

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

Norge Manduley, a/k/a "Norge Mandulay", a/k/a/
"Norge", a/k/a/ "Noje."

Case No. 12-2284-Torres

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 28, 2009 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Code Section
18 U.S.C. 1203(a)(1)(5)
18 U.S.C. 2

Offense Description
Kidnapping resulting in a death
Aiding and abetting.

This criminal complaint is based on these facts:

Please refer to the attached Affidavit in Support of Complaint and Arrest Warrant.

☒ Continued on the attached sheet.

[Signature]

Complainant's signature

Special Agent Michael Gualtieri

Printed name and title

Sworn to before me and signed in my presence:

Date: Feb. 08, 2012

City and state: Miami Fla. ade 4/28/12

[Signature]

Judge's signature

EDWIN G. TORRES
Printed name and title
US MAG. JUDGE

AFFIDAVIT IN SUPPORT OF A COMPLAINT AND ARREST WARRANT

I, your Affiant, Michael C. Gualtieri, Special Agent (SA), Federal Bureau of Investigation (FBI) Miami, Florida, having been duly sworn hereby depose and state;

1. This Affidavit is being submitted in support of a complaint and arrest warrant charging Norge Manduley, a/k/a "Norge Mandulay," a/k/a "Norge," a/k/a "Noje," a white Hispanic male date of birth of November 07, 1973, with the offense of kidnapping resulting in a death in violation of Title 18, United State Code, Section 1203(a)(1)(5) and aiding and abetting in violation of Title 18, United States Code, Section 2.

2. Your Affiant further states that I am a federal law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 115(c)(1). I have been employed as a Special Agent with the United States Federal Bureau of Investigation (FBI) for approximately fifteen years. I am presently assigned to the Miami High Intensity Drug Trafficking Area Task Force (hereinafter HIDTA). My primary duties on the task force are to work joint investigations with other state and federal law enforcement agencies targeting narcotics dealers, traffickers, manufacturers and transporters.

3. The following information is based on the personal knowledge arising from my participation in this investigation and from information provided to me by other law enforcement officers. The information contained within this Affidavit is being provided for the sole purpose of establishing probable cause to support a complaint and warrant for the arrest of Norge Manduley, a/k/a "Norge Mandulay", a/k/a "Noje", for violations of federal law, specifically kidnapping resulting in a death in violation of Title 18, United States Code, Section 1203(a)(1)(5) and aiding and abetting in violation of Title 18, United States Code, Section 2, and as such does not contain all of the information in the possession of your Affiant concerning this investigation.

Factual Background of the Criminal Acts

4. On June 28, 2009, Fidel Ruz Moreno who is further described as a white Hispanic male, date of birth of February 14, 1974, (hereinafter referred to as the victim) was accosted at a stop sign while driving in his Chevrolet van in southwest Miami-Dade County. The victim was taken by force and violence from behind the driver's wheel of his own vehicle. The victim was then detained at gun point by Norge Manduley in the rear of the victim's Chevrolet van while another co-conspirator drove the victim's vehicle away from the abduction scene. While the victim's vehicle was being driven away from the abduction scene, Norge Manduley shot the victim. Thereafter the victim either jumped or was pushed out of the back of the moving van and fell onto the roadway. The van stopped and Norge Manduley got out of the van and continued to assault the victim causing his death. The victim's body was then left alongside the roadway in Southwest Miami-Dade County, in the Southern District of Florida. After the death of the victim, the victim's Chevrolet van was taken to a rural residential location where it was hidden for several days. On July 1, 2009, the victim's Chevrolet van was taken to a rural area near the Tamiami Airport in southwest Miami-Dade

County where other co-conspirators set the vehicle on fire causing its total destruction. The victim was pronounced dead at the scene where his body was found on June 28, 2009.

Cooperating Co-Conspirator Defendants 1 and 2

5 In approximately mid-2010, two (2) cooperating co-conspirator defendants (hereafter referred to as CD1 and CD2) were developed by Miami-Dade County Homicide Detectives who were investigating the car jacking, kidnapping and murder of the victim (Fidel Ruz Moreno). These two cooperating co-conspirators voluntarily agreed to meet with the detectives and be interviewed.

6 During separate non-custodial voluntary interviews with homicide detectives and your Affiant, CD1 and CD2, admitted to their involvement in the planning and the execution of the car jacking and abduction of the victim on June 28, 2009. After making the admissions orally, CD1 and CD2 then separately gave voluntary sworn statements under oath that were transcribed by a court stenographer concerning their knowledge and participation in the aforesaid offenses.

7 The transcribed and sworn statements given by CD1 and CD2 were made following the advice to them of their Constitutional Rights (Miranda Warnings) and were made without any promises of immunity. Neither cooperator was in custody during their statements and neither cooperator was present during the interrogation or the taking of the formal statement of the other. The pertinent information supplied by CD1 and CD 2 in their sworn statements is as follows:

Statement of Cooperating Co-Conspirator Defendant 1 (CD1)

8 On Wednesday, June 9, 2010, CD1 provided a voluntary, non-custodial, sworn statement that was transcribed by a Court Reporter. In that statement, which has not been completely outlined here, CD1 provided the following information that is pertinent to the intent of this Affidavit.

9 CD1 has known another co-conspirator in these offenses who will be referred to as "DS" for approximately three or four years preceding the statement. On the morning of June 25, 2009, CD1 was accompanying DS and they had just left the home of DS to pick-up a bag that was to be used to pack hydroponic marijuana that DS, CD1 and others were going to transport that day to the New York/New Jersey area where it was to be sold.

10 CD1 and DS learned that after they left the home a group of men posing as law enforcement officers robbed the home of DS at gunpoint. The only thing of value taken was approximately 30 to 40 pounds of hydroponic marijuana that was to be driven to the New York/New Jersey area that day. CD1 knew that DS and others were in the business of growing marijuana inside homes in the Miami-Dade County area and CD1 had assisted DS in the marijuana business.

11 DS and CD1 returned to the home of DS where DS retrieved a home security surveillance video recording that captured the arrival and departure of the robbers. DS, CD1 and others viewed the surveillance video and it depicted four individuals in two vehicles arrive at the

residence. The males then got out of their vehicles and perpetrated the robbery.

12. CD1 stated that at some point DS determined the identity of one of the robbers and DS told CD1 that his name was "Fidel." Several days later DS told CD1 that he learned where "Fidel" lived. On Sunday, June 28, 2009, DS asked CD1 to go with him to see if "Fidel" was at home. CD1 joined DS and they went to a residence in southwest Miami-Dade County where they saw "Fidel" standing out in front of his home. CD1 went to the residence of "Fidel" on two or three occasions during the day of June 28, 2009.

13. CD1 stated that his understanding of the intent of the plan that was formulated by DS was that the group was going to kidnap "Fidel" and then detain, intimidate and basically beat-up "Fidel" until the marijuana that was stolen in the home invasion of the residence of DS was returned to DS. CD1 states that DS stated that he just wanted to intimidate "Fidel" until he told DS where his dope was and if necessary DS would slap "Fidel", punch "Fidel" or whatever it took for "Fidel" to talk.

14. On the second visit past the home of "Fidel" DS went in his car and CD1 accompanied CD2 in a separate car. After passing by the home of "Fidel" a second time, at the direction of DS they met at a nearby Blockbuster Video Store. At the Blockbuster they met up with additional people that DS has summoned. Among others, CD1 identified one of the people at the Blockbuster as a person he knew as "Noje." The group then went in separate vehicles back to the home of "Fidel." There were three vehicles: DS with "Noje" and another co-conspirator were in one vehicle, CD1 and CD2 in a second vehicle and two other co-conspirators in a third vehicle which was a truck. Communication between the participants was facilitated through the use of cellular telephones.

15. Back at the home of "Fidel" CD1 and CD2 took up a position to watch the residence. At some point "Fidel" left the residence operating a long Chevrolet work van. As "Fidel" pulled away from his residence in the van, the two co-conspirators in the truck followed immediately behind the van, then CD1 and CD2 followed the truck. DS in his vehicle accompanied by "Noje" and another co-conspirator circled the block in an effort to get in front of "Fidel" and the Chevrolet van. "Fidel" then stopped at a nearby residence, got out of the van and went inside the home.

16. A short time later, "Fidel" came out of the home, got back into the van and drove away. CD1 and CD2 were parked across the street from the home and the other vehicles were nearby. CD1 and CD2 communicated the departure of "Fidel" through the use of cellular telephones. "Fidel" was followed again and when "Fidel" came to a nearby stop sign, his vehicle was cut-off and blocked at the stop sign by the vehicle being driven by DS.

17. CD1 and CD2 saw DS, another co-conspirator and "Noje" approach the van. DS, the co-conspirator and "Noje" accosted and assaulted "Fidel" and forcibly removed him from the driver's seat of the van and forced him to the rear cargo area of the van. CD1 saw "Noje" in possession of a revolver. After DS, "Noje" and the third co-conspirator forced "Fidel" into the rear

of the van, "Noje" got into the back of the van with "Fidel" and the third co-conspirator with DS got behind the wheel of the Chevrolet van and drove away. The truck with two co-conspirators followed immediately behind the van and CD1 and CD2 followed the truck. DS left to go ahead and prepare a rural residential marijuana grow house for the arrival of the van and "Fidel" (the victim). DS intended to detain and question "Fidel" at that marijuana grow house until the stolen marijuana was returned.

18. After departing enroute to the marijuana grow house they were near the intersection of Quail Roost Drive and 133rd or 135th Avenue when "Fidel" (the victim) jumped out of the back of the van. CD1 didn't see "Fidel" jump, but realized what happened when he saw "Fidel" lying on the roadway. The van then stopped and made a U-turn to come back to where "Fidel" was lying.¹

19. CD1 knew that the victim had been shot and at some point learned he was dead. CD1 and CD2 drove around and in about 30 to 45 minutes CD1 and CD2 went to the home of DS. During this time, CD1 discarded a Glock semi-auto pistol that DS had given him earlier in the day into some bushes.

20. CS1 noted that the only people who got out of their vehicle during the surveillance, car jacking, and kidnapping of "Fidel" were DS, "Noje" and the third co-conspirator with DS in his vehicle. CS1, CS2 and the two co-conspirators in the truck did not exit their vehicles or participate in the actual assault that occurred pursuant to the kidnapping.

21. Following the murder of the victim, there were a series of meetings at local business locations. At one such meeting at a nearby Denny's Restaurant in southwest Miami-Dade County, there was a meeting between DS, "Noje" and the third co-conspirator who had participated in the assault upon the victim. Following that meeting, DS told CD1 that "Noje" stated that he beat the victim to make sure the job was done because he ran out of bullets. DS told CD1 that he had possession of the murder weapon, but "Noje" insisted on keeping the gun because he ("Noje") was the one who had killed the victim and "Noje" felt more comfortable if he kept the gun. CD1 did not see DS give a gun to "Noje."

22. Thereafter DS and his wife and family along with another co-conspirator and his family and CD1 and CD2 went to Key West Florida. A day or so later, DS and CD1 returned to Miami where along with other co-conspirators they stripped the victim's van of the interior padding and liner and then took the van to a rural location near the Tamiami airport where it was set on fire and completely destroyed.

¹ CD1 and CD2 kept driving, but CD2 made some observations from the rearview mirror which will follow this section.

Identification of Norge Manduley by CD1 on May 4, 2011

23. For several months following the murder of the victim, the identity of "Noje" was unknown. Investigators were finally able to develop a suspect who was identified as Norge Manduley, a/k/a "Norge Mandulay," a/k/a "Norge," a/k/a "Noje," a white Hispanic male with a date of birth of November 07, 1973.

24. On Wednesday, May 4, 2011, CD1 met with the investigators in this case and was shown a color photograph lineup containing six photographs similar in appearance that were organized in two lines of three photographs in each line. A photograph of Norge Manduley was in the bottom row, middle position. CD1 examined the photographs that were in the lineup and identified the photograph of Norge Manduley as the man he knew as "Noje" and the man he spoke of in his statements concerning the kidnapping and murder of Fidel Moreno (the victim).

25. After CD1 identified the photograph, he voluntarily gave a formal sworn statement that was transcribed by a court reporter. In that statement, CD1 identified Norge Manduley as the man who had possession of the revolver and that he was the person who actually did the shooting (of the victim).

Statement of Cooperating Co-Conspirator Defendant 2 (CD2)

26. On Tuesday, June 15, 2010, CD2 provided a voluntary, non-custodial, sworn statement that was transcribed by a Court Reporter. In that statement, which has not been completely outlined here, CD2 provided the following information that is pertinent to the intent of this Affidavit.

27. CD2 has known co-conspirator DS her entire life. On the morning of June 25, 2009, CD2 was at the residence of DS and his wife. Co-Conspirator DS and CD1 had just left the residence and CD2 was at the home with the wife to DS. The wife is also a co-conspirator in this case and will be referred to as YS. Shortly after DS and CD1 departed the residence, several men in two cars came to the residence of DS. The two cars had flashing police type lights and when the men got out of the cars CD2 saw that they were armed and had police type badges around their necks.

28. The armed men confronted CD2 who was sitting in a rental car in the driveway. One armed man pointed a gun at CD2, told her to shut-up and took a cell phone from CD2 that actually belonged to YS. The men ultimately entered the home and stole a quantity of marijuana that was being prepared to be transported to New York that morning. The men took the marijuana and left the residence.

29. YS contacted DS and he and CD1 returned to the residence. DS had several security video cameras at his residence and at some point following the robbery CD2, CD1, DS, YS and others viewed a security video camera recording that depicted the home invasion robbery.

30. DS recognized one of the robbers as a man who had frequented a store that DS operated in southwest Miami-Dade County. DS sold implements for use in hydroponic agriculture at this store. Either that day or the day after, DS announced that he needed to find the person he recognized as one of the robbers. CD2 stated that DS knew a lot of people and began making telephone calls and showed the video recording to numerous people and at some point DS learned where this person lived.

31. At the direction of DS CD2 assisted in conducting a surveillance of the robber.² CD2 understood the plan from DS to be that they were going to get the person who stole the marijuana and get them to say where the marijuana was so they could get it back. CD2 stated that she drove a Green Mini-Cooper and went with CD1 to the victim's residence on surveillance two to three times on that day (June 28, 2009). CD2 saw the victim at the residence during one of the surveillance sessions.

32. At some point the group left the surveillance and met at a nearby Blockbuster's Video Store. At the Blockbuster's, they had a meeting to discuss how they were going to abduct the victim or if they were going to continue to watch him. When they arrived at the Blockbuster's, CD2 observed several co-conspirators that included a man that she came to know as "Noje."

33. After the meeting, CD2 learned that someone in the group had given a black pistol to CD1. When they left the Blockbuster's there were three vehicles. CD2 and CD1 were in the same vehicle, a green Mini-Cooper. One co-conspirator identified as CH was driving a truck accompanied by another co-conspirator identified as GS Jr. In a third vehicle, a Mercedes Benz, there were three people. There was DS along with "Noje" and another co-conspirator identified as FC.

34. The group returned to the victim's residence and thereafter the victim was observed leaving his residence operating a white cargo van. The group was communicating by cellular telephones during the surveillance. The van driven by the victim was followed to another residence where the victim parked and went inside.

35. A short time later the victim left the residence. CD1 and CD2 communicated the fact he was leaving to DS by cellular telephone. CD2 and CD1 were parked across the street from the residence and watched the victim pull away. From their vantage point CD1 and CD2 saw that when the victim operating the cargo van reached a stop sign, he was blocked in by the Mercedes with DS, "Noje" and FC in the front and by the truck containing CH and GS Jr. in the back.

36. CD2 saw DS get out of the Mercedes, approach the driver's side of the van and pull the victim from the van. CD2 saw FC and "Noje" exit the Mercedes and join DS in the confrontation with the victim. DS and FC brought the victim from the driver's seat to the back of the van. The victim was then put into the back of the van and CD2 saw "Noje" who was armed with a shiny chrome "cowboy" type gun get into the back of the van with the victim. CD2 also saw

² Affiant's Note: The robber was Fidel Ruz Moreno, the homicide victim in this case.

“Noje” smash the passenger side window on the van. Eventually CD2 saw that the victim was in the back of the van with “Noje” who was armed. CD2 then saw co-conspirator FC get behind the driver’s seat and drive the vehicle from the abduction scene. CD2 understood that the plan was to drive the victim back to a residence known as the “farm” where they were going to talk to the victim to get him to reveal where the stolen marijuana was located so it could be retrieved.

37 CD2 stated that after they left the abduction scene there was a caravan. In the vicinity of Eureka and 137th Avenue, CD2 heard a gunshot. In total, CD2 believes she heard a total of five gunshots during the incident. The caravan turned onto Quail Roost and at this point the van was followed immediately behind by the truck occupied by co-conspirators CH and GS Jr. and then CD2 who was with CD1 and operating the Mini-Cooper followed the truck. On Quail Roost, CD2 noticed that the rear door of the van was opened and CD2 then observed that the truck swerved. CD2 swerved to the left as well and then saw that the victim had rolled out of the back of the van. CD2 didn’t stop and as she continued driving she looked in her rearview mirror and saw “Noje” outside of the van moving his hands up and down and CD2 believes he was hitting the victim with the gun or his fists. CD2 saw something shiny in the mirror and assumes that “Noje” was beating the victim with the gun.

38. CD2 and CD 1 continued driving and at some point returned to the residence of DS. Thereafter, there were a series of meetings at local restaurants and a supermarket. One of those meetings occurred at a Denny’s Restaurant off of the Palmetto and SW 8th Street. Subsequently CD2 and CD1 and in a separate vehicle DS, YS and their children went to the Florida Keys where they stayed overnight with family.

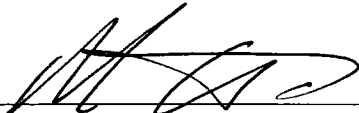
Identification of Norge Manduley by CD1 on June 23, 2011

39. On Thursday, June 23, 2011, CD2 met with Miami-Dade County P.D. Homicide Detectives. She was shown a photograph line-up containing six photographs of persons with similar appearance. The photographs were arranged in two rows of three color photographs. Norge Manduley, a/k/a “Norge Mandulay,” a/k/a “Norge,” a/k/a “Noje,” a white Hispanic male date of birth of November 07, 1973, was placed in the top left position. CD2 identified the photograph of Norge Manduley as the man she knew as “Noje.” CD2 signed and dated the photograph of Norge Manduley and CD2 confirmed that Norge Manduley was the man whose actions she witnessed and described above during the kidnapping and murder of the victim, Fidel Ruz Moreno on June 28, 2009.

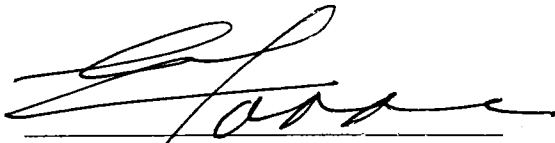
WHEREFORE, your Affiant believes that probable cause exists to believe that Norge Manduley, a/k/a “Norge Mandulay,” a/k/a “Norge,” a/k/a “Noje,” committed the offense of kidnapping resulting in a death on June 28, 2009, in violation of Title 18, united States Code, Section

1203(a)(1)(5) and aiding and abetting in violation of Title 18, United States Code, Section 2.

FURTHER SAYETH YOUR AFFIANT NAUGHT.


MICHAEL GUALTIERI
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

SWORN TO BEFORE ME, AND SUBSCRIBED IN MY PRESENCE, THIS 28 DAY
OF FEBRUARY, 2012, AT MIAMI, FLORIDA.


EDWIN G. TORRES
MAGISTRATE JUDGE

Subscribed to before me and
signed by me and acknowledged in the
presence of me, Lawrence Clerk,
County Clerk of Florida
at Miami, Florida
abc
Date 2/28/12
Deputy Clerk