

**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>RICARDO DIAZ ESQUILIN,</b> a/k/a "Diaz,"	<b>:</b>	<b>VIOLATIONS:</b>
<b>ADALBERTO NOBOA QUEZADA,</b> a/k/a "Noboa,"	<b>:</b>	<b>18 U.S.C. § 1951(a) (conspiracy to commit robbery, which interferes with interstate commerce - 1 count)</b>
<b>a/k/a "Gravy,"</b>	<b>:</b>	<b>21 U.S.C. § 846 (conspiracy to possess with intent to distribute 5 kilograms or more of cocaine - 1 count)</b>
<b>HAROLD MARTINEZ,</b> a/k/a "Jarol,"	<b>:</b>	<b>18 U.S.C. § 1951(a) (attempted robbery, which interferes with interstate commerce - 1 count)</b>
<b>JUNIOR GONZALEZ GONZALEZ,</b> a/k/a "Bori,"	<b>:</b>	<b>18 U.S.C. § 924(c) (possession of a firearm in furtherance of a violent crime and a drug trafficking crime - 1 count)</b>
<b>MANUEL JIMENEZ,</b> a/k/a "Sandy"	<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:**

**INTRODUCTION**

1. The illegal distribution, possession with intent to distribute, importation, manufacture, possession, and use of illegal narcotics and controlled substances affects interstate and foreign commerce as follows:

a. It has a substantial and detrimental effect on the health and general welfare of the American people;

b. A major portion of the traffic in illegal narcotics and controlled substances flows through interstate and foreign commerce. Incidents of the traffic which are not

an integral part of the interstate or foreign flow, such as manufacture, local distribution, and possession, nonetheless have a substantial and direct effect upon interstate commerce because many illegal narcotics and controlled substances: (i) after manufacture, these substances are transported in interstate commerce; (ii) such substances that are distributed locally usually have been transported in interstate commerce immediately before their distribution; and (iii) immediately prior to the possession of such substances, they commonly flow through interstate commerce.

c. Local distribution and possession of illegal narcotics and controlled substances contribute to swelling the interstate traffic in such substances.

d. Illegal narcotics and controlled substances manufactured and distributed intrastate cannot be differentiated from controlled substances manufactured and distributed interstate.

All as set forth in Title 21, United States Code, Section 801.

**THE CONSPIRACY**

2. From at least on or about August 9, 2009, through on or about September 16, 2009, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**RICARDO DIAZ ESQUILIN,  
a/k/a "Diaz,"  
ADALBERTO NOBOA QUEZADA,  
a/k/a "Noboa,"  
a/k/a "Gravy,"  
HAROLD MARTINEZ,  
a/k/a "Jarol,"  
JUNIOR GONZALEZ GONZALEZ,  
a/k/a "Bori," and  
MANUEL JIMENEZ,  
a/k/a "Sandy,"**

conspired and agreed together, and with others known and unknown to the grand jury, to commit robbery, which would unlawfully obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, in that defendants DIAZ ESQUILIN, NOBOA QUEZADA, MARTINEZ, GONZALEZ GONZALEZ, and JIMENEZ conspired to unlawfully take and obtain cocaine and cash proceeds from the illegal sale and possession of illegal narcotics and controlled substances, in the presence of others and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, all in violation of Title 18, United States Code, Section 1951(a), (b)(1), and (b)(3).

#### **MANNER AND MEANS**

It was a part of the conspiracy that:

3. The defendants were members of a robbery crew that traveled from the Bronx, New York to Philadelphia, Pennsylvania with the intent to commit violent home invasion robberies of drug “stash houses,” where narcotics traffickers stored their narcotics and other illegal controlled substances.

4. Members of the robbery crew learned from a Mexican member of a drug trafficking organization (the “DTO”) that the DTO would be delivering approximately 90 kilograms of cocaine to specific drug “stash houses” in the Philadelphia area. The Mexican member of the DTO also agreed to inform members of the robbery crew when the load of cocaine was en route to Philadelphia, and when the load of cocaine had arrived at the “stash house,” so that the robbery crew could break into the “stash house” and steal the cocaine and cash proceeds.

5. Members of the robbery crew acquired firearms and body armor to

overpower anyone guarding the cocaine and money inside the “stash houses.”

6. The robbery crew brought with them tools including bolt cutters, gloves, large screwdrivers, and a metal baseball bat to break into the “stash houses.”

7. Members of the robbery crew conducted surveillance on the target “stash houses.”

#### **Members of the Robbery Crew**

8. Defendant RICARDO DIAZ ESQUILIN, a/k/a “Diaz,” was the leader of the robbery crew.

9. Defendant ADALBERTO NOBOA QUEZADA, a/k/a “Noboa,” a/k/a “Gravy,” among other duties for the robbery crew, purchased tools for the planned robberies and recruited would-be robbers to the robbery crew for the planned robberies.

10. Defendant HAROLD MARTINEZ, a/k/a “Jarol,” among other duties for the robbery crew, served as a driver for the robbery crew and participated in a surveillance of a “stash house.”

11. Defendant JUNIOR GONZALEZ GONZALEZ, a/k/a “Bori,” among other duties for the robbery crew, participated in an attempted robbery of a “stash house” and stored firearms to be used in the robberies.

12. Defendant MANUEL JIMENEZ, a/k/a “Sandy,” among other duties for the robbery crew, conducted surveillance on the “stash houses,” both before the planned robberies and at the time of the planned robberies.

## OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants RICARDO DIAZ ESQUILIN, ADALBERTO NOBOA QUEZADA, HAROLD MARTINEZ, JUNIOR GONZALEZ GONZALEZ, and MANUEL JIMENEZ, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. On or about August 11, 2009, defendants RICARDO DIAZ ESQUILIN, ADALBERTO NOBOA QUEZADA, HAROLD MARTINEZ, and JUNIOR GONZALEZ GONZALEZ met in the Bronx, New York to plan a robbery of a drug “stash house” in Philadelphia.

2. On or about August 12, 2009, defendant ADALBERTO NOBOA QUEZADA purchased supplies to assist in conducting surveillance on a drug “stash house” in Philadelphia, and possessed body armor for use in conducting the planned robbery.

3. On or about August 13, 2009:

a. Defendants RICARDO DIAZ ESQUILIN and ADALBERTO NOBOA QUEZADA, and a person known to the grand jury (Person # 1), acquired two firearms for use in conducting the planned robbery.

b. Defendant NOBOA QUEZADA subsequently delivered the two firearms to defendant JUNIOR GONZALEZ GONZALEZ.

4. On or about August 15, 2009, defendant ADALBERTO NOBOA QUEZADA gave \$150 to Person # 1, whom the defendant was attempting to recruit to join the robbery plot, and instructed Person # 1 to purchase a cellular telephone with a Direct Connect

feature, meaning that it could function as a “walkie-talkie.”

5. On or about August 24, 2009, defendants RICARDO DIAZ ESQUILIN, ADALBERTO NOBOA QUEZADA, HAROLD MARTINEZ, and JUNIOR GONZALEZ GONZALEZ met in the Bronx, New York with Person # 1 to discuss how best to transport the firearms for the planned robbery to Philadelphia.

6. On or about August 27, 2009, defendant RICARDO DIAZ ESQUILIN, explained to Person # 1 how the robbery crew planned to rob the drug “stash house.”

7. On or about September 4, 2009, defendants RICARDO DIAZ ESQUILIN, HAROLD MARTINEZ, and JUNIOR GONZALEZ GONZALEZ, and others known to the grand jury, traveled from the Bronx, New York to Philadelphia, where they met with defendant MANUEL JIMENEZ to conduct surveillance of the drug “stash house.”

8. On or about September 12, 2009:

a. Defendants RICARDO DIAZ ESQUILIN, ADALBERTO NOBOA QUEZADA, and JUNIOR GONZALEZ GONZALEZ, and others known to the grand jury, traveled from the Bronx, New York to Philadelphia to commit a robbery of the drug “stash house,” located at 3936 North 5<sup>th</sup> Street, which the robbery crew believed contained 14 kilograms of cocaine.

b. Defendant MANUEL JIMENEZ conducted surveillance in the area of the stash house at 3936 North 5<sup>th</sup> Street in Philadelphia in a gray Nissan minivan.

9. On or about September 16, 2009:

a. Defendants RICARDO DIAZ ESQUILIN, ADALBERTO NOBOA QUEZADA, HAROLD MARTINEZ, and JUNIOR GONZALEZ GONZALEZ traveled in two

vehicles<sup>7</sup> from the Bronx, New York to Philadelphia, and transported with them a pair of bolt cutters, three pairs of black gloves, two long screw drivers and a metal baseball bat.

b. When they arrived in Philadelphia, they met with defendant MANUEL JIMENEZ to commit robberies of the drug “stash house” located at 3936 North 5<sup>th</sup> Street, and a second drug “stash house,” located at 7241 Bradford Street.

c. Defendant MANUEL JIMENEZ possessed a firearm, that is, a Smith and Wesson Magnum .357 caliber revolver, serial number CBJ 0822, to use in the robberies of the “stash houses.”

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY CHARGES FURTHER THAT:**

1. Paragraphs 1 and 8 through 12, and Overt Acts 1 through 9 of Count One of this indictment are incorporated here.

2. From on or about August 9, 2009 until on or about September 16, 2009, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendants

**RICARDO DIAZ ESQUILIN,  
a/k/a "Diaz,"  
ADALBERTO NOBOA QUEZADA,  
a/k/a "Noboa,"  
a/k/a "Gravy,"  
HAROLD MARTINEZ,  
a/k/a "Jarol,"  
JUNIOR GONZALEZ GONZALEZ,  
a/k/a "Bori,"and  
MANUEL JIMENEZ,  
a/k/a "Sandy,"**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally possess with intent to distribute five kilograms or more 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)(A)(ii).

**MANNER AND MEANS**

It was part of the conspiracy that:

3. Defendants RICARDO DIAZ ESQUILIN, ADALBERTO NOBOA QUEZADA, HAROLD MARTINEZ, JUNIOR GONZALEZ GONZALEZ, and MANUEL JIMENEZ, and others known and unknown to the grand jury, were members of a robbery crew that traveled from the Bronx, New York to Philadelphia, Pennsylvania to commit violent home

invasion robberies of drug “stash houses” maintained by narcotics traffickers in Philadelphia to steal, obtain, and possess for distribution kilograms of cocaine, along with cash proceeds from the sales of cocaine.

4. Members of the robbery crew learned from a Mexican member of a drug trafficking organization (the “DTO”) that the DTO would be delivering approximately 90 kilograms of cocaine to specific drug “stash houses” in the Philadelphia area. The Mexican member of the DTO also agreed to inform members of the robbery crew when the load of cocaine was en route to Philadelphia, and when the load of cocaine had arrived at the “stash house,” so that the robbery crew could break into the “stash house” and steal the cocaine and cash proceeds.

5. Members of the robbery crew acquired firearms and body armor so that they could overpower anyone guarding the cocaine and money inside the “stash houses.”

6. The robbery crew brought with them tools including bolt cutters, gloves, large screw drivers, and a metal baseball bat to break into the “stash houses.”

7. Members of the robbery crew also conducted surveillance on the target “stash houses.”

All in violation of Title 18, United States Code, Section 1951(a).

**COUNT THREE**

**THE GRAND JURY CHARGES FURTHER THAT:**

1. Paragraphs 1, and 3 through 12, and Overt Acts 1 through 9 of Count One of this indictment are incorporated here.

2. On or about September 16, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**RICARDO DIAZ ESQUILIN,  
a/k/a "Diaz,"  
ADALBERTO NOBOA QUEZADA,  
a/k/a "Noboa,"  
a/k/a "Gravy,"  
HAROLD MARTINEZ,  
a/k/a "Jarol,"  
JUNIOR GONZALEZ GONZALEZ,  
a/k/a "Bori," and  
MANUEL JIMENEZ,  
a/k/a "Sandy,"**

attempted, and aided and abetted the attempt, to obstruct, delay, and affect commerce, and the movement of articles and commodities in commerce, by robbery, in that, defendants RICARDO DIAZ ESQUILIN, ADALBERTO NOBOA QUEZADA, HAROLD MARTINEZ, JUNIOR GONZALEZ GONZALEZ, and MANUEL JIMENEZ attempted to unlawfully take and obtain, and aided and abetted the attempted taking and obtaining of, illegal narcotics and controlled substances and cash from a drug "stash house," located at 3936 North 5<sup>th</sup> Street in Philadelphia, in the presence of persons in the "stash house," by means of actual and threatened force, violence, and fear of injury, immediate and future to these persons.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**COUNT FOUR**

**THE GRAND JURY CHARGES FURTHER THAT:**

1. Paragraphs 1, and 3 through 12, and Overt Acts 1 through 9 of Count

One of this indictment are incorporated here.

2. On or about September 16, 2009, in Philadelphia, in the Eastern District of

Pennsylvania, defendants

**RICARDO DIAZ ESQUILIN,  
a/k/a "Diaz,"  
ADALBERTO NOBOA QUEZADA,  
a/k/a "Noboa,"  
a/k/a "Gravy,"  
HAROLD MARTINEZ,  
a/k/a "Jarol,"  
JUNIOR GONZALEZ GONZALEZ,  
a/k/a "Bori,"and  
MANUEL JIMENEZ,  
a/k/a "Sandy,"**

knowingly possessed a firearm, that is, a Smith and Wesson Magnum .357 caliber revolver, serial number CBJ 0822, in furtherance of a drug trafficking crime for which they may be prosecuted in a court of the United States, that is, conspiracy to possess with the intent to distribute cocaine, in violation of Title 21, United States Code, Section 846, and conspiracy to possess with intent to distribute 5 kilograms or more of cocaine, in violation of Title 21, United States Code, Section 846; and in furtherance of a violent crime for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with interstate commerce by robbery, in violation of Title 18, United States Code, Section 1951(a), and attempted robbery, which interferes with interstate commerce, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violation of Title 18, United States Code, Section 924(c)(1), set forth in this indictment, defendant

**MANUEL JIMENEZ,  
a/k/a "Sandy"**

shall forfeit to the United States of America all firearms and ammunition involved in the commission of such offense, including, but not limited to:

- (a) a Smith and Wesson Magnum .357 caliber revolver, serial number CBJ 0822, and
- (b) seven live rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

**A TRUE BILL:**

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**FOREPERSON**

  
**MICHAEL L. LEVY**  
United States Attorney