

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

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. _____</b>
<b>v.</b>	<b>:</b>	<b>DATE FILED: _____</b>
<b>JOSE VELAZQUEZ</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>NELSON ACOSTA</b>	<b>:</b>	<b>21 U.S.C. § 846 (conspiracy to possess with</b>
<b>ARTURO JAIMESPIMENTZ</b>	<b>:</b>	<b>intent to distribute heroin, cocaine and 50</b>
<b>LUIS PEREZ</b>	<b>:</b>	<b>grams or more of cocaine base (“crack”) -1</b>
	<b>:</b>	<b>count)</b>
	<b>:</b>	<b>21 U.S.C. § 841(a)(1), (b)(1)(A) (possession</b>
	<b>:</b>	<b>with intent to distribute 50 grams or more</b>
	<b>:</b>	<b>of cocaine base (“crack”) -1 count)</b>
	<b>:</b>	<b>21 U.S.C. § 841(a)(1), (b)(1)(C) (possession</b>
	<b>:</b>	<b>with intent to distribute cocaine - 1 count)</b>
	<b>:</b>	<b>21 U.S.C. § 841(a)(1), (b)(1)(C) (possession</b>
	<b>:</b>	<b>with intent to distribute heroin -1 count)</b>
	<b>:</b>	<b>21 U.S.C. § 841(a)(1), (b)(1)(C) (distribution</b>
	<b>:</b>	<b>of heroin -1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>
	<b>:</b>	<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about May 29, 2009, in Philadelphia in the Eastern District of Pennsylvania,  
defendants

**JOSE VELAZQUEZ,  
NELSON ACOSTA,  
ARTURO JAIMESPIMENTZ, and  
LUIS PEREZ**

knowingly and intentionally conspired and agreed, together and with other persons unknown to  
the grand jury, to distribute and possess with intent to distribute a mixture and substance

containing a detectable amount of heroin, a Schedule I controlled substance, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and 50 grams or more, that is, approximately 88.52 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, all in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), (b)(1)(C).

**MANNER AND MEANS**

2. Defendants JOSE VELAZQUEZ, NELSON ACOSTA, ARTURO JAIMESPIMENTZ, LUIS PEREZ and others unknown to the grand jury possessed cocaine, cocaine base (“crack”) and heroin with intent to distribute in the vicinity of 3465 Tampa Street in Philadelphia, Pennsylvania.

**OVERT ACTS**

In furtherance of the conspiracy, and to accomplish its object, defendants JOSE VELAZQUEZ, NELSON ACOSTA, ARTURO JAIMESPIMENTZ, LUIS PEREZ, and others unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania:

On or about May 29, 2009:

1. Defendants NELSON ACOSTA, ARTURO JAIMESPIMENTZ, JOSE VELAZQUEZ and LUIS PEREZ were inside of a house, located at 3465 Tampa Street, which contained cocaine, cocaine base (“crack”) and heroin, and paraphernalia for preparing, weighing and packaging controlled substances.

2. Defendants NELSON ACOSTA, ARTURO JAIMESPIMENTZ, LUIS

PEREZ were seated around a table in the kitchen of the house at 3465 Tampa Street packaging narcotics for sale. Atop the table was three clear bags containing bulk cocaine base (“crack”), 816 clear plastic packets containing cocaine base (“crack”), nine red tinted plastic packets containing cocaine, numerous new and unused empty red tinted plastic packets, a scale and one box of clear sandwich baggies.

3. Defendants NELSON ACOSTA, ARTURO JAIMESPIMENTZ, LUIS PEREZ were in the kitchen in which the cabinet beneath the kitchen sink contained two clear bags containing bulk heroin, two clear bags containing new and unused clear plastic packets, three stamp pads, five stamps with assorted imprints, including one stamp with the image of a gun, one strainer, one brown box of new and unused blue glassine packets, and one bag of black rubber bands, one grinder, and two cards containing narcotic residue.

4. Defendant JOSE VELAZQUEZ was at the same time in the 2<sup>nd</sup> floor front bedroom of the house located at 3465 Tampa Street with 200 blue glassine packets of heroin, each stamped with the image of a gun, and \$1,452 in cash.

All in violation of Title 21, United States Code, Sections 846 and 841(a)(1), (b)(1)(A) and (b)(1)(C).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 29, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JOSE VELAZQUEZ,  
NELSON ACOSTA,  
ARTURO JAIMESPIMENTZ, and  
LUIS PEREZ**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 50 grams or more, that is, approximately 88.52 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 29, 2009, in Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**JOSE VELAZQUEZ,  
NELSON ACOSTA,  
ARTURO JAIMESPIMENTZ, and  
LUIS PEREZ**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the  
possession with intent to distribute 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)(C), and  
Title 18, United States Code, Section 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 29, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JOSE VELAZQUEZ,  
NELSON ACOSTA,  
ARTURO JAIMESPIMENTZ, and  
LUIS PEREZ**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 28, 2009, in Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**JOSE VELAZQUEZ,**

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

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

## NOTICE OF FORFEITURE

1. As a result of the violations of Title 21, United States Code, Sections 846 and 841(a)(1),(b)(1)(A) and (b)(1)(B), set forth in this Indictment, defendants

**JOSE VELAZQUEZ,  
NELSON ACOSTA,  
ARTURO JAIMESPIMENTZ, and  
LUIS PEREZ**

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: and

(b) any property constituting, or derived from, any proceeds obtained directly or indirectly from the commission of such offenses.

2. If any of the property subject to forfeiture, as a result of any act or commission by 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 defendant up to the value of the property subject to forfeiture.

