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# **News Release**

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## **36 indicted in connection with Operation Xcellerator**

Thirty-six individuals were recently indicted in federal court for allegedly distributing controlled substances, namely methamphetamine and crack cocaine. The seven indictments were unsealed today following the arrests of 27 defendants during Operation Xcellerator, a nationwide takedown conducted by multiple law enforcement agencies (*see accompanying DOJ release*).

In separate indictments, all of which were unsealed on Feb. 25, 21 of the defendants were charged last week and 15 were charged in December. All seven cases are the result of local investigations by the Drug Enforcement Administration; the Ramsey County Sheriff's Office; the St. Paul Police Department; the Minneapolis Police Department; the Hennepin County Sheriff's Office; the Minnesota Bureau of Criminal Apprehension; the Northwest Metro Drug Task Force; and the Sherburne County Sheriff's Office.

"It is a proud day for the law enforcement partners in Minnesota, who worked tirelessly to dismantle the targeted drug organizations within the Twin Cities," said Gary Olenkiewicz, Special Agent in Charge of the DEA's Chicago Field Division, which oversees the Minneapolis District Office. "DEA and its partners are committed to ensuring that Minnesotans have a safe place to raise their families – safe from the harmful effects of drugs on our youth and safe from the violence that so often accompanies those who supply, transport and distribute drugs."

In the first case, nine individuals were charged with one count of conspiracy to distribute methamphetamine. They are: Gelacio Duarte Maleno, 41, St. Paul; Porfirio Mesa Vergara, 30, St. Paul; Moises Guevara-Mesa, 25, St. Paul; Dustin Thomas Swanda, 28, St. Paul; George Marvin Chute, 27, St. Paul; Armando Guevara Silva, 40, St. Paul; Lidia Juarez, unknown age, St. Paul; Elana Lnu, unknown age, St. Paul; and Carissa Lynn Morrison, 25, St. Paul.

Maleno was also charged with one count of distribution of cocaine base, commonly known as crack cocaine, and one count of possession with intent to distribute methamphetamine. Vergara was also charged with two counts of distribution of crack cocaine, two counts of distribution of methamphetamine and one count of possession with intent to distribute methamphetamine.

Guevara-Mesa was also charged with one count of distribution of crack cocaine; Swanda was also charged with two counts of distribution of methamphetamine and one count of possession with intent to distribute methamphetamine; Chute was also charged with three counts of distribution of methamphetamine and one count of possession with intent to distribute methamphetamine; Silva was also charged with one count of distribution of methamphetamine; Juarez and Lnu were also charged with one count of distribution of crack cocaine; and Morrison was also charged with one count of distribution of methamphetamine.

Their indictment alleges that from Jan. 1, 2006, through Feb. 18, 2009, the defendants knowingly and intentionally conspired with each other and others to distribute 500 or more grams of methamphetamine.

If convicted, the nine defendants each face a potential maximum penalty of life in prison on the conspiracy count. The crack cocaine distribution counts have a potential maximum penalty of 40 years in prison; the possession with intent counts have a potential maximum penalty of 40 years; and the methamphetamine distribution counts have a potential maximum penalty of 40 years. All sentences are determined by a federal district court judge. This case is being prosecuted by Assistant U.S. Attorney Christian S. Wilton.

In the second case, seven individuals were indicted each on one count of conspiracy to distribute methamphetamine. They are: Zeferino Gutierrez-Ayala, 28, St. Paul; Jose Luis Lucio, 37, White Bear Lake; Epiteacio Duarte-Moleno, 29, St. Paul; Larry Dean Williams, 47, unknown address; Sylvia Wodash, 51, Willmar; Yulma Karina Garcia, 29, St. Paul; and Catalina Arreguin, 55, St. Paul.

Lucio was also charged with eight counts of distribution of methamphetamine, and Williams was also charged with one count of distribution of methamphetamine. Wodash, Garcia and Arreguin were also charged with one count of possession with intent to distribute methamphetamine.

Their indictment alleges that from January 2006 through Feb. 18, 2009, the defendants knowingly and intentionally conspired with each other and others to distribute 500 or more grams of methamphetamine.

If convicted, the seven defendants each face a potential maximum penalty of life in prison on the conspiracy count. The possession with intent counts have a potential maximum penalty of 40 years; and the methamphetamine distribution counts have a potential maximum penalty of 40 years. All sentences are determined by a federal district court judge. This case is being prosecuted by Assistant U.S. Attorney Nancy E. Brasel.

In the third case, Daniel Martin Barrear-Omana, 20, Apple Valley, and Jacqueline Barrear-Omana, 28, Minneapolis, were each charged with one count of possession with intent to distribute cocaine.

Their indictment alleges that on Dec. 18, 2008, the defendants knowingly and intentionally possessed with intent to distribute approximately 1,000 grams of cocaine.

If convicted, both defendants face a potential maximum penalty of 40 years in prison. All sentences are determined by a federal district court judge. This case is being prosecuted by

Assistant U.S. Attorney Wilton.

In the fourth case, Angel Abreu, 24, Inver Grove Heights, was indicted on two counts of distribution of methamphetamine. His indictment alleges that on Sept. 29, 2008, Abreu distributed approximately 64 grams of methamphetamine, and on Oct. 31, 2008, Abreu distributed approximately 9 grams of methamphetamine.

If convicted, Abreu faces a potential maximum penalty of life in prison on the first distribution count and 40 years in prison on the second count. All sentences are determined by a federal district court judge. This case is being prosecuted by Assistant U.S. Attorney Wilton.

In the fifth case, Nicolas Rosas-Gutierrez, 39, Yakima, Wash., was charged with one count of conspiracy to distribute methamphetamine and one count of distribution of methamphetamine. His indictment alleges that from January 2006 to Feb. 18, 2009, he conspired with others to distribute 500 or more grams of methamphetamine. It also alleges that on June 13, 2007, Rosas-Gutierrez distributed 50 or more grams of methamphetamine.

If convicted, Rosas-Gutierrez faces a potential maximum penalty of life in prison on the conspiracy count and 40 years in prison on the distribution count. All sentences are determined by a federal district court judge. This case is being prosecuted by Assistant U.S. Attorney Brasel.

In the sixth case, Eric Anthony Rodriguez, 30, Shakopee, was charged with two counts of distribution of methamphetamine. Rodriguez's indictment alleges that on Nov. 30, 2006, he distributed approximately 267 grams of methamphetamine, and that on Dec. 4, 2007, he distributed approximately 31 grams of methamphetamine.

If convicted, Rodriguez faces a potential maximum penalty of life in prison on the first distribution count and 40 years in prison on the second count. All sentences are determined by a federal district court judge. This case is being prosecuted by Assistant U.S. Attorney Wilton.

In the seventh case that was originally filed in December 2008, 15 individuals were indicted on one count of conspiracy to distribute methamphetamine and cocaine. They are: Eduardo Pieciado Solis, 31, Vadnais Heights; Julio Aparicio Lopez, 46, St. Paul; Jose Antonio Aparicio Sanchez, unknown age, unknown address; Humberto Zuniga Garibo, 22, Roseville; Christine Helen Brown, unknown age, unknown address; Fernando Eliud Wilson Carballo, 30, Bloomington; Gregorio Castro Diaz, 35, Richfield; Alfonso Sanchez Gonzalez, unknown age, unknown address; Luis Garcia Nava, 37, St. Paul; Isaias Capistran Lucero, 25, Minneapolis; Cory Andrew Zarling, 34, Oakdale; Fredy Alejandro Zambrano, 35, Woodbury; Earl Aniceto Ochoa, 30, St. Paul; Martin Nava Lemus, 24, St. Paul; and Steven Allen Gauster, unknown age, unknown address.

Also charged with distribution of methamphetamine were: Solis (two counts); Lopez (nine counts); Sanchez (10 counts); Garibo (10 counts); Zambrano (one count); and Gauster (one count). Also charged with one count of possession with intent to distribute methamphetamine were: Brown, Carballo, Diaz, Zarling and Ochoa.

Garibo and Lopez were each also charged with two counts of distribution of cocaine; Gonzalez was also charged with two counts of use of communication facility to commit drug activity; Lemus, Lucero and Nava were each also charged with one count of possession with

intent to distribute cocaine; and Gauster was also charged with one count of possession of a short-barreled shotgun.

Their indictment alleges that from Jan. 1, 2005, through Dec. 8, 2008, the 15 defendants knowingly and intentionally conspired with each other and others to distribute 50 or more grams of methamphetamine and cocaine.

If convicted, each of the 15 defendants face a potential maximum penalty of life in prison on the conspiracy count. All sentences are determined by a federal district court judge. This case is being prosecuted by Assistant U.S. Attorney Wilton.

An additional defendant was arrested today in connection with Operation Xcellerator and charged via criminal complaint. Maximino Martinez-Gutierrez, 27, St. Paul, was charged with one count of distribution of methamphetamine. Martinez-Gutierrez's complaint alleges that from Feb. 9 to Feb. 16, 2009, he distributed in excess of 50 grams of methamphetamine.

If convicted, Martinez-Gutierrez faces a potential maximum penalty of 40 years in prison. All sentences are determined by a federal district court judge. This case is being prosecuted by Assistant U.S. Attorney Brasel.

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An indictment is a determination by a grand jury that there is probable cause to believe that offenses have been committed by a defendant. A defendant, of course, is presumed innocent until he or she pleads guilty or is proven guilty at trial.