12. On September 21, 2007, defendants MURILLO and PEREZ,  
5 along with Gang Member-1, drove back to the United States.

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COUNT THIRTY-ONE

[18 U.S.C. § 1201(a)(1)]

Beginning on or about September 19, 2007, and continuing through on or about September 21, 2007, in Los Angeles County, within the Central District of California, and elsewhere, defendants SERGIO PANTOJA, also known as ("aka") "Tricky" ("PANTOJA"), JUAN PABLO MURILLO, aka "Face" ("MURILLO"), and JAVIER PEREZ, aka "Ranger" ("PEREZ"), and others known and unknown to the Grand Jury, did willfully and unlawfully inveigle, decoy, seized, confine, kidnap, abduct, and carry away G.M., and held G.M. for reward or otherwise, namely to effect the killing of G.M. and to maintain and increase each defendant's position within the CLCS Organization, and did willfully transport G.M. in foreign commerce, and did willfully travel in foreign commerce in committing and in furtherance of the commission of the offense, from California to Mexico.



1 and 3592.

2 DEFENDANT VLADIMIR IRAHETA

3 As to Count 21, defendant VLADIMIR IRAHETA:

4 1. Was more than 18 years of age at the time of the  
5 offense (18 U.S.C. § 3591(a));

6 2. Intentionally killed the victim (18 U.S.C.  
7 § 3591(a)(2)(A));

8 3. Intentionally participated in an act, contemplating  
9 that the life of a person would be taken or intending that  
10 lethal force would be used in connection with a person, other  
11 than a participant in the offense, and the victim died as a  
12 result of the act (18 U.S.C. § 3591(a)(2)(C));

13 4. Intentionally and specifically engaged in an act of  
14 violence knowing that the act created a grave risk of death to a  
15 person, other than one of the participants in the offense, such  
16 that participation in the act constituted a reckless disregard  
17 for human life and the victim died as a result of the act (18  
18 U.S.C. § 3591(a)(2)(D));

19 5. Knowingly created a grave risk of death to one or more  
20 persons in addition to the victim of the offense (18 U.S.C.  
21 § 3592(c)(5)); and

22 6. Intentionally killed or attempted to kill more than  
23 one person in a single criminal episode (18 U.S.C.  
24 § 3592(c)(16)).

25 DEFENDANT LEONIDAS IRAHETA

26 As to Count 21, defendant LEONIDAS IRAHETA:

27 1. Was more than 18 years of age at the time of the  
28 offense (18 U.S.C. § 3591(a));

1           2.     Intentionally killed the victim (18 U.S.C.  
2 § 3591(a)(2)(A));

3           3.     Intentionally participated in an act, contemplating  
4 that the life of a person would be taken or intending that  
5 lethal force would be used in connection with a person, other  
6 than a participant in the offense, and the victim died as a  
7 result of the act (18 U.S.C. § 3591(a)(2)(C));

8           4.     Intentionally and specifically engaged in an act of  
9 violence knowing that the act created a grave risk of death to a  
10 person, other than one of the participants in the offense, such  
11 that participation in the act constituted a reckless disregard  
12 for human life and the victim died as a result of the act (18  
13 U.S.C. § 3591(a)(2)(D));

14          5.     Knowingly created a grave risk of death to one or more  
15 persons in addition to the victim, the victim of the offense (18  
16 U.S.C. § 3592(c)(5)); and

17          6.     Intentionally killed or attempted to kill more than  
18 one person in a single criminal episode (18 U.S.C.  
19 § 3592(c)(16)).

20          All pursuant to Title 18, United States Code, Sections 3591  
21 and 3592.

22 DEFENDANT SERGIO PANTOJA

23          As to Count 25, defendant SERGIO PANTOJA:

24          1.     Was more than 18 years of age at the time of the  
25 offense (18 U.S.C. § 3591(a));

26          2.     Intentionally participated in an act, contemplating  
27 that the life of a person would be taken or intending that  
28 lethal force would be used in connection with a person, other

1 than a participant in the offense, and the victim died as a  
2 result of the act (18 U.S.C. § 3591(a)(2)(C));

3 3. Intentionally and specifically engaged in an act of  
4 violence knowing that the act created a grave risk of death to a  
5 person, other than one of the participants in the offense, such  
6 that participation in the act constituted a reckless disregard  
7 for human life and the victim died as a result of the act (18  
8 U.S.C. § 3591(a)(2)(D));

9 4. Committed the offense after having previously been  
10 convicted of a federal or state offense punishable by a term of  
11 imprisonment of more than one year which involved the use or  
12 attempted or threatened use of a firearm against a person (18  
13 U.S.C. § 3592(c)(2));

14 5. Knowingly created a grave risk of death to one or more  
15 persons in addition to the victim of the offense (18 U.S.C.  
16 § 3592(c)(5)); and

17 6. Committed the offense against a victim who was  
18 particularly vulnerable due to the victim's youth (18 U.S.C.  
19 § 3592(c)(11)).

20 All pursuant to Title 18, United States Code, Sections 3591  
21 and 3592.

22 DEFENDANT JUAN PABLO MURILLO

23 As to Count 25, defendant JUAN PABLO MURILLO:

24 1. Was more than 18 years of age at the time of the  
25 offense (18 U.S.C. § 3591(a));

26 2. Intentionally participated in an act, contemplating  
27 that the life of a person would be taken or intending that  
28 lethal force would be used in connection with a person, other

1 than a participant in the offense, and the victim died as a  
2 result of the act (18 U.S.C. § 3591(a)(2)(C));

3 3. Intentionally and specifically engaged in an act of  
4 violence knowing that the act created a grave risk of death to a  
5 person, other than one of the participants in the offense, such  
6 that participation in the act constituted a reckless disregard  
7 for human life and the victim died as a result of the act (18  
8 U.S.C. § 3591(a)(2)(D));

9 4. Committed the offense after having previously been  
10 convicted of a federal or state offenses punishable by a term of  
11 imprisonment of more than one year which involved the use or  
12 attempted or threatened use of a firearm against a person (18  
13 U.S.C. § 3592(c)(2));

14 5. Knowingly created a grave risk of death to one or more  
15 persons in addition to the victim of the offense (18 U.S.C.  
16 § 3592(c)(5)); and

17 6. Committed the offense against a victim, who was  
18 particularly vulnerable due to the victim's youth (18 U.S.C.  
19 § 3592(c)(11)).

20 All pursuant to Title 18, United States Code, Sections 3591  
21 and 3592.

22 DEFENDANT JANET GONZALEZ

23 As to Count 25, defendant JANET GONZALEZ:

24 1. Was more than 18 years of age at the time of the  
25 offense (18 U.S.C. § 3591(a));

26 2. Intentionally participated in an act, contemplating  
27 that the life of a person would be taken or intending that  
28 lethal force would be used in connection with a person, other

1 than a participant in the offense, and the victim died as a  
2 result of the act (18 U.S.C. § 3591(a)(2)(C));

3 3. Intentionally and specifically engaged in an act of  
4 violence knowing that the act created a grave risk of death to a  
5 person, other than one of the participants in the offense, such  
6 that participation in the act constituted a reckless disregard  
7 for human life and the victim died as a result of the act (18  
8 U.S.C. § 3591(a)(2)(D));

9 4. Knowingly created a grave risk of death to one or more  
10 persons in addition to the victim of the offense (18 U.S.C.  
11 § 3592(c)(5));

12 5. Committed the offense after having been previously  
13 convicted of two or more state or federal offenses punishable by  
14 a term of imprisonment of more than one year, committed on  
15 different occasions, involving the distribution of a controlled  
16 substance (18 U.S.C. § 3592(c)(10)); and

17 6. Committed the offense against a victim who was  
18 particularly vulnerable due to the victim's youth (18 U.S.C.  
19 § 3592(c)(11)).

20 All pursuant to Title 18, United States Code, Sections 3591  
21 and 3592.

22 DEFENDANT JUVENAL CARDENAS MEJIA

23 As to Count 25, defendant JUVENAL CARDENAS MEJIA:

24 1. Was more than 18 years of age at the time of the  
25 offense (18 U.S.C. § 3591(a));

26 2. Intentionally participated in an act, contemplating  
27 that the life of a person would be taken or intending that  
28 lethal force would be used in connection with a person, other

1 than a participant in the offense, and the victim died as a  
2 result of the act (18 U.S.C. § 3591(a)(2)(C));

3 3. Intentionally and specifically engaged in an act of  
4 violence knowing that the act created a grave risk of death to a  
5 person, other than one of the participants in the offense, such  
6 that participation in the act constituted a reckless disregard  
7 for human life and the victim died as a result of the act (18  
8 U.S.C. § 3591(a)(2)(D));

9 4. Knowingly created a grave risk of death to one or more  
10 persons in addition to the victim of the offense (18 U.S.C.  
11 § 3592(c)(5)); and

12 5. Committed the offense against a victim who was  
13 particularly vulnerable due to the victim's youth (18 U.S.C.  
14 § 3592(c)(11)).

15 All pursuant to Title 18, United States Code, Sections 3591  
16 and 3592.

17 DEFENDANT DAVID GONZALEZ

18 As to Count 25, defendant DAVID GONZALEZ:

19 1. Was more than 18 years of age at the time of the  
20 offense (18 U.S.C. § 3591(a));

21 2. Intentionally participated in an act, contemplating  
22 that the life of a person would be taken or intending that  
23 lethal force would be used in connection with a person, other  
24 than a participant in the offense, and the victim died as a  
25 result of the act (18 U.S.C. § 3591(a)(2)(C));

26 3. Intentionally and specifically engaged in an act of  
27 violence knowing that the act created a grave risk of death to a  
28 person, other than one of the participants in the offense, such

1 that participation in the act constituted a reckless disregard  
2 for human life and the victim died as a result of the act (18  
3 U.S.C. § 3591(a)(2)(D));

4 4. Knowingly created a grave risk of death to one or more  
5 persons in addition to the victim of the offense (18 U.S.C.  
6 § 3592(c)(5)); and

7 5. Committed the offense against a victim who was  
8 particularly vulnerable due to the victim's youth (18 U.S.C.  
9 § 3592(c)(11)).

10 All pursuant to Title 18, United States Code, Sections 3591  
11 and 3592.

12 DEFENDANT JAMES WOOTEN

13 As to Count 25, defendant JAMES WOOTEN:

14 1. Was more than 18 years of age at the time of the  
15 offenses (18 U.S.C. § 3591(a));

16 2. Intentionally participated in an act, contemplating  
17 that the life of a person would be taken or intending that  
18 lethal force would be used in connection with a person, other  
19 than a participant in the offense, and the victim died as a  
20 result of the act (18 U.S.C. § 3591(a)(2)(C));

21 3. Intentionally and specifically engaged in an act of  
22 violence knowing that the act created a grave risk of death to a  
23 person, other than one of the participants in the offense, such  
24 that participation in the act constituted a reckless disregard  
25 for human life and the victim died as a result of the act (18  
26 U.S.C. § 3591(a)(2)(D));

27 4. Knowingly created a grave risk of death to one or more  
28 persons in addition to the victim of the offense (18 U.S.C.

1 § 3592(c)(5)); and

2 5. Committed the offense against a victim who was  
3 particularly vulnerable due to the victim's youth (18 U.S.C.  
4 § 3592(c)(11)).

5 All pursuant to Title 18, United States Code, Sections 3591  
6 and 3592.

7 DEFENDANT GUADALUPE RANGEL

8 As to Count 25, defendant GUADALUPE RANGEL:

9 1. Was more than 18 years of age at the time of the  
10 offenses (18 U.S.C. § 3591(a));

11 2. Intentionally participated in an act, contemplating  
12 that the life of a person would be taken or intending that  
13 lethal force would be used in connection with a person, other  
14 than a participant in the offense, and the victim died as a  
15 result of the act (18 U.S.C. § 3591(a)(2)(C));

16 3. Intentionally and specifically engaged in an act of  
17 violence knowing that the act created a grave risk of death to a  
18 person, other than one of the participants in the offense, such  
19 that participation in the act constituted a reckless disregard  
20 for human life and the victim died as a result of the act (18  
21 U.S.C. § 3591(a)(2)(D));

22 4. Knowingly created a grave risk of death to one or more  
23 persons in addition to the victim of the offense (18 U.S.C.  
24 § 3592(c)(5)); and

25 5. Committed the offense against a victim who was  
26 particularly vulnerable due to the victim's youth (18 U.S.C.  
27 § 3592(c)(11)).

28 All pursuant to Title 18, United States Code, Sections 3591

1 and 3592.

2 DEFENDANT YOVANNI VELASQUEZ

3 As to Count 25, defendant YOVANNI VELASQUEZ:

4 1. Was more than 18 years of age at the time of the  
5 offenses (18 U.S.C. § 3591(a));

6 2. Intentionally participated in an act, contemplating  
7 that the life of a person would be taken or intending that  
8 lethal force would be used in connection with a person, other  
9 than a participant in the offense, and the victim died as a  
10 result of the act (18 U.S.C. § 3591(a)(2)(C));

11 3. Intentionally and specifically engaged in an act of  
12 violence knowing that the act created a grave risk of death to a  
13 person, other than one of the participants in the offense, such  
14 that participation in the act constituted a reckless disregard  
15 for human life and the victim died as a result of the act (18  
16 U.S.C. § 3591(a)(2)(D));

17 4. Knowingly created a grave risk of death to one or more  
18 persons in addition to the victim of the offense (18 U.S.C.  
19 § 3592(c)(5)); and

20 5. Committed the offense against a victim who was  
21 particularly vulnerable due to youth (18 U.S.C.  
22 § 3592(c)(11)).

23 All pursuant to Title 18, United States Code, Sections 3591  
24 and 3592.

25 DEFENDANT JENNY ALAS

26 As to Count 25, defendant JENNY ALAS:

27 1. Was more than 18 years of age at the time of the  
28 offenses (18 U.S.C. § 3591(a));

1           2.    Intentionally participated in an act, contemplating  
2 that the life of a person would be taken or intending that  
3 lethal force would be used in connection with a person, other  
4 than a participant in the offense, and the victim died as a  
5 result of the act (18 U.S.C. § 3591(a)(2)(C));

6           3.    Intentionally and specifically engaged in an act of  
7 violence knowing that the act created a grave risk of death to a  
8 person, other than one of the participants in the offense, such  
9 that participation in the act constituted a reckless disregard  
10 for human life and the victim died as a result of the act (18  
11 U.S.C. § 3591(a)(2)(D));

12           4.    Knowingly created a grave risk of death to one or more  
13 persons in addition to the victim of the offense (18 U.S.C.  
14 § 3592(c)(5));

15           5.    Committed the offense after having been previously  
16 convicted of two or more state or federal offenses punishable by  
17 a term of imprisonment of more than one year, committed on  
18 different occasions, involving the distribution of a controlled  
19 substance (18 U.S.C. § 3592(c)(10)); and

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