

*United States District Court
District of New Jersey*

UNITED STATES OF AMERICA : HON. MARK FALK
v. : **CRIMINAL COMPLAINT**
MELVIN GERENA : Magistrate No. 12-3749
a/k/a "Flaco" : Filed Under Seal

I, Jordan Benson, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. From at least as early as in and around November 2011 through on or about April 20, 2012, in Union County, in the District of New Jersey and elsewhere, defendant MELVIN GERENA did:

knowingly and intentionally conspire and agree with others to distribute and possess with intent to distribute 500 grams or more of cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), and

In violation of Title 21, United States Code, Section 846.

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHMENT A



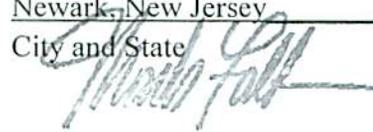
Jordan Benson
Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

December 7, 2012 at
Date

Newark, New Jersey
City and State

Honorable Mark Falk
United States Magistrate Judge



Signature of Judicial Officer

ATTACHMENT A

I, Jordan Benson, am a Special Agent with the Federal Bureau of Investigation ("FBI"). I am familiar with the facts set forth herein through my personal participation in the investigation and through oral and/or written reports from other federal agents and law enforcement officers. Where statements of others are related herein, they are related in substance and part. Since this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date and time, I am asserting that it took place on or about the date and time alleged.

I. Overview

1. Between on or about November 2011 and on or about November 30, 2012, law enforcement was involved in an investigation into a drug trafficking organization (DTO) operating in and around Elizabeth and Newark, New Jersey.

2. The DTO functioned, in part, by utilizing individuals operating in Puerto Rico and other locations to coordinate shipments of parcels containing kilogram quantities of cocaine and heroin through the U.S. mails to locations in Northern New Jersey, New York, Pennsylvania and Connecticut. Co-conspirators packaging the narcotics would conceal the narcotics in benign items such as candles and childrens toys, and then ship the narcotics to those areas. Individuals in New Jersey would coordinate these shipments, process or "cut" the narcotics upon receipt of the parcels, and distribute the narcotics to locations in New Jersey, Pennsylvania, Connecticut, Maryland and other locations.

3. As the investigation progressed through, among other things, the use of confidential sources, physical surveillance and judicially-authorized electronic surveillance, law enforcement in New Jersey identified Defendant MELVIN GERENA a/k/a "Flaco" as one of the individuals distributing cocaine on behalf of the DTO.

4. Subsequent physical surveillance and judicially-authorized electronic surveillance in New Jersey led law enforcement to identify Defendant MELVIN GERENA operating in and around the Elizabeth, New Jersey area.

II. The Controlled Purchase of 535 Grams of Cocaine in March 2012

5. In and around late February 2012, a confidential source with a history of reliability and credibility (the "CS"), working at the direction of the FBI, discussed and negotiated the purchase of approximately 550 grams of cocaine from MELVIN GERENA.

6. On or about March 1, 2012, while under audio and video surveillance by law enforcement, the CS arrived at a previously agreed location in Elizabeth, New Jersey, and was met by MELVIN GERENA and Roberto Rentas Negron a/k/a "El Duro" (hereinafter "El Duro")

to conduct the transaction. El Duro then provided the CS with approximately 485 grams of a substance that later tested positive for cocaine.

7. Following the transaction, the CS realized that El Duro had provided 485 grams instead of the previously agreed 550 grams of cocaine. The CS made several recorded phone calls to MELVIN GERENA, wherein the CS advised that the cocaine he purchased on March 1, 2012 was 65 grams less than the agreed amount. During those calls, MELVIN GERENA informed the CS that El Duro would be receiving a new shipment of cocaine and would provide the remaining amount. Thereafter, on March 19, 2012, El Duro provided the CS with an additional 50 grams of cocaine.

III. Controlled Delivery of a Parcel Containing 1 Kilogram of Cocaine

8. On April 20, 2012 federal and state law enforcement officials intercepted a parcel sent from Puerto Rico containing approximately 1 kilogram of cocaine addressed to "Elvin Gerena" at a residence in Elizabeth, New Jersey. An undercover law enforcement officer posing as a postal carrier knocked on the door and was greeted by MELVIN GERENA, who confirmed that the parcel was his and took possession of the parcel.