

12 MAG 957

Approved: Adam Fee

ADAM FEE

Assistant U.S. Attorney

Before: HON. JAMES C. FRANCIS  
United States Magistrate Judge  
Southern District of New York

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: SEALED COMPLAINT  
UNITED STATES OF AMERICA : Violations of 21 U.S.C.  
: §§ 812, 841(a)(1),  
- v. - : 841(b)(1)(C), and 846  
RAFAEL VARGAS, : COUNTY OF OFFENSE:  
RAFAEL VARGAS-TAVERAS, and : BRONX  
DORIS GUERRERO, :  
Defendants. :  
- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss.:

JASON BARRY, being duly sworn, deposes and says that he is Special Agent with the U.S. Drug Enforcement Administration ("DEA"), and charges as follows:

COUNT ONE

1. From at least in or about October 2011 through in or about April 2012, in the Southern District of New York and elsewhere, RAFAEL VARGAS, RAFAEL VARGAS-TAVERAS, and DORIS GUERRERO, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that RAFAEL VARGAS, RAFAEL VARGAS-TAVERAS, and DORIS GUERRERO, the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances involved in the offense were (i) mixtures and substances containing a detectable amount of oxycodone, a Schedule II controlled substance sold in a form commonly known as "Percocet," and (ii) mixtures and substances containing a detectable amount of alprazolam, a Schedule IV controlled substance sold in a form commonly known as "Xanax," all in violation of Title 21, United States Code, Section 841(b) (1) (C)

(Title 21, United States Code, Section 846.)

COUNT TWO

4. On or about January 26, 2012, in the Southern District of New York, RAFAEL VARGAS and RAFAEL VARGAS-TAVERAS, the defendants, did knowingly, and intentionally distribute and possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a) (1).

5. The controlled substance involved in the offense was a mixture and substance containing a detectable amount of oxycodone, in violation of 21 U.S.C. § 841(a) (1) and 841(b) (1) (C).

(Title 21, United States Code, Section 846.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

6. I have been a DEA Special Agent for approximately four and a half years. During that time, I have participated in numerous investigations of unlawful drug distribution. During the course of those investigations, I have conducted or participated in surveillance, drug transactions with confidential informants and undercover officers ("UCs"), the introduction of informants and UCs, the execution of search warrants, debriefings of informants, and reviews of taped conversations and drug records. Through my training, education, and experience, I have become familiar with the manner in which illegal drugs are imported and distributed; the way in which illegal drugs are prepared, packaged, and sold on the street; some of the methods of payment for such drugs; and some of the methods that are used to disguise the source and nature of the profits made by narcotics dealers.

7. I make this Affidavit in part on personal knowledge based on my participation in the investigation and on conversations with other DEA Special Agents and Task Force Officers ("TFOs"), and other law enforcement, including members of the New York City Police Department ("NYPD") and UCs; reviews of reports and other documents prepared by agents and others; and physical surveillance.

8. Throughout this Affidavit, where I assert that a statement was made, I was not the individual to whom the statement was made unless I specifically so state. Rather, information about the statement was provided by the specified law-enforcement officer (who may have had either direct or indirect knowledge of the statement) to whom I have spoken or whose reports I have read and reviewed. Such statements are among many statements made by others and they are set forth in substance and in part, unless otherwise indicated. Similarly, the information in this Affidavit resulting from surveillance, except where otherwise specifically indicated, does not set forth my personal observations, but rather was provided to me by other law-enforcement officers who observed the events described, and to whom I have spoken or whose reports I have read.

9. Furthermore, the facts and circumstances of this investigation have been summarized for the specific purposes of this Application. I have not attempted to set forth the complete factual history of this investigation or all of its details. In making this Application, I rely only on the facts stated herein.

#### Overview of the Investigation

10. Since in or about October 2011, the DEA, in conjunction with other law enforcement agencies, has been investigating a drug-trafficking organization (the "VARGAS DTO") that illegally sells and distributes various types of illicit pharmaceuticals, including pills containing the controlled substances oxycodone, sold in a form commonly known as "Percocet," and alprazolam, sold in a form commonly known as "Xanax," among other substances. Members of the VARGAS DTO distribute these drugs, in pill form, in response to mail, email and telephone orders placed by individuals without confirming or inquiring that such individuals have obtained prescriptions for the drugs, and also engaged in street-level sales of such narcotics. As discussed below, the DEA has learned, among other things, the following information during the course of its investigation:

a. The VARGAS DTO is led by RAFAEL VARGAS, the defendant, who operates his trafficking organization from several locations in the Bronx. RAFAEL VARGAS-TAVERAS and DORIS GUERRERO, the defendants, and others known and unknown, also participate in the activities of the VARGAS DTO in the Bronx, New York, and elsewhere. The VARGAS DTO uses two residences, among others, to conduct its illicit business: one in the vicinity of 181st Street in the Bronx, New York (the "181st Street Residence"), and another in the vicinity of 173rd Street in the Bronx (the "173rd Street Residence").

b. During the period at issue in this Complaint, the VARGAS DTO has been responsible for selling and distributing thousands of pills containing controlled substances to individuals throughout the United States, including shipments to New York, California, Montana, Arizona, and elsewhere.

c. As described in part below, nearly all of these shipments involve the VARGAS DTO sending pills that would otherwise be available only with a doctor's prescription but are sent or distributed by the VARGAS DTO directly to individuals in exchange for money.

d. The VARGAS DTO also uses a business entity identified alternately as "Global Matters" or "Global Matters Teleservices" to conduct its illicit drug trafficking business. As detailed in part below, VARGAS, and others associated with the VARGAS DTO, have opened bank accounts and shipping accounts in Global Matters' name, and used such accounts in furtherance of the narcotics trafficking conspiracy described herein.

#### Probable Cause

##### *Shipping and Bank Accounts Used By the VARGAS DTO*

11. Based on my review of United States Postal Service ("USPS") records, and my discussions with a Postal Inspector with the U.S. Postal Inspection Service ("Inspector-1"), I have learned the following:

a. RAFAEL VARGAS, the defendant, is the holder of a shipping account with the USPS (the "Vargas USPS Account"), which permits VARGAS to prepare and print USPS shipping labels from his personal computer. VARGAS opened the Vargas USPS Account under his own name, listed the company name as "Global Matter," and identified a particular cellphone ("VARGAS

Cellphone-1") as one of the telephone numbers associated with the Vargas USPS Account. From reviewing phone records, I have learned that VARGAS Cellphone-1 is subscribed to "Rafael Vargas" at an address in the vicinity of Blandon, Pennsylvania which, as discussed below, is also associated with RAFAEL VARGAS-TAVERAS, the defendant (the "VARGAS-TAVERAS PA Address").

b. VARGAS listed two mailing addresses for the Vargas USPS Account: the 181st Street Residence and the 173rd Street Residence.

c. Beginning in or about October 2011 through in or about March 23, 2012, VARGAS and others using the VARGAS USPS Account have sent nearly 800 parcels to locations throughout the United States, including the parcels discussed in this Complaint that were found to contain illicit narcotics. Each of these parcels sent using the Vargas USPS Account listed the shipper's address as one of two addresses: the 173rd Street Residence or the 181st Street Residence.

12. From reviewing bank records, I have learned the following:

a. RAFAEL VARGAS, the defendant, holds a business banking account with a particular bank ("VARGAS Bank Account-1"), for which he lists the account under the name "Rafael Vargas DBA Global Matter Teleservices," and identifies the business address for the company as the 181st Street Residence.

b. RAFAEL VARGAS and RAFAEL VARGAS-TAVERAS, the defendants, hold another business banking account with a second bank (the "VARGAS Bank Account-2"), for which they list the accountholder as "Rafael A Vargas," and the account title as "Rafael A Vargas-Taveras DBA Global Matter Teleservices."

#### *The January 2012 Transaction*

13. I have learned the following from another DEA Special Agent ("Agent-1") involved in this investigation:

a. At approximately 12:45 p.m. on or about January 26, 2012, a confidential source ("CS-1"<sup>1</sup>) assisting law

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<sup>1</sup> CS-1 has been working with the DEA for several years and is being paid for information. CS-1's information previously has

enforcement called RAFAEL VARGAS using a particular cellphone number ("VARGAS Cellphone-2"). Based on my review of phone records, I have learned that VARGAS Cellphone-2 is subscribed to an individual not named as a defendant herein, who is listed as residing at the 173rd Street Residence. According to CS-1, CS-1 has previously communicated with VARGAS by contacting the VARGAS Cellphone-2.

b. Agent-1 and other agents monitored the call between CS-1 and VARGAS, during which VARGAS agreed to sell CS-1 approximately 400 Percocet pills in exchange for \$4,800 in cash. CS-1 and VARGAS agreed to conduct this transaction in the parking lot (the "Parking Lot") of a restaurant located in the vicinity of Webster Avenue in the Bronx, New York.

c. On or about January 26, 2012, Agent-1 and other law enforcement agents were conducting surveillance at the Parking Lot.

d. At approximately 2:00 p.m., Agent-1 observed VARGAS approach CS-1 in the Parking Lot. VARGAS and CS-1 then entered a blue Honda minivan (the "Minivan"), which left the Parking Lot and drove onto Webster Avenue. The Minivan was being driven by another individual, later identified as RAFAEL VARGAS-TAVERAS, the defendant ("TAVERAS"). Agent-1 observed CS-1 exit the Minivan as it stopped in the vicinity of Webster Avenue and 173rd Street.

e. According to a task-force officer ("TFO-1") who was also conducting surveillance of the Minivan, after dropping off CS-1, the Minivan proceeded to a location in the vicinity of the 173rd Street Residence in the Bronx, where VARGAS exited the Minivan and entered the 173rd Street Residence. I have learned from reviewing public utility records for the 173rd Street Residence that, since in or about October 2010 through in or about March 2012, "Rafael A. Vargas" has been paying utility bills associated with that residence.

f. Agent-1 learned the following from another DEA Special Agent ("Agent-2"), who debriefed CS-1 following the meeting with VARGAS and TAVERAS, as well as from Agent-1's review of an audio recording made of the meeting by CS-1 using a recording device concealed on CS-1's body:

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proven reliable and been corroborated by independent investigation.

i. According to CS-1, in the Minivan, VARGAS asked CS-1 if CS-1 had the money. CS-1 stated that he had the money, and then handed approximately \$4,800 to VARGAS.

ii. VARGAS then told CS-1 that the pills were in a bag (the "Bag") behind a seat in the Minivan. CS-1 retrieved the Bag.

iii. The driver of the Minivan, later identified as RAFAEL VARGAS-TAVERAS, then drove the Minivan out of the Parking Lot. After driving a short distance, the driver later identified as TAVERAS stopped the Minivan, and CS-1 exited the vehicle carrying the Bag. As CS-1 was leaving the Minivan, VARGAS told CS-1 to call him again on VARGAS Cellphone-2 if CS-1 needed anything.

iv. CS-1 subsequently identified the driver of the Minivan as the individual depicted in a particular photograph. This photograph was taken from the driver's license of RAFAEL VARGAS-TAVERAS, the defendant.

f. Agent-1 recovered the Bag, and found that it contained approximately 400 pills. Subsequent laboratory tests confirmed that the pills contained in the Bag tested positive for the presence of oxycodone.

14. From my review of motor vehicle records relating to the Minivan, I have learned that the Minivan is registered to "Rafael Vargas-Taveras" at the VARGAS-TAVERAS PA Address discussed in paragraph 11(a).

15. On or about March 1, 2012, I spoke with CS-1 and learned the following:

a. According to CS-1, in or about March 2012, RAFAEL VARGAS, the defendant, spoke with CS-1 using VARGAS Cellphone-2.

b. On or about March 1, 2012, CS-1 again spoke with VARGAS, who was using VARGAS Cellphone-2, and discussed purchasing additional Percocet pills from VARGAS.

#### ***The Arizona Drug Shipments***

16. I have learned that the VARGAS DTO has distributed dozens of parcels containing pills to individuals in Arizona. Specifically, from speaking with another DEA Special

Agent ("Agent-3") and other law enforcement officers in Arizona, and reviewing reports and other documents prepared by the DEA, I have learned of the following illicit pill shipments made by the VARGAS DTO, among many others not described herein:

*October 14, 2011 Shipment*

a. In or about October 2011, a confidential source ("CS-2"<sup>2</sup>), who was working with the DEA, ordered approximately 95 Percocet pills from a co-conspirator not named as a defendant herein ("CC-1") who is associated with the VARGAS DTO.

b. On or about October 13, 2011, CC-1 told CS-2 that several parcels containing the requested pills had been sent using a major private shipping company ("Shipping Company-1"), and provided to CS-2 a tracking number for the parcels containing the pills.

c. On or about October 14, 2011, agents recovered the three parcels (the "October 14 Parcels") associated with the tracking number provided by CC-1, and found that the packages contained approximately 95 pills.

d. The three October 14 Parcels each listed the shipper's address as the 181st Street Residence. CS-2 was directed to send the payment for the pills contained in the October 14 Parcels to an individual not named as a defendant herein at the 181st Street Residence. Subsequent laboratory tests confirmed that the pills contained in the October 14 Parcels tested positive for the presence of oxycodone.

*October 28, 2011 Shipment*

e. In or about late October 2011, CS-2 ordered approximately 60 Percocet pills from CC-1, who provided CS-1 with a tracking number for a Shipping Company-1 parcel (the "October 28 Parcel") containing a portion of the requested pills.

f. On or about October 28, 2011, agents retrieved the October 28 Parcel, which listed the shipper as an

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<sup>2</sup> CS-2 has been providing information to the DEA for several months, and is working with the DEA in exchange for financial compensation. CS-2's information previously has been proven reliable and corroborated by independent investigation.



individual at the 181st Street Residence. Subsequent laboratory tests confirmed that the pills contained in the October 28 Parcel tested positive for the presence of oxycodone.

*December 23, 2011 Shipment*

g. In or about late December 2011, CS-2 ordered approximately 60 "Percocet" pills from another co-conspirator not named as a defendant herein ("CC-2"), who is associated with the VARGAS DTO.

h. On or about December 21, 2011, CC-2 directed CS-2 to send payment for the 60 pills to "Rafael Vargas" at the 181st Street Residence.

i. On or about December 21, 2011, CS-2 subsequently received a Shipping Company-1 parcel (the "December 21 Parcel"), which CS-2 forwarded to the DEA. The December 21 Parcel listed the shipper as "Rafael Vargas" and the shipper's address as the 181st Street Residence. Subsequent laboratory tests confirmed that the pills contained in the December 21 tested positive for the presence of oxycodone.

*December 28, 2011 Shipment*

j. In or about late December 2011, Agent-3, who was at this time working in an undercover capacity as an individual interested in acquiring large quantities of pharmaceuticals and distributing them to others, used email, text and phone communications to order approximately 100 "Percocet" pills from another co-conspirator not named as a defendant herein ("CC-3") who was associated with the VARGAS DTO.

k. On or about December 22, 2011, CC-3 told Agent-3 that the pills were on their way to the address provided by Agent-3, and gave Agent-3 a tracking number for the package containing the pills. On or about December 28, 2011, the USPS parcel (the "December 28 Parcel") bearing this same tracking number arrived at a USPS facility in Arizona. Another agent recovered the December 28 Parcel, and found that it contained approximately 100 pills.

l. The shipper of the December 28 Parcel was listed as "Rafael A. Vargas, Global Matter" at the 181st Street Residence and the 173rd Street Residence. The December 28

Parcel also listed the number assigned to VARGAS Cellphone-2 as the shipper's contact number.

m. Subsequent DEA lab tests have confirmed that the pills from the December 28 Parcel tested positive for the presence of oxycodone.

#### *The 2011 and 2012 GUERRERO Shipments*

n. On or about each of the following 12 dates, either CS-2 or Agent-3 or another DEA Special Agent, working in an undercover capacity, received parcels containing purported Percocet pills, after having negotiated the purchase of such pills from CC-2, CC-3 or other co-conspirators not named as defendants herein who are associated with the VARGAS DTO: November 4, 2011, November 10, 2011, November 22, 2011, November 28, 2011, December 2, 2011, December 28, 2012, January 12, 2012, January 13, 2012, January 18, 2012, January 25, 2012, February 29, 2012, and March 12, 2012 (collectively, the "GUERRERO Parcels").

o. Each of the GUERRERO Parcels (1) listed the shipper as "Doris Guerrero"; and (2) listed the shipping address as either the 181st Street Residence or a residence in the vicinity of Southern Boulevard in the Bronx, New York (the "Southern Boulevard Residence").

p. For nearly all of the transactions involving the GUERRERO Parcels, CS-2 or the undercover agent who ordered the pills was directed to send payment for the requested pills to "Doris Guerrero" at (1) the 181st Street Residence or (2) the Southern Boulevard Residence, and did so by sending money orders to the specified address.

q. For the remaining transactions involving the GUERRERO Parcels, CS-2 or the undercover agent who ordered the pills was directed to send payment for the requested pills to entities named "G-M" or "G-MATTER" either at (1) a residence in the vicinity of Sedgwick Avenue in the Bronx, New York (the "Sedgwick Avenue Residence"), or (2) the Southern Boulevard address, and did so by sending money orders to the specified address. I believe, based on my knowledge of this investigation, that "G-M" or "G-MATTER" refer to the entity "Global Matters," which is used by the VARGAS DTO to further its illicit drug trafficking activity.

r. For each of the GUERRERO Parcels - other than the parcels received on February 29 and March 29, 2012 - subsequent laboratory tests have confirmed that the pills contained in the parcels tested positive for the presence of oxycodone.

s. The test results for the pills seized from the parcels received on February 29 and March 12, 2012, are not yet available. However, I have learned from speaking with Agent-3 and reviewing relevant reports prepared by the DEA that the pills in these parcels are similar in size and appearance to those contained in the other GUERRERO Parcels that tested positive for the presence of oxycodone.

t. With respect to the parcels received on February 29, 2012 and March 12, 2012, each of these parcels listed a "Doris Guerrero" as the shipper as well as a particular phone number (the "GUERRERO Cellphone") for the shipper. Based on my review of phone records, I have learned that the GUERRERO Cellphone is a cellphone subscribed to "Doris Guerrero" at the Southern Boulevard Residence.

u. Based on my review of public utility records relating to the Southern Boulevard Residence, I have learned that, since in or about October 2004 through in or about March 2012, a "Doris Guerrero" has been listed as the sole individual paying utility bills associated with that residence.

17. From speaking with another DEA Special Agent ("Agent-4"), I have learned the following:

a. On or about March 29, 2012, Agent-4 visited the Southern Boulevard Residence.

b. On the door to the front entrance of the building in which the Southern Boulevard Residence is located, Agent-4 observed a hand-written sign (the "Sign") posted on the door that stated as follows: "Please [name of Shipping Company-1]!!!! If the door is close call me at [the call number assigned to the GUERRERO Cellphone], so I can come down and get the package!!!! Thank you!!!!"

c. The Sign also listed the apartment number for the Southern Boulevard Residence.

### *March 2012 Shipment*

18. From speaking with Agent-3 and other law enforcement officers in Arizona, and reviewing reports and other documents prepared by the DEA, I have learned the following:

a. In or about March 2012, another DEA Special Agent ("Agent-5") negotiated a purchase of approximately 100 Percocet pills from CC-2. CC-2 directed Agent-5, who was acting in an undercover capacity and communicating with CC-2 through email, phone and/or text message correspondence, to pay for the pills by making a bank deposit to VARGAS Bank Account-2. CC-2 also provided Agent-5 with a tracking number for the parcel containing the pills.

b. On or about March 20, 2012, Agent-5 received the parcel bearing the tracking number provided by CC-2 (the "March 20 Parcel"). The March 20 Parcel listed the shipper as "Doris Guerrero" and the shipper's address as the Southern Boulevard Residence. The March 20 Parcel listed the shipper's contact telephone as the GUERRERO Cellphone. As noted above, the GUERRERO Cellphone is subscribed to GUERRERO at the Southern Boulevard Residence.

### *The NYPD Transactions*

19. I have learned the following from speaking with a detective ("Detective-1") with the NYPD:

a. Beginning in or about October 2011 through in or about January 2012, an undercover officer ("UC-1") made a series of purchases of illicit pharmaceuticals from a co-conspirator not named as a defendant herein ("CC-4"), who is associated with the VARGAS DTO. During the course of his telephone conversations with UC-1, CC-4 identified himself as an employee of Global Matters.

b. During this period, UC-1 placed telephone orders from CC-4 for a total of approximately 215 Xanax pills and approximately 30 Percocet pills in three separate transactions. The three transactions occurred, respectively, on or about October 20, 2011, November 12, 2011, and January 19, 2012.

c. For the November 12, 2011 and January 19, 2012 transactions, CC-4 directed UC-1 to pay for the pills by

sending a money order or making a bank deposit into VARGAS Bank Account-2.

d. The pills sent to UC-1 in connection with the January 19, 2012 transaction were sent via Shipping Company-1. The parcel containing these pills listed the shipper as "Doris Guerrero," at the Southern Boulevard Residence.

e. Subsequent lab tests performed by the NYPD on the pills received by UC-1 in connection with these three transactions confirmed that the pills tested positive for the presence of oxycodone and alprazolam, which I know, based on my training and experience, to be a Schedule IV controlled substance commonly sold in the form of Xanax.

#### *Shipping Accounts Held By the VARGAS DTO*

20. I have learned the following from reviewing records maintained by Shipping Company-1:

a. In or about 2011, Shipping Company-1 had several active customer accounts that bore the name "Global Matters" or were otherwise associated with RAFAEL VARGAS, the defendant, and the VARGAS DTO.

b. In or about late 2011, Shipping Company-1 flagged an account held by "Doris Guerrero" (the "Guerrero Shipping Account") as being associated with illegal activity, and disabled the account user's ability to access the account online. The Guerrero Shipping Account lists a "Doris Guerrero" as the account user and the account address as the Southern Boulevard Residence.

f. On or about December 2, 2011, an individual identifying herself as "Doris" called Shipping Company-1 using the GUERRERO Cellphone, which, as noted above, is subscribed to a "Doris Guerrero" at the Southern Boulevard Residence. "Doris" identified herself as an employee of Global Matters, stated that she needed access to the account in order to ship herbs and pills to Global Matters' customers, and said that she was associated with Rafael Vargas.

g. In or about 2011, there were at least two other Shipping Company-1 customer accounts associated with "Global Matters" and the VARGAS DTO. The first such account lists the account user as "Rafael Vargas" at the 181st Street

Residence. The second lists the account user as "Global Matters" at the 181st Street Residence.

21. I have learned the following from my personal observations while conducting surveillance of the Southern Boulevard Residence and from speaking with other law enforcement officers who have participated in this investigation:

a. In or about March 2012, DEA agents observed an individual entering the building of the Southern Boulevard Residence who appears, based on the agents' review of a photograph from the driver's license of DORIS GUERRERO, the defendant, to be GUERRERO.

b. As noted above, DORIS GUERRERO, the defendant, is also linked to the Southern Boulevard Residence based on the following:

i. Public utility records list a "Doris Guerrero" as the sole billpayer for utility bills associated with the Southern Boulevard Residence from in or about October 2004 through in or about March 2012.

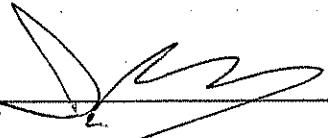
ii. The GUERRERO Cellphone used by a "Doris" to contact Shipping Company-1 on behalf of Global Matters and "Rafael Vargas" is subscribed to a "Doris Guerrero" at the Southern Boulevard residence. This same "Doris" told Shipping Company-1 that she needed to access the GUERRERO Shipping Account, held in the name of "Doris Guerrero" at the Southern Boulevard Residence, in order to send pills and herbs to customers of Global Matters.

iii. Agents observed a hand-written sign posted on the outer door of the building for the Southern Boulevard Residence, which listed the apartment number for the Southern Boulevard Residence and directed any delivery personnel for Shipping Company-1 to call the GUERRERO Cellphone in the event they had a delivery for the Southern Boulevard Residence.

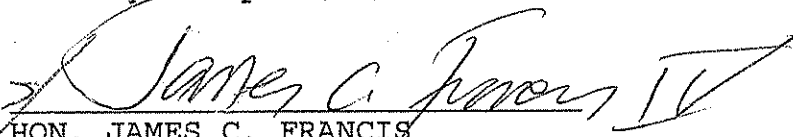
iv. From in or about November 2011 through in or about March 2012, a "Doris Guerrero" at the Southern Boulevard Residence has been (a) listed as the shipper of numerous parcels containing pills that later tested positive for the presence of oxycodone and/or alprazolam, and which fulfilled orders placed with co-conspirators associated with the VARGAS DTO; and (b) the recipient of numerous payments made in exchange for such shipments of pills.

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WHEREFORE, I respectfully request that RAFAEL VARGAS, RAFAEL VARGAS-TAVERAS, and DORIS GUERRERO, the defendants, be arrested, and imprisoned or bailed, as the case may be.

  
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JASON BARRY  
Special Agent  
Drug Enforcement Administration

Sworn to before me this  
9th day of April, 2012

  
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HON. JAMES C. FRANCIS  
United States Magistrate Judge  
Southern District of New York