

JUDGE CHIN

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. - :

SEALED INDICTMENT

RIGOBERTO RENTERIA-ANDRADE, :
a/k/a "Rigoberto Andrade-Renteria," :
a/k/a "Rigo," :

S1 09 Cr. 909

IGNACIO RENTERIA-ANDRADE, :
a/k/a "Ignacio Andrade-Renteria," :
a/k/a "Nacho," :

a/k/a "El Cenizo," and :
JUAN LUIS PALOMINOS-SEPULVEDA, :

Defendants. :

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COUNT ONE

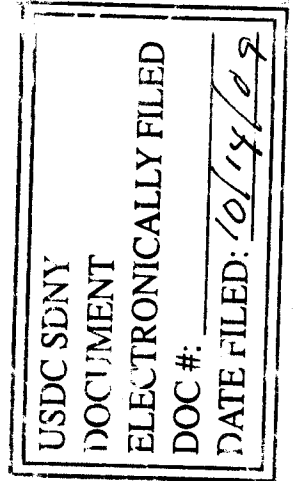
(Narcotics Importation Conspiracy)

The Grand Jury charges:

Background of the Conspiracy

The "La Familia" Cartel

1. "La Familia Michoacana" (hereafter, "LFM" or "La Familia") is a violent drug trafficking cartel based in the state of Michoacan, in the southwestern part of Mexico. LFM controls drug manufacturing and distribution within and around the state of Michoacan, including the importation of vast quantities of cocaine and methamphetamine from Mexico to the United States. In particular, LFM is philosophically opposed to the sale of methamphetamine to Mexicans, and instead supports its export to the United States for consumption by Americans.



2. LFM is a heavily-armed cartel that has utilized violence to support its narcotics trafficking activities, including assaults, killings and kidnappings. Furthermore, associates of LFM based within the United States have acquired military-grade weapons, including assault weapons, and ammunition, and have arranged for them to be smuggled back into Mexico for use by LFM.

The Defendants

3. Since at least in or about January 2008, RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," and IGNACIO RENTERIA-ANDRADE, a/k/a "Ignacio Renteria-Andrade," a/k/a "Nacho," a/k/a "El Cenizo," the defendants, were responsible for arranging the shipments of loads of cocaine and methamphetamine from LFM in Mexico into the United States. Since at least in or about January 2008, JUAN LUIS PALOMINOS-SEPULVEDA, the defendant, was responsible for receiving and guarding the shipments of cocaine and methamphetamine at a stash location inside the United States; acquiring military-grade weapons and ammunition to send back to LFM members in Mexico; and making drug deliveries as directed within the United States.

Statutory Allegations

4. From at least in or about January 2008 up to and including in or about the present, RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," IGNACIO

RENTERIA-ANDRADE, a/k/a "Ignacio Renteria-Andrade," a/k/a "Nacho," a/k/a "El Cenizo," and JUAN LUIS PALOMINOS-SEPULVEDA, the defendants, who will be arrested and first brought to the Southern District of New York, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

5. It was a part and an object of the conspiracy that RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," IGNACIO RENTERIA-ANDRADE, a/k/a "Ignacio Renteria-Andrade," a/k/a "Nacho," a/k/a "El Cenizo," and JUAN LUIS PALOMINOS-SEPULVEDA, the defendants, and others known and unknown, would and did import into the United States from a place outside thereof five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 952(a), and 960(b)(1)(B) of Title 21, United States Code.

6. It was further a part and an object of the conspiracy that RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," IGNACIO RENTERIA-ANDRADE, a/k/a "Ignacio Renteria-Andrade," a/k/a "Nacho," a/k/a "El Cenizo," and JUAN LUIS PALOMINOS-SEPULVEDA, the defendants, and others known and unknown, would and did import into the United States from a place outside thereof five hundred grams and more of mixtures and substances containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of

Sections 812, 952(a), and 960(b)(1)(H) of Title 21, United States Code.

7. It was further a part and an object of the conspiracy that RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," IGNACIO RENTERIA-ANDRADE, a/k/a "Ignacio Renteria-Andrade," a/k/a "Nacho," a/k/a "El Cenizo," and JUAN LUIS PALOMINOS-SEPULVEDA, the defendants, and others known and unknown, would and did distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, intending and knowing that such substances would be imported into the United States from a place outside thereof, in violation of Sections 959, 960(a)(3) and 960(b)(1)(B) of Title 21, United States Code.

8. It was further a part and an object of the conspiracy that RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," IGNACIO RENTERIA-ANDRADE, a/k/a "Ignacio Renteria-Andrade," a/k/a "Nacho," a/k/a "El Cenizo," and JUAN LUIS PALOMINOS-SEPULVEDA, the defendants, and others known and unknown, would and did distribute a controlled substance, to wit, five hundred grams and more of mixtures and substances containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, intending and knowing that such substances would be imported into the United States from a

place outside thereof, in violation of Sections 959, 960(a)(3) and 960(b)(1)(H) of Title 21, United States Code.

Overt Acts

9. In furtherance of the conspiracy, and to effect the illegal objects thereof, the following overt acts, among others, were committed:

a. On or about April 20, 2009, RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," the defendant, had a telephone conversation with a co-conspirator not named as a defendant herein ("CC-1") concerning the recent arrests by Mexican law enforcement of LFM members in Michoacan, Mexico.

b. On or about April 21, 2009, a co-conspirator not named as a defendant herein ("CC-2") possessed approximately 1 kilogram of cocaine in a car seized by law enforcement in the vicinity of Los Angeles, California.

c. On or about April 21, 2009, RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," the defendant, had a telephone conversation with CC-2 about the seizure referenced in paragraph 9(b).

d. On or about April 24, 2009, RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," the defendant, had a telephone conversation with a co-

conspirator not named as a defendant herein ("CC-3") concerning a drug delivery.

e. On or about April 24, 2009, in the vicinity of San Clemente, California, CC-3 possessed approximately 43 pounds of methamphetamine in a car seized by law enforcement.

f. On or about April 24, 2009, RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," the defendant, had a telephone conversation with "CC-3" concerning the seizure referenced in paragraph 9(e).

g. On or about June 2, 2009, RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," the defendant, had a telephone conversation with a co-conspirator not named as a defendant herein ("CC-4") concerning a planned drug delivery.

h. On or about June 4, 2009, in the vicinity of Riverside county, California, JUAN LUIS PALOMINOS-SEPULVEDA, the defendant, possessed approximately 125 pounds of methamphetamine belonging to LFM, as well as four AK-47 rifles, two M-16 assault rifles, two Desert Eagle .50 caliber pistols, one .45 caliber pistol and approximately 1,000 rounds of ammunition, all of which he was intending to smuggle back to LFM for use in Mexico.

i. On or about June 5, 2009, RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," the defendant, had a telephone conversation with CC-4 about the seizure referenced in paragraph 9(h). During the phone call, CC-4 mentioned the seizure and related arrests, and asked

RENTERIA-ANDRADE, the defendant, if "your boy" who made the delivery also had been arrested.

j. On or about June 25, 2009, IGNACIO RENTERIA-ANDRADE, a/k/a "Ignacio Renteria-Andrade," a/k/a "Nacho," a/k/a "El Cenizo," the defendant, had a telephone conversation with RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," the defendant, in which IGNACIO RENTERIA-ANDRADE directed that a quantity of controlled substances be prepared for shipment to the United States.

k. On or about June 25, 2009, IGNACIO RENTERIA-ANDRADE, a/k/a "Ignacio Renteria-Andrade," a/k/a "Nacho," a/k/a "El Cenizo," the defendant, had a telephone conversation with RIGOBERTO RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," the defendant, concerning the quality of controlled substances.

(Title 21, United States Code, Section 963.)

COUNT TWO
(Firearms Possession)

The Grand Jury further charges:

10. On or about June 4, 2009, in Riverside county, California, JUAN LUIS PALOMINOS-SEPULVEDA, the defendant, who will be arrested and first brought to the Southern District of New York, unlawfully, willfully, and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics offense charged in Count One of the Indictment, did use and carry

a firearm, and, in furtherance of such crime, did possess a firearm, to wit, four AK-47 rifles, two M-16 assault rifles, two Desert Eagle .50 caliber pistols, one .45 caliber pistol and approximately 1,000 rounds of ammunition.

(Title 18, United States Code, Sections
924(c)(1)(A)(I), 3238 and 2.)

Forfeiture Allegation

11. As a result of committing the controlled substance offenses alleged in Count One of this Indictment, RENTERIA-ANDRADE, a/k/a "Rigoberto Andrade-Renteria," a/k/a "Rigo," IGNACIO RENTERIA-ANDRADE, a/k/a "Ignacio Renteria-Andrade," a/k/a "Nacho," a/k/a "El Cenizo," and JUAN LUIS PALOMINOS-SEPULVEDA, the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting and derived from any proceeds that the defendants obtained directly and indirectly as a result of the said violation and any and all property used and intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment, including but not limited to, a sum of money representing the amount of proceeds obtained as a result of the offense described in Count One of this Indictment.

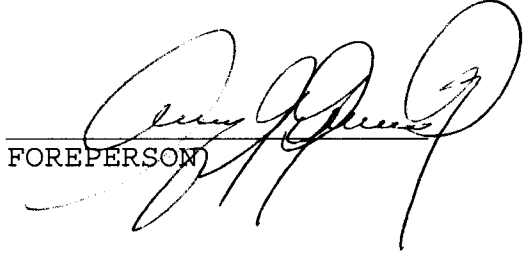
Substitute Assets Provision

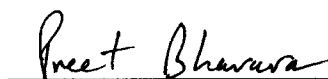
12. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Sections 853(p) and 970, to seek forfeiture of any other property of the defendants up to the value of the forfeitable property.

(Title 21, United States Code, Sections 853 and 970.)


FOREPERSON


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK**

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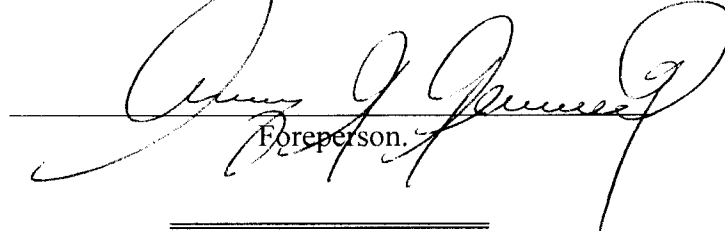
INDICTMENT

S1 09 CR 909

(Title 21, United States Code, Section 963)

PREET BHARARA
United States Attorney.

A TRUE BILL


Foreperson.

*10/14/09 - Filed Sealed superseding Indictment,
S' 09 Cr. 909. Arrest Warrants
Issued. So Ordered.
Eaton, J. U.S. M.J.*