

NEWS

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Egg Harbor Township Man Indicted in Heroin Smuggling and Distribution Conspiracy

(More)

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CAMDEN – An Egg Harbor Township man was arrested today on a federal Indictment for running a heroin smuggling and distribution organization that imported heroin from Columbia and distributed the drugs in New York City and Atlantic County, Acting U.S. Attorney Ralph J. Marra, Jr., announced.

Fabia Garcia, 71, was arrested earlier this morning by Special Agents with the FBI and IRS Criminal Investigation Division. Garcia will make an initial appearance in federal court in Camden before U.S. Magistrate Ann Marie Donio, Courtroom3B, at 2 p.m. today.

The four-count Indictment, which was returned on June 23 and unsealed today, describes a conspiracy in which Garcia and other unindicted co-conspirators profited from the smuggling of heroin from Columbia into the United States.

According to the Indictment, Garcia, who resided on Scarborough Drive (“the Scarborough Drive Residence”), operated the Sabor Paisa Restaurant in Atlantic City with his wife, who the Indictment identifies only as “G.G.”

The Indictment alleges that from January 2004 through December 2007, Garcia and seven unindicted co-conspirators imported heroin from Colombia into Florida. The heroin was then transported to Egg Harbor Township to be repackaged and then distributed in New Jersey, New York and elsewhere.

The investigation was a joint effort by the FBI and IRS Criminal Investigation, with assistance from DEA in Miami, ICE in New York and the Atlantic County Prosecutor’s Office.

According to the Indictment, at Garcia’s direction, two Colombians coordinated the smuggling of heroin from Columbia into the United States. They would obtain bulk quantities of heroin in Colombia and elsewhere and then arrange for it to be smuggled into the United States, often concealed in machine or vehicle parts transported on planes flying into Miami International Airport. The Indictment alleges that unindicted co-conspirators and others would then transport the bulk quantities of heroin from Miami to stash houses, including the Scarborough Drive Residence and the South Ozone Park, N.Y., residence of an unindicted co-conspirator identified as “Co-conspirator 1.” Once the bulk shipments of heroin reached the stash houses, co-conspirators and others would process and package the heroin for distribution to Garcia’s customers in New Jersey and New York.

The Indictment alleges that Co-conspirator 1 worked for Garcia and performing various duties at Garcia’s direct, which included distributing quantities of heroin; depositing drug proceeds into bank accounts controlled by Garcia; and placed large amounts of cash into safe deposit boxes maintained by Garcia.

Additionally, Count Three of the Indictment charges Garcia in connection with making false statements on a loan application in connection with the purchase of the Scarborough Drive Residence. According to the Indictment, Garcia and his wife entered into a contract to

purchase the Scarborough Drive Residence for approximately \$265,000 in September 2004. The Indictment alleges that when applying for a mortgage to the purchase the property, Garcia provided information to a mortgage lender which claimed that he had been employed by Sabor Paisa Restaurant for approximately 2.4 years and earned \$6,642 per month. However, in tax years 2003 and 2004, Garcia filed joint federal income tax returns with his wife, which reported Garcia had no income on for those tax years.

Garcia is charged in Count One of the Indictment with conspiracy to distribute and possess with the intent to distribute heroin, which carries a maximum statutory penalty of life in prison and a fine of \$4 million. Count Two charges Garcia with distribution of heroin, which carries a maximum statutory penalty of 20 years in prison and a fine of \$1 million. Count Three, which charges making false statements on a loan and credit application, carries a maximum statutory penalty of 30 years in prison and a fine of \$1 million. Count Four charges conspiracy to engage in money laundering, which carries a maximum statutory penalty of 20 years in prison and a fine of \$500,000.

In addition, a forfeiture allegation notifies the defendant that the government seeks forfeiture \$111,470 in United States currency, should the defendant be convicted of the charges set forth in the Indictment.

Despite indictment, each of the defendants is presumed innocent unless proven guilty beyond a reasonable doubt.

In determining an actual sentence, the judge to whom the case is assigned would, upon a conviction, consult the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, is not bound by those guidelines in determining a sentence. Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Marra credited Special Agents of the FBI's Atlantic City Resident Agency, under the direction of Special Agent in Charge Weysan Dun in Newark, and the IRS Criminal Investigation Division, under the direction of Acting Special Agent in Charge Julio La Rosa, for investigation of the case.

Marra also thanked Special Agents of the DEA's Miami Field Division, under the direction of Special Agent in Charge Mark R. Trouville, ICE's Office of Investigation, New York Field Office, under the direction of Special Agent in Charge Peter J. Smith, and the Atlantic County Prosecutor's Office, under the direction of Prosecutor Theodore F.L. Housel, with the investigation leading to the Indictment.

The government is represented by Assistant U.S. Attorney Jason M. Richardson of the U.S. Attorney's Office Criminal Division in Camden.

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