

FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

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STEPHEN M. BULLMAN
CLERK OF COURT
FOR THE NORTHERN DISTRICT
OF INDIANA

UNITED STATES OF AMERICA)	CAUSE NO. 2:11 CR 77 PPS
)	
v.)	18 U.S.C. § 1962(d)
)	18 U.S.C. § 1959(a)(1)
JUAN BRISENO a/k/a "Tito";)	18 U.S.C. § 924
GALO BENJAMIN FELICIANO;)	18 U.S.C. § 2
GUILLERMO BRISENO a/k/a "Memo";)	18 U.S.C. § 3
ALEJANDRO BALBOA LARA a/k/a)	21 U.S.C. § 841(a)(1)
"Jackie Chan";)	
JUSTIN WEAVER a/k/a "White Boy";)	
MICHAEL ANTHONY CASTILLO;)	
KELVIN JEFFERSON BELTRAN a/k/a)	
"Risky";)	
DAVID ALMARAZ a/k/a "Penguino,";)	
JOSEPH RENE TORRES;)	
JASON MEDINA a/k/a "Burns";)	
EDWARD RAYE SERNA a/k/a "Sern";)	
ALEJANDRO BRISENO)	

SUPERSEDING INDICTMENT

COUNT 1

(Conspiracy to Participate in Racketeering Activity)

THE GRAND JURY CHARGES:

Introduction

1. At various times relevant to this Superseding Indictment, the following defendants, and others known and unknown, were members of the "Almighty IMPERIAL GANGSTERS" Street Gang (hereinafter the "IMPERIAL GANGSTERS"), a criminal organization whose

members and associates engaged in acts of violence, including murder, attempted murder, aggravated battery, aggravated assault and narcotics distribution, and which operated in the Northwest Indiana area, the Northern District of Indiana, Hammond Division, and elsewhere: JUAN BRISENO a/k/a "Tito," GALO BENJAMIN FELICIANO, GUILLERMO BRISENO a/k/a "Memo," ALEJANDRO BALBOA LARA a/k/a "Jackie Chan," JUSTIN WEAVER a/k/a "White Boy," MICHAEL ANTHONY CASTILLO, KELVIN JEFFERSON BELTRAN a/k/a "Risky," DAVID ALMARAZ a/k/a "Penguino," JOSEPH RENE TORRES, JASON MEDINA a/k/a "Burns" and EDWARD RAYE SERNA a/k/a "Sern."

General Background and Structure of the Enterprise

2. The IMPERIAL GANGSTERS are a nationally known criminal street organization whose members engage in drug trafficking and acts of violence. The 149th Street "No Love Side" IMPERIAL GANGSTERS are a local "set" or affiliate of the IMPERIAL GANGSTERS, with local control and operation within East Chicago, Indiana. The other IMPERIAL GANGSTER set operating in Northwest Indiana is the 139th Street, or "Harbor" or "Trey-Nine" set.

3. The 149th Street IMPERIAL GANGSTERS operate primarily on the South Side of East Chicago. The 149th Street IMPERIAL GANGSTERS are involved in murder, attempted murder, and drug trafficking. The 139th Street IMPERIAL GANGSTERS operate primarily in the Harbor Section of East Chicago. They are also involved in murder, attempted murder, and drug trafficking.

4. Members of the IMPERIAL GANGSTERS greeted each other, and showed their membership in the gang using a set of hand-signs. In addition, IMPERIAL GANGSTERS often

greeted one another, demonstrated their allegiance to the gang, or simply announced their arrival or presence in a particular area by exclaiming “Amor.” The IMPERIAL GANGSTERS employed a robust symbology as well, often using depictions of the cartoon character The Pink Panther to demonstrate their affiliation. Members often had tattoos incorporating one or more of the aforementioned phrases or symbols, the Pink Panther being the most prominent. The colors associated with the IMPERIAL GANGSTERS are pink and black, and members of the IMPERIAL GANGSTERS often demonstrated their affiliation with the IMPERIAL GANGSTERS by wearing clothing containing these two colors, or incorporating some of the gang’s other symbols or phrases.

5. The IMPERIAL GANGSTERS are affiliated with the “Folk Nation” of gangs. Rival street gangs of the IMPERIAL GANGSTERS have included the Spanish Gangster Disciples, The Two Six Nation, The Latin Kings, and the Black P-Stones.

6. The IMPERIAL GANGSTERS have a leadership structure, but do not always utilize official titles or ranks. They at all times have an individual who serves as the leader and makes decisions regarding gang business. The IMPERIAL GANGSTERS have one or two individuals who control and train the “shorties” or prospective members. They have an individual who serves as a treasurer, who collects gang dues. They also have an individual who serves as the enforcer, who applies discipline for violations of the gang rules by meting out punishment.

The Racketeering Enterprise

7. The IMPERIAL GANGSTERS, including its leadership, membership, prospects (“shorties”) and associates, constitutes an enterprise as defined in 18 U.S.C. § 1961(4), that is, a

group of individuals associated in fact. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise. This enterprise was engaged in, and its activities affected, interstate and foreign commerce.

Purposes of the Enterprise

8. The purposes of the enterprise included, but were not limited to, the following:

a. Enriching the leaders, member, and associates of the enterprise through, among other things, the illegal trafficking of controlled substances.

b. Preserving and protecting the power, territory, operations, and proceeds of the enterprise through the use of threats, intimidation, violence and destruction including, but not limited to, acts of murder, attempted murder, assault with a dangerous weapon and other acts of violence.

c. Promoting and enhancing the enterprise and its members' and associates' activities.

d. Keeping victims in fear of the enterprise and in fear of its leaders, members, and associates through threats of violence and violence. The leaders, members, and associates of the enterprise undertook all steps necessary to prevent the detection of their criminal activities, and sought to prevent and resolve the imposition of any criminal liabilities upon their leaders, members, and associates, by the use of murder, violence, and intimidation directed against witnesses, victims, and others. As part of this practice, the enterprise enforced what it referred to as a "SOS" or shoot on sight order, or also known as "KOS" or, kill on sight, against IMPERIAL GANGSTERS members who were suspected of having cooperated with law enforcement.

e. Providing support to gang members who were charged with, or incarcerated for, gang-related activities.

The Racketeering Conspiracy

9. Beginning on a date unknown to the Grand Jury, but at least as of in or about June, 2004, and continuing through on or about the date of this Superseding Indictment, in the Northern District of Indiana and elsewhere, the defendants,

**JUAN BRISENO a/k/a "Tito,"
GALO BENJAMIN FELICIANO,
GUILLERMO BRISENO a/k/a "Memo,"
ALEJANDRO BALBOA LARA a/k/a "Jackie Chan,"
JUSTIN WEAVER a/k/a "White Boy,"
MICHAEL ANTHONY CASTILLO,
KELVIN JEFFERSON BELTRAN a/k/a "Risky,"
DAVID ALMARAZ a/k/a "Penguino,"
JOSEPH RENE TORRES,
JASON MEDINA a/k/a "Burns" and
EDWARD RAYE SERNA a/k/a "Sern,"**

each being a person employed by and associated with the IMPERIAL GANGSTERS, an enterprise engaged in, and the activities of which affected, interstate and foreign commerce, together with others known and unknown to the Grand Jury, did knowingly and intentionally conspire to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity, as defined in Sections 1961(a) and (5) of Title 18, United States Code, consisting of multiple acts involving murder in violation of Indiana Code 35-42-1-1, 35-41-2-4, 35-41-5-1, and multiple acts involving narcotics trafficking in violation of 21 United States Code Sections 841(a)(1)(distribution and possession with the intent to distribute a controlled substance) and Section 846 (conspiracy to distribute and possession

with the intent to distribute a controlled substance). It was part of this conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the enterprise.

Manner and Means of the Conspiracy

10. Each member of the enterprise agreed to facilitate a scheme that included the operation and management of the enterprise by a conspirator. Members of the enterprise and their associates operated and conducted their affairs through a series of laws and policies, some of which were codified in a constitution and a series of laws.

11. The members of the enterprise and their associates attended regular meetings at which they discussed, planned, and otherwise engaged in criminal activity, including murder, attempted murder, narcotics distribution, and obstruction of justice.

12. Members of the enterprise and their associates initiated new members through the practice of causing them to endure physical assaults conducted by members of the enterprise at various gang-related gatherings.

13. To enforce discipline and the rules of the enterprise, members of the enterprise and their associates engaged in a system of "violations," in which members of the enterprise attempted to murder, conspired to murder, and physically beat and threatened those members of the enterprise who violated rules, questioned authority, or posed a threat to the leaders or purposes of the enterprise.

14. Members of the enterprise and their associates employed and used gang-related terminology, symbols, gestures, and color schemes.

15. To perpetuate the enterprise and maintain and extend their power, members of the enterprise and their associates committed illegal acts, including murder, attempted murder, aggravated battery, intimidation, and aggravated assault against individuals who posed a threat to the enterprise or jeopardized its operations, including rival gang members and witnesses to the illegal activities of the enterprise. Pursuant to gang policy, members of the enterprise and their associates were required to participate in such acts, received standing orders to shoot rival gang members, and were instructed to retaliate for gang-related attacks upon the members and associates of the enterprise.

16. Members of the enterprise and their associates managed the procurement, transfer, use, concealment, and disposal of firearms and dangerous weapons within the enterprise to protect gang-related territory, personnel, and operations, and to deter, eliminate, and retaliate against competitors and other rival criminal organizations and persons. On multiple occasions during the course of the conspiracy this included trading firearms with Chicago-based IMPERIAL GANGSTERS, and selling guns to Chicago-based IMPERIAL GANGSTERS.

17. Members of the enterprise and their associates earned money for their members and regularly financed their activities through funds obtained in the illegal trafficking of controlled substances, including the distribution and possession with intent to distribute marijuana, cocaine and ecstasy.

18. Members of the enterprise and their associates operated and conducted their affairs, in part, through a financial system in which the leadership of the IMPERIAL GANGSTERS and others possessed, controlled, and otherwise maintained a monetary stash on behalf of the enterprise. As part of this practice, members of the enterprise and their associates paid requisite

weekly or bi-weekly dues into the pot, which, in turn, the enterprise used to bail gang members out of jail, to help pay for the defense attorneys of gang members who had been charged with crimes, to send to commissary accounts of incarcerated gang members, and to purchase and sell firearms and controlled substances. At times, the members of the enterprise and their associates paid money into the pot by selling narcotics supplied by members of the gang.

19. Members of the enterprise and their associates hid, misrepresented, concealed and caused to be misrepresented, concealed, and hidden, the objectives of acts done in furtherance of the conspiracy, and used coded language and other means to avoid detection and apprehension by law enforcement authorities.

20. Members of the enterprise recruited and used juveniles to commit acts for the benefit of the enterprise.

21. In order to join the IMPERIAL GANGSTERS prospective members or “shorties” are given the option of shooting someone at the direction of the leadership of the gang, or receiving a two minute “violation,” which entails high-ranking members of the gang punching the prospective member seventy times in the chest. While a “shorty” is attempting to join the gang his conduct is observed by the members of the IMPERIAL GANGSTERS. While a “shorty” is attempting to join the gang, he is considered a part of the IMPERIAL GANGSTER family and entitled to the full protection of the enterprise. The “shorty” is also subject to the rules and orders of the enterprise.

Overt Acts

22. In furtherance of the conspiracy and to achieve the objects thereof, the conspirators performed or caused to be performed the following overt acts, among others, in the Northern District of Indiana and elsewhere:

- a. On June 24, 2004, **GUILLERMO BRISENO** possessed a firearm.
- b. On October 15, 2004, **ALEJANDRO BALBOA LARA** possessed marijuana.
- c. On March 11, 2005, **GUILLERMO BRISENO** possessed marijuana.
- d. On April 1, 2005, **GUILLERMO BRISENO** possessed marijuana.
- e. On July 27, 2005, **GUILLERMO BRISENO** possessed marijuana.
- f. On May 6, 2006, **EDDIE SERNA** possessed marijuana.
- g. On March 8, 2007, **GUILLERMO BRISENO** possessed a firearm.
- h. On March 22, 2007, **GALO BENJAMIN FELICIANO** and an additional IMPERIAL GANGSTER from East Chicago murdered Juan Murillo Sr. and shot and injured Juan Murillo Jr. during the course of attempting to steal a snowblower from the property of Murillo Sr. and Jr.
- i. On May 19, 2007, **GALO BENJAMIN FELICIANO** possessed a firearm.
- j. On June 2, 2007, **JASON MEDINA** pointed a firearm at Victim 1, and threatened Victim 1's safety.
- k. On June 7, 2007, **JASON MEDINA** pointed a firearm at Victim 1, and threatened Victim 1's safety.
- l. On August 12, 2007, **JUSTIN WEAVER** possessed marijuana.
- m. On August 26, 2007, **GALO BENJAMIN FELICIANO** possessed marijuana.

- n. On August 31, 2007, **GALO BENJAMIN FELICIANO** possessed marijuana.
- o. On September 26, 2007, **JUAN BRISENO** murdered Luis Ortiz, who he believed to be a member of the Latin Kings, while **DAVID ALMARAZ** served as the getaway driver.
- p. On September 29, 2007, **JUAN BRISENO** possessed a firearm.
- q. On October 20, 2007, **JUAN BRISENO** possessed a firearm.
- r. On October 22, 2007, **GALO BENJAMIN FELICIANO** fired a gun at an individual who he believed to be a member of the Ambrose street gang, while **DAVID ALMARAZ** served as the getaway driver.
- s. On April 14, 2008, **JUAN BRISENO** possessed marijuana.
- t. On May 16, 2008, **JUAN BRISENO** possessed a firearm and shot at unknown individuals.
- u. On May 24, 2008, **GUILLERMO BRISENO** possessed a firearm and shot at three individuals.
- v. On June 3, 2008, **JUAN BRISENO** murdered Michael Sessum, who he believed to be a member of the Latin Kings.
- w. On June 3, 2008, **JUAN BRISENO** murdered Miguel Mejias a/k/a "King Nelly," who he believed to be a member of the Latin Kings.
- x. On June 4, 2008, **ALEJANDRO BALBOA LARA** possessed marijuana.
- y. On July 26, 2008, **ALEJANDRO BALBOA LARA** possessed marijuana.
- z. On October 9, 2008, **JUAN BRISENO** murdered Harris Brown.
- aa. On January 4, 2009, **GALO BENJAMIN FELICIANO** possessed a firearm.
- bb. On April 1, 2009, **GALO BENJAMIN FELICIANO** possessed marijuana.

cc. On April 24, 2009, **JUAN BRISENO** possessed marijuana.

dd. On July 13, 2009, **GALO BENJAMIN FELICIANO** possessed over 700 rounds of ammunition.

ee. On September 10, 2009, **GALO BENJAMIN FELICIANO** and another individual attempted to murder a person known to the Grand Jury, (hereinafter "Victim 2"), by shooting at him with a firearm.

ff. On September 23, 2009, **MICHAEL ANTHONY CASTILLO, JUSTIN WEAVER** and another member of the IMPERIAL GANGSTERS shot Cornelius Jordan, Romelle Jackson and Thomas Delacruz.

gg. On October 3, 2009, **JUAN BRISENO** possessed marijuana, a firearm, ammunition and a bulletproof vest.

hh. On October 3, 2009, **MICHAEL ANTHONY CASTILLO** possessed marijuana.

ii. On October 3, 2009, **JUSTIN WEAVER** possessed marijuana.

jj. On February 7, 2010, **JUAN BRISENO, GALO BENJAMIN FELICIANO** and another member of the IMPERIAL GANGSTERS murdered Miguel Colon, who they believed to be a member of the Two Six gang.

kk. On March 26, 2010, **GALO BENJAMIN FELICIANO** and **JOSEPH TORRES** murdered Jesus Alvarez, who they believed to be a rival gang member.

ll. On April 6, 2010, **JOSEPH TORRES** shot Alejandro Sanchez.

mm. On April 28, 2010, **MICHAEL ANTHONY CASTILLO** murdered Peter Santos, who he believed to be a Spanish Gangster Disciple.

nn. On May 12, 2010, **GALO BENJAMIN FELICIANO** possessed marijuana.

oo. On May 21, 2010, **GALO BENJAMIN FELICIANO** possessed marijuana.

pp. On May 24, 2010, **MICHAEL ANTHONY CASTILLO** possessed marijuana.

qq. On June 16, 2010, **JUAN BRISENO** possessed a firearm.

rr. On June 19, 2010, **JUAN BRISENO** murdered Latroy Howard, who he believed to be associated with the Black P-Stones gang.

ss. On June 19, 2010, **KELVIN JEFFERSON BELTRAN** and **GALO BENJAMIN FELICIANO** went to the house of a witness to the Latroy Howard homicide and inquired of the witness what the witness had told the East Chicago Police.

tt. On July 1, 2010, **JUAN BRISENO** possessed marijuana.

uu. On November 11, 2010, **KELVIN JEFFERSON BELTRAN** possessed marijuana and firearms.

vv. On March 14, 2011, **JUSTIN WEAVER** possessed marijuana.

ww. On June 6, 2011, **JASON MEDINA** and **EDWARD RAYE SERNA** attempted to murder a person known to the Grand Jury, (hereinafter "Victim 3"), by shooting at him with a firearm.

Notice of Enhanced Sentencing

23. On or about June 3, 2008, in the Northern District of Indiana, **JUAN BRISENO**, a/k/a "Tito," knowingly and intentionally killed Michael Sessum, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

24. On or about June 3, 2008, in the Northern District of Indiana, JUAN BRISENO, a/k/a "Tito," knowingly and intentionally killed Miguel Mejias, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

25. On or about October 9, 2008, in the Northern District of Indiana, JUAN BRISENO, a/k/a "Tito," knowingly and intentionally killed Harris Brown, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

26. On or about February 7, 2010, in the Northern District of Indiana, JUAN BRISENO, a/k/a "Tito," and GALO BENJAMIN FELICIANO knowingly and intentionally killed Miguel Colon, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

27. On or about March 26, 2010, in the Northern District of Indiana, GALO BENJAMIN FELICIANO and JOSEPH RENE TORRES knowingly and intentionally killed Jesus Alvarez, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

28. On or about June 19, 2010, in the Northern District of Indiana, JUAN BRISENO, a/k/a "Tito," knowingly and intentionally killed Latroy Howard, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1962(d).

COUNT 2

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. At all times relevant to this indictment the IMPERIAL GANGSTERS, as more fully described in paragraphs 1 through 8 of Count 1 of this Superseding Indictment, which are re-alleged and incorporated by reference as though fully set forth herein, constituted an enterprise as defined in 18 U.S.C. § 1959(b)(2), namely IMPERIAL GANGSTERS, that is, a group of individuals associated in fact which is engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

2. At all times relevant to this Superseding Indictment, the above-described enterprise, through its members and associates, engaged in racketeering activity as defined in 18 U.S.C. §§ 1959(b)(1) and 1961(1), namely, narcotics trafficking in violation of 21 U.S.C. §§ 841 and 846, and acts involving murder in violation of Indiana Penal Code, Section 35-42-1-1, 35-41-2-4, and 35-41-5-1.

3. On or about June 3, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a “Tito,”

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Michael Sessum, in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 3

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count One of this Superseding Indictment, which are alleged and incorporated by reference as though set forth fully herein.

2. On or about June 3, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence, that is, to murder in aid of racketeering activity, as set forth in Count 2 of this Superseding Indictment, which is incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Michael Sessum, willfully, deliberately, and maliciously.

All in violation of Title 18, United States Code, Sections 924(c) and 924(j), and Title 18, United States Code, Section 2.

COUNT 4

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count Two of this Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 3, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a “Tito,”

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Miguel Mejias a/k/a “King Nelly,” in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 5

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count One of this Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 3, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence, that is, to murder in aid of racketeering activity, as set forth in Count 4 of this Superseding Indictment, which is incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Miguel Mejias a/k/a "King Nelly," willfully, deliberately, and maliciously.

All in violation of Title 18, United States Code, Section 924(c) and 924(j), and Title 18, United States Code, Section 2.

COUNT 6

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count Two of this Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about October 9, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a “Tito,”

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Harris Brown in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 7

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count One of this Superseding Indictment, which are alleged and incorporated by reference as though set forth fully herein.

2. On or about October 9, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence, that is, to murder in aid of racketeering activity, as set forth in Count 6 of this Superseding Indictment, which is incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Harris Brown, willfully, deliberately, and maliciously.

All in violation of Title 18, United States Code, Section 924(c) and 924(j), and Title 18, United States Code, Section 2.

COUNT 8

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count Two of this Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about February 7, 2010, in the Northern District of Indiana,

**JUAN BRISENO a/k/a “Tito,”
and
GALO BENJAMIN FELICIANO,**

defendants herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Miguel Colon a/k/a “Migs” in violation of Indiana Penal Code, Section 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Codes, Section 2.

COUNT 9

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count One of this Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about February 7, 2010, in the Northern District of Indiana,

**JUAN BRISENO a/k/a “Tito,”
and
GALO BENJAMIN FELICIANO,**

defendants herein, did knowingly carry, use, and discharge firearms during and in relation to a crime of violence, that is, to murder in aid of racketeering activity, as set forth in Count 8 of this Superseding Indictment, which is incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendants, with malice aforethought, unlawfully killed a human being, that is Miguel Colon a/k/a “Migs,” willfully, deliberately, and maliciously.

All in violation of Title 18, United States Code, Section 924(c) and 924(j), and Title 18, United States Code, Section 2.

COUNT 10

(Accessory After the Fact)

THE GRAND JURY FURTHER CHARGES:

1. On or about February 7, 2010 to on or about February 8, 2010, in the Northern District of Indiana and elsewhere,

ALEJANDRO BRISENO,

defendant herein, knowing that an offense against the United States has been committed, to wit, murder in aid of racketeering and murder resulting from the use and carrying of a firearm during and in relation to a crime of violence, as set forth in Counts 8 and 9 of this Superseding Indictment, did receive, relieve, comfort, and assist the offenders, JUAN BRISENO a/k/a "Tito," and GALO BENJAMIN FELICIANO, in order to hinder and prevent the offenders' apprehension, trial, and punishment.

All in violation of Title 18, United States Code, Section 3.

COUNT 11

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count Two of this Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about March 26, 2010, in the Northern District of Indiana,

**GALO BENJAMIN FELICIANO
and
JOSEPH RENE TORRES,**

defendants herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Jesus Alvarez in violation of Indiana Penal Code, Section 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 12

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count One of this Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about March 26, 2010, in the Northern District of Indiana,

**GALO BENJAMIN FELICIANO
and
JOSEPH RENE TORRES,**

defendants herein, did knowingly carry, use, and discharge firearms during and in relation to a crime of violence, that is, to murder in aid of racketeering activity, as set forth in Count 11 of this Superseding Indictment, which is incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendants, with malice aforethought, unlawfully killed a human being, that is Jesus Alvarez, willfully, deliberately, and maliciously.

All in violation of Title 18, United States Code, Section 924(c) and 924(j), and Title 18, United States Code, Section 2.

COUNT 13

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count Two of this Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 19, 2010, in the Northern District of Indiana,

JUAN BRISENO a/k/a “Tito,”

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Latroy Howard in violation of Indiana Penal Code, Section 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 14

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count One of this Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 19, 2010, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly carry, use, and discharge firearms during and in relation to a crime of violence, that is, to murder in aid of racketeering activity, as set forth in Count 13 of this Superseding Indictment, which is incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Latroy Howard, willfully, deliberately, and maliciously.

All in violation of Title 18, United States Code, Section 924(c) and 924(j), and Title 18, United States Code, Section 2.

COUNT 15

(Attempted Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count Two of this Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about September 10, 2009, in the Northern District of Indiana,

GALO BENJAMIN FELICIANO,

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, attempted to murder Victim 2, a person known to the Grand Jury, in violation of Indiana Penal Code, Sections 35-42-1-1, 35-41-2-4 and 35-41-5-1.

All in violation of Title 18, United States Code, Section 1959(a)(5), and Title 18, United States Code, Section 2.

COUNT 16

(Use of a Firearm During and in Relation to a Federal Crime of Violence)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count One of this Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about September 10, 2009, in the Northern District of Indiana,

GALO BENJAMIN FELICIANO,

defendant herein, did knowingly and intentionally use a firearm during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, to wit: attempted murder in aid of racketeering activity as described in Count 15 of this Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c), and Title 18, United States Code, Section 2.

COUNT 17

(Attempted Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count Two of this Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 6, 2011, in the Northern District of Indiana,

JASON MEDINA a/k/a "Burns"
and
EDWARD RAYE SERNA a/k/a "Sern,"

defendants herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, attempted to murder Victim 3, a person known to the Grand Jury, in violation of Indiana Penal Code, Sections 35-42-1-1, 35-41-2-4 and 35-41-5-1.

All in violation of Title 18, United States Code, Section 1959(a)(5) and Title 18, United States Code, Section 2.

COUNT 18

(Use of a Firearm During and in Relation to a Federal Crime of Violence)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count One of this Superseding Indictment, which are alleged and incorporated by reference as though set forth fully herein.

2. On or about June 6, 2011, in the Northern District of Indiana,

**JASON MEDINA a/k/a “Burns”
and
EDWARD RAYE SERNA a/k/a “Sern,”**

defendants herein, did knowingly and intentionally use a firearm during and in relation to a crime of violence, for which they may be prosecuted in a court of the United States, to wit: attempted murder in aid of racketeering activity as described in Count 17 of the Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c), and Title 18, United States Code, Section 2.

COUNT 19

(Distribution of Marijuana)

THE GRAND JURY FURTHER CHARGES:

1. On or about September 29, 2011, in the Northern District of Indiana,

ALEJANDRO BALBOA LARA a/k/a “Jackie Chan,”

defendant herein, did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of marijuana, a schedule I controlled substance;

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 20

(Distribution of Marijuana)

THE GRAND JURY FURTHER CHARGES:

1. On or about October 5, 2011, in the Northern District of Indiana,

ALEJANDRO BALBOA LARA a/k/a “Jackie Chan,”

defendant herein, did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of marijuana, a schedule I controlled substance;

All in violation of Title 21, United States Code, Section 841(a)(1).

NOTICE OF SPECIAL FINDINGS
(18 U.S.C. §§ 3591 and 3592)

1. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 2 and 3 of this Superseding Indictment and makes the following special findings as to Counts 2 and 3, the defendant:

JUAN BRISENO a/k/a “Tito,”

- a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].
- b. intentionally killed the victim, Michael Sessum. [Title 18, United States Code, Section 3591(a)(2)(A)].
- c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Michael Sessum. [Title 18, United States Code, Section 3591(a)(2)(B)].
- d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Michael Sessum, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(C)].
- e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Michael Sessum, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)].

f. knowingly created a grave risk of death to one or more persons in the commission of the offense, in addition to Michael Sessum. [Title 18, United States Code, Section 3592(c)(5)].

g. intentionally killed or attempted to kill more than one person in a single criminal episode. [Title 18, United States Code, Section 3592(c)(16)]; and

h. committed the offense after substantial planning and premeditation to cause the death of Michael Sessum. [Title 18, United States Code, Section 3592(c)(9)].

2. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 4 and 5 of this Superseding Indictment and makes the following special findings as to Counts 4 and 5, the defendant:

JUAN BRISENO a/k/a “Tito,”

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Miguel Mejias. [Title 18, United States Code, Section 3591(a)(2)(A)].

c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Miguel Mejias. [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Miguel Mejias, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(C)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Miguel Mejias, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)].

f. knowingly created a grave risk of death to one or more persons in the commission of the offense, in addition to Miguel Mejias. [Title 18, United States Code, Section 3592(c)(5)].

g. intentionally killed or attempted to kill more than one person in a single criminal episode. [Title 18, United States Code, Section 3592(c)(16)]; and

h. committed the offense after substantial planning and premeditation to cause the death of Miguel Mejias. [Title 18, United States Code, Section 3592(c)(9)].

3. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 6 and 7 of this Superseding Indictment and makes the following special findings as to Counts 6 and 7, the defendant:

JUAN BRISENO a/k/a “Tito,”

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Harris Brown. [Title 18, United States Code, Section 3591(a)(2)(A)].

c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Harris Brown. [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Harris Brown, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(C)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Harris Brown, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)]; and

f. committed the offense after substantial planning and premeditation to cause the death of Harris Brown. [Title 18, United States Code, Section 3592(c)(9)].

4. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 8 and 9 of this Superseding Indictment and makes the following special findings as to Counts 8 and 9, the defendants:

JUAN BRISENO a/k/a "Tito,"
and
GALO BENJAMIN FELICIANO

a. were 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

- b. intentionally killed the victim, Miguel Colon. [Title 18, United States Code, Section 3591(a)(2)(A)].
- c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Miguel Colon. [Title 18, United States Code, Section 3591(a)(2)(B)].
- d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Miguel Colon, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(C)].
- e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Miguel Colon, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)].
- f. knowingly created a grave risk of death to one or more persons in the commission of the offense, in addition to Miguel Colon. [Title 18, United States Code, Section 3592(c)(5)]; and
- g. committed the offense after substantial planning and premeditation to cause the death of Miguel Colon. [Title 18, United States Code, Section 3592(c)(9)].

5. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 11 and 12 of this Superseding Indictment and makes the following special findings as to Counts 11 and 12, the defendants:

**GALO BENJAMIN FELICIANO,
and
JOSEPH RENE TORRES,**

- a. were 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].
- b. intentionally inflicted serious bodily injury that resulted in the death of the victim, Jesus Alvarez. [Title 18, United States Code, Section 3591(a)(2)(B)].
- c. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Jesus Alvarez, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(C)].
- d. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Jesus Alvarez, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)].
- e. the defendant Joseph Rene Torres has previously been convicted of a Federal or State offense punishable by a term of imprisonment of more than 1 year, involving the use or attempted or threatened use of a firearm against another person. [Title 18, United States Code, Section 3592(c)(2)].
- f. knowingly created a grave risk of death to one or more persons in the commission of the offense, in addition to Jesus Alvarez. [Title 18, United States Code, Section 3592(c)(5)]; and

g. committed the offense after substantial planning and premeditation to cause the death of Jesus Alvarez. [Title 18, United States Code, Section 3592(c)(9)].

6. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 13 and 14 of this Superseding Indictment and makes the following special findings as to Counts 13 and 14, the defendant:

JUAN BRISENO a/k/a “Tito,”

- a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].
- b. intentionally killed the victim, Latroy Howard. [Title 18, United States Code, Section 3591(a)(2)(A)].
- c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Latroy Howard. [Title 18, United States Code, Section 3591(a)(2)(B)].
- d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Latroy Howard, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(C)].
- e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Latroy Howard, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)]; and

f. committed the offense after substantial planning and premeditation to cause the death of Latroy Howard. [Title 18, United States Code, Section 3592(c)(9)].

A TRUE BILL:

/s/ Foreperson
FOREPERSON

DAVID CAPP
UNITED STATES ATTORNEY

By: /s/ David J. Nozick
David J. Nozick
Assistant United States Attorney