

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JUAN JOSE VELIZ PINEDA,
a/k/a "Rocky,"

Defendant.

SEALED INDICTMENT

11 Cr 1055

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2010 through the present, in Honduras and elsewhere, JUAN JOSE VELIZ PINEDA, a/k/a "Rocky," the defendant, who will be arrested and first brought to the Southern District of New York, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree with others to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JUAN JOSE VELIZ PINEDA, a/k/a "Rocky," the defendant, and others known and unknown, would and did possess with the intent to distribute a controlled substance, to wit, five kilograms and more of a mixture and substance containing a detectable amount of cocaine, on board an aircraft owned by a United States citizen and registered in the United States, in violation of Sections 812, 959(b), and 960(b)(1)(B) of Title 21, United States Code.

OVERT ACTS

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt act, among others, was committed:

a. In or about June 2011, JUAN JOSE VELIZ PINEDA, a/k/a "Rocky," the defendant, coordinated the receipt of an airplane transporting over 400 kilograms of cocaine at an airstrip in Honduras.

(Title 21, United States Code, Sections 959(b) and 963, and Title 18, United States Code, Section 3238.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, JUAN JOSE VELIZ PINEDA, a/k/a "Rocky," the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense alleged in Count One of this Indictment.

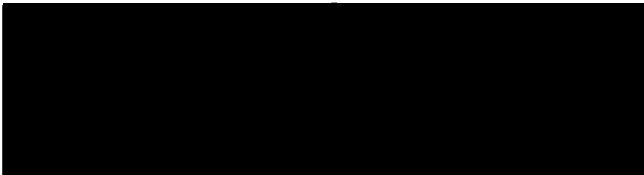
Substitute Asset Provision

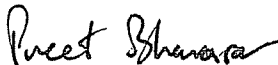
5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant -

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853 and 970.)




PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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- v -


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SEALED
INDICTMENT

21 U.S.C. § 963

PREET BHARARA
United States Attorney.



WARRANT FOR ARREST

United States District Court		DISTRICT SOUTHERN DISTRICT OF NEW YORK	
UNITED STATES OF AMERICA v. JUAN JOSE VELIZ PINEDA, a/k/a "Rocky"		DOCKET NO. 11 CRIM 1055	MAGISTRATE'S CASE NO.
WARRANT ISSUED ON THE BASIS OF: <input type="checkbox"/> Order of Court <input checked="" type="checkbox"/> Indictment <input type="checkbox"/> Information <input type="checkbox"/> Complaint		NAME AND ADDRESS OF INDIVIDUAL TO BE ARRESTED JUAN JOSE VELIZ PINEDA, a/k/a "Rocky"	
TO: ANY AUTHORIZED LAW ENFORCEMENT OFFICER		DISTRICT OF ARREST CITY	
YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the United States District Court to answer to the charge(s) listed below.			
DESCRIPTION OF CHARGES Narcotics Conspiracy			
IN VIOLATION OF	UNITED STATES CODE TITLE 21	SECTIONS 963	
BAIL	OTHER CONDITIONS OF RELEASE		
ORDERED BY THEODORE H. KATZ UNITED STATES MAGISTRATE JUDGE SOUTHERN DISTRICT OF NEW YORK	SIGNATURE (FEDERAL JUDGE/U.S. MAGISTRATE) <i>87 Theodore Katz</i>		DATE ORDERED DEC 12 2011
CLERK OF COURT	(BY) DEPUTY CLERK		DATE ISSUED
RETURN			
This warrant was received and executed with the arrest of the above-named person.			
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER	
DATE EXECUTED			

Note: The arresting officer is directed to serve the attached copy of the charge on the defendant at the time this warrant is executed.