

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RLC:BSK/AG
F. #2010R00757/OCDETF #NYNYE638

★ JUN 07 2010 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

- - - - - X

UNITED STATES OF AMERICA
- against -

S U P E R S E D I N G
I N D I C T M E N T

LUIS AGUSTIN CAICEDO VELANDIA,
also known as "Don Lucho,"
JULIO LOZANO PIRATEQUE,
also known as "Don Julio,"
"Don Jota" and "Patico,"
CLAUDIO JAVIER SILVA OTALORA,
also known as "Patron" and
"Vendedor," and
DANIEL BARRERA BARRERA,
also known as "Loco Barrera,"

Cr. No. 10-288 (S-2) (ILG)
(T. 18, U.S.C., §§
982, 1956(a)(1)(A)(i),
1956(a)(1)(B)(i),
1956(h), 2 and 3551 et
seq.; T. 21, U.S.C., §§
853(p), 963, 959(c),
960(a)(3) and
960(b)(1)(B)(ii))

Defendants.

- - - - - X

THE GRAND JURY CHARGES:

COUNT ONE
(Conspiracy to Launder Money)

1. On or about and between January 1, 2002 and June 7, 2010, both dates being approximate and inclusive, within the extraterritorial jurisdiction of the United States, the defendants, LUIS AGUSTIN CAICEDO VELANDIA, also known as "Don Lucho," JULIO LOZANO PIRATEQUE, also known as "Don Julio," "Don Jota" and "Patico," CLAUDIO JAVIER SILVA OTALORA, also known as "Patron" and "Vendedor," and DANIEL BARRERA BARRERA, also known as "Loco Barrera," together with others, did knowingly and intentionally conspire to conduct financial transactions, affecting interstate and foreign commerce, to wit: the transfer

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and delivery of United States currency, which in fact involved the proceeds of specified unlawful activity, to wit: narcotics trafficking, in violation of Title 21, United States Code, Sections 841(a)(1), 846, 959(a), 960(a)(1) and 963, knowing that the property involved in the transactions represented the proceeds of some form of unlawful activity, (a) with the intent to promote the carrying on of the specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i), and (b) knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of the specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

(Title 18, United States Code, Sections 1956(h) and 3551 et seq.)

COUNTS TWO THROUGH FIFTEEN
(Money Laundering)

2. On or about the dates listed below, within the extraterritorial jurisdiction of the United States, the defendants LUIS AGUSTIN CAICEDO VELANDIA, also known as "Don Lucho," JULIO LOZANO PIRATEQUE, also known as "Don Julio," "Don Jota" and "Patico," and CLAUDIO JAVIER SILVA OTALORA, also known as "Patron" and "Vendedor," together with others, did knowingly and intentionally conduct and attempt to conduct one or more financial transactions, affecting interstate and foreign commerce, to wit: the transfer and delivery of United States currency, which in fact

involved the proceeds of specified unlawful activity, to wit: narcotics trafficking, in violation of Title 21, United States Code, Sections 841(a)(1), 846, 959(a), 960(a)(1) and 963, knowing that the property involved in the transactions represented the proceeds of some form of unlawful activity, (a) with the intent to promote the carrying on of the specified unlawful activity, and (b) knowing that the transactions were designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of the specified unlawful activity:

TWO	April 27, 2007	\$10,000,000
THREE	May 7, 2007	\$10,447,500
FOUR	June 26, 2007	\$12,250,000
FIVE	July 25, 2007	\$6,475,000
SIX	August 14, 2007	\$11,200,000
SEVEN	September 17, 2007	\$23,100,000
EIGHT	October 15, 2007	\$16,542,500
NINE	November 12, 2007	\$11,200,000
TEN	December 21, 2007	\$17,800,000
ELEVEN	January 9, 2008	\$11,200,000
TWELVE	February 19, 2008	\$15,050,000

THIRTEEN	March 4, 2008	\$11,550,000
FOURTEEN	April 3, 2008	\$11,200,000
FIFTEEN	May 10, 2008	\$8,400,000

(Title 18, United States Code, Sections 1956(a)(1)(A)(i), 1956(a)(1)(B)(i), 2 and 3551 et seq.)

COUNT SIXTEEN
(International Distribution Conspiracy)

3. On or about and between January 1, 2002 and June 7, 2010, both dates being approximate and inclusive, within the extraterritorial jurisdiction of the United States, the defendants JULIO LOZANO PIRATEQUE, also known as "Don Julio," "Don Jota" and "Patico," and CLAUDIO JAVIER SILVA OTALORA, also known as "Patron" and "Vendedor," together with others, did knowingly and intentionally conspire to distribute a controlled substance, intending and knowing that such substance would be unlawfully imported into the United States from a place outside thereof, which offense involved five kilograms or more of a substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 959(a).

(Title 21, United States Code, Sections 963, 959(c), 960(a)(3) and 960(b)(1)(B)(ii); Title 18, United States Code, Sections 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE THROUGH FIFTEEN

4. The United States hereby gives notice to the defendants charged in Counts One through Fifteen that, upon conviction of any such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), of all property involved in each offense of conviction in violation of Title 18, United States Code, Section 1956, and conspiracy to commit such offense, and all property traceable to such property as a result of the defendants' conviction of the offense, including but not limited to, a sum of money representing the amount of funds involved in the offense.

5. If any of the above-described forfeitable property, 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 intent of the United States, pursuant to Title 18, United States Code, Section 982, to seek forfeiture of any other

property of such defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 982)

FORFEITURE ALLEGATION AS TO COUNT SIXTEEN

6. The United States hereby gives notice to the defendants charged in Count Sixteen that, upon their conviction of such offense, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853, which requires any person convicted of such offenses to forfeit any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such offense, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense.

7. If any of the above-described forfeitable property, 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 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 intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Section 853(p))

A TRUE BILL



FOREPERSON



LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F. 2010R00757
FORM DBD-34
JUN. 85

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL Division

THE UNITED STATES OF AMERICA

vs.

LUIS AGUSTIN CAICEDO VELANDIA, et al.,

Defendants.

INDICTMENT

(Title 18, U.S.C. §§ 982, 1956 (a) (1) (A) (I), 1956 (a) (1) (B) (I), 1956 (h), 2
and 3551 et seq. ; T. 21, U.S.C., §§ 853 (p), 963, 959 (c), 960 (a) (3),
and 960 (b) (1) (B) (ii)

[Redacted Name]

Foreman

Filed in open court this _____ *day,*

of _____ *A.D. 19* _____

Clerk

Bail, \$ _____

AUSA Bonnie Klapper (718) 254-6426

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JUN 07 2010 ★

NEW YORK FEDERAL COURT

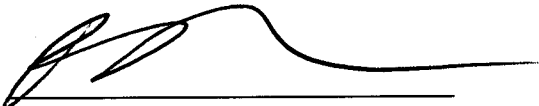
INFORMATION SHEET

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

1. Title of Case: United States v. CLAUDIO JAVIER SILVA OTALORA
2. Related Magistrate Docket Number(s) N/A
3. Arrest Date: N/A
4. Nature of offense(s): Felony
 Misdemeanor
5. Related Cases - Title and Docket No(s). (Pursuant to Rule 50.3 of the Local E.D.N.Y. Division of Business Rules): Superseding indictment: 10-288 (S-1) (ILG)
6. Projected Length of Trial: Less than 6 weeks
 More than 6 weeks
7. County in which the cause of action arose: Queens
(Pusuant to Rule 50.1(d) of the Local EDNY Division of Business Rules)
8. Has this indictment/information been ordered sealed? Yes No
9. Have arrest warrants been ordered? Yes No

LORETTA E. LYNCH
UNITED STATES ATTORNEY

By: 

Bonnie S. Klapper
Assistant U.S. Attorney