

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** 09-570

v. : **DATE FILED:** December 16, 2009

HANSEL PEGUERO,
a/k/a Pablo Diaz-Rosario,
a/k/a Hansel Acevedo : **VIOLATIONS:**
: **21 U.S.C. § 841(a)(1) (distribution of heroin – 3 counts)**
: **21 U.S.C. § 860 (distribution of heroin within 1000 feet**
of a school - 2 counts)
: **21 U.S.C. § 841(a)(1) (possession with intent to**
distribute 100 grams or more of heroin – 1 count)
: **21 U.S.C. § 860 (possession with intent to**
distribute 100 grams or more of heroin within 1000 feet
: **of a school - 1 count)**
Notice of forfeiture

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about May 12, 2009, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

HANSEL PEGUERO,
a/k/a Pablo Diaz-Rosario,
a/k/a Hansel Acevedo,

knowingly and intentionally distributed a mixture and substance containing a detectable amount of
heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 3, 2009, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

**HANSEL PEGUERO,
a/k/a Pablo Diaz-Rosario,
a/k/a Hansel Acevedo,**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of
heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 3, 2009, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

**HANSEL PEGUERO,
a/k/a Pablo Diaz-Rosario,
a/k/a Hansel Acevedo,**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising the Francis Hopkinson Elementary School, a public elementary school, located at 4001 L Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 860.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 18, 2009, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

**HANSEL PEGUERO,
a/k/a Pablo Diaz-Rosario,
a/k/a Hansel Acevedo,**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of
heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 18, 2009, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

**HANSEL PEGUERO,
a/k/a Pablo Diaz-Rosario,
a/k/a Hansel Acevedo,**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising the Community Academy of Philadelphia Charter School, a public elementary and secondary school, located at 1100 East Erie Avenue in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 860.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 2, 2009, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

**HANSEL PEGUERO,
a/k/a Pablo Diaz-Rosario,
a/k/a Hansel Acevedo,**

knowingly and intentionally possessed with intent to distribute 100 grams or more, that is, approximately 146.5 grams, of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 2, 2009, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

**HANSEL PEGUERO,
a/k/a Pablo Diaz-Rosario,
a/k/a Hansel Acevedo,**

knowingly and intentionally possessed with intent to distribute 100 grams or more, that is, approximately 146.5 grams, of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising the Community Academy of Philadelphia Charter School, a public elementary and secondary school, located at 1100 East Erie Avenue in Philadelphia, Pennsylvania, and within 1000 feet of the real property comprising Francis Hopkinson Elementary School, a public elementary school, located at 4001 L Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 860.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1) and 860 set forth in this superseding indictment, defendant

**HANSEL PEGUERO,
a/k/a Pablo Diaz-Rosario,
a/k/a Hansel Acevedo,**

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses, including, but not limited to:

1993 Lexus (Pennsylvania registration no. GRF-8768)

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to:

2006 Ford F-150 Pick-up Truck (Pennsylvania, Registration YYB-7323)

2. If any of the property 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 party;
- (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 divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON



MICHAEL L. LEVY
United States Attorney