

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 14-cr-20333-UNGARO/OTAZO-REYES

21 U.S.C. § 963

21 U.S.C. § 853

UNITED STATES OF AMERICA

vs.

ANDRES FERNANDO PEREZ-RESTREPO,
a/k/a "Anthrax,"

Defendant.

_____ /

INDICTMENT

The Grand Jury charges that:

From at least as early as in and around July 2012, and continuing through on or about March 2, 2014, in the countries of Colombia, Honduras, and elsewhere, the defendant,

ANDRES FERNANDO PEREZ-RESTREPO,
a/k/a "Anthrax,"

did knowingly and willfully combine, conspire, confederate, and agree with persons known and unknown to the Grand Jury, to distribute a controlled substance in Schedule II, knowing that such controlled substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Section 959(a)(2); all in violation of Title 21, United States Code, Section 963.

Pursuant to Title 21, United States Code, Section 960(b)(1)(B), with respect to defendant **ANDRES FERNANDO PEREZ-RESTREPO, a/k/a "Anthrax,"** the controlled substance involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of

FILED BY RB

Deputy Clerk

May 9, 2014

STEVEN M. LARIMORE
CLERK U.S. DISTRICT CT.
S.D. OF FLA. Miami

other conspirators reasonably foreseeable to them, is 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine.

FORFEITURE ALLEGATIONS

1. The allegations contained in this Indictment are re-alleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **ANDRES FERNANDO PEREZ-RESTREPO, a/k/a "Anthrax,"** has an interest.

2. Upon conviction of any violation alleged in this Indictment, the defendant shall forfeit all of his respective right, title and interest to the United States in any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation and in any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

3. If any of the forfeitable property described in the forfeiture section of this indictment, as a result of any act or omission of the defendant,

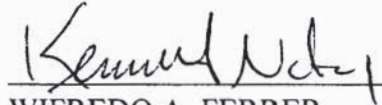
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot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

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

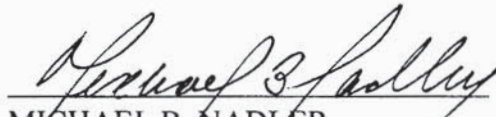
All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL

FOREPERSON / _____



WIFREDO A. FERRER
UNITED STATES ATTORNEY



MICHAEL B. NADLER
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES OF AMERICA

CASE NO. _____

vs.

CERTIFICATE OF TRIAL ATTORNEY*

ANDRES FERNANDO PEREZ-RESTREPO,
a/k/a "Anthrax,"

Defendant.

Superseding Case Information:

Court Division: (Select One)

X Miami Key West
 FTL WPB FTPNew Defendant(s) _____
Number of New Defendants _____
Total number of counts _____

Yes _____ No _____

I do hereby certify that:

- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
- Interpreter: (Yes or No) YES
List language and/or dialect SPANISH
- This case will take 5 days for the parties to try.
- Please check appropriate category and type of offense listed below:

(Check only one)

- | | | |
|-----|------------------|---------------|
| I | 0 to 5 days | <u>x</u> |
| II | 6 to 10 days | <u> </u> |
| III | 11 to 20 days | <u> </u> |
| IV | 21 to 60 days | <u> </u> |
| V | 61 days and over | <u> </u> |

(Check only one)

- | | |
|---------|---------------|
| Petty | <u> </u> |
| Minor | <u> </u> |
| Misdem. | <u> </u> |
| Felony | <u>X</u> |

- Has this case been previously filed in this District Court? (Yes or No) NO

If yes:

Judge: _____

Case No. _____

(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) NO

If yes:

Magistrate Case No. _____

Related Miscellaneous numbers: _____

Defendant(s) in federal custody as of _____

Defendant(s) in state custody as of _____

Rule 20 from the _____

District of _____

Is this a potential death penalty case? (Yes or No) NO

- Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? Yes No x
- Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? Yes No

Michael B. Nadler
 Michael B. Nadler
 ASSISTANT UNITED STATES ATTORNEY
 Florida Bar No./Court No. 0051264

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PENALTY SHEET

Defendant's Name: ANDRES FERNANDO PEREZ-RESTREPO, a/k/a "Anthrax"

Case No: _____

Count #: 1

Conspiracy to distribute cocaine with knowledge that it will be imported into the United States

Title 21, United States Code, Section 963

*** Max. Penalty:** Life Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**