

# ***NEWS RELEASE***

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## ***OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA***

*San Diego, California*

*United States Attorney  
Laura E. Duffy*

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*For Immediate Release*

### **SIXTEEN INDIVIDUALS CHARGED WITH NARCOTICS VIOLATIONS IN THE FALLBROOK AREA OF SAN DIEGO COUNTY**

**NEWS RELEASE SUMMARY** - September 21, 2012

United States Attorney Laura E. Duffy announced the unsealing of four indictments charging sixteen individuals with violations of federal narcotics statutes. Two of the sixteen indicted defendants, Jesse Sims and his son Joseph Sims, were also charged with engaging in a continuing criminal enterprise, which carries a mandatory-minimum penalty of twenty years in prison.

The indictments are the culmination of a six-month investigation into narcotics (including methamphetamine and heroin) and weapons trafficking in Fallbrook and surrounding areas. The investigation utilized the joint resources of the Drug Enforcement Administration's Violent Trafficker Team and the San Diego Sheriff's Department, the United States Marshals Service, Alcohol, Tobacco, Firearms and

Explosives, the San Diego County District Attorney's office and the United States Border Patrol. A number of defendants were also arrested on state charges and will be prosecuted by the San Diego County District Attorney's Office.

According to court documents, the majority of defendants face drug conspiracy and distribution charges. Defendants Oscar Prather and Fernando Ovalle are also charged with the unlawful possession of an unregistered firearm, specifically a Remington 870 12-gauge shotgun with a barrel less than 18 inches long. Many of the drug distribution and conspiracy charges carry five- and ten-year mandatory-minimum terms of imprisonment and, as indicated above, a twenty-year mandatory-minimum for the engaging in a continuing criminal enterprise charge.

The defendants were arraigned before Magistrate Judge William McCurine and are scheduled to be in court next on October 2, 2012.

**DEFENDANTS**

**Case Number: 12cr3846W**

Jesse Sims  
Mark Fountain  
Daniel Fore  
Kent Bowling  
Cynthia Vasquez

**DEFENDANTS**

**Case Number: 12cr3849W**

Joseph Sims  
Michael Ochoa  
Monica Lopez  
Brok Wood  
Gustavo Rios

**DEFENDANTS**

**Case Number: 12cr3847W**

Cesar Hernandez  
Shawnette Hanson  
Bethany Costa

**DEFENDANTS**

**Case Number: 12cr3848W**

Oscar Prather  
Daniel Lupercio  
Carlos Lupercio

## **SUMMARY OF CHARGES**

Engaging in a Continuing Criminal Enterprise – Title 21, United States Code, Sections 848(a)

Maximum penalty: Life imprisonment and \$2,000,000 fine

Conspiracy to Distribute Controlled Substances – Title 21, United States Code, Sections 841(a)(1) and 846

Maximum penalty: Life imprisonment and \$4,000,000 fine

Distribution of Controlled Substances – Title 21, United States Code, Section 841(a)(1)

Maximum penalty: Life imprisonment and \$4,000,000 fine

Unlawful Possession of Firearm – Title 26, United States Code, Section 5861(d)

Maximum penalty: 10 years' imprisonment and \$10,000 fine

Criminal Forfeiture – Title 21, United States Code, Section 853

Maximum penalty: Forfeiture of proceeds

## **AGENCIES**

Drug Enforcement Administration Violent Trafficker Team (VTT)

United States Border Patrol

San Diego County Sheriff's Department

United States Marshals Service

Alcohol, Tobacco, Firearms and Explosives

San Diego County District Attorney's Office

United States Border Patrol

**An indictment itself is not evidence that the defendants committed the crimes charged. The defendants are presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.**