

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
	:	
v.	:	DATE FILED: _____
	:	
ROGELIO ORTEGA,	:	VIOLATIONS:
a/k/a “Roger Ortega,”	:	
a/k/a “Gongo,”	:	21 U.S.C. § 846 (conspiracy to distribute
a/k/a “Ivan Soto,”	:	50 grams or more of methamphetamine
VICTOR ORTEGA,	:	(actual) and 5 kilograms or more of
a/k/a “Cuco,”	:	cocaine - 1 count)
HUMBERTO PRECIADO AVILA,	:	21 U.S.C. § 841(a)(1) (possession with
a/k/a “Peinado,”	:	intent to distribute 50 grams or more of
a/k/a “Berto,”	:	methamphetamine (actual) - 5 counts)
PEDRO GUTIERREZ,	:	21 U.S.C. § 841(a)(1) (distribution of
a/k/a “Mike,”	:	of methamphetamine - 7 counts)
JOSE LUIS ORTEGA,	:	21 U.S.C. § 841(a)(1) (distribution of
a/k/a “Luis,”	:	5 kilograms or more of cocaine - 1 count)
JOSE LUIS VASQUEZ,	:	21 U.S.C. § 841(a)(1) (possession with
a/k/a “Luis Vargas,”	:	intent to distribute 5 kilograms or more of
ROLANDO MARTES-ORTEGA,	:	cocaine - 1 count)
a/k/a “Pito,”	:	21 U.S.C. § 843(b) (unlawful use
ISIDRO CORTEZ-MELENDZ	:	of a communication facility - 34 counts
MARIO SAMANIEGO	:	21 U.S.C. § 848 (continuing criminal
MARK COLE	:	enterprise - 1 count)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about 2002 to on or about September 18, 2006, in Toughkenamon, in the Eastern District of Pennsylvania, the Central District of California, and elsewhere, defendants

ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
VICTOR ORTEGA,
a/k/a “Cuco,”
HUMBERTO PRECIADO AVILA,
a/k/a “Peinado,”
a/k/a “Berto,”
PEDRO GUTIERREZ,
a/k/a “Mike,”
JOSE LUIS ORTEGA,
a/k/a “Luis,”
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas,”
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”
ISIDRO CORTEZ-MELENDZ,
MARIO SAMANIEGO and
MARK COLE

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute and possess with intent to distribute 50 grams or more, that is, approximately 300 pounds, of methamphetamine (actual), and 5 kilograms or more, that is, approximately 300 kilograms, of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

2. Defendant **ROGELIO ORTEGA** led, organized and managed the **ORTEGA DRUG TRAFFICKING ORGANIZATION (“ORTEGA DTO”)** based in Toughkenamon, Pennsylvania that obtained and received multi-kilogram quantities of methamphetamine (actual), also known as “crystal,” and cocaine from sources of supply in

Mexico and California, for distribution and sale in southern Chester County, Pennsylvania, Philadelphia, Pennsylvania, northern Delaware, Maryland and elsewhere.

3. Defendant **ROGELIO ORTEGA** periodically traveled to Mexico and California to meet with drug suppliers, including defendants **HUMBERTO PRECIADO AVILA** and **PEDRO GUTIERREZ**, and to arrange the purchase and delivery of multi-kilogram quantities of methamphetamine (actual) and, on occasion, cocaine, to the southern Chester County area.

4. During periods of time when defendant **ROGELIO ORTEGA** traveled to Mexico and California, he entrusted the management of day-to-day operations of the **ORTEGA DTO** to his brother, defendant **VICTOR ORTEGA**, who supervised workers for the organization, including defendants **JOSE LUIS ORTEGA**, **JOSE LUIS VASQUEZ** and **ROLANDO MARTES-ORTEGA**, who were responsible for the cutting, packaging, storing and delivery of quantities of methamphetamine and cocaine to customers of the **ORTEGA DTO**. Hidden storage locations for multi-pound caches of controlled substances that were used by members of the **ORTEGA DTO** included locations such as, buckets buried in the ground beneath a chicken coop at a commercial location in Chadds Ford, Pennsylvania, where some DTO members were employed, in containers buried outside a remote trailer in a Nottingham, Pennsylvania trailer park, concealed in compartments behind walls and cabinets in the Nottingham trailer, and in remote wooded areas of Chester County,.

5. Defendants **ROGELIO ORTEGA** and **VICTOR ORTEGA** used multiple cellular telephones to communicate with one another, to coordinate the activities of the **ORTEGA DTO**, and to communicate with and supervise workers for the organization, including

defendants **JOSE LUIS ORTEGA, JOSE LUIS VASQUEZ, ROLANDO MARTES-ORTEGA,** and **ISIDRO CORTEZ-MELENDZ.** At various times, on instructions from defendants **ROGELIO ORTEGA** and **VICTOR ORTEGA,** defendants **JOSE LUIS ORTEGA, JOSE LUIS VASQUEZ, ROLANDO MARTES-ORTEGA,** and **ISIDRO CORTEZ-MELENDZ** (1) delivered quantities of controlled substances to customers of the **ORTEGA DTO;** (2) were involved in accepting delivery of bulk quantities of controlled substances, removal of drugs from load vehicles, and the cutting, packaging and storing of drugs for the organization; (3) collecting and storing money representing proceeds of sales of controlled substances; and (4) providing the proceeds to managers of the **ORTEGA DTO** or to money couriers for delivery to drug suppliers in Mexico and California. Members of the **ORTEGA DTO** consistently used coded language when speaking over the telephone, to avoid using terms such as “drugs,” or “money,” or identifying a controlled substance by name, and, when completing drug transactions with customers, engaged in counter-surveillance actions, and carried out transactions in remote, rural locations in order to thwart surveillance and avoid detection of their unlawful activities by law enforcement authorities.

6. Defendant **ROGELIO ORTEGA** periodically obtained mechanical and technical assistance from defendant **MARK COLE,** who assisted defendants **ROGELIO ORTEGA, VICTOR ORTEGA** and **ISIDRO CORTEZ-MELENDZ** in removing controlled substances, including multi-pound quantities of methamphetamine (actual), concealed in the transmission transfer cases of “load” vehicles that transported controlled substances from California and Mexico to the southern Chester County area. Defendant **COLE** further assisted in re-packing such “load “ car transfer cases with large sums of United States currency, representing

payment for drugs supplied to the **ORTEGA DTO**, for transportation to California and Mexico based drug suppliers.

7. Defendant **MARIO SAMANIEGO** transported multi-kilogram shipments of drugs, including methamphetamine (actual) and cocaine, on at least one occasion concealed inside a tractor-trailer wheel in the trailer of a tractor-trailer rig, from sources of supply in California, including defendants **HUMBERTO PRECIADO AVILA** and **PEDRO GUTIERREZ**, to the southern Chester County area, for delivery to members of the **ORTEGA DTO**.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. On or about July 26, 2005, a cooperating witness, charged elsewhere, possessed approximately 21 ½ pounds of methamphetamine (actual) concealed inside the transmission of a motor vehicle in Gulfport, Mississippi, which was intended to be delivered to defendant **ROGELIO ORTEGA** and members of the Ortega Drug Trafficking Organization in Toughkenamon, Pennsylvania.

2. On or about October 12, 2005, defendant **JOSE LUIS VASQUEZ** telephonically requested that defendant **VICTOR ORTEGA** deliver “two pastelillos,” code language for a quantity of controlled substances, to defendant **JOSE LUIS VASQUEZ**, for delivery to a customer of the Ortega DTO.

3. On or about October 31, 2005, defendants **VICTOR ORTEGA** and **ROLANDO MARTES-ORTEGA** delivered approximately two pounds of methamphetamine to

a customer of the **ORTEGA DTO** at a remote location in Chester County, Pennsylvania .

4. On or about November 30, 2005, defendant **VICTOR ORTEGA** asked defendant **JOSE LUIS ORTEGA**: “Do you have any documents or something . . . because they had called and they are more or less down by the airport,” to which defendant **JOSE LUIS ORTEGA** replied, “ I do have something there . . . I have a few papers,” which was coded language meaning that defendant **JOSE LUIS ORTEGA** possessed drug proceeds (“papers”) available to be turned over to money couriers who were in contact with defendant **VICTOR ORTEGA** and present in the Toughkenamon, Pennsylvania area, for delivery to drug suppliers of the **ORTEGA DTO**.

5. On or about November 30, 2005, defendant **VICTOR ORTEGA** delivered approximately \$139,080 in United States currency representing drug proceeds of the **ORTEGA DTO** to a money courier in Toughkenamon, Pennsylvania.

6. On or about December 1, 2005, defendant **VICTOR ORTEGA** advised defendant **ROGELIO ORTEGA** that the day before he had given “them” (money couriers) “140” (\$140,000) “down by the airport,” (New Garden, Pennsylvania Airport), in order to communicate to defendant **ROGELIO ORTEGA** that he had delivered approximately \$140,000 in drug proceeds to money couriers collecting for drugs suppliers who supplied drugs to the **ORTEGA DTO**.

7. From on or about December 1, 2005, to on or about December 2, 2005, a money courier known to the grand jury who possessed a cellular telephone that had been in contact with a cellular telephone used by defendant **VICTOR ORTEGA** on multiple occasions on November 30, 2005, possessed approximately \$139,080 in United States currency contained

in heat sealed plastic wrappings in a hotel room in Cinnaminson, New Jersey.

8. On or about December 3, 2005 defendant **VICTOR ORTEGA**, using coded language, advised defendant **ROGELIO ORTEGA** that “this guy (defendant **HUMBERTO PRECIADO AVILA, a/k/a “Peinado”**) told me that the titles to those cars didn’t arrive,” in order to communicate to defendant **ROGELIO ORTEGA** that the money (approximately \$139,080 in United States currency) that defendant **VICTOR ORTEGA** had delivered to a courier on November 30, 2005, had been seized from the courier.

9. On or about December 12, 2005, defendants **ROGELIO ORTEGA** and **VICTOR ORTEGA** spoke over the telephone concerning debts owed by the **ORTEGA DTO** to drug sources of supply, and defendant **ROGELIO ORTEGA** directed defendant **VICTOR ORTEGA** to refer to “the notebook” (drug ledger).

10. On or about December 17, 2005, defendants **VICTOR ORTEGA** and **ROLANDO MARTES-ORTEGA** had multiple direct connect cellular telephone conversations relating to arranging, coordinating and completing a delivery of two pounds of methamphetamine to a customer of the **ORTEGA DTO** at a remote location in southern Chester County, Pennsylvania.

11. On or about December 17, 2005, defendants **VICTOR ORTEGA** and **ROLANDO MARTES-ORTEGA** arranged and caused the delivery of two pounds of methamphetamine (“two coffees”) by two Mexican males acting under the direction of defendant **ROLANDO MARTES-ORTEGA** to a customer of the **ORTEGA DTO** at a remote location in southern Chester County, Pennsylvania.

12. On or about December 20, 2005, defendants **ROGELIO ORTEGA**,

VICTOR ORTEGA, ROLANDO MARTES-ORTEGA, JOSE LUIS VASQUEZ and JOSE LUIS ORTEGA possessed for resale approximately 13 pounds of methamphetamine at a trailer located at 48 Franklin Road, Nottingham, Pennsylvania. In addition, the defendants also stored and possessed “cutting” agents, a scale, drug packaging paraphernalia and a .22 caliber rifle at the Nottingham trailer.

13. On or about December 23, 2005, defendants **ROGELIO ORTEGA** and **VICTOR ORTEGA** had a telephone conversation during which **VICTOR ORTEGA** advised **ROGER ORTEGA**, who was in Mexico, of the amount of methamphetamine (“four of the pure ones”) that had been seized from a trailer at 48 Franklin Road, Nottingham, Pennsylvania, and identified defendant **JOSE LUIS VASQUEZ (“VARGAS”)** as a person who was a source of two of the seized packages. Defendant **ROGELIO ORTEGA** also defendant **VICTOR ORTEGA** that he should provide instructions to defendant **VASQUEZ** as to how to proceed after the seizure.

14. On or about December 27, 2005, defendants **VICTOR ORTEGA** and **ROLANDO MARTES-ORTEGA** fled Pennsylvania and traveled together by commercial airliner to Puerto Rico.

15. On or about January 2, 2006, defendant **JOSE LUIS VASQUEZ**, who was using a cellular telephone provided by defendant **VICTOR ORTEGA**, spoke with defendant **ROGELIO ORTEGA**, who was in Mexico, and, using coded language, advised **ROGELIO ORTEGA** that he gone to the area of the Nottingham trailer, had been careful to wear gloves to avoid leaving fingerprints (“the wood had a lot of splinters and I needed to use the gloves or I would have pricked my hands”), was aware that law enforcement was present in the

area (“I did go all the way down to the property but I could not do anything because there were several horses around there... they are the ones without the hats”), and confirmed to **ORTEGA** that there was no media coverage of the events that had taken place there.

16. On or about April 23, 2006:

a. Multi-pounds of methamphetamine (actual) were transported from suppliers of the **ORTEGA DTO**, to the **ORTEGA DTO** in Landenberg, Chester County, Pennsylvania.

b. Defendants **ROGELIO ORTEGA** and **MARK COLE** removed from a “load” vehicle transmission transfer case a multi-pound shipment of methamphetamine (actual) in Landenberg, Chester County, Pennsylvania.

17. On or about June 5, 2006, defendants **ROGELIO ORTEGA** and **ISIDRO CORTEZ-MELENDZ** distributed approximately two pounds of methamphetamine to a customer of the **ORTEGA DTO** in Toughkenamon, Pennsylvania.

18. On or about July 1, 2006:

a. Defendants **ROGELIO ORTEGA, ISIDRO CORTEZ-MELENDZ** and **MARK COLE** removed from a “load” vehicle transmission transfer case a shipment of approximately ten pounds of methamphetamine (actual) in Landenberg, Chester County, Pennsylvania.

b. Defendants **ROGELIO ORTEGA, ISIDRO CORTEZ-MELENDZ** and **MARK COLE**, then re-packed the transfer case with approximately \$160,180 in United States currency, representing a payment by the **ORTEGA DTO** to a drug supplier for the delivery of controlled substances.

19. On or about July 9, 2006, at the direction of defendant **ROGELIO ORTEGA**, defendant **JOSE LUIS ORTEGA** directed defendant **ISIDRO CORTEZ-MELENDZ** to “go there (750 Wollaston Road, Chadds Ford, Pennsylvania) and wait for him (defendant **ROGELIO ORTEGA**) there at roosters, check the hen, and get the egg from that red hen,” in order to communicate to defendant **ISIDRO CORTEZ-MELENDZ** that defendant **ROGELIO ORTEGA** wanted to obtain one pound of methamphetamine from a **DTO** stash location for delivery to a customer of the **ORTEGA DTO**.

20. On or about July 11, 2006, defendant **ROGELIO ORTEGA** delivered approximately one pound of methamphetamine to a customer of the **ORTEGA DTO** in Landenberg, Pennsylvania.

21. On or about August 17, 2006, at the direction of defendant **ROGELIO ORTEGA**, defendant **JOSE LUIS ORTEGA** delivered approximately four ounces of methamphetamine to a customer of the **ORTEGA DTO** in Landenberg, Pennsylvania.

22. On or about September 7, 2006, at the direction of defendant **ROGELIO ORTEGA**, defendant **JOSE LUIS ORTEGA** delivered approximately four ounces of methamphetamine to a customer of the **ORTEGA DTO** in Landenberg, Pennsylvania.

23. On or about September 18, 2006, defendants **ROGELIO ORTEGA**, **VICTOR ORTEGA**, **ISIDRO CORTEZ-MELENDZ**, **JOSE LUIS ORTEGA**, **JOSE LUIS VASQUEZ**, and **ROLANDO MARTES-ORTEGA** possessed for resale approximately 13 ½ pounds of methamphetamine in a bucket buried in the ground below a chicken coop on a commercial property at 750 Wollaston Road, Chadds Ford, Pennsylvania, where defendants **ISIDRO CORTEZ-MELENDZ**, **JOSE LUIS ORTEGA**, and **ROLANDO MARTES-**

ORTEGA were employed.

24. On or about September 18, 2006, defendants **ROGELIO ORTEGA** and **ISIDRO CORTEZ-MELENDZ** possessed for resale approximately 22 pounds of methamphetamine (actual) and 31 kilograms of cocaine concealed inside a tractor-trailer wheel in Chester County, Pennsylvania.

25. On or about September 18, 2006, at the premises located at 2057 Gap Newport Pike, Cochranville, Pennsylvania, defendant **JOSE LUIS VASQUEZ** possessed approximately \$10,490 in U. S. currency concealed in a container buried in the ground, three firearms, including a .38 caliber handgun, and a 2004 Chevy Tahoe Sport Utility vehicle which had been purchased by defendant **ROGELIO ORTEGA** for defendant **JOSE LUIS VASQUEZ**.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 31, 2005, in Chester County, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
VICTOR ORTEGA,
a/k/a “Cuco,” and
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”**

knowingly and intentionally distributed, and aided and abetted and willfully caused the distribution of, 500 grams or more, that is, approximately 907.2 grams (2 pounds), of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 17, 2005, in Chester County, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
VICTOR ORTEGA,
a/k/a “Cuco,” and
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”**

knowingly and intentionally distributed, and aided and abetted and willfully caused the distribution of, 50 grams or more, that is, approximately 453.6 grams (one pound), of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 20, 2005, in Nottingham, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
VICTOR ORTEGA,
a/k/a “Cuco,”
JOSE LUIS ORTEGA,
a/k/a “Luis,”
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas,” and
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”**

knowingly and intentionally possessed with intent to distribute, and aided and abetted and willfully caused the possession with intent to distribute of, 50 grams or more, that is, approximately 5,896.8 grams (13 pounds), of methamphetamine (actual), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 23, 2006, in Landenberg, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
VICTOR ORTEGA,
a/k/a “Cuco,”
JOSE LUIS ORTEGA,
a/k/a “Luis,”
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas,”
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”
ISIDRO CORTEZ-MELENDZ, and
MARK COLE**

knowingly and intentionally possessed with intent to distribute, and aided and abetted and willfully caused the possession with intent to distribute of, 50 grams or more, that is, a multi-pound quantity of methamphetamine (actual), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 1, 2006, in Landenberg, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
VICTOR ORTEGA,
a/k/a “Cuco,”
JOSE LUIS ORTEGA,
a/k/a “Luis,”
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas,”
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”
ISIDRO CORTEZ-MELENDZ, and
MARK COLE**

knowingly and intentionally possessed with intent to distribute, and aided and abetted and willfully caused the possession with intent to distribute of, 50 grams or more, that is, approximately 4,536 grams (10 pounds), of methamphetamine (actual), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

From on or about July 9, 2006, to on or about July 11, 2006, in Toughkenamon, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
JOSE LUIS ORTEGA,
a/k/a “Luis,” and
ISIDRO CORTEZ-MELENDZ,**

knowingly and intentionally distributed, and aided and abetted the distribution of, 50 grams or more, that is, approximately 453.6 grams (one pound), of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 17, 2006, in Landenberg, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
JOSE LUIS ORTEGA,
a/k/a “Luis,”**

knowingly and intentionally distributed, and aided and abetted and willfully caused the distribution of, 50 grams or more, that is, approximately 112 grams (four ounces), of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 6, 2006, in Landenberg, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
JOSE LUIS ORTEGA,
a/k/a “Luis,” and
ISIDRO CORTEZ-MELENDZ**

knowingly and intentionally distributed, and aided and abetted and willfully caused the distribution of, 500 grams or more, that is, approximately 907.2 grams (2 pounds), of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 7, 2006, in Landenberg, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
JOSE LUIS ORTEGA,
a/k/a “Luis,” and
ISIDRO CORTEZ-MELENDZ**

knowingly and intentionally distributed, and aided and abetted and willfully caused the distribution of, 50 grams or more, that is, approximately 112 grams (four ounces), of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 18, 2006, at a truck stop in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
VICTOR ORTEGA,
a/k/a “Cuco,”
JOSE LUIS ORTEGA,
a/k/a “Luis,”
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas,”
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,” and
ISIDRO CORTEZ-MELENDZ**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 50 grams or more, that is, approximately 9,979 grams (22 pounds), of methamphetamine (actual), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 18, 2006, in Chadds Ford, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
VICTOR ORTEGA,
a/k/a “Cuco,”
JOSE LUIS ORTEGA,
a/k/a “Luis,”
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas,”
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,” and
ISIDRO CORTEZ-MELENDZ**

knowingly and intentionally possessed with intent to distribute, and aided and abetted and willfully caused the possession with intent to distribute of, 50 grams or more, that is, approximately 6,123 grams (13 ½ pounds), of methamphetamine (actual), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 18, 2006, at a truck stop in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
VICTOR ORTEGA,
a/k/a “Cuco,”
JOSE LUIS ORTEGA,
a/k/a “Luis,”
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas,”
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”
ISIDRO CORTEZ-MELENDZ and**

knowingly and intentionally possessed with intent to distribute, and aided and abetted and willfully caused the possession with intent to distribute of, 5 kilograms or more, that is, approximately 31 kilograms, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

From on or about September 14, 2006, to on or about September 18, 2006, in the Eastern District of Pennsylvania, and elsewhere, defendants

**HUMBERTO PRECIADO AVILA,
a/k/a "Peinado,"
a/k/a "Berto,"
PEDRO GUTIERREZ,
a/k/a "Mike," and
MARIO SAMANIEGO**

knowingly and intentionally distributed, and aided and abetted and willfully caused the distribution of, 50 grams or more, that is, approximately 9,979 grams (22 pounds), of methamphetamine (actual), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

From on or about September 14, 2006, to on or about September 18, 2006, in the Eastern District of Pennsylvania, and elsewhere, defendants

**HUMBERTO PRECIADO AVILA,
a/k/a "Peinado,"
a/k/a "Berto,"
PEDRO GUTIERREZ,
a/k/a "Mike," and
MARIO SAMANIEGO**

knowingly and intentionally distributed, and aided and abetted and willfully caused the distribution of, 5 kilograms or more, that is, approximately 31 kilograms, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 12, 2005, in the Eastern District of Pennsylvania, and elsewhere, defendants

**VICTOR ORTEGA,
a/k/a “Cuco,” and
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT SEVENTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 30, 2005, in the Eastern District of Pennsylvania, and elsewhere, defendants

**VICTOR ORTEGA,
a/k/a “Cuco,” and
JOSE LUIS ORTEGA,
a/k/a “Luis,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT EIGHTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 2, 2005, in the Eastern District of Pennsylvania, and elsewhere, defendants

**VICTOR ORTEGA,
a/k/a “Cuco,” and
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT NINETEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 17, 2005, in the Eastern District of Pennsylvania, and elsewhere, defendants

**VICTOR ORTEGA,
a/k/a “Cuco,” and
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 22, 2005, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
VICTOR ORTEGA,
a/k/a “Cuco,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual), and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-ONE

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 23, 2005, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
VICTOR ORTEGA,
a/k/a “Cuco,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 2, 2006, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 8, 2006, at approximately 1:51 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
MARK COLE**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 23, 2006, at approximately 7:17 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a "Roger Ortega,"
a/k/a "Gongo,"
a/k/a "Ivan Soto," and
VICTOR ORTEGA,
a/k/a "Cuco,"**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual), and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 23, 2006, at approximately 7:52 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a "Roger Ortega,"
a/k/a "Gongo,"
a/k/a "Ivan Soto," and
MARK COLE**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 23, 2006, at approximately 7:53 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
MARK COLE**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 27, 2006, at approximately 12:17 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and more than 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 27, 2006, at approximately 6:51 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 4, 2006, at approximately 10:20 a.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 1, 2006, in the Eastern District of Pennsylvania, and elsewhere,
defendant

**ROGELIO ORTEGA,
a/k/a "Roger Ortega,"
a/k/a "Gongo,"
a/k/a "Ivan Soto," and
HUMBERTO PRECIADO AVILA,
a/k/a "Peinado,"
a/k/a "Berto,"**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-ONE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 4, 2006, in the Eastern District of Pennsylvania, and elsewhere,
defendant

**ROGELIO ORTEGA,
a/k/a "Roger Ortega,"
a/k/a "Gongo,"
a/k/a "Ivan Soto,"**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 5, 2006, in the Eastern District of Pennsylvania, and elsewhere,
defendant

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 5, 2006, at approximately 4:04 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a "Roger Ortega,"
a/k/a "Gongo,"
a/k/a "Ivan Soto," and
ISIDRO CORTEZ-MELENDZ**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 1, 2006, in the Eastern District of Pennsylvania, and elsewhere,
defendant

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 5, 2006, in the Eastern District of Pennsylvania, and elsewhere,
defendant

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 9, 2006, at approximately 5:55 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**JOSE LUIS ORTEGA,
a/k/a "Luis," and
ISIDRO CORTEZ-MELENDZ**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 9, 2006, at approximately 6:08 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**JOSE LUIS ORTEGA,
a/k/a "Luis," and
ISIDRO CORTEZ-MELENDZ**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 3, 2006, at approximately 1:26 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
HUMBERTO PRECIADO AVILA,
a/k/a “Peinado,”
a/k/a “Berto,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 11, 2006, at approximately 6:26 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a "Roger Ortega,"
a/k/a "Gongo,"
a/k/a "Ivan Soto," and
ISIDRO CORTEZ-MELENDZ**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 20, 2006, at approximately 1:25 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**JOSE LUIS ORTEGA,
a/k/a "Luis," and
ISIDRO CORTEZ-MELENDZ**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY-ONE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 20, 2006, at approximately 4:45 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
JOSE LUIS ORTEGA,
a/k/a “Luis”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 14, 2006, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a "Roger Ortega,"
a/k/a "Gongo,"
a/k/a "Ivan Soto," and
HUMBERTO PRECIADO AVILA,
a/k/a "Peinado,"
a/k/a "Berto,"**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY-THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 17, 2006, at approximately 11:39 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
HUMBERTO PRECIADO AVILA,
a/k/a “Peinado,”
a/k/a “Berto,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 17, 2006, at approximately 11:44 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
HUMBERTO PRECIADO AVILA,
a/k/a “Peinado,”
a/k/a “Berto,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY-FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 18, 2006, at approximately 11:03 a.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
MARIO SAMANIEGO**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and more than 5 kilograms of a mixture and substance containing a detectable of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY-SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 18, 2006, at approximately 11:46 a.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a "Roger Ortega,"
a/k/a "Gongo,"
a/k/a "Ivan Soto," and
MARIO SAMANIEGO**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and more than 5 kilograms of a mixture and substance containing a detectable of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY-SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 18, 2006, at approximately 12:10 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
MARIO SAMANIEGO**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and more than 5 kilograms of a mixture and substance containing a detectable of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY-EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 18, 2006, at approximately 12:57 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a "Roger Ortega,"
a/k/a "Gongo,"
a/k/a "Ivan Soto," and
ISIDRO CORTEZ-MELENDZ**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY-NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 18, 2006, at approximately 2:37 p.m., in the Eastern District of Pennsylvania, and elsewhere, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,” and
HUMBERTO PRECIADO AVILA,
a/k/a “Peinado,”
a/k/a “Berto,”**

knowingly and intentionally used a communication facility, that is, a telephone, in committing and in causing and facilitating a felony, that is, conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine (actual) and 5 kilograms or more of a mixture and substance containing a detectable of cocaine, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT FIFTY

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations in Counts One through Forty-Nine are realleged here.
2. From in or about 2002 to on or about September 18, 2006, in

Toughkenamon, in the Eastern District of Pennsylvania, and elsewhere, defendant

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”**

engaged in a continuing criminal enterprise in that:

a. Defendant **ROGELIO ORTEGA** violated one or more provisions of subchapter I of Chapter 13 of Title 21, United States Code, which are felonies, and such violations were a part of a continuing series of violations of subchapter I of Chapter 13 of Title 21, United States Code, including but not limited to, the violations alleged in Counts One through Thirteen, Twenty through Thirty-Five, Thirty-Eight, Thirty-Nine, and Forty-One through Forty-Nine of this indictment;

b. The series of violations described in paragraph (a) were undertaken in concert with five or more persons, known and unknown to the grand jury, with respect to whom defendant occupied a position of organizer, a supervisory position and a position of management; and

c. Defendant **ROGELIO ORTEGA** obtained substantial income and resources from the violations described in paragraphs (a) and (b) above.

In violation of Title 21, United States Code, Section 848.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1), 846 and 848 set forth in this indictment, defendants

**ROGELIO ORTEGA,
a/k/a “Roger Ortega,”
a/k/a “Gongo,”
a/k/a “Ivan Soto,”
VICTOR ORTEGA,
a/k/a “Cuco,”
HUMBERTO PRECIADO AVILA,
a/k/a “Peinado,”
a/k/a “Berto,”
PEDRO GUTIERREZ,
a/k/a “Mike,”
JOSE LUIS ORTEGA,
a/k/a “Luis,”
JOSE LUIS VASQUEZ,
a/k/a “Luis Vargas,”
ROLANDO MARTES-ORTEGA,
a/k/a “Pito,”
ISIDRO CORTEZ-MELENDEZ,
MARIO SAMANIEGO and
MARK COLE**

shall forfeit to the United States of America:

(a) Any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violations, including the following:

- (1) residence at 1000 Newark Road, Toughkenamon, Pennsylvania;
- (2) Silver Jeep Cherokee, PA registration GGA 0114;
- (3) black Chevrolet pick-up truck, PA registration YSS 4609;
- (4) 1998 Dodge Durango, PA registration FLY 9754;
- (5) silver Ford mini-van, PA registration GHC 5730 ;

- (6) white pick-up truck, PA registration YSZ 0053;
- (7) green mini-van, PA registration GGA 0116; and
- (8) 2004 Chevy Tahoe Sport Utility Vehicle, PA registration GLY 8391.

(b) Any property constituting, or derived from, any proceeds obtained directly or indirectly as a result of such violations, including the following:

- (1) \$139,080 seized on December 2, 2005 in Cinnaminson, NJ;
- (2) \$161,680 seized on July 3, 2006 in Tennessee;
- (3) \$313,000 seized on September 18, 2006 from 1000 Newark Road, Toughkenamon, PA;
- (4) \$10,490 seized on September 18, 2006 from 2057 Gap Newport Pike, Cochranville, PA;
- (5) \$10,000, seized on September 18, 2006 from 850 Penn Green Road, Landenberg, PA;
- (6) \$5,382, seized on September 18, 2006 from Mario Samaniego;
- (7) \$4,035, seized on September 18, 2006 from Victor Ortega;
- (8) \$110, 824 seized on September 18, 2006 from Humberto Preciado Avila at 6386 Canvasback Way, Fontana, California.

2. If any of the property described above as being subject to forfeiture, as a result of any act of 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 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 defendants up to the value of the above forfeitable property.

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

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney