



U.S. Department of Justice

***United States Attorney
Eastern District of Arkansas***

FOR IMMEDIATE RELEASE
October 12, 2006

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**DEFENDANT EXTRADITED FROM MEXICO TO APPEAR IN FEDERAL COURT
ON DRUG CONSPIRACY CHARGES**

Little Rock – Bud Cummins, United States Attorney for the Eastern District of Arkansas announced today that Benito Naito-Gastelum will be arraigned tomorrow at 10:00 a.m. before United States Magistrate Judge Henry L. Jones, Jr. after having been extradited from Mexico. The U.S. Attorney's Office has worked with the Department of State and the Department of Justice for many months to secure the extradition of this fugitive from Mexico. On Monday, October 9, 2006, the United States Marshals Service was notified that extradition of Naito-Gastelum was approved and two Deputy Marshals from Little Rock flew to Mexico City, Mexico to take him into custody.

Naito-Gastelum's arrest and extradition were the result of an extensive three year Organized Crime and Drug Enforcement Task Force (OCDETF) investigation by the Drug Enforcement Administration (DEA) and Immigration and Customs Enforcement (ICE). Naito-Gastelum has been a fugitive since February 2004 when he was originally indicted.

Since this date and while Naito-Gastelum was a fugitive, the investigation has grown and the grand jury has handed up several superseding indictments involving Naito-Gastelum and others. According to the Fifth Superseding Indictment, Benito Naito-Gastelum is charged with conspiring to distribute more than 1,000 kilograms of marijuana in violation of Title 21, United States Code, Section 846, and Title 21, United States Code, Section 841(a)(1). He is also charged with conspiring to possess approximately 3.3 kilograms of cocaine hydrochloride. Cocaine hydrochloride is a Schedule II controlled substance under Title 21, United States Code, Section 812.

Agents developed evidence revealing that this conspiracy to distribute marijuana began in 1997 when Naito-Gastelum was stopped by Arkansas Highway Police in Lonoke County, Arkansas with 400 pounds of marijuana. Naito-Gastelum was prosecuted by the U.S. Attorney's Office in 1997, and at that time he was sent to prison and deported from the United States. Once

released from prison, investigation revealed that Naito-Gastelum illegally returned to the United States from Mexico to again distribute marijuana in Arkansas and elsewhere.

Investigating agents from the Drug Enforcement Administration (DEA) and Immigration and Customs Enforcement (ICE) developed sources well-placed within the organization and were able to keep close tabs on the drug trafficking activities of Naito-Gastelum. Agents also developed cooperating witnesses through the arrests of various individuals connected to the organization that were found throughout the United States. Investigation of this conspiracy has led to the indictment of 19 individuals in this case alone. The U.S. Attorney's Office has successfully prosecuted 15 of the 19 charged in this case. Two remain fugitives in Mexico and one other defendant is scheduled for trial on November 27, 2006.

Several other companion cases have been prosecuted as a result of the investigation of this conspiracy including the capital case involving three defendants, Vertis Clay, Calvin Stovall, and Darryl Walker. Prosecutors allege that the Naito-Gastelum was a source of marijuana for a drug trafficking organization in Pine Bluff. That case resulted in the torture and murder of an individual in Pine Bluff and, as a result, the Department of Justice is seeking the death penalty against Vertis Clay.

Because of his prior drug felony conviction from 1997, the conspiracy to distribute marijuana charge exposes Naito-Gastelum to not less than 20 years or not more than life in prison and a fine of up to \$8,000,000. The conspiracy to distribute cocaine exposes Naito-Gastelum to not less than 5 years or not more than forty years in prison and a fine of up to \$2,000,000.

In addition to DEA and ICE, other federal, state, and local law enforcement agencies have assisted in this case including: Internal Revenue Service (IRS) Criminal Investigation (CI), Arkansas State Police, Arkansas Highway Police, Pine Bluff Police Department, and the Sherwood Police Department.

An indictment contains only allegations. The defendant is presumed innocent unless and until proven guilty.

DEFENDANT:

Benito Naito-Gastelum

Age 33

Citizen of Mexico

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