
United States District Court
District of New Jersey

UNITED STATES OF AMERICA : HON. JOSEPH A. DICKSON

v. : Mag. No. 14-6722

VICTORIA HORVATH, a/k/a “Gypsy” : **CRIMINAL COMPLAINT**

ALEXIS HORVATH, a/k/a “Tima,” :

RICKIE HORVATH, a/k/a “Yoggi,” : Filed Under Seal

STEVEN HORVATH, a/k/a “Chi-Chi,” :

TONY MARCO, :

VINCENT COZZARELLI, :

DANIEL HORVATH, :

MONICA HORVATH, a/k/a “Becky,” :

JOHNNY HORVATH, :

RHONDA MUSALLAM, :

SABRINA VAJDA, :

JUSTIN FARRAJ, a/k/a “Blaze,” :

ROBERT O’BRIEN, :

BRIAN PEREZ, a/k/a “B,” :

MATTHEW POLICARPIO, a/k/a “Papi,” :

LUIS RIVERA, a/k/a “TUPAC” :

I, Adriana DiMiceli, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the U.S. Drug Enforcement Administration and that this complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof.

Adriana DiMiceli
Special Agent
U.S. Drug Enforcement Administration

Sworn to before me and subscribed in my presence,

August 11, 2014
Date

at

Newark, New Jersey
City and State

Honorable Joseph A. Dickson
United States Magistrate Judge

Signature of Judicial Officer

ATTACHMENT A

From in or about February 2014 through on or about August 13, 2014, in Essex County, in the District of New Jersey and elsewhere, defendants

VICTORIA HORVATH, a/k/a “Gypsy,”

ALEXIS HORVATH, a/k/a “Tima,”

RICKIE HORVATH, a/k/a “Yoggi,”

STEVEN HORVATH, a/k/a “Chi-Chi,”

TONY MARCO,

VINCENT COZZARELLI,

DANIEL HORVATH,

MONICA HORVATH, a/k/a “Becky,”

JOHNNY HORVATH,

RHONDA MUSALLAM,

SABRINA VAJDA,

JUSTIN FARRAJ, a/k/a “Blaze,”

ROBERT O’BRIEN,

BRIAN PEREZ, a/k/a “B,”

MATTHEW POLICARPIO, a/k/a “Papi,”

LUIS RIVERA, a/k/a “TUPAC”

did knowingly and intentionally conspire and agree among themselves and with others to distribute and possess with intent to distribute a quantity of oxycodone, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and

In violation of Title 21, United States Code, Section 846.

ATTACHMENT B

I, Adriana DiMiceli, am a Special Agent with the U.S. Drug Enforcement Administration (“DEA”). I am familiar with the facts set forth herein through my personal participation in the investigation and through oral and/or written reports from other federal agents and law enforcement officers. Where statements of others are related herein, they are related in substance and part. Since this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date and time, I am asserting that it took place on or about the date and time alleged.

I. Overview and Individual Roles

1. From in or about February 2014 through in or about August 2014, law enforcement has been involved in an investigation into a drug trafficking organization (“DTO”) operating in Belleville, New Jersey and elsewhere.

2. The DTO operated, in part, by visiting various doctors in New Jersey in order to secure prescriptions for oxycodone and other controlled substances, then filling those prescriptions at pharmacies in Belleville, New Jersey, and elsewhere, and selling the controlled substances thus obtained.

3. As the investigation progressed through, among other things, the use of confidential sources, physical surveillance and judicially-authorized electronic surveillance, law enforcement in New Jersey identified Victoria Horvath, a/k/a “Gypsy,” Alexis Horvath, a/k/a/ “Tima”, Rickie Horvath, a/k/a “Yoggi”, as distributors of oxycodone and other controlled substances in the Belleville area. These three individuals worked together and with others to obtain controlled substances and prescriptions for controlled substances for distribution.

4. VICTORIA HORVATH, a/k/a “Gypsy,” (“V. Horvath”) is a senior member of the DTO, who obtains and fills prescriptions for controlled substances from various doctors and then distributes the controlled substances through the DTO.

5. ALEXIS HORVATH, a/k/a “Tima,” (“A. Horvath”) is a member of the DTO. She obtains and fills prescriptions for controlled substances from various doctors and then distributes the controlled substances through the DTO.

6. RICKIE HORVATH, a/k/a “Yoggi,” (R. Horvath”) is a member of the DTO. He obtains and fills prescriptions for controlled substances from various doctors and then distributes the controlled substances through the DTO.

7. STEVEN HORVATH, a/k/a “Chi-Chi,” (“S. Horvath”) is a member of the DTO. He obtains and fills prescriptions for controlled substances from various doctors and then distributes the controlled substances through the DTO.

8. TONY MARCO, is a member of the DTO. (“Marco”) He obtains and fills prescriptions for controlled substances from various doctors and then distributes the controlled substances through the DTO.

9. VINCENT COZZARELLI (“Cozzarelli”) is a pharmacist and the owner of Rossmore Pharmacy in Belleville, New Jersey. The DTO fills fraudulently obtained prescriptions at Rossmore Pharmacy, among other pharmacies. Cozzarelli fills these prescriptions while knowing both that the prescriptions were fraudulently obtained or falsified by the DTO and that the controlled substances would be illegally distributed by the DTO.

10. DANIEL HORVATH (“D. Horvath”) is a member of the DTO. He obtains and fills prescriptions for controlled substances from various doctors and then distributes the controlled substances through the DTO.

11. MONICA HORVATH, a/k/a “Becky,” (“M. Horvath”) is a member of the DTO. She obtains and fills prescriptions for controlled substances from various doctors and then distributes the controlled substances through the DTO.

12. JOHNNY HORVATH (“J. Horvath”) is a member of the DTO who assists the DTO in its distribution activities.

13. RHONDA MUSALLAM (“Musallam”) is a member of the DTO who acts as a supplier of controlled substances.

14. SABRINA VAJDA (“S. Vajda”) is a member of the DTO. She obtains and fills prescriptions for controlled substances from various doctors and then distributes the controlled substances through the DTO.

15. JUSTIN FARRAJ, a/k/a “Blaze,” (“Farraj”) is a local distributor and customer of the DTO.

16. ROBERT O’BRIEN (“O’Brien”) is a local distributor and customer of the DTO.

17. BRIAN PEREZ, a/k/a “B,” (“Perez”) is a local distributor and customer of the DTO.

18. MATTHEW POLICARPIO, a/k/a “Papi,” (“Policarpio”) is a local distributor and customer of the DTO.

19. LUIS RIVERA, a/k/a “TUPAC” (“Rivera”) is a local distributor and customer of the DTO.

II. Consensually Recorded Calls and Controlled Purchases of Oxycodone

20. The following paragraphs describe some of the controlled purchases and seizures made by law enforcement in furtherance of this investigation, and demonstrate the defendants’ involvement in the conspiracy to distribute oxycodone.

21. On or about February 6, 2014, an undercover law enforcement officer (“UC-1”) engaged in a series of consensually recorded text messages and telephone calls with V. Horvath. These communications led to a controlled purchase of 30 30mg oxycodone pills from V. Horvath. A. Horvath was also present for this transaction.

22. On or about February 7, 2014, UC-1 engaged in a series of consensually recorded text messages and telephone calls with V. Horvath. These communications led to a controlled purchase of 119 30mg oxycodone pills from V. Horvath. A. Horvath was also present for this transaction. Just before V. Horvath, A. Horvath, and other two other persons arrived at the agreed meeting location for this transaction, J. Horvath and D. Horvath arrived in the area and appeared to conduct counter surveillance.

23. On or about February 11, 2014, UC-1 engaged in a series of consensually recorded text messages and telephone calls with V. Horvath. These communications led to an agreement that UC-1 would purchase 120 30mg oxycodone pills from V. Horvath. However, V. Horvath provided naproxen sodium tablets instead of oxycodone. Again, A. Horvath was present for this transaction; R. Horvath was the driver of the car in which V. Horvath arrived.

24. On or about May 7, 2014, two undercover law enforcement officers (“UC-2” and “UC-3”) made contact with R. Horvath, who discussed selling oxycodone to UC-3. UC-3 provided R. Horvath with his telephone number. Thereafter, UC-3 had several consensually recorded telephone calls with both R. Horvath and A. Horvath about potential oxycodone transactions, although no actual sale took place.

III. Intercepted Communications and Surveillance

25. During the course of the investigation, law enforcement obtained orders authorizing the lawful interception of wire and electronic communications made over a telephone facility used by V. Horvath and her co-conspirators. All calls referenced in following paragraphs were lawfully obtained pursuant to those orders. The following paragraphs describe some of the conversations intercepted over those telephone facilities.

26. Throughout the course of the investigation, law enforcement conducted surveillance of the DTO. Surveillance revealed common practices of the DTO, such as frequent

visits to various doctors' offices to obtain prescriptions, frequent visits to various pharmacies to fill prescriptions, and frequent meetings among members and customers of the DTO that appear to be for the purpose of conducting narcotics transactions.

27. On or about April 30, 2014, in a series of calls, V. Horvath, R. Horvath and S. Horvath arranged a sale of 20 30mg oxycodone pills to O'Brien. Surveillance on this day observed O'Brien meet with the DTO and receive a white pharmacy bag. In a subsequent call, O'Brien confirmed with V. Horvath that he had received the pills.

28. On or about May 3, 2014, in a call S. Vajda and V. Horvath discussed trying to find a buyer for Percocet (10mg oxycodone) pills.

29. On or about May 9, 2014, in a series of calls, V. Horvath arranged to sell Perez oxycodone pills belonging to S. Vajda. Surveillance observed members of the DTO, including V. Horvath, pick up Perez and travel to a pharmacy. S. Vajda, A. Horvath, and Marco went into the pharmacy and then returned to the car. S. Vajda was carrying what appeared to be a prescription bag when she left the pharmacy. Also on May 9, 2014, in a series of calls, V. Horvath arranged a sale of 7 30mg oxycodone pills to O'Brien.

30. On or about May 13, 2014, in a series of calls, V. Horvath and M. Horvath discussed obtaining oxycodone from the pharmacy and arranged that D. Horvath would purchase some pills from V. Horvath. Surveillance observed D. Horvath meet with V. Horvath and other members of the DTO.

31. On or about May 14, 2014, in a series of calls, R. Horvath, V. Horvath, and Marco arranged to sell O'Brien 45 Percocet (10mg oxycodone) pills. Surveillance observed O'Brien meet with the DTO. Local law enforcement later conducted a motor vehicle stop and found O'Brien to be in possession of 45 Percocet pills.

32. On or about May 16, 2014, in a series of calls, V. Horvath arranged to sell Perez 30 30mg oxycodone pills belonging to R. Horvath. Surveillance observed V. Horvath and other members of the DTO pick up Perez and travel to a pharmacy. R. Horvath came out of the pharmacy with what appeared to be a prescription bag in his hand. Surveillance also observed Rivera and Farraj meet with R. Horvath and other members of the DTO at the pharmacy.

33. On or about June 2, 2014, in a series of calls, V. Horvath arranged to obtain a significant quantity of controlled substances from Cozzarelli. Surveillance observed V. Horvath and S. Horvath meet with a customer of the DTO and travel to Cozzarelli's house. V. Horvath met with Cozzarelli and obtained 120 30mg oxycodone pills and 120 Percocet (10mg oxycodone) pills from him. The customer of the DTO was later arrested by local law enforcement and found to be in possession of 120 Percocet pills and 23 30mg oxycodone pills.

34. On or about June 6, 2014, in a series of calls, V. Horvath discussed obtaining oxycodone with J. Horvath. J. Horvath agreed to try to find a buyer for the oxycodone.

35. On or about June 8, 2014, in a call, Cozzarelli informed V. Horvath that he only had enough Percocet for one prescription. Surveillance observed V. Horvath enter Rossmore Pharmacy. When she came out, V. Horvath took what appeared to be a pharmacy bottle from her purse and gave it to Marco. She then removed what appeared to be a prescription from her purse and went back into Rossmore Pharmacy.

36. On or about June 10, 2014, in a series of calls, V. Horvath arranged to sell Farraj 30mg oxycodone pills belonging to Musallam. Surveillance observed V. Horvath and other members of the DTO meet with Musallam and then with Farraj to execute the transaction.

37. On or about June 12, 2014, in a series of calls, V. Horvath arranged to sell 180 Percocet (10mg oxycodone) pills to Policarpio. Surveillance observed R. Horvath enter a pharmacy and then come out with what appeared to be three prescription bags in his hand. R. Horvath gave the bags to V. Horvath, who then gave them to Policarpio.

38. On or about June 15, 2014, in a series of calls, V. Horvath arranged to obtain 120 30mg oxycodone pills, 120 Percocet (10mg oxycodone) pills, and 120 units of another controlled substance from Cozzarelli. V. Horvath then sold 100 Percocet pills and 118 of the other controlled substance to Policarpio, and an unknown amount of pills to Farraj.

39. On or about June 18, 2014, in a series of calls, M. Horvath and D. Horvath discussed M. Horvath having obtained and sold Percocet pills. M. Horvath also stated that she had obtained oxycodone and other controlled substances. V. Horvath then arranged to sell one of the other controlled substances to Policarpio.

40. On or about June 19, 2014, in a series of calls, V. Horvath arranged a sale of 10 15mg oxycodone pills to Policarpio.

41. On or about June 26, 2014, in a series of calls, V. Horvath arranged a sale of 60 Percocet (10mg oxycodone) pills to Perez. Surveillance observed V. Horvath, S. Horvath, Marco, and Perez arrive at a pharmacy. Marco then went into the pharmacy and then came out and returned to the car.

42. On or about June 29, 2014, A. Horvath and V. Horvath arranged to obtain 70 30mg oxycodone pills from Musallam and sell them to Rivera. Surveillance observed A. Horvath, V. Horvath, Marco, Rivera, and others arrive at an arranged location. A. Horvath then got into a car in which Musallam was a passenger, then returned to the car in which she had arrived. Rivera then got into the car with A. Horvath, where he received an item from her and then got out of the car.

43. On or about July 7, in a series of calls, V. Horvath arranged to sell 32 Percocet (10mg oxycodone) pills belonging to S. Vajda to Perez.

44. On or about July 17, 2014, in a series of calls, A. Horvath arranges to sell 60 Percocet pills to Perez. Surveillance observed V. Horvath, A. Horvath, and Perez at a pharmacy.