
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

CASE NUMBER:

MIGUEL BELTRAN, also known as "Miguelito" **UNDER SEAL**

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief: On or about December 23, 2011, in the Northern District of Illinois, Eastern Division and elsewhere, MIGUEL BELTRAN, also known as "Miguelito," defendant herein:

did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 500 grams or more 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). I further state that I am a Special Agent with the Drug Enforcement Administration, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

Signature of Complainant

Kevin M. Miller

Special Agent, Drug Enforcement Administration

Sworn to before me and subscribed in my presence,

September 18, 2012

Date

at

Chicago, Illinois

City and State

Maria Valdez, U.S. Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

UNITED STATES DISTRICT COURT)
) ss
NORTHERN DISTRICT OF ILLINOIS)

AFFIDAVIT

I. INTRODUCTION

I, Kevin M. Miller, Special Agent of the Drug Enforcement Administration, United States
Department of Justice, having been duly sworn under oath, state as follows:

1. I am a Special Agent with the Drug Enforcement Administration (“DEA”) and have been so employed since approximately December 2010. As part of my official duties, I investigate criminal violations of federal narcotics laws, including, but not limited to, Title 21, United States Code, Sections 841 and 846. I have received special training in the enforcement of laws concerning controlled substances. I am familiar with and have participated in all of the normal methods of investigation including, but not limited to, search warrants, visual surveillance, electronic surveillance, the debriefing of defendants, witnesses, informants and others who have knowledge of the distribution of controlled substances, as well as the use of informants. Based on my training and experience, I am familiar with the ways in which drug traffickers conduct their drug-related business, including, but not limited to, their methods of distributing narcotics, their use of telephones, and their use of code words to identify themselves and the nature of their communications.

2. The statements contained in this Affidavit are based on: (a) my personal participation in this investigation; (b) information provided to me by other federal, state, and local law enforcement officers; (c) my training and experience and the training and experience of other law enforcement agents with whom I have spoken; (d) information derived from the court-authorized interception of wire communications; (e) consensually recorded conversations; (f) physical

surveillance conducted by law enforcement agents and officers, which I have either participated in or has been reported to me either directly or indirectly; (g) analyses of telephone toll records, pen register and trap and trace data and cell site information; (h) information derived from law enforcement and commercial database records; (i) information derived from criminal history records maintained by the Chicago Police Department, Illinois State Police and National Crime Information Center; (j) drivers' license and automobile registration records from various states, including records of the Illinois Secretary of State; (k) information provided by cooperating sources, witnesses and other individuals; and (l) laboratory analysis reports.

3. This affidavit is submitted in support of a criminal complaint charging that on or about December 23, 2011, MIGUEL BELTRAN, also known as Miguelito, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 500 grams or more of a mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(a)(1).

4. Because this Affidavit is for the limited purpose of establishing probable cause to support the Criminal Complaint and the issuance of arrest warrants against the defendants herein, it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and events described in this Affidavit.

II. BACKGROUND

5. DEA agents have received information from a confidential source ("CS-1")¹ regarding the drug trafficking and money laundering activities of a Mexican based drug trafficking

¹ According to a criminal history database check, CS-1 has no prior arrests or convictions. CS-1 is currently cooperating with DEA for monetary compensation. To date, CS-1 has been paid approximately \$23,000.

organization (“the DTO”). According to CS-1, since at least 2010 until on or about July 2012,² a high ranking member of the DTO who was located in Mexico (the “Mexican SOS”) oversaw, on behalf of the DTO, the distribution of large quantities of cocaine and heroin and the collection of large quantities of drug proceeds in multiple locations in the United States, including Chicago, Illinois, Atlanta, Georgia and elsewhere.

6. According to CS-1, in 2011, the Mexican SOS contacted CS-1 and asked CS-1 to further drug trafficking and money laundering operations on behalf of the DTO in the Chicago area. The Mexican SOS advised that CS-1 would be responsible for the collection, counting and disbursement of monies derived from the sale of cocaine by the DTO in Chicago. CS-1 agreed and worked for the DTO in Chicago, while under the supervision of DEA, from approximately December 2011 to January 2012.

7. As set forth in greater detail below, the information provided by CS-1 has been corroborated by independent investigation, including physical surveillance, consensually recorded telephone calls and text messages, meetings between CS-1 and members of the DTO, including BELTRAN, controlled narcotics transactions with members of the DTO, including BELTRAN, various narcotics seizures from members of the DTO, and field and laboratory tests indicating the presence of cocaine and heroin.

8. At various times between December 6, 2011 and February 2, 2012, DEA intercepted consensual wire and electronic communications over Subject Phone 1, Subject Phone 2, Subject Phone 3 and Subject Phone 5, all of which were used by CS-1, pursuant to interception orders signed

² According to CS-1 and Mexican media sources, in approximately July 2012, the Mexican SOS was killed in Mexico.

by the Chief Judge or Acting Chief Judge for the United States District Court for the Northern District of Illinois.³

9. At various times between February, 2011 and June 2012, DEA intercepted communications over Target Phone 2 and Target Phone 6, both used by BELTRAN, pursuant to interception orders signed by the Chief Judge or Acting Chief Judge for the United States District Court for the Northern District of Illinois. The following is a summary of the dates of interception, and nature of the interceptions, for Target Phone 2 and Target Phone 6.

<u>TARGET PHONE</u>	<u>DATES OF INTERCEPTION</u>
Target Phone 2 - (708) 495-1952	February 17, 2012 - March 14, 2012 (wire); March 16, 2012 - April 14, 2012 (wire and electronic).
Target Phone 6 - (773) 807-5010	March 16, 2012 - April 14, 2011 (wire); April 14, 2012 - May 12, 2012 (wire and electronic); May 12, 2012 - June 9, 2012 (wire).

10. As set forth in further detail below, based on: (a) the court authorized intercepted telephone calls and electronic communications, (b) court authorized intercepted consensually recorded telephone calls and electronic communications, (c) physical surveillance, (d) analysis pen register and trap and trace device data, (e) analysis of information provided by CS-1, and (f) a meeting and controlled narcotics transaction between CS-1 and BELTRAN on December 23, 2011, DEA Agents have identified BELTRAN as a member of a cocaine distribution cell for the DTO.

³ The call summaries in this affidavit that include a “session” number refer to telephone calls that were intercepted pursuant to one of the above-referenced court orders.

III. FACTS ESTABLISHING PROBABLE CAUSE

A. BELTRAN Obtained One Kilogram of Cocaine from CS-1 on December 23, 2011

11. Based on the calls and surveillance described below, as well as my knowledge of the investigation overall, I believe that, on December 23, 2011, BELTRAN⁴ received approximately one kilogram of cocaine from CS-1.

12. On December 23, 2011, at approximately 10:21 a.m., CS-1, using Subject Phone 3, made an outgoing call (Call #291) to BELTRAN, who was using Target Phone 2.⁵ During this call, CS-1 stated, “Good morning Miguelito, how are you?. ..I have the application [kilogram quantities of cocaine] here already.” BELTRAN stated, “Check the application [coded language for one

⁴ The identification of BELTRAN and BELTRAN’s voice in this Affidavit is based on the following: First, BELTRAN used Target Phone 2 to arrange a meeting with CS-1 on December 23, 2011, and CS-1 identified a booking photograph of BELTRAN following CS-1’s meeting with BELTRAN on December 23, 2011. Second, BELTRAN identified himself as “Miguelito,” when meeting with CS-1. Third, agents compared a booking photograph of BELTRAN to the individual they observed on December 23, 2011, and determined that BELTRAN was the person that met with CS-1 on that date. Fourth, during the December 23, 2011 transaction, BELTRAN drove a Volkswagen Passat that is registered in his name at a residential address on the 2900 block of N. Harding, Chicago. Fifth, according to public database records, BELTRAN is associated with the same address on the 2900 block of N. Harding, Chicago. Sixth, agents have observed BELTRAN at that address on multiple occasions, including on February 20, 2012. Seventh, CS-1 compared the voice on the recorded telephone conversations between CS-1 and BELTRAN described in this affidavit to the in-person conversation with BELTRAN and determined they were the same voice.

⁵ Some of the consensually-recorded and intercepted conversations (hereinafter “recorded conversations”) have been summarized in this Affidavit. The language that is quoted from the recorded conversations throughout this Affidavit is based upon a preliminary review of the recorded conversations, and not on final transcripts of the recorded conversations. The times listed for the recorded conversations are approximate. The summaries do not include all statements or topics covered during the course of the recorded conversations. At various points in the Affidavit I have included in brackets my interpretation of words and phrases used in the recorded conversations. My interpretations are based on information received from CS-1, the contents and context of the recorded conversations, events occurring before and after the conversations, my knowledge of the investigation as a whole, my experience and training, and the experience and training of other law enforcement agents in this investigation. Unless otherwise noted, the intercepted conversations contained herein are all in the Spanish language. For these interceptions, I have at time relied on draft - not final - English translations of conversations in Spanish done by DEA agents and/or interpreters contracted by DEA. Italicized words appearing in such summaries were spoken in English.

kilogram of cocaine] really well and make sure it's [cocaine] good, to not waste my trip." CS-1 replied, "Well, I know the applications [kilograms of cocaine] are good. Like, two people [other customers] came and they got the job [purchased cocaine] right away." BELTRAN replied, "Yeah, that way I won't go and be told they are not right and then it has to go back [BELTRAN was concerned that he would take the kilogram of cocaine to his customer and he would not like the quality of the cocaine, which could lead to BELTRAN returning the cocaine to CS-1]." CS-1 asked, "Yes, and you have all the required documents [money to purchase one kilogram of cocaine]?" BELTRAN confirmed, "Yes, yes, that's not a problem." CS-1 stated, "So you won't turn out like some of the others." BELTRAN stated, "What I don't like is they [sources of supply] send people [cocaine] and shit turns out to be just garbage [bad quality] and just nothing." CS-1 advised, "No, no, I'm telling you, I haven't had any complaints [about the quality of the cocaine] here. The guys got to work right away [cocaine was distributed quickly]." Later in the call, BELTRAN asked, "Do you have a place where I can go in and check it [cocaine]?" CS-1 replied, "Well, at the house." BELTRAN responded, "Well, that would be better to not be screwing around with it [cocaine] on the street. That way, I'll call you and I have to get something out of there." CS-1 and BELTRAN agreed to meet at the Dunkin Donuts located on the 7800 block of W. Lawrence Ave, in Chicago.

13. At approximately 11:31 a.m., CS-1 using Subject Phone 2, made an outgoing call (Call #315) to BELTRAN, who was using Target Phone 2. During this call, CS-1 provided directions to CS-1's residence. BELTRAN said, "I'm not that good at finding my way around here and I'm with my family."

14. Prior to the meeting with BELTRAN, CS-1 and DEA agents met at CS-1's residence. DEA agents provided CS-1 with a shopping bag containing two separately packaged kilograms of

cocaine previously supplied by Individual A on December 21, 2011.⁶ DEA agents searched CS-1's residence for any other contraband or excess money with negative results.

15. At approximately 11:49 a.m., DEA agents conducting surveillance (hereinafter, "surveillance") observed a Volkswagen Passat bearing Illinois license plate N22XXXX (hereinafter, "the Passat")⁷ arrive and park at CS-1's residence. BELTRAN and a child (hereinafter, "Minor A") exited the Passat and entered CS-1's residence, while Individual B remained in the Passat. This meeting was not recorded.

16. According to CS-1 in summary, once inside the residence, BELTRAN introduced himself as "Miguelito" to CS-1. CS-1 showed one kilogram of cocaine to BELTRAN inside the residence, which BELTRAN inspected in the presence of CS-1. BELTRAN then indicated that BELTRAN would have to travel to another location with the cocaine to meet with BELTRAN's customer, who would have the money to pay for the kilogram of cocaine. CS-1 agreed. The kilogram of cocaine was placed inside of a Hollister shopping bag ("the Hollister bag").

17. At approximately 11:59 a.m., surveillance observed BELTRAN, Minor A and CS-1 exit the residence. BELTRAN was carrying the Hollister bag and placed the bag into the trunk of the Passat. BELTRAN, Minor A and CS-1 entered the Passat.

18. Shortly thereafter, as observed by surveillance, the Passat departed the area and traveled to the area near a Mobile gas station with a Dunkin Donuts store located on the 5900 block

⁶ On December 21, 2011, Individual A supplied CS-1 with three rectangular-shaped packages wrapped in black tape and covered in a greasy substance. The packages contained a white, powdery substance, which later field tested positive for the presence of cocaine. DEA took custody of the three packages of cocaine.

⁷ The Passat is registered to BELTRAN at an address on the 2900 block of N. Harding, Chicago, Illinois.

of W. Higgins, Chicago (“the Mobile gas station”).

19. At approximately 12:08 p.m., surveillance observed the Passat park near the vicinity of the Mobile gas station on the 5800 block of West Higgins, Chicago, which had a view of the Mobile gas station. According to CS-1, as the Passat was parked, BELTRAN placed a telephone call. According to CS-1, during the telephone call, BELTRAN asked the person on the other end of the phone where the other person was located. Shortly thereafter, CS-1 overheard BELTRAN say that BELTRAN could see the other person and would meet him at the Mobile gas station. CS-1 only heard BELTRAN’s end of the conversation.

20. At approximately 12:08 p.m., surveillance observed Individual C walking through the Mobile gas station parking lot while talking on a cell phone.

21. At approximately 12:10 p.m., the Passat arrived at the Mobile gas station, Individual A and Minor A exited the Passat.

22. At the gas station, surveillance observed Individual C approach the Passat. Individual C retrieved the Hollister bag from the trunk of the Passat, which was open, and entered the Passat which was already occupied by BELTRAN and CS-1. CS-1 was sitting in the rear-passenger seat of the Passat and could not directly observe Individual C’s face.

23. According to CS-1, while inside the Passat, Individual C inspected the cocaine contained in the Hollister bag. BELTRAN told CS-1 and Individual C that the gas station attendant was looking in their direction and ordered CS-1 to exit the vehicle. CS-1 exited the Passat and entered the gas station lobby. BELTRAN exited the vehicle and began pumping gas into the Passat.

24. Moments later, surveillance observed Individual C exit the Passat and walk toward a residence located on the 5100 block of North Mason Street. Surveillance then observed

Individual C depart the residence driving a black Jeep SUV (“the black Jeep”).

25. At approximately 12:19 p.m., surveillance observed CS-1, Individual B and Minor A re-enter the Passat. According to CS-1, at the time CS-1 re-entered the Passat, the Hollister bag was on the front passenger seat of the Passat.

26. At approximately 12:21 p.m., surveillance observed the Passat depart the gas station and park near the 4900 block of North Monitor. According to CS-1, while inside the vehicle with BELTRAN, BELTRAN placed a telephone call.

27. At approximately 12:30 p.m., surveillance observed Individual C arrive and park the black Jeep near the Passat. BELTRAN exited the Passat carrying the Hollister bag and entered the black Jeep with the Hollister bag and the black Jeep drove around the block and returned to the area of the Passat. Shortly thereafter, BELTRAN exited the black Jeep without the Hollister bag and re-entered the Passat. According to CS-1, BELTRAN had a Dunkin Donuts bag at the time he re-entered the Passat. Surveillance observed the black Jeep and the Passat then depart the area.

28. At approximately 12:44 p.m., surveillance observed the Passat arrive at the residence of CS-1. CS-1, BELTRAN, Individual B, and Minor A exited the Passat and entered the residence of CS-1.

29. According to CS-1, once inside the residence, BELTRAN retrieved United States currency from the Dunkin Donuts bag. BELTRAN and CS-1 counted the money, which totaled approximately \$27,000. According to CS-1, BELTRAN removed \$2,000 from the counted money as a brokering fee for the cocaine transaction with Individual C. According to CS-1, BELTRAN asked CS-1 to sell him \$100 worth of cocaine for personal use. CS-1 refused and told BELTRAN the cocaine in CS-1’s possession had already been packaged for another customer.

30. According to CS-1, BELTRAN told CS-1 that BELTRAN was involved in his own organization involved in the distribution of narcotics. According to CS-1, BELTRAN stated that he did not usually conduct narcotics transactions in person, but would set up transactions over the telephone and send his couriers to complete the transactions with his customers. According to CS-1, BELTRAN stated that he used his residence and his sister's residence to store and distribute narcotics. According to CS-1, BELTRAN told CS-1 that he/she should not conduct narcotics transactions at the residence because it created suspicion, and Individual B told CS-1 that CS-1 should install curtains over the windows for the purpose of concealing cocaine transactions inside of CS-1's residence.

31. Immediately thereafter, DEA agents met with CS-1 and recovered the \$25,000 of cash provided to CS-1 by BELTRAN. DEA agents searched CS-1 for excess money and contraband with negative results

IV. CONCLUSION

32. Based on the foregoing, there is probable cause to believe that on or about December 23, 2011, MIGUEL BELTRAN did knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, 500 grams or more of a mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(a)(1).
FURTHER AFFIANT SAYETH NOT.

KEVIN M. MILLER
Special Agent, Drug Enforcement Administration

SUBSCRIBED AND SWORN to before me on _____, 2012.

Maria Valdez
United States Magistrate Judge