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STATE OF FLORIDA)
) SS
 COUNTY OF BAY)

AFFIDAVIT

I, Michael H. Clear, being duly sworn on oath, state as follows:

1. I am a Special Agent with the United States Department of Justice Drug Enforcement Administration ("DEA") in Panama City, Florida and am authorized under federal law to investigate and make arrests for violations of the Controlled Substance Act. I have been employed with DEA since approximately March 2005. From approximately February 1998 to approximately March 2005, I was a sworn law-enforcement officer with the Grand Junction Police Department in Grand Junction, Colorado, where I was a Police Officer and Narcotics Detective. I have received extensive training and experience concerning investigations of federal narcotics laws. In connection with my duties and responsibilities as a federal law enforcement officer, I have frequently testified in judicial proceedings and prosecutions for violations of laws concerning controlled substances.

2. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516.

3. The information contained in this Affidavit is based on my personal knowledge; conversations with and review of reports prepared by agents in the DEA as well as other federal agencies and other law enforcement agents and officers; the results of physical surveillance; information provided by a cooperating witness; and agents' review of recordings of consensually recorded conversations and conversations intercepted pursuant to Court orders, authorizing the interception of wire communications. Since this Affidavit is being submitted for the limited purposes of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

4. This Affidavit is made for the purpose of establishing probable cause in support of a Criminal Complaint charging First Name Unknown ("FNU") Last Name Unknown ("LNU"), aka "Carnal," "Ramiro," "Ticas," "Tgre," "Nona" and "Jenaro Cora Gonzalez" ("CARNAL");¹ Alberto MORENO-GARZA, also known as ("aka") "Primo" and "Martin" ("MORENO-GARZA");² FNU LNU, aka "El Puma" and "Joselo" ("EL PUMA");³ Juan MENDOZA-SANCHES, aka "Guicho"

¹See ¶¶ 13-19, 39, 42-112.

²See ¶¶ 13-31 and 34-112.

³See ¶¶ 67-71, 83-94, and 104.

(“MENDOZA-SANCHES”);⁴ JOSE BARAJAS, aka “Tortugo” (“BARAJAS”);⁵ FNU LNU, aka “Toloche” and “Cacheton” (“TOLOCHE”);⁶ and MARIA CIFUENTES-ESPINOZA, aka “Claudia” (“CIFUENTES”)⁷ with conspiring with each other and others to knowingly and intentionally possess with intent to distribute and to distribute a controlled substance, namely, in excess of 5 kilograms of mixtures containing cocaine and in excess of 500 grams of mixtures and substances containing methamphetamine, in violation of 21 U.S.C. § 841(a)(1), all in violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 2.

5. This Affidavit is also made for the purpose of establishing probable cause in support of warrants to search the premises listed below (“Search Sites A-F”), which are further described below and in Attachment A, and to seize evidence relating to the commission of offenses, in violation of Title 21, United States Code, Section 846, and Title 18, United States Code, Section 2, which is further described in Attachment B:

- A. 107 Ridgedale Drive, Dothan, Alabama (MORENO-GARZA’s residence);⁸
- B. 114 Nashville Drive, Dothan, Alabama (CARNAL’s residence);⁹
- C. 200 Blissett Drive, Building N, Apt.61, Dothan, Alabama (SANCHES’s residence);
- D. 6652 County Road 69, Skipperville, Alabama (drug stash house);¹⁰
- E. 839 Country Acres Road, Alford, Florida (drug stash house);¹¹ and
- F. 101 Hillside Park Drive, Dothan, Alabama (drug stash house).¹²

⁴See ¶¶ 13-19, 52-66, 72-82, 83-94, and 111.

⁵See ¶¶ 83-112.

⁶See ¶¶ 82, footnote149; and 95-112.

⁷See ¶¶ 44-51 and 67-71.

⁸See ¶¶ 113-116.

⁹See ¶¶ 117-122.

¹⁰See ¶¶ 123-124.

¹¹See ¶¶ 83-94 and 111-112.

¹²See ¶¶ 95-112.

I. OVERVIEW OF INVESTIGATION

A. The Confidential Source

6. A Cooperating Source ("CS-1") has been cooperating with law enforcement since approximately December 2009. CS-1 has no known criminal history. CS-1 is providing information to law enforcement for payment and has been paid for his cooperation.

7. The information provided by CS-1 has been corroborated and has proven reliable by controlled purchases of narcotics, consensual tape recordings, information provided by other cooperating witnesses, physical surveillance, and telephone records. The information provided by CS-1 is based upon either first-hand knowledge or statements made by MORENO-GARZA and/or CARNAL to CS-1.

8. CS-1 provided the following information to law enforcement:

a. In approximately March or April 2009, a mutual friend introduced CS-1 to CARNAL at a restaurant in Dothan, Alabama. During the meeting, CARNAL told CS-1 that he was interested in purchasing assault weapons, hand grenades, and bullet-proof vests that he said would be used to "protect his raza in Mexico." CS-1 understood "raza" to refer to members of the Mexican drug cartel to which CARNAL was affiliated. CARNAL specifically requested ten cases (five items per case) of AKM assault rifles and Makarov pistols. CARNAL told CS-1 the AKM assault rifles should cost about \$800 each. CARNAL told CS-1 that he wanted to see samples of the firearms, grenades, and vests before purchasing them. During this meeting, CARNAL showed CS-1 an electronic device on his belt that CARNAL said could detect police transmitting devices.

b. CS-1 met CARNAL again about two months later. During this meeting, CARNAL talked to CS-1 about selling cocaine and asked if CS-1 would "drive cars" for him, which CS-1 understood to mean work as a drug courier for CARNAL. CARNAL told CS-1 that CARNAL charged \$22,000 for a kilogram of cocaine that had been "cut" and \$30,000 for an "uncut" kilogram of cocaine.¹³

c. In approximately November 2009, CS-1 met with CARNAL at a mobile home in Jackson County, Florida (the "mobile home"). During that meeting, CS-1 saw four kilogram bricks of what appeared to CS-1 to be cocaine. Two of the kilograms were on a kitchen counter; one was on a coffee table in the living room; and one was being cut by two individuals. During the meeting, CARNAL told CS-1 that he wanted CS-1 to rent a house in the country near Panama City, Florida, where CS-1 resides, so that CARNAL could store and prepare cocaine for distribution, just as CARNAL was doing at the mobile home. CARNAL told CS-1 that he already had a distribution

¹³Based on your affiant's training and experience, the term "cut" and "uncut" refers to whether cocaine has been mixed with a non-narcotic substance to increase its volume and weight while decreasing the purity.

network in place and just wanted a rural residence close to Panama City, Florida to operate from.

d. CS-1 returned to the mobile home a few days later and, this time, observed six or seven kilograms of what appeared to CS-1 to be cocaine. On this occasion, CS-1 also saw three loaded firearms and what appeared to be a hand grenade in the mobile home. CS-1 described the firearms as an AK-47 assault rifle, a .22-caliber rifle, and a .32-caliber handgun. CS-1 saw the rifles leaning against walls in the living room and the handgun on the counter in the kitchen. The hand grenade was on the sofa. It was a pineapple-type hand grenade with a gray body, a green spoon, and a pin.

B. The Wiretap Investigation

9. The investigation has involved the use of wiretaps on telephones used by MORENO-GARZA. Specifically:

a. On or about April 13, 2010, the Honorable Richard Smoak, United States District Court for the Northern District of Florida, issued an order authorizing the 30-day interception of wire communications related to violations of Title 21, United States Code, Sections 841, 843, 846, 922(g), and 924(c)(1), as well as Title 26, United States Code, Section 5861(d), occurring to and from cellular telephone number (559) 513-5576, which based on the intercepted conversations was used by MORENO-GARZA ("Target Telephone 1"). Interception of Target Telephone 1 commenced on April 14, 2010 and terminated on April 22, 2010.

b. On or about April 17, 2010, the Honorable Richard Smoak, United States District Court for the Northern District of Florida, issued an order authorizing the 30-day interception of wire communications related to violations of Title 21, United States Code, Sections 841, 843, 846, 922(g), and 924(c)(1); Title 18, United States Code, Section 1956, and Title 26, United States Code, Section 5861(d), occurring to and from cellular telephone number (334) 405-7037, which based on the intercepted conversations was used by MORENO-GARZA ("Target Telephone 2"). Interception of Target Telephone 2 commenced on April 27, 2010 and terminated on May 7, 2010.

c. On or about May 19, 2010, the Honorable M. Casey Rodgers, United States District Court for the Northern District of Florida, issued an order authorizing the 30-day interception of wire communications related to violations of Title 21, United States Code, Sections 841, 843, 846, 922(g), and 924(c)(1); Title 18, United States Code, Section 1956, and Title 26, United States Code, Section 5861(d), occurring to and from cellular telephone number (518) 925-4146, which based on the intercepted conversations was used by MORENO-GARZA ("Target Telephone 4"). Interception of Target Telephone 4 commenced on May 19, 2010 and is ongoing.

10. In many of the intercepted calls, coded language was used to conceal the true nature of the telephone calls. At various points in this Affidavit, I have placed in brackets my understanding of what was being said during intercepted calls. My understanding is based on the

contents and context of the conversations, my experience as a law-enforcement officer and the experience of other law-enforcement agents and officers in this investigation. The times listed for these calls are approximate. For all calls made to and from CS-1's telephone, the calls were verified by law enforcement both by agents reviewing CS-1's telephone and by telephone toll records. Finally, the summaries below do not include all potentially criminal calls intercepted during the period of interception, or all statements or topics covered during the course of the intercepted conversations. They do not represent finalized transcripts and may not represent the entire conversation that occurred between the identified individuals.

11. The language used during the majority of the intercepted conversations summarized below was Spanish. Spanish speaking agents and/or linguists have listened to the calls and preliminarily translated the conversations into English.

C. Seizures

12. The investigation has resulted in one narcotics seizure. On or about May 6, 2010, law enforcement in Dothan, Alabama seized approximately 4 kilograms of what field-tested positive for cocaine from CIFUENTES.

II. DRUG AND GUN TRAFFICKING

A. January 4, 2010 Purchase of Methamphetamine by CS-1 from MORENO-GARZA, CARNAL, and MENDOZA-SANCHES

13. On or about January 4, 2010, CS-1 made a recorded telephone call to MORENO-GARZA at (707) 339-1957. During the call, CS-1 arranged to meet MORENO-GARZA and CARNAL that day at Tacos la Cabana located at 2413 Ross Clark Circle, Dothan, Alabama (the "Restaurant") to provide MORENO-GARZA.

14. Law enforcement then searched CS-1 and his/her vehicle with negative results, equipped CS-1 with a recording device. Law enforcement directed CS-1 to ask MORENO-GARZA and CARNAL if he/she could purchase one ounce of methamphetamine. Law enforcement followed CS-1 to the Restaurant, and CS-1 went inside at approximately 3:00 P.M.

15. At approximately 3:11 P.M., surveillance observed a gray Dodge Neon, bearing Alabama license plate 37A58H1 and registered to Elida GOMEZ at 1630 State Highway 173, Newville, AL 36353 ("MORENO-GARZA's Dodge Neon") arrive at the Restaurant and park. MORENO-GARZA and a Hispanic male, later identified during a traffic stop as MENDOZA-SANCHES, exited the vehicle and walked into the Restaurant. Inside, CS-1 met with MORENO-GARZA and MENDOZA-SANCHES. During the meeting, MENDOZA-SANCHES gave CS-1 a Styrofoam cup containing one ounce of what appeared to CS-1 to be methamphetamine. MENDOZA-SANCHES told CS-1 to pay him \$1600 for the methamphetamine the following Monday.

16. At approximately 3:26 P.M., surveillance saw CS-1 exit the Restaurant with MENDOZA-SANCHES and MORENO-GARZA. CS-1 briefly entered his/her vehicle before all three entered MORENO-GARZA's Dodge Neon.

17. A short time later, surveillance saw MORENO-GARZA's Dodge Neon depart the Restaurant parking lot and drive to a Winn Dixie grocery store located at 2131 Ross Clark Circle, Dothan, Alabama (the "Winn Dixie"). At approximately 3:30 P.M., surveillance saw CS-1, MORENO-GARZA, and MENDOZA-SANCHES go into the Winn Dixie and conduct a transaction at the Western Union counter. A short time later, an agent contacted CS-1 via cellular phone. CS-1 stated that they were in the process of sending someone in Mexico \$1000 via Western Union.

18. At approximately 3:44 P.M., surveillance saw CS-1, MENDOZA-SANCHES and MORENO-GARZA exit the Winn Dixie, get back into MORENO-GARZA's Dodge Neon, and drive back to the Restaurant. There, surveillance saw all three enter the Restaurant.

19. At approximately 4:09 P.M., surveillance saw CS-1 exit the Restaurant. Surveillance followed CS-1 to a predetermined meet location, where CS-1 immediately directed law enforcement to a large white Styrofoam cup with a cover on it that was in a cup holder in the front seat of CS-1's vehicle. Inside, law enforcement found approximately 27.2 grams of a substance later analyzed by the DEA Southeast Laboratory and determined to be methamphetamine hydrochloride. Law enforcement then searched CS-1 and his/her vehicle with negative results.

B. January 11, 2010 Purchase of Methamphetamine by CS-1 from MORENO-GARZA

20. On January 11, 2010, CS-1 met with law enforcement and made a two telephone calls to MORENO-GARZA at telephone number (707) 339-1957. These calls were recorded. During their conversations, CS-1 arranged to meet MORENO-GARZA that day to pay him the \$1600 for the ounce of methamphetamine that MENDOZA-SANCHES had given CS-1 on January 4, 2010. CS-1 and MORENO-GARZA arranged to meet at the "ranch," which CS-1 identified to law enforcement as the mobile home (*see* ¶ 8(c) above).

21. Law enforcement then searched CS-1 and his/her vehicle with negative results, equipped CS-1 with a recording device, and provided CS-1 with \$1,600 to pay MORENO-GARZA. Additionally, law enforcement instructed CS-1 to request an additional sample of methamphetamine and cocaine from MORENO-GARZA.

22. At approximately 12:07 P.M., surveillance followed CS-1 directly to the mobile home. Surveillance saw CS-1 arrive at the mobile home. At approximately 1:07 P.M., surveillance saw CS-1 depart the mobile home and drive to a predetermined meet location, where CS-1 gave law enforcement a quantity of what field-tested positive for methamphetamine, a quantity of what field-tested positive for cocaine, and a box of .22-caliber ammunition. CS-1 and his/her vehicle were

then searched with negative results, and CS-1 told law enforcement that the following events occurred while CS-1 was at the mobile home:

a. When CS-1 arrived at the mobile home, MORENO-GARZA's Dodge Neon was parked in the driveway. MORENO-GARZA was inside of the mobile home with another unknown Hispanic male when CS-1 entered.

b. CS-1 met MORENO-GARZA and the unidentified Hispanic male at the counter area of the residence in between the kitchen and the main living area. MORENO-GARZA handed CS-1 a yellow bag containing the methamphetamine and a clear plastic bag containing the cocaine.

c. CS-1 then paid MORENO-GARZA the \$1600, and MORENO-GARZA provided CS-1 with a box of .22 caliber ammunition, which was located on the kitchen counter inside the residence.

d. CS-1 asked MORENO-GARZA about making additional purchases of methamphetamine and cocaine, and MORENO-GARZA told CS-1 that MORENO-GARZA had some methamphetamine at another location in Atlanta, Georgia and that MORENO-GARZA was going to receive a new shipment of cocaine on the following weekend.

e. Additionally, MORENO-GARZA told CS-1 that CARNAL wanted twenty AK-47 assault rifles and some bullet proof vests. MORENO-GARZA told CS-1 that MORENO-GARZA wanted one AK-47 assault rifle for himself.

f. Finally, MORENO-GARZA told CS-1 that, when they met the next time, MORENO-GARZA would bring CS-1 a sample of some marijuana that MORENO-GARZA was selling for \$1200 a pound. MORENO-GARZA explained that, when CS-1 obtained enough money to purchase cocaine and methamphetamine, CS-1 could contact MORENO-GARZA, and they could meet at the mobile home to conduct the transaction.

C. February 20, 2010 Purchase of Methamphetamine by CS-1 from MORENO-GARZA

23. On or about February 17, 2010 between approximately 3:29 P.M. and 3:44 P.M., there were four recorded calls between CS-1 and MORENO-GARZA on telephone number (281) 615-2507. During these calls, MORENO-GARZA offered to sell one-half pound of methamphetamine to CS-1 for \$25,000. CS-1 declined and told MORENO-GARZA that he only had \$8000. CS-1 and MORENO-GARZA then agreed that CS-1 would buy six ounces of methamphetamine for \$8000. The two agreed to do the drug transaction on February 19, 2010 at the intersection of Interstate 10 and Highway 231 in Jackson County, Florida.

24. On February 19, 2010, law enforcement searched CS-1 and his/her vehicle with

negative results, equipped CS-1 with a recording device, and provided CS-1 with \$8000 to purchase the methamphetamine. Surveillance followed CS-1 to the Hardees Restaurant located at the intersection of Interstate 10 and Highway 231. While there, CS-1 got a call from MORENO-GARZA. Only CS-1's side of this telephone conversation was recorded. During this call and according to CS-1, MORENO-GARZA told CS-1 that he had recently received a shipment of methamphetamine and would not be able to prepare it for distribution until late that night or the next day. As a result, CS-1 and MORENO-GARZA agreed to do the transaction later.

25. On February 20, 2010, CS-1 met with law enforcement and made a telephone call to MORENO-GARZA on telephone number (281) 615-2507. This call was recorded. During the call, MORENO-GARZA told CS-1 to meet him in the parking lot of the BP gas station located at the intersection of Highway 231 and Highway 109 in Dothan, Alabama (the "Gas Station") to do the drug transaction.

26. Law enforcement then searched CS-1 and his/her vehicle with negative results, equipped CS-1 with a recording device, and provided CS-1 with \$5500 to purchase four and half ounces of methamphetamine ice from MORENO-GARZA, rather than the six ounces previously agreed on.

27. Surveillance followed CS-1 to the Gas Station, where at approximately 12:12 P.M. CS-1 called MORENO-GARZA on telephone number (281) 615-2507. Only CS-1's side of this call was recorded. During the call and according to CS-1, MORENO-GARZA directed CS-1 to drive across the street and meet him in the parking lot of Sadie's Flea Market located at 7990 South US 231, Dothan, Alabama (the "Flea Market"). Surveillance followed CS-1 to the Flea Market.

28. At approximately 12:17 P.M., surveillance observed MORENO-GARZA arrive at the Flea Market driving a 2004 silver Lincoln Navigator bearing Alabama license plate 37A39L9 and registered to Ontivero Raul at 1630 State Highway 23 in Newville, Alabama ("MORENO-GARZA's Lincoln Navigator"). MORENO-GARZA parked and met briefly with CS-1, before they entered together into the Flea Market. Surveillance followed CS-1 and MORENO-GARZA into the Flea Market where surveillance saw them meet with an unknown Hispanic male. After several minutes, surveillance saw CS-1 leave the Flea Market and go to his/her vehicle. Around this same time, surveillance observed MORENO-GARZA and the unknown Hispanic male exit the Flea Market into the parking lot, where they were further observed getting into MORENO-GARZA's Lincoln Navigator, and make gestures that indicated they were counting money inside the vehicle. A short time later, surveillance saw MORENO-GARZA's Lincoln Navigator drive toward the parking-lot exit, stop and allow the unknown Hispanic male to get out of the vehicle, and then depart the area.

29. Law enforcement followed CS-1 to a predetermined meet location, where CS-1 provided law enforcement with what field-tested positive as approximately four and a half ounces of methamphetamine. Law enforcement then searched CS-1 and his/her vehicle with negative results, and CS-1 relayed the following events of the meeting with MORENO-GARZA and the unknown Hispanic male:

a. When CS-1 went to the Flea Market, he/she met with MORENO-GARZA, who asked CS-1 if he/she had the money for the methamphetamine. CS-1 told MORENO-GARZA that he/she only had \$5,500.

b. MORENO-GARZA asked CS-1 for the \$5500, but CS-1 told MORENO-GARZA that he/she needed to see the drugs first. MORENO-GARZA then made a telephone call, and when MORENO-GARZA got off the telephone, he told CS-1 to follow him into the flea market.

c. CS-1 followed MORENO-GARZA into the Flea Market where they met an unknown Hispanic male. MORENO-GARZA and the unknown Hispanic male had a brief conversation about the drugs, and the unknown Hispanic male then removed the methamphetamine from his front pants pocket and put it into a paper bag that CS-1 was carrying the \$5500 in. The unknown Hispanic male then removed the \$5500 from the bag and put the money into his pocket. MORENO-GARZA then told CS-1 to bring the remaining \$500 balance the next time they met. CS-1 hugged MORENO-GARZA and walked back to his/her vehicle and departed.

D. March 12, 2010 Payment of \$500 by CS-1 to MORENO-GARZA

30. On March 12, 2010, at approximately 7:43 A.M., CS-1 called MORENO-GARZA on Target Telephone 1. This call was recorded. During the call, CS-1 told MORENO-GARZA, "Hear me out. I'm leaving to do something around 9:00 A.M. You think we can meet there at the 10 and 231? [Can MORENO-GARZA meet CS-1 at the intersection of Interstate 10 and U.S. Highway 231, so that CS-1 can pay MORENO-GARZA the \$500 owed from the methamphetamine CS-1 bought on February 20, 2010]. Don't make me come up there [Dothan, Alabama] because I'm really busy." MORENO-GARZA replied, "Just call me." CS-1 acknowledged and the conversation was ended.

31. At approximately 10:40 A.M. the same day, agents met with CS-1, and instructed CS-1 to contact MORENO-GARZA on Target Telephone 1. This call was inadvertently not recorded due to an equipment malfunction. During the call and according to CS-1, MORENO-GARZA told CS-1 that he wanted to meet at the Restaurant to get the final \$500 payment from CS-1.

32. At approximately 12:45 P.M. that day, CS-1 placed another call to MORENO-GARZA on Target Telephone 1. This call was recorded. During the call, CS-1 said, "I'll be getting there in five to ten minutes." MORENO-GARZA acknowledged, and the call was ended.

33. Law enforcement searched CS-1 and his/her ^{MHC} vehicle with negative results, equipped CS-1 with a recording device, and provided CS-1 with \$500. Surveillance then followed CS-1 to the Restaurant, where he/she went inside at approximately 1:03 P.M. Surveillance then saw MORENO-GARZA arrive at the Restaurant in MORENO-GARZA's Lincoln Navigator and enter the Restaurant. Inside the restaurant, CS-1 gave MORENO-GARZA the \$500. At approximately 1:30 P.M., CS-1 departed the Restaurant. At approximately 1:32 P.M., surveillance saw

MORENO-GARZA exit the Restaurant and depart in MORENO-GARZA's Lincoln Navigator.

E. March 18, 2010 Purchase of Methamphetamine by CS-1 from MORENO-GARZA

34. On or about March 17, 2010 at approximately 6:40 P.M., CS-1 called MORENO-GARZA on Target Telephone 1. This call was not recorded. According to CS-1, during this call, CS-1 arranged to purchase two ounces of methamphetamine from MORENO-GARZA the following day for \$3000.

35. On or about March 18, 2010 at approximately 10:36 A.M., CS-1 called MORENO-GARZA on Target Telephone 1. This call was recorded. During this call, CS-1 and MORENO-GARZA agreed to meet later that morning in Dothan, Alabama, but they did not specify a location. CS-1 told MORENO-GARZA, "We'll plan around 12-12:30 meet time. Hey you told me three thousand." MORENO-GARZA replied, "Yes" [the price for the two ounces of methamphetamine that MORENO-GARZA is to supply CS-1 is \$3000].

36. At approximately 12:46 P.M. the same day, CS-1 called MORENO-GARZA on Target Telephone 1. This call was recorded. During the call, CS-1 and MORENO-GARZA agreed to meet at the car wash located at the BP Gas Station at located at 1348 Hodgesville Road in Dothan, Alabama (the "Car Wash") to conduct the drug transaction. MORENO-GARZA then told CS-1, "Yes, when you have about ten to twenty left, call me" [CS-1 should call MORENO-GARZA when CS-1 is 10-20 minutes from the Car Wash].

37. Law enforcement then ^{MMC} ~~CS-1~~ searched CS-1 and his/her vehicle with negative results, equipped CS-1 with a recording device, and provided CS-1 with \$3000 to purchase of two ounces of methamphetamine from MORENO-GARZA.

38. At approximately 1:17 P.M. the same day, CS-1 called MORENO-GARZA on Target Telephone 1. This call was recorded. During the call, CS-1 told MORENO-GARZA he/she was approximately 10 minutes from the Car Wash. CS-1 said, "I have about ten to fifteen minutes before I get there." MORENO-GARZA replied, "Okay, we are on our way then." CS-1 replied, "Hey, can't we stop by that place in front of Walmart to go to the cafeteria. I'm hungry and we can talk more calmly." MORENO-GARZA said, "No, I don't want to go there...." CS-1 said, "Okay then."

39. Surveillance followed CS-1 to the Car Wash. At approximately 1:41 P.M., surveillance saw MORENO-GARZA arrive at the Car Wash driving a 1996 green GMC Sierra C1500 pick-up, with Florida license plate number 472HZK and registered to Jamie Sandoval Villega, 69 W. Nursery Road, Santa Rosa Beach, Florida ("MORENO-GARZA's GMC Sierra"). There, surveillance saw CS-1 and MORENO-GARZA engaged in conversation. This conversation was recorded. According to CS-1, MORENO-GARZA then handed CS-1 what appeared to be methamphetamine concealed in a white plastic sack, and CS-1 placed the methamphetamine inside the center console of the CS-1's vehicle. Then, according to CS-1, he/she paid MORENO-GARZA

the \$3000. MORENO-GARZA then asked CS-1, "The money? How much is here?" [how much money did CS-1 bring to buy the two ounces of methamphetamine]. CS-1 replied, "\$3000. So you don't start bothering me over the phone. Primo, let me know when you want to do the other thing" [when does MORENO-GARZA want to meet with CS-1 and CARNAL]. MORENO-GARZA responded, "He [CARNAL] tells me that if you have that friend to send him. If you have confidence in him..." [CARNAL wants to know if CS-1 has a trustworthy friend that will transport drugs from Mexico into the United States for CARNAL]. CS-1 said, "I'll do it later. Want to do it tomorrow?" [Can the meeting with CARNAL occur the following day].

40. At approximately 1:45 P.M., surveillance saw CS-1 depart the Car Wash in CS-1's vehicle and saw MORENO-GARZA depart the area in MORENO-GARZA's GMC Sierra.

41. Surveillance followed CS-1 to a predetermined meet location. There, CS-1 provided law enforcement with approximately two ounces of what field-tested positive for methamphetamine inside of a white plastic sack. Law enforcement then searched CS-1 and his/her vehicle with negative results.

F. March 23, 2010 Request for Ballistics Vests

42. On or about March 23, 2010, CS-1 called MORENO-GARZA on Target Telephone 1. This telephone call was recorded. During the call, CS-1 advised MORENO-GARZA that he/she has the "expensive ones" [good quality of bullet-proof vests] not the "cheap ones" [poor quality of bullet-proof vests]. CS-1 further advised MORENO-GARZA that one he/she has is from the "military" [good quality bullet-proof vests like the United States Military wears]. MORENO-GARZA asked CS-1 if CS-1 could get "AK'S" [AK-47 assault rifles], and CS-1 responded that he/she could find at least "one". CS-1 asked MORENO-GARZA how many he wanted. MORENO-GARZA stated that he wanted "five" [five AK-47 assault rifles]. CS-1 told MORENO-GARZA to remind him/her how many bullet-proof vest he/she wanted.

43. Later that day, at approximately 1:11 P.M., CS-1 called MORENO-GARZA on Target Telephone 1. This call was recorded. During the call, CS-1 told MORENO-GARZA that he had some "bullet proof vests" that were "very good" [good quality] that he/she would sell to him for "\$1200" each. CS-1 and MORENO-GARZA further talked about bullet proof vests and prices. CS-1 told MORENO-GARZA to check with CARNAL to see if he was interested in the bullet proof vests. MORENO-GARZA agreed to check with CARNAL.

G. CIFUENTES's Delivery of Three Kilograms of Cocaine

44. On or about April 15, 2010 at 8:58 P.M., MORENO GARZA, using Target Telephone 1, called CARNAL on (312) 833-1427. This call was intercepted. During the call, MORENO-GARZA stated, "Hey, what are you doing?" CARNAL replied, "Nothing, nothing, just here." MORENO-GARZA then stated, "Just here. Someone asked me to ask if the girl was around there [is the female drug courier, CIFUENTES, in the area]." CARNAL replied, "She's leaving

tomorrow [CIFUENTES is leaving the next day to go to the Alabama area].” MORENO-GARZA replied, “Ah, good.” CARNAL then stated, “She’s taking three [three kilograms of cocaine].” MORENO-GARZA responded, “How much?” CARNAL replied, “Just three.” MORENO-GARZA replied, “Oh, that’s good.” CARNAL then stated, “Tomorrow morning I am going to call that guy in the morning when it’s on the way. It’s another one [CARNAL is going to give CIFUENTES MORENO-GARZA’s telephone number, so that MORENO-GARZA can arrange and meet the courier and obtain the drugs].” MORENO-GARZA replied, “Oh, ok. That’s good.” CARNAL responded, “I’ll give him your number when she is around.” MORENO-GARZA replied, “Ok, I’ll wait for her call [MORENO-GARA is going to wait for CIFUENTES to call him when she is close to their area].” CARNAL replied, “Ok then sir.”

45. On or about April 16, 2010 at 7:38 P.M., MORENO-GARZA, using Target Telephone 1, received a call from CIFUENTES, using (713) 545-8104. This call was intercepted. During this call, CIFUENTES stated, “Oh...I’m... uh... I’m coming to see you [CIFUENTES is coming to see MORENO-GARZA].” MORENO-GARZA responded, “Oh, that’s good. Tell me.” CIFUENTES replied, “Uh-huh. Where do I... see you?[where should CIFUENTES meet MORENO-GARZA]” MORENO-GARZA responded, “You know the town where I’m at, right?” CIFUENTES stated, “No.” MORENO-GARZA replied, “Where are you at right now?” CIFUENTES responded, “Uh... I still have left about uh... more or less about ten (10) miles to get to... to what’s it called? Dothan... or something like that.” MORENO-GARZA then stated, “Oh, Dothan. All right that’s fine. Just keep on driving and once you reached Dothan... call me when you get to Dothan.” CIFUENTES stated, “To call you, once I’ve arrived in town [should CIFUENTES call MORENO-GARZA once she arrived in Dothan]?” MORENO-GARZA responded, “Yes. There’s a Walmart there. Call me when you get to Walmart.” MORENO-GARZA continued to provide CIFUENTES with directions to the Walmart located at 3300 S. Oates Street, Dothan, Alabama (the “Walmart”), and CIFUENTES agreed to call MORENO-GARZA upon her arrival to the location.

46. Shortly thereafter on April 16, 2010, the pen register on Target Telephone 1 showed a number of calls between Target Telephone 1 and CIFUENTES’s telephone, (713) 545-8104. However, these calls were not intercepted due to a malfunction with the wire-interception equipment.

47. Soon after these calls, agents conducting surveillance on MORENO-GARZA’s residence observed a white 2005 Toyota Tacoma pickup truck with Alabama registration 37A39R9 depart the residence and travel to the Walmart parking lot. According to NCIC records, this vehicle is registered to MENDOZA-SANCHES at 2820 County Road 55, Headland, Alabama (“MENDOZA-SANCHES’s Tacoma”). Agents observed MORENO-GARZA’s Tacoma drive through the parking lot as if the driver was looking for someone. After driving through the parking lot, agents observed MENDOZA-SANCHES’s Tacoma depart the parking lot with a white 2009 Chevrolet pickup truck bearing a Texas license plate 26BLG6 (“CIFUENTES’s Chevrolet”) following close behind MENDOZA-SANCHES’s Tacoma. Agents observed that CIFUENTES’s Chevrolet was being driven by a female. Agents followed both vehicles several miles into rural Dothan, Alabama, but surveillance had to terminate before the vehicles reached their destination out

of concern that law enforcement would be detected.

48. Soon thereafter, at approximately 9:26 P.M., MORENO-GARZA, using Target Telephone 1, received a call from CARNAL, who was using (312) 833-1427. During the call, CARNAL stated, "Did you see the girl [the drug courier, CIFUENTES] already cuz?" MORENO-GARZA responded, "I did cuz, I already did [MORENO-GARZA met with CIFUENTES]." CARNAL replied, "All right. Because I called her, and she told me that she was sleeping and the call cut off and I said, let me call the cuz, to see what's up [CARNAL tried to talk to CIFUENTES, but she was asleep and the call dropped]." MORENO-GARZA responded, "There's hardly any reception for the device over there [there is little cell-phone reception where the CIFUENTES is staying]." CARNAL then stated, "Oh! I see." MORENO-GARZA then replied, "But I already did [MORENO-GARZA already met with CIFUENTES]" CARNAL stated, "All good then. I'll call you tomorrow, so that you let me know the outcome [CARNAL will call MORENO-GARZA to find out about the quality of the drugs CIFUENTES delivered to MORENO-GARZA]." MORENO-GARZA then responded, "Well... they will be heading out to work tomorrow already. God willing [MORENO-GARZA will distribute the drugs he got from CIFUENTES the following day]." CARNAL then replied, "All set cuz."

49. On or about April 17, 2010 at 9:19 A.M., MORENO-GARZA, using Target Telephone 1, received a call from CIFUENTES, who was using (713) 545-8104. During the call, CIFUENTES asked, "Uh... did you call me?" MORENO-GARZA responded, "Yes... very shortly I'll be...if you want to rent, don't rent anything. I'll be ready very shortly. I'll be calling you in about half (1/2) hour to meet somewhere around [MORENO-GARZA will be ready to meet with CIFUENTES in 30 minutes to deliver drug proceeds to her, and she does not have to stay in a hotel another night]." CIFUENTES replied, "Alright. Listen, I'm not going to rent the room anymore. I have here until eleven (11:00)... I don't know what time it is, because I think the hour changes here. And uh..." MORENO-GARZA responded, "Its nine o'clock (9:00)." CIFUENTES replied, "...it's nine o'clock (9:00)? Okay, I have until eleven o'clock (11:00) [to check out of the hotel room] so, I still have time. Listen... call me when you are ready. I think it would be best for you to come here [MORENO-GARZA should meet CIFUENTES close to her hotel] so I don't have to go thru any... so that I could just leave from here because... you know, to go in a gas station and then go out just like that... you know what I'm saying?" MORENO-GARZA responded, "I'm going to go get you, you are going to come with me and then I'll take you back where you have the vehicle [MORENO-GARZA will pick up CIFUENTES and bring her back when they are done meeting]." CIFUENTES replied, "All right. Can't you come here to the hotel, really quick?" MORENO-GARZA responded, "No, well, is that I don't want to risk it from here to there. Once I give it to you, I don't have any problem [MORENO-GARZA does not want to drive to meet CIFUENTES with drug proceeds and risk getting caught. He would rather pick-up CIFUENTES and take her someplace to give her the drug proceeds because, once he transfers the money to CIFUENTES, CIFUENTES is responsible to his drug supplier for it.]" CIFUENTES replied, "Oh, you are so bad! You see!" MORENO-GARZA then responded, "No, very shortly I'll... I'll be going for you in about half (1/2) hour. You just let me... how long will you take?" The conversation continued with MORENO-GARZA and CIFUENTES with the two of them agreeing to meet in

about thirty minutes.

50. Surveillance attempted to locate the meeting between CIFUENTES and MORENO-GARZA by driving through the Walmart parking lot and other parking lots where surveillance has seen MORENO-GARZA meet with others. At approximately 11:38 a.m. and apparently after the meeting discussed during the call referenced in the preceding paragraph, surveillance saw CIFUENTES's Chevrolet and MORENO-GARZA's Lincoln Navigator in the parking lot of Winn Dixie.

51. Surveillance followed CIFUENTES's Chevrolet from the parking lot of Winn Dixie to Interstate 10, where it headed westbound and then exited onto Highway 90. Shortly thereafter, agents coordinated a traffic stop CIFUENTES's Chevrolet by an Alabama Highway Patrol Trooper. The driver of the vehicle was identified by a valid Texas driver's license as CIFUENTES. CIFUENTES told the Trooper that she was on her way back home to Georgetown, Texas from Florida. The Alabama Trooper gave CIFUENTES a traffic violation warning and released her.

H. Plan to Purchase AK-47s

52. On or about April 23, 2010 at approximately 10:30 A.M., CS-1 contacted law enforcement and stated that he had just spoken to CARNAL. This call was recorded. During this call, CARNAL told CS-1 that he (CARNAL) wanted "100" [100 AK-47 firearms] and "apples" [hand grenades]. CS-1 then stated, "The ones you throw out and destroys everyone [hand grenades]?" CARNAL said, "Let me see, let me see, how much would those be . . . how much are the other ones [what is the price for a hand grenade]?" CS-1 told CARNAL that the cost for a hand grenade would be "\$400 each."

53. On or about April 23, 2010 at approximately 12:32 P.M., CS-1 placed a call to CARNAL at telephone number (334) 201-2228. This call was recorded. During the call, CARNAL and CS-1 agreed that the CS-1 would provide 50 AK-47 firearms at a price of \$800 each for a total of \$40,000 and 10 hand grenades at a price of \$300 each for a total of \$3000. CS-1 said that he/she would need "half" of the money for the firearms and all of the money for the grenades up front, with the balance on the firearms due when CS-1 delivered the items to CARNAL. The two agreed to meet on April 27, 2010 for CARNAL to pay CS-1 \$20,000 as a down payment on the firearms and \$3000 for the grenades.

1. First Payment for Firearms

54. On April 26, 2010 at approximately 4:27 p.m., CARNAL, using telephone number (720) 202-4333, called CS-1. This call was recorded. During the call, CARNAL told CS-1 that he (CARNAL) did not want the hand grenades, but that he still wanted the firearms. The two agreed that CARNAL would bring only \$20,000 to their meeting on April 27, 2010 as the down payment on the firearms.

55. On or about April 27, 2010, at approximately 6:16 P.M, CS-1 called CARNAL, who was using (720) 202-4333. During the call, CARNAL told CS-1 that there was a delay, and the two agreed to meet the following morning.

56. On or about April 28, 2010, at approximately 7:10 A.M., CS-1 called CARNAL, who was using (720) 202-4333. During this call, CS-1 told CARNAL, "it will be more or less around 9:30 or 10, okay [CS-1 will be available to meet CARNAL to get the initial payment for the firearms around 9:30 or 10:00 A.M.]" CARNAL then told CS-1 to call whenever CS-1 was ready to the deal. CARNAL then said that "the kid lives very close by there [the person who will deliver the money to CS-1 from CARNAL lives close by]."

57. Later that day, law enforcement met with CS-1, searched CS-1 and his/her vehicle with negative results, and equipped CS-1 with a recording device. CS-1 then engaged in numerous telephone calls with CARNAL. During these calls, CARNAL instructed CS-1 to meet with one of CARNAL's associates at the Walmart, located at 1621 Main Street (the "Chipley Walmart"). CARNAL also provided CS-1 with the telephone number for CARNAL's associate.

58. While CS-1 was en route to the Chipley Walmart, CARNAL's associate, later identified as set for below as CS-1 contacted CARNAL's associate, who was later identified as Individual A. During this conversation, Individual A told CS-1 not to go to the Chipley Walmart, but instead to go to Cancun's Mexican Restaurant located at 1511 Main Street in Chipley, Florida ("Cancun's").

59. When CS-1 arrived at Cancun's, CS-1 parked in the parking lot. Soon thereafter, Individual A, who was driving a black Nissan Sentra, parked next to CS-1. Surveillance saw CS-1 and Individual A get out of their respective vehicles and meet behind their vehicles. There Individual A gave CS-1 a small dark-colored bag. CS-1 put the bag in the back seat of his/her vehicle. Soon thereafter, CS-1 and Individual A departed the area in their respective vehicles.

60. CS-1 then drove to a prearranged meet location. There CS-1 immediately provided law enforcement with the dark-colored bag. Inside, law enforcement for \$23,000 in two packages, each of which had been wrapped in silver electrical tape.

2. Final Payment for Firearms

61. On or about May 5, 2010, CS-1 met with CARNAL. This meeting was recorded. During the meeting, CARNAL agreed to provide CS-1 with one pound of crystal methamphetamine and one ounce of cocaine as final payment for the AK-47s. Also during this meeting, CS-1 told CARNAL that the anticipated date of delivery for the AK-47s would be around the end of May 2010.

62. On or about May 17, 2010, CS-1 engaged in a series of telephone calls with CARNAL regarding getting the narcotics as final payment for the AK-47s. These calls were recorded. During the calls, CARNAL advised CS-1 that the narcotics were available and that CS-1

needed to travel to Dothan, Alabama to pick them up. CARNAL further stated that, to transfer the drugs to CS-1, CARNAL would provide CS-1 with a vehicle that had a concealed or trapped compartment that would contain the drugs. CARNAL told CS-1 that CS-1 would drive the vehicle back to Panama City, Florida; unload the narcotics; and return the vehicle to Carnal on May 18, 2010.

63. A short time later, MORENO-GARZA called CS-1. This call was recorded. During this call, MORENO-GARZA told CS-1 to go to a Kentucky Fried Chicken in Dothan, Alabama (the "KFC"). Also during this call, CS-1 told MORENO-GARZA that he would bring another person with him/her.

64. Later that day, CS-1 and an undercover agent (the "UC") met with MENDOZA-SANCHES at the Kentucky Fried Chicken in Dothan, Alabama. There, MENDOZA-SANCHES got into CS-1's vehicle and directed CS-1 and the UC to drive to a remote location in Newville, Alabama. While traveling in Newville, Alabama on County Road 7, CS-1 at MENDOZA-SANCHES's direction pulled up to a 1998 Ford Windstar, bearing Alabama license-plate number 37A79M2 and Vehicle Identification Number ("VIN") 2FMDA5146WBB01902, which was on the side of the roadway (the "Van"). According to the National Crime Information Center ("NCIC") Motor Vehicle records, there is no record of the Alabama license-plate number on the Van, but the VIN number is registered to Alberto MORENO-GARZA, 1630 State Highway 17, Newville, Alabama 36353.

65. According to the CS-1 and the UC, the Van was being driven by MORENO-GARZA. CS-1 and the UC exited the CS-1's vehicle and walked to the Van. MORENO-GARZA showed CS-1, with the UC looking on, how to get into a concealed compartment in the Van to obtain the narcotics insides. The concealed compartment was located underneath the center console. At that time, the UC got into the Van. CS-1, MORENO-GARZA, and MENDOZA-SANCHES got into CS-1's vehicle. The CS-1 and the UC followed each other back to Dothan, Alabama where CS-1 dropped off MORENO-GARZA and MENDOZA-SANCHES at the KFC.

66. CS-1 and the UC then traveled to a neutral location, where they met with agents. There, agents opened the concealed compartment in the Van and recovered approximately one pound of what field-tested positive for methamphetamine.

I. Seizure of 4 Kilograms of Cocaine from CIFUENTES

67. On or about May 5, 2010, at approximately 7:21 P.M., MORENO-GARZA, using Target Telephone 2, received a call from CARNAL. This call was intercepted. During the call, MORENO-GARZA told CARNAL that "EL PUMA just called me to let me know that they just left heading out now on the way over here, over there [the drug courier, CIFUENTES, is leaving soon to deliver narcotics to MORENO-GARZA]," to which CARNAL responded, "yes, most likely they'll be arriving tomorrow in the morning [CIFUENTES will arrive the following day with narcotics]."

68. On or about May 6, 2010, at approximately 12:34 P.M., MORENO-GARZA, using Target Telephone 2, received a call from EL PUMA. This call was intercepted. During the call, EL PUMA said, "do you have where to write down to give you her number [can MORENO-GARZA write down the telephone number for the drug courier, CIFUENTES]?" EL PUMA then told MORENO-GARZA that the telephone number was 832-282-6787. MORENO-GARZA then said, "alright, I'll call her now."

69. On or about May 6, 2010, at approximately 12:53 P.M., MORENO-GARZA, using Target Telephone 2, received a call from EL PUMA. This call was intercepted. During this call, EL PUMA told MORENO-GARZA that he (EL PUMA) had talked to "her [CIFUENTES]." EL PUMA told MORENO-GARZA "to call her over there now [MORENO-GARZA should call CIFUENTES]."

70. Following this call, surveillance attempted to locate CIFUENTES by driving through the Walmart parking lot. At approximately 1:40 P.M., surveillance saw CIFUENTES in CIFUENTES's Chevrolet parked in the Walmart parking lot. At approximately 1:45 P.M., surveillance saw MORENO-GARZA, driving MENDOZA-SANCHEZ's Tacoma, arrive at the Walmart parking lot and drive through the lot as if looking for someone. Surveillance then saw MENDOZA-SANCHEZ's Tacoma slow down in front of CIFUENTES's Chevrolet and then saw CIFUENTES's Chevrolet begin to follow MENDOZA-SANCHEZ's Tacoma. Surveillance followed the two vehicles to Highway 431 North in Dothan, Alabama.

71. At approximately 2:21 P.M., a deputy with the Houston County, Alabama Sheriff's Office conducted a traffic stop on CIFUENTES's Chevrolet. The deputy asked CIFUENTES for consent to search the vehicle, which she gave in writing. After failing to locate narcotics inside of the vehicle during an initial search, law enforcement moved the vehicle with CIFUENTES's consent to the Alabama Department of Public Safety Trooper Post, 5679 Montgomery Highway, Dothan, Alabama, so the vehicle could be more fully searched. There, law enforcement did not find narcotics in the vehicle. However, inside of CIFUENTES's purse, law enforcement found prescription medication that was not prescribed to CIFUENTES. In addition, in a backpack, law enforcement found an elastic waistband with pockets sewn inside. At that point, law enforcement informed CIFUENTES that she was being arrested for possessing the medication without a prescription. Law enforcement then searched CIFUENTES's person based on the arrest, as well as on the probable cause - based on the intercepted phone calls and elastic waist band found in the backpack - that she was secreting narcotics on her person. The search of CIFUENTES's person revealed that she had a similar elastic waist band around her waist and that inside of the waist she had concealed approximately four kilograms of what field-tested positive for cocaine.

J. CARNAL and MORENO-GARZA's Delivery of Four Pounds of Methamphetamine to CS-1 and the UC and the Identification of the Skipperville Stash House

72. On or about May 18, 2010 United States Magistrate Judge Larry A. Bodiford

authorized the installation and monitoring of a tracking device on the Van. On this same date, a tracking device was placed on the Van.

73. On or about May 18, 2010, at approximately 4:56 P.M., CS-1 called CARNAL. During this call, the two agreed that CS-1 would leave the Van for CARNAL in the parking lot of the Taco Loco Mexican Restaurant located at 2695 S. Oates Street, Dothan, Alabama ("Taco Loco").

74. Later that day, CS-1 and the Van were searched with negative results, and CS-1 was equipped with a recording device. CS-1 drove his/her vehicle to Taco Loco, followed by the UC, who was driving the Van.

75. When they arrived at Taco Loco, the UC parked the Van in the parking lot, got out of the Van, and got into CS-1's vehicle. CS-1 then got out of his/her vehicle and went into Taco Loco. Inside, CS-1 met with CARNAL and MORENO-GARZA. During this meeting, CARNAL asked CS-1 if, in addition to the AK-47s, CS-1 could get "20,000 round of good ammunition." CS-1 told CARNAL that he would get back to CARNAL later on whether CS-1 could get the ammunition. CARNAL then told CS-1 that he (CARNAL) wanted the next shipment of weapons to be delivered directly to Cancun or Vera Cruz, Mexico. CS-1 then asked how many firearms CARNAL wanted in the next delivery. CARNAL then attempted to make several calls, but could not reach the person called. CARNAL then told CS-1 that he (CARNAL) would get back to CS-1 with the number of firearms CARNAL would need after the first gun deal. Before they finished their meeting, CS-1 asked CARNAL if CARNAL could supply CS-1 with five pounds of methamphetamine on consignment. CARNAL told CS-1 that CARNAL could give the methamphetamine to CS-1 that day, to which CS-1 responded that he/she would have to come back for it. CARNAL told CS-1 that the Van would be ready for CS-1 the following day, which CS-1 understood to mean CARNAL and MORENO-GARZA would put the methamphetamine in the trapped compartment ~~of~~^{of the} Van and have CS-1 drive the Van to Panama City, Florida to unload the methamphetamine and then return the Van. CS-1 then exited Taco Loco and entered his/her vehicle.

76. After CS-1 and UC-1 left the Taco Loco Mexican Restaurant, law enforcement officers observed CARNAL exit Taco Loco and enter the Van. The tracking device showed that the Van was driven from Taco Loco to the residence located at 107 Ridgedale Drive, Dothan, Alabama, which as set forth below is MORENO-GARZA's residence. Law enforcement officers later conducted a surveillance of the residence and saw the Van had been parked at the rear of the residence out of sight.

77. Later that day, the tracking device showed that the Van departed MORENO-GARZA's residence and drove to 6652 County Road 69, Skipperville, Alabama (the "Skipperville Stash House"). According to the tracking device, it took one hour and four minutes to get from MORENO-GARZA's residence to the Skipperville Stash House.

78. On or about May 19, 2010, at approximately 9:30 A.M., CS-1 called MORENO-GARZA, using Target Telephone 4. This call was recorded. During the call, CS-1 told MORENO-

GARZA that CS-1 would be able meet MORENO-GARZA in twenty minutes. CS-1 and MORENO-GARZA agreed to meet at the KFC for CS-1 to get the Van containing the methamphetamine from MORENO-GARZA. CS-1 told MORENO-GARZA that the UC would be with him/her.

79. The tracking device showed then that the Van left the Skipperville stash house and drove straight to the KFC.

80. At approximately 10:22 A.M., surveillance saw MENDOZA-SANCHES driving the Van into the KFC parking lot, park the Van, and then walk across the street to a gas station, where MENDOZA-SANCHES got into MENDOZA-SANCHES's Tacoma, at which point MENDOZA-SANCHES's Tacoma departed the area.

81. Soon thereafter, CS-1 and the UC arrived at the KFC. At approximately 10:27 A.M., CS-1 called MORENO-GARZA on Target Telephone 4. Only CS-1's side of the conversation was recorded. During this call and according to CS-1, CS-1 asked MORENO-GARZA where the keys were to the Van, and MORENO-GARZA said they were inside underneath the carpet and that the vehicle contained "four girls [4 pounds of methamphetamine]."

82. The UC then got into the Van and followed CS-1 to a neutral location, where they met with law enforcement. There, law enforcement opened the trapped compartment. Inside, law enforcement found approximately four pounds of what field-tested positive for methamphetamine.¹⁴

K. BARAJAS's Delivery of Four Kilograms of Cocaine to the Alford Stash House

83. On or about May 20, 2010 at approximately 12:38 P.M., MORENO-GARZA, using Target Telephone 4, received a call from CARNAL. This call was intercepted. During the call, CARNAL asked MORENO-GARZA if MENDOZA-SANCHES had "found a house [new drug stash house] yet." MORENO-GARZA said, "he [MENDOZA-SANCHES] hasn't called me." CARNAL responded, "I need him to find one to see if we accommodate that other stuff [CARNAL needs MENDOZA-SANCHES to find a new drug stash house where they can store narcotics]."

84. Later that day, law enforcement directed CS-1 to contact CARNAL and ask if he (CARNAL) was still looking to rent a house to be used a drug stash house. CS-1 called CARNAL,

¹⁴On or about May 20, 2010 at approximately 11:49 A.M., MORENO-GARZA, using Target Telephone 4, got a call from a person he referred to as "TOLOCHE." This call was recorded. During the call, MORENO-GARZA told TOLOCHE that "the old man of the rent went inside that house over there" and that "we are already took everything out yesterday [a landlord of a house the organization uses as a drug stash house entered the house, so MORENO-GARZA and others removed the narcotics from that stash house the day before]." It is not clear which stash house MORENO-GARZA moved narcotics out of, but it is possible that the stash house referred to in this call is the Skipperville Stash House.

and this call was recorded. During the call, CS-1 told CARNAL that he/she thinks he/she found a house that CARNAL could use. CARNAL asked CS-1 where the house was located and then told CS-1 to contact to realtor to make an appoint for CARNAL to see the house.

85. The following morning, May 21, 2010, CS-1 made an appointment with a realtor from Chipola Realty in Marianna, Florida to see the house located at 839 Country Acres Road, Alford, Florida (the "Alford stash house"). The realtor agreed to show the Alford stash house that day at 3:30 P.M.

86. That afternoon, law enforcement met with CS-1, searched CS-1 and his/her vehicle, and equipped CS-1 with a recording device. CS-1 then drove to meet CARNAL at the gas station at the intersection of Highway 231 and Interstate 10 in Jackson County, Florida. When CS-1 arrived, CARNAL was with MORENO-GARZA and a female, who was later identified as Individual B. MORENO-GARZA, CARNAL, and Individual B were in MORENO-GARZA's Lincoln Navigator. CARNAL, MORENO-GARZA and Individual B then followed CS-1 to the Alford Stash House. There they met with a realtor and viewed the property. Following the showing, CARNAL, MORENO-GARZA, Individual B, and CS-1 went to Chipola Realty in Marianna, Florida to rent the Alford stash house. There, Individual B filled out rental paperwork to rent the Alford stash house. She provided a Texas identification card in her name to the realtor and listed her co-tenant as Macia Aguilar Gaona. MORENO-GARZA then provided a Mexican identification card in the name Macia Aguilar Gaona. CARNAL then gave the realtor money as a down payment, and the realtor then provided Individual B keys to the property. The four then departed Chipola Realty.

87. On or about May 22, 2010, at approximately 7:31 P.M., MORENO-GARZA, using Target Telephone 4, called EL PUMA. This call was intercepted. During this call, MORENO-GARZA asked if "Tortugo" [the drug courier, BARAJAS] was on his way to MORENO-GARZA. EL PUMA told MORENO-GARZA that he was not sure if "Tortugo" [BARAJAS] had left yet, but would give "Tortugo" MORENO-GARZA's number for "Tortugo" [BARAJAS] to call when "Tortugo" [BARAJAS] was an hour away from the Dothan, Alabama area. EL PUMA told MORENO-GARZA that "Tortugo" should arrive "early tomorrow morning [BARAJAS would arrive early on May 23, 2010]."

88. On or about May 23, 2010, at approximately 7:03 A.M., MORENO-GARZA, using Target Telephone 4, called EL PUMA. This call was intercepted. During this call, MORENO-GARZA attempted to give EL PUMA directions for "Tortugo" [BARAJAS]. EL PUMA told MORENO-GARZA that he (EL PUMA) would have "Tortugo" [BARAJAS] call MORENO-GARZA.

89. On or about May 23, 2010, at approximately 1:49 P.M., MORENO-GARZA, using Target Telephone 4, called a person referred to as "Tortugo" [BARAJAS]. This call was intercepted. During the call, BARAJAS said that he was near the Dothan, Alabama area.

90. On or about May 23, 2010, at approximately 1:53 P.M., MORENO-GARZA, using

Target Telephone 4, called MENDOZA-SANCHEZ and told MENDOZA-SANCHEZ to come and get MORENO-GARZA because BARAJAS had arrived. This call was intercepted.

91. At approximately 3:30 P.M. the same day, surveillance saw MENDOZA-SANCHEZ's Tacoma arrive at the intersection of Highway 231 and Interstate 10. Immediately thereafter, a 2005 maroon Ford F150, bearing Texas license plate number AG18993 began following MENDOZA-SANCHEZ's Tacoma. According to NCIC records, this vehicle is registered to Jose BARAJAS, 9851 Meadowglen Lane 33, Houston, Texas ("BARAJAS's F150"). Surveillance followed MENDOZA-SANCHEZ's Tacoma and BARAJAS's F150 to the Alford stash house.

92. At approximately 4:16 P.M., surveillance saw MORENO-GARZA, MENDOZA-SANCHEZ, and BARAJAS leave the Alford stash house in MENDOZA-SANCHEZ's Tacoma and drive to the Autozone located at 4606 Highway 90, Marianna, Florida. MENDOZA-SANCHEZ's Tacoma stayed there for about five minutes. Surveillance then followed the vehicle back to the Alford stash house.

93. At approximately 4:48 P.M., MORENO-GARZA, using Target Telephone 4, got a call from CARNAL. This call was intercepted. During the call, CARNAL asked MORENO-GARZA if "Tortugo"[BARAJAS] had arrived, to which MORENO-GARZA said he had. MORENO-GARZA told CARNAL that they did not have "tools" [tools to open the area in BARAJAS's F150 where the narcotics were stored] and that they needed to go to "M [Marianna, Florida]." MORENO-GARZA told CARNAL that they "were on their way back already [that they had purchased tools at the Autozone and were on their way back to the Alford stash house to unload the narcotics from BARAJAS's F150]." MORENO-GARZA then told CARNAL that there were "four only [four kilograms of cocaine]" to which CARNAL asked if there were "eight [8 kilograms of cocaine]." MORENO-GARZA replied "four only . . . the rest Tortugo left it up there [BARAJAS brought only 4 kilograms of cocaine and left 4 other kilograms of cocaine in Texas]."

94. At approximately 6:38 P.M., MORENO-GARZA, using Target Telephone 4, received an incoming call from EL PUMA. During the call, EL PUMA asked if MORENO-GARZA saw "the man [BARAJAS]." MORENO-GARZA said that he had and said that "since he didn't bring tool, [they] had to go and get it [since BARAJAS did not bring tools to remove the cocaine from BARAJAS's F150, they had to go and buy tools]". MORENO-GARZA said "now we are just working on it [they were now attempting to remove the cocaine from BARAJAS's F150]." EL PUMA told MORENO-GARZA to "take care of the guy [BARAJAS]."

L. The Identification of the Hillside Stash House

95. On or about May 24, 2010, at approximately 9:05 A.M., MORENO-GARZA, using Target Telephone 4, placed a call to a person he referred to as TOLOCHE. This call was intercepted. During the call, TOLOCHE told MORENO-GARZA that "it" came with a lot of "cut" [the cocaine brought by BARAJAS, some or all of which was given to TOLOCHE at 101 Hillside Park Drive, Dothan, Alabama (the "Hillside stash house"), contained a lot of cutting agent]. TOLOCHE asked

MORENO-GARZA to call that "guy" [the source of the cocaine in Texas]. MORENO-GARZA asked TOLOCHE what the "black guys" said to him. TOLOCHE said they would come later to see them [cocaine]. MORENO-GARZA asked TOLOCHE when they would come, and TOLOCHE replied shortly.

96. At approximately 9:53 A.M. the same day, MORENO-GARZA, using Target Telephone 4, placed a call to TOLOCHE. This call was intercepted. TOLOCHE said "they" [drug customers] wanted to do all of them there [the drug customers want to purchase all of their cocaine] and asked MORENO-GARZA to bring a scale [MORENO-GARZA should bring a scale to the Hillside stash house for TOLOCHE to weigh the cocaine]. MORENO-GARZA replied that he did not have it [the scale] and that it was at the other house [another stash house]. TOLOCHE said they [cocaine customers] would go get one and come back. MORENO-GARZA asked TOLOCHE why he didn't buy one [scale].

97. At approximately 10:22 A.M., MORENO-GARZA, using Target Telephone 4, placed a call to BARAJAS. This call was intercepted. During the call, MORENO-GARZA told BARAJAS that he would be headed down, and BARAJAS acknowledged [MORENO-GARZA was traveling from Dothan, Alabama to meet BARAJAS at the Alford stash house].

98. At approximately 10:23 A.M., MORENO-GARZA, using Target Telephone 4, received a call from TOLOCHE. This call was intercepted. During the call, TOLOCHE asked "what were they going to do with that" [cocaine]. MORENO-GARZA asked if they [cocaine customers] didn't want it. TOLOCHE asked where should he take the truck to, to which MORENO-GARZA replied, "over there" [the Alford stash house]. TOLOCHE said MORENO-GARZA was wrong, and MORENO-GARZA said he was not going to take it. TOLOCHE replied that he would charge for it. TOLOCHE stated they had to see what "Chicharron" did. MORENO-GARZA asked TOLOCHE to call that guy [CARNAL] to let him know. TOLOCHE asked MORENO-GARZA to tell him [CARNAL]. MORENO-GARZA said he would call him [CARNAL].

99. At approximately 10:25 A.M., MORENO-GARZA, using Target Telephone 4, placed a call to CARNAL. This call was intercepted. During the call, MORENO-GARZA said that TOLOCHE said that the black guys didn't like it, adding that it did not give back what they were expecting. CARNAL complained about the bad stuff [poor-quality cocaine] that BARAJAS had bought and asked MORENO-GARZA to call BARAJAS to tell him that "it" [the cocaine] wasn't good. CARNAL suggested to lower the price for them [cocaine customers] to see if they would take them [cocaine]. MORENO-GARZA said TOLOCHE said they [cocaine customers] tested it, and since it did not come out what they wanted, they left it there. TOLOCHE said that it was not the time to offer a lower price. CARNAL said perhaps "Juanchon" could get them [cocaine]. MORENO-GARZA replied that he did not know. CARNAL told MORENO-GARZA to ask "Jaunchon" to find out if he could get "some" [cocaine], and MORENO-GARZA acknowledged.

100. At approximately 10:32 A.M., MORENO-GARZA, using Target Telephone 4 placed a call to BARAJAS. This call was intercepted. During the call, MORENO-GARZA advised that those things were not good quality adding that it was rather poor. [the cocaine BARAJAS delivered was of poor quality]. BARAJAS said that he tested them himself and that they were fine. MORENO-

GARZA said he was going to return them back whatever was left over. [MORENO-GARZA was going to return the remaining poor-quality cocaine to BARAJAS.]

101. At approximately 10:39 A.M., MORENO-GARZA, using Target Telephone 4 placed a call to CARNAL. This call was intercepted. During the call, MORENO-GARZA said "Juanchon" didn't answer and that he had called "Cebolla" who wanted one. [Cebolla wanted a quantity of cocaine]. MORENO-GARZA stated that he [Cebolla] wanted one, and if they could front [provide the cocaine on consignment] him another one if he [Cebolla] would have the money by Friday. [MORENO-GARZA asked for CARNAL's permission to give a kilogram of cocaine and provide a second kilogram on consignment to Cebolla]. CARNAL declined and asked MORENO-GARZA to have Cebolla take a very good look at it, to avoid any misunderstanding. [Have Cebolla examine the cocaine before he purchased it]. MORENO-GARZA acknowledged. CARNAL stated that they didn't want any mix-ups because they [kilograms of cocaine] didn't belong to them. CARNAL said that "old man" [BARAJAS] could otherwise take it back [the cocaine would be returned to BARAJAS to return to Texas]. MORENO-GARZA told CARNAL that TOLOCHE was asking for four to five balls from them. [TOLOCHE wanted four to five ounces of cocaine from them]. CARNAL said no and that they belonged to the old man [BARAJAS]. CARNAL said that it would be too much trouble. CARNAL stated that if they were going to get it, they would take all of it, and if not, it would all be sent back. [The cocaine belonged to BARAJAS, and they were not going to break it into smaller quantities. They were going to sell it all or none of it and would return the cocaine.] CARNAL said his associate asked him to send it all back if it was worthless. MORENO-GARZA said he saw them yesterday, and it looked "muted/matte/opaque" but he did not see the big deal. [MORENO-GARZA believed the cocaine looked fine after viewing it the day before.] CARNAL asked MORENO-GARZA if he had the guy's number because, if it's going to be sold as "balls," they need to cover it. CARNAL then said that, if they can't sell it, he has to go somewhere else with it. MORENO-GARZA acknowledged. CARNAL asked MORENO-GARZA to tell him if "Cacheton"[TOLOCHE] wanted to get some [cocaine] today. CARNAL said they could cover how many he will need. [The amount of cocaine needed would be supplied to TOLOCHE]. MORENO-GARZA said TOLOCHE was asking the price for them [cocaine]. CARNAL explained that it has to be as if MORENO-GARZA was getting it at "27" [CARNAL would supply a kilogram for \$27,000, which is the same price that MORENO-GARZA buys them for]. CARNAL further instructed MORENO-GARZA to write down 27 "with the three zero" [\$27,000]. CARNAL then said to divide it into "36" for the total [The price for a kilogram of cocaine is \$27,000. Divide that by 36 ounces to get the price for an ounce or "ball" of cocaine].

102. At approximately 10:44 A.M., MORENO-GARZA, using Target Telephone 4, placed an outgoing call to TOLOCHE. This call was intercepted. During the call, MORENO-GARZA advised that he [CARNAL] said it would be lower by "2" [\$2,000] because they [cocaine] belonged to BARAJAS. MORENO-GARZA said that, otherwise, BARAJAS would take everything back [The cocaine not purchased would be returned to BARAJAS]. TOLOCHE said it would be later today and said that he would call around [TOLOCHE would attempt to sell the cocaine by calling his customers/contacts].

103. At approximately 10:49 A.M., MORENO-GARZA, using Target Telephone 4 received an incoming call from TOLOCHE. This call was intercepted. During the call, TOLOCHE asked MORENO-GARZA the price for the stuff [controlled substances]. MORENO-GARZA said he would have to crunch the numbers. TOLOCHE insisted on the price. MORENO-GARZA said it was about "9." TOLOCHE complained, and MORENO-GARZA said he was receiving another call and would call him later. TOLOCHE said he wanted to set it aside, and MORENO-GARZA asked him to come and get him.

104. At approximately 11:44 A.M., MORENO-GARZA, using Target Telephone 4 received an incoming call from EL PUMA. During the call, MORENO-GARZA said BARAJAS brought "garbage" [poor-quality cocaine]. EL PUMA laughed and said that "Nona" [CARNAL] just told him [EL PUMA] the same thing. MORENO-GARZA replied that it [cocaine] was "dirt, very ugly" [very poor quality]. EL PUMA asked what BARAJAS said about it. MORENO-GARZA said he was on his way over to talk to him, because BARAJAS didn't believe it was bad quality. EL PUMA asked if the stuff was taken by them, and MORENO-GARZA said the guys [cocaine customers] didn't want it and left. MORENO-GARZA said there was another guy coming to get one and that maybe he would take it [cocaine]. MORENO-GARZA and EL PUMA laughed about the quality adding that it could be used as adobe [mud] in Mexico. EL PUMA said that it was a good thing that they [kilograms of cocaine] belonged to BARAJAS and not to them. MORENO-GARZA said they could possibly lower the price, but that otherwise they would return it. EL PUMA said he would call BARAJAS later to find out the outcome.

105. At approximately 11:47 A.M., MORENO-GARZA, using Target Telephone 4 placed a call to CARNAL. This call was intercepted. During the call, CARNAL asked MORENO-GARZA if he called BARAJAS, and MORENO-GARZA affirmed. MORENO-GARZA said BARAJAS was in denial [BARAJAS did not want to except the cocaine he delivered was of poor quality]. CARNAL asked MORENO-GARZA to have "him" [BARAJAS] take it back. MORENO-GARZA said that, if he wanted for them to struggle with it, they could not be responsible for it. MORENO-GARZA said he was on the way over there [to see BARAJAS]. CARNAL told MORENO-GARZA to have a good talk with him and to warn him that the poor-quality cocaine would not be their responsibility. MORENO-GARZA said TOLOCHE took five "balls" out of them [TOLOCHE removed five ounces of cocaine from the kilograms delivered, which TOLOCHE had at the Hillside stash house]. CARNAL asked MORENO-GARZA if BARAJAS was aware of it, and MORENO-GARZA affirmed. [BARAJAS knew that TOLOCHE removed cocaine from the quantities he delivered]. MORENO-GARZA stated that "Cebolla" was coming to see if he liked it. MORENO-GARZA further stated that he was going to take them back and added that TOLOCHE had refused to. CARNAL asked MORENO-GARZA to have it out of there because they did not need that responsibility there and further asked MORENO-GARZA to be careful [CARNAL wanted the poor quality cocaine carefully removed from the Alford stash house]. CARNAL then asked if the guy from Atlanta wanted "1" [kilogram of cocaine]. CARNAL said that they will show it [cocaine] to him hoping to get it that way.

106. At approximately 11:51 A.M., MORENO-GARZA, using Target Telephone 4, placed a call to BARAJAS. This call was intercepted. During this call, MORENO-GARZA advised

BARAJAS that he was on his way over because it [the delivered cocaine] didn't work out. MORENO-GARZA advised that there was a guy [TOLOCHE] who took five "balls" [quantities of cocaine] and would have the money for them later in the day. BARAJAS acknowledged. MORENO-GARZA told BARAJAS that he [MORENO-GARZA] was on the way back with "them" [the remaining cocaine packages] to have a talk with BARAJAS about it. BARAJAS agreed to the meeting.

107. At approximately 3:15 P.M., MORENO-GARZA, using Target Telephone 4, placed a call to CARNAL. This call was intercepted. During the call, MORENO-GARZA advised CARNAL that Cebolla could not come down at that time and that he would be coming the next day. MORENO-GARZA advised that BARAJAS was going to see if Cebolla wanted one of them [kilogram of cocaine] so that BARAJAS did not have to go back to his source with all of them. CARNAL agreed. CARNAL instructed MORENO-GARZA to instruct "Cacheton" [TOLOCHE] to provide "Cerebro" with something [cocaine]. CARNAL advised that Cerebro would be wanting something from CARNAL and that he (CARNAL) would not be in the vicinity until tomorrow. MORENO-GARZA advised CARNAL that Cerebro had already contacted MORENO-GARZA. CARNAL instructed MORENO-GARZA to ask Cacheton [TOLOCHE] for some money for the "five" [ounces of cocaine] he was receiving. CARNAL instructed MORENO-GARZA to have TOLOCHE do his own work [distribute the cocaine] and to have TOLOCHE pay for the five on Friday. MORENO-GARZA agreed to call TOLOCHE immediately. CARNAL told MORENO-GARZA that they would pay 3 or 4 bucks [quantity of U.S. currency] now and the rest tomorrow. CARNAL related to MORENO-GARZA that they could not put "it" [cocaine] all out at one time, and MORENO-GARZA agreed.

108. At approximately 5:12 P.M., MORENO-GARZA, using Target Telephone 4 placed an outgoing call to TOLOCHE. This call was intercepted. During the call, MORENO-GARZA asked if he (TOLOCHE) already weighed everything and the other one also. TOLOCHE said he had not. TOLOCHE said that he put in the same one, and MORENO-GARZA asked why. TOLOCHE did not respond and said that he would call him back once he was en route. MORENO-GARZA said that "guy" [CARNAL] said he would charge "5 bucks" for TOLOCHE to make the delivery. TOLOCHE asked if he [CARNAL] was going to pay over there because this one already paid and didn't have any money left. TOLOCHE asked which one. MORENO-GARZA said the one that he [TOLOCHE] was measuring there [at the Hillside stash house].

109. At approximately 8:16 P.M., MORENO-GARZA, using Target Telephone 4, received a call from TOLOCHE. This call was intercepted. During the call, TOLOCHE asked MORENO-GARZA for a "shovel." MORENO-GARZA advised TOLOCHE that he (MORENO-GARZA) had the shovel with him and would bring it back early tomorrow. TOLOCHE advised MORENO-GARZA not to forget because he needed the shovel now. MORENO-GARZA asked if what was left over [drugs] was already gone, and Toloche said it was. MORENO-GARZA said that he would be taking something to "El Viejo" early in the morning. TOLOCHE asked if MORENO-GARZA needed more [drugs]. MORENO-GARZA said "no" and asked how long it was going to take to move the rest out [of the drugs] from there. TOLOCHE said that he did not know. MORENO-GARZA said that he would be by to see TOLOCHE at about 7:00 A.M.

110. At approximately 9:05 P.M., MORENO-GARZA, using Target Telephone 4, received a call from TOLOCHE. This call was intercepted. During the call, TOLOCHE told MORENO-GARZA that two more balls [quantities of cocaine] came out of it [a kilogram of cocaine]. TOLOCHE told MORENO-GARZA that he got rid of half of one, plus two [quantities of cocaine] which totaled 560. MORENO-GARZA asked if TOLOCHE would give two back only. TOLOCHE affirmed, adding that they wanted to leave it to him as profit. MORENO-GARZA told TOLOCHE that those two were for him and asked TOLOCHE to set them aside for him. MORENO-GARZA said he would pass by early tomorrow and asked TOLOCHE to set them aside for him [MORENO-GARZA will meet TOLOCHE the following morning, and TOLOCHE should set aside a quantity of cocaine for him].

111. At approximately 10:31 P.M., MORENO-GARZA, using Target Telephone 4 placed an outgoing call to MENDOZA-SANCHES. This call was intercepted. During the call, MENDOZA-SANCHES said that he was on the way to get the rims to fix for the truck tomorrow. MORENO-GARZA told MENDOZA-SANCHES to tell BARAJAS that he (MENDOZA-SANCHES) would be passing by around 7 or 8 tomorrow [7:00 a.m. or 8:00 a.m.] for "that one" [kilogram of cocaine]. MENDOZA-SANCHES said that he and BARAJAS were not there, since BARAJAS had left up there [BARAJAS departed the Alford stash house]. MORENO-GARZA said that he needed to buy another one [kilogram of cocaine]. MENDOZA-SANCHES said that there was not enough money and asked MORENO-GARZA to find a way out for "them." MORENO-GARZA said that the old man would fix them up because he was not going to take them back like that [BARAJAS was going to clean up the poor quality cocaine]. MENDOZA-SANCHES suggested having "the old man" [BARAJAS] buy them all, and MORENO-GARZA said he was there with him [MORENO-GARZA was with BARAJAS]. MORENO-GARZA asked to speak with CARNAL, who got onto the phone. MORENO-GARZA told CARNAL that TOLOCHE already got the "balls" out and then asked how many to give the old man. CARNAL told MORENO-GARZA to do the math since it would be 750 for each one. CARNAL asked how much would be left over, if they paid it at 26, and then said to leave the remainder for him [each ounce is \$750 and anything over \$26,000 would be profit]. MORENO-GARZA acknowledged. CARNAL suggested to have the old man [BARAJAS] wait without any responsibility, and if the old man wanted to do it, otherwise he [BARAJAS] could take them [kilograms of cocaine] back. MORENO-GARZA said that he did tell BARAJAS, but that BARAJAS wanted to know how many days. MORENO-GARZA said that he could not answer BARAJAS. CARNAL said just to help him [BARAJAS] out. MORENO-GARZA asked if CARNAL wanted BARAJAS to leave the one that the "corner" was taken off of [should BARAJAS leave the kilogram that TOLOCHE had opened and taken the 5 ounces out]. CARNAL stated that it would not be very profitable that way and said that "it" [the cocaine] would be their responsibility.

112. On or about May 25, 2010, at approximately 6:30 A.M., agents established surveillance at MORENO-GARZA'S residence, located at 107 Ridgedale Drive, Dothan, Alabama. Agents saw MORENO-GARZA depart his residence and travel to the Walmart. MORENO-GARZA entered the store and a short time later departed the store. Agents then followed MORENO-GARZA to the Hollside stash house, where MORENO-GARZA entered the residence. A short time later,

surveillance saw MORENO-GARZA exit the residence and drive to the Alford stash house. After several hours, surveillance followed MORENO-GARZA back to his residence.

M. The Identification of MORENO-GARZA's Residence

113. On or about April 28, 2010, at approximately 1:14 P.M., MORENO-GARZA, using Target Telephone 2, spoke with a person he referred to in the conversation as "Mary." During the call, MORENO-GARZA told "Mary" that they "got a two room two bath house for \$650 per month," located near the Kentucky Fried Chicken. MORENO-GARZA and "Mary" then talked about putting a deposit down on the residence the next morning at 9:00 A.M. and moving in immediately.

114. On or about April 29, 2010, at approximately 1:20 P.M., surveillance saw MORENO-GARZA at his prior residence, located at 3750 Hodgesville Road, Dothan, Alabama. Over approximately the next two and a half hours, surveillance saw multiple vehicles arrive there. Surveillance then saw MORENO-GARZA and others loading the vehicles and a trailer attached to a truck with household items. Surveillance then followed the vehicles to 107 Ridgedale Drive, Dothan, Alabama ("MORENO-GARZA's residence"), where surveillance saw MORENO-GARZA and others were moving the household items from the trailer into the residence.

115. Since that time, law enforcement has seen MORENO-GARZA entering and departing MORENO-GARZA's residence on numerous occasions. Most recently and as set forth above in paragraph 112, on May 20, 2010, surveillance saw MORENO-GARZA depart his residence at 6:30 A.M. and return later that the same day.

116. According to City of Dothan Utilities Department records, Maria GOMEZ is listed as the residential account holder for the utilities at MORENO-GARZA's residence. These records further show that the utilities account was opened on April 29, 2010.

N. The Identification of CARNAL's Residence

117. On or about March 24, 2010, CS-1 met with CARNAL and a female that CARNAL identified as his wife at the Holiday Inn Sunspree Resort, located at 11127 Front Beach Road, Panama City Beach, Florida. This meeting was recorded. CARNAL and his "wife" arrived at the hotel driving a tan 2005 Chevrolet K1500 bearing Alabama registration plate-number 38C79P3, which according to NCIC records is registered to Rosaura Ceja at 114 Nashville Drive, Dothan, Alabama ("CARNAL's K1500").

118. On or about March 25, 2010, surveillance saw Carnal and his "wife" leave the parking lot in CARNAL's K1500 and travel to 114 Nashville Drive, Dothan, Alabama (CARNAL's residence"), where the two entered the residence.

119. On or about April 29, 2010, surveillance saw CARNAL park in the driveway of CARNAL's residence in CARNAL's K1500; enter the residence without hesitation; and depart the residence a short time later.

120. On or about May 5, 2010, surveillance saw CARNAL, driving MENDOZA-SANCHES's Tacoma, and MENDOZA-SANCHES, who was in the passenger seat, travel to CARNAL's residence. Surveillance saw CARNAL exit MENDOZA-SANCHES's Tacoma and enter the residence without hesitation or delay. After CARNAL entered the residence, MENDOZA-SANCHES departed the area in MENDOZA-SANCHES's Tacoma.

121. On or about May 19, 2010, during the day, surveillance followed MENDOZA-SANCHES's Tacoma to CARNAL's residence, where CARNAL exited the vehicle from the passenger side and walked inside the residence without hesitation or delay. After CARNAL entered the residence, MENDOZA-SANCHES's Tacoma departed the area. Surveillance was unable to determine who was driving MENDOZA-SANCHES's Tacoma.

122. According to Houston County, Alabama Tax Assessment records, the owner of 114 Nashville Drive, Dothan, Alabama is Rosuara Ceja-Ponce.

O. The Identification of MENDOZA-SANCHES's Residence

123. During the investigation, surveillance has seen MENDOZA-SANCHES enter and exit the 200 Blissett Drive, Building N, Apartment 61, Dothan, Alabama ("MENDOZA-SANCHES's residence") on numerous occasions, and has seen MENDOZA-SANCHES's Tacoma there overnight. Specifically:

a. Late at night on or about May 4, 2010, surveillance followed MENDOZA-SANCHES, driving MENDOZA-SANCHES's Tacoma from a club in Dothan to MENDOZA-SANCHES's residence. Surveillance saw MENDOZA-SANCHES exit MENDOZA-SANCHES's Tacoma and walk inside MENDOZA-SANCHES's residence. The following morning around 10:00 A.M., surveillance saw MENDOZA-SANCHES exit MENDOZA-SANCHES's residence and depart the area in MENDOZA-SANCHES's Tacoma.

b. On or about May 20, 2010, at approximately 7:43 P.M., surveillance saw MENDOZA-SANCHES exit MENDOZA-SANCHES's residence; walk to MENDOZA-SANCHES's Tacoma, which was parked in front of MENDOZA-SANCHES's residence; and return and walk back into MENDOZA-SANCHES's residence without hesitation or delay.

c. On or about May 23, 2010, at approximately , surveillance followed MORENO-GARZA and MENDOZA-SANCHES in MENDOZA-SANCHES's Tacoma. Surveillance followed MORENO-GARZA and MENDOZA-SANCHES to MORENO-GARZA's residence, where MENDOZA-SANCHES dropped off MORENO-GARZA. Surveillance then followed MENDOZA-SANCHES to MENDOZA-SANCHES's residence, where he parked in front of the residence. MENDOZA-SANCHES's Tacoma remained in front of MENDOZA-SANCHES's residence overnight.

124. According to City of Dothan Utilities Department records, the utilities at 200 Blissett Drive, Building N, Apartment 61, Dothan, Alabama are in the name of Yobani Melchor Torres, and the account was opened on October 10, 2008.

III. METHODS USED BY DRUG TRAFFICKERS

125. As a result of my law enforcement experience and this investigation, I am familiar with the ways in which the members of the narcotics organizations conduct their business, including, but not limited to, their methods of importing and distributing narcotics, their use of numerical codes and code words to conduct their transactions in secret, and their methods of laundering the proceeds of their narcotics trafficking. Through my experience and my discussions with other experienced law enforcement officers, I am familiar with the methods, schemes, and operations used by drug traffickers and know:

- a. That such illegal drug traffickers commonly place assets in names other than their own to avoid detection of these assets by government agencies;
- b. That even though those assets are in other person's names, the illegal drug traffickers continue to use those assets and exercise dominion and control over them;
- c. That illegal drug traffickers must maintain, on hand, large amounts of United States currency in order to maintain and finance their ongoing illegal drug trafficking business;
- d. That illegal drug traffickers maintain books, records, receipts, notes, ledgers, and other papers relating to the transportation, ordering, sale, and distribution of illegal drugs and that such documents may be in code. That traffickers commonly "front" illegal drugs (meaning they will provide illegal drugs to their customers on consignment and the customers will pay for it at a later date). That the aforementioned books, records, receipts, notes, ledgers, etc., are commonly

maintained where the illegal drug traffickers have ready access to them, i.e., homes, offices, and automobiles;

- e. That it is common for illegal drug traffickers to secret contraband, proceeds of illegal drug sales, and records of illegal drug transactions, sources, and customers, in secure locations within their residences, offices, garages, storage buildings, and other locations, including stash houses, for ready access, and also to conceal such items from law enforcement authorities;
- f. That persons involved in such trafficking conceal caches of illegal drugs, large amounts of currency, financial instruments, precious metals, jewelry, and other items of value and/or proceeds of drug transactions, and evidence of financial transactions relating to obtaining, transferring, secreting, or spending large sums of money made from engaging in illegal drug trafficking activities, in their residences, offices, garages, storage buildings, and automobiles;
- g. That illegal drug traffickers commonly maintain addresses or telephone numbers in books, papers, or cellular phones (and often have multiple cellular phones) which reflect names, addresses, and/or telephone numbers for their associates in the trafficking organization, even if said items may be in code;
- h. That illegal drug traffickers frequently take, or cause to be taken, photographs of themselves, their associates, their property, and their product, and that these traffickers usually maintain these photographs in their residences;
- i. That when traffickers amass large monetary proceeds from the sale of illegal drugs, they attempt to legitimize these profits by utilizing banks and their attendant services, including securities, cashier's checks, money drafts, letters of credit, brokerage houses, real estate, shell corporations, business fronts and other methods;
- j. That it is common for illegal drug traffickers to travel to Mexico and other source countries in order to purchase bulk shipments of illegal drugs. I know that after purchasing illegal drugs, the traffickers will transport or cause the illegal drugs to be transported to the areas in which they will sell and distribute it. I know that the methods of transportation include, but are not limited to rental automobiles, private automobiles, common carriers such as Federal Express, private trucking companies, or privately owned tractor-trailers;

- k. That illegal drug traffickers sometimes store documents and records relating to their drug supplies, customers, money, and assets on computer hardware and software, the contents of which frequently yield evidence of trafficking and money laundering crimes;
- l. That courts have recognized that unexplained wealth is probative evidence of criminal activity in which transactions involving large amounts of cash and high profit margins are common, including trafficking in controlled substances;
- m. That it is common for illegal drug traffickers to use, carry, and possess firearms and ammunition in the course of their narcotics trafficking to use as protection for themselves and their proceeds and narcotics, and that it is common for illegal drug traffickers to store and conceal such firearms and ammunition in locations that they control or own, including their own residence or place of work; and,
- n. That it is common for narcotics traffickers and money launderers to conceal and store items related to their narcotics trafficking and money laundering within safes, footlockers, boxes, containers and other hidden compartments, and within places that they own or over which they exercise control.

IV. REQUEST FOR NO-KNOCK SEARCH WARRANTS

126. Because of the firearms that CS-1 saw in the mobile home and because of CARNAL and MORENO-GARZA's request and payment for 50 AK-47 firearms, your affiant believes that knocking and announcing law enforcement presence to execute the search warrants at Search Sites A-F could pose a danger to those officers and agents executing the warrants. Knocking and announcing would allow time for those present in Search Sites A-F at the time the search warrants are executed to arm themselves and attempt to prevent law enforcement entry. As a result, your affiant requests that the search warrants for Search Sites A-F be executed without knocking and announcing law enforcement's presence.

V. CONCLUSION

130. Based upon all of the information set forth in this Affidavit, there is probable cause to believe that: (1) CARNAL, MORENO-GARZA, EL PUMA, MENDOZA-SANCHES, TOLOCHE, BARAJAS, and CIFUENTES conspired with each other and with others to knowingly and intentionally possess with intent to distribute and to distribute a controlled substance, namely, in excess of 500 kilograms of mixtures containing cocaine, in violation of 21 U.S.C. § 841(a)(1), all

in violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 2; and (2) fruits, instrumentalities and/or evidence of violations of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 2, will be found at Search Sites A-F.

Further your Affiant sayeth not.



Michael H. Clear
Special Agent
Drug Enforcement Administration

Subscribed and sworn to before me,
this 26th day of May, 2010.



LARRY A. BODIFORD
Magistrate Judge
Northern District of Florida

ATTACHMENT A

SEARCH SITE A: The first premises to be searched is the residence located at 107 Ridgedale Drive, Dothan, Alabama. The premises is described as a single family residence, located near the end of the cu-de-sac. The residence is white in color with a light blue trim on the front of the residence and a white trim on the sides of the residence, with a brown shingle roof. The area surrounding the front door is light blue and the front door is dark blue. The numbers "114" are located on the mailbox located in front of the residence. The physical address for the property to be searched is 107 Ridgedale Drive, Dothan, Houston County, Alabama.

SEARCH SITE B: The second premises to be searched is the residence located at 114 Nashville Avenue, Dothan, Alabama. The premises is described as a single family trailer, located at the end of Nashville Avenue on a cul-de-sac. The trailer is yellowish tan with white trim and a brown shingle roof. The numbers "114" are on the mailbox in front of the residence.

SEARCH SITE C: The third premises to be searched is the residence located at 200 Blissett Drive, Building N, Apartment 61, Dothan, Alabama. The premises is described as a multi-family apartment complex, located within the Treetop Apartment Complex. The apartment building has brick siding on the lower half of the building and dark brown wood siding on the upper half of the building. The letter "N" is affixed to the front of the apartment building on the middle left side of the building. The number "61" is located above the front door to the apartment. There is also a gray satellite dish affixed to railing in front of apartment 61.

SEARCH SITE D: The fourth premises to be searched is the residence located at 6652 County Road 69, Skipperville, Alabama. The premises is described as a gray single family residence with a white trim. The front door is white. The residence has a gray shingle roof and an open covered carport located behind the residence. The numbers "6652" are located on a mailbox in front of the residence.

SEARCH SITE E: The fifth premises to be searched is the residence located at 839 Country Acres Road, Alford, Florida. The premises is described as a single family trailer, located approximately 2/10 of a mile south of Pike Pond Road. The trailer is tan with a white trim, and has a white lattice surrounding the base of the trailer. The numbers "839" are located on the mailbox located in the front of the residence.

SEARCH SITE F: The sixih premises to be searched is the residence located at 101 Hillside Park Drive, Dothan, Alabama. The premises is described as a double-wide mobile home, tan in color with light brown trim and a brown in color pitched shingled roof, located on the northeast corner of Hillside Park Drive and 3rd Avenue in Dothan, Houston County, Alabama.

ATTACHMENT B

Items to be Seized

1. Records, notebooks, memoranda, receipts, ledgers, photographs, audio tapes, video tapes, phone bills, cellular phones (including any information stored therein), pagers (including any information stored therein), travel records and documents, lists and supplier or customer information relating to the purchase, sale or distribution of narcotic controlled substances;
2. Books, records, lists, receipts, bank and savings and loan records of deposit, statements, and other bank records, letters of credit, money orders, cashiers' checks, passbooks, canceled checks, certificates of deposit, lease agreements, loan records, customer account information, income and expense summaries, cash disbursement journals, financial statements, state and federal income tax returns, information related to the receipt and other disposition of income and related financial information pertaining to the purchase, lease, sale or other disposition of real or personal property, including real estate, automobiles, jewelry, and furniture;
3. Indicia of ownership, occupancy or residency of the premises being searched, including utility and telephone bills, lease agreements, and mortgage records, loan documents, service, remodeling and repair contracts and keys;
4. Receipts, records, and documents depicting subscriber data, caller-identification device, and itemized telephone calls from the residential telephone, cellular phones, and pagers.
5. United States currency, precious metals, jewelry and financial instruments, as well as books and records regarding the acquisition, use and disposition of such items of value;
6. Safe deposit box lease agreements and safe deposit box keys;
7. Photographs of participants in the drug trafficking organization, or of property acquired in the distribution of drugs or money laundering;
8. Any and all firearms and ammunition;
9. Safes (both locked and unlocked) found in the Subject Premises and any of the above-mentioned items found in those safes; and
10. All controlled substances and drug paraphernalia used for packaging, cutting, weighing, and distributing controlled substances.