

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

**UNITED STATES OF AMERICA** : **CRIMINAL NO. 10-504**

**v.** : **DATE FILED: November 10, 2010**

**JOALEX BORGES-LOPEZ** : **VIOLATIONS:**

: **21 U.S.C. § 846 (conspiracy to distribute 5 kilograms or more of cocaine - 1 count)**

: **21 U.S.C. § 846 (attempted possession with intent to distribute 500 grams or more of cocaine - 1 count)**

: **21 U.S.C. § 841(a)(1) (possession with intent to distribute 500 grams or more of cocaine - 2 counts)**

: **21 U.S.C. § 860 (a) (possession with intent to distribute cocaine within 1000 feet of a playground - 1 count)**

: **18 U.S.C. § 2 (aiding and abetting)**

**SUPERSEDING INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. From at least in or about April 2010 through on or about June 25, 2010, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**JOALEX BORGES-LOPEZ**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute 5 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).

## **MANNER AND MEANS**

It was part of the conspiracy that:

2. Defendant JOALEX BORGES-LOPEZ traveled to Puerto Rico to obtain cocaine from suppliers known and unknown to the grand jury.
3. Defendant JOALEX BORGES-LOPEZ packaged the cocaine and paid Person #1 unknown to the grand jury (“Person #1”) to mail cocaine to Pennsylvania and Florida via the United States Mail.
4. Defendant JOALEX BORGES-LOPEZ and others known and unknown to the grand jury received the cocaine in Pennsylvania and Florida.
5. Defendant JOALEX BORGES-LOPEZ and others known and unknown to the grand jury distributed cocaine to persons known and unknown to the grand jury for resale.

## **OVERT ACTS**

In furtherance of the conspiracy, defendant JOALEX BORGES-LOPEZ and others known and unknown to the grand jury committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

On or about April 22, 2010:

1. Defendant JOALEX BORGES-LOPEZ traveled to Puerto Rico to purchase cocaine for resale.
2. Defendant JOALEX BORGES-LOPEZ caused a package containing approximately 1 kilogram of cocaine to be mailed from Puerto Rico to 1117 West Main Street, Norristown, Pennsylvania, via Express Mail.

3. On or about April 23, 2010, defendant JOALEX BORGES-LOPEZ picked up the package containing approximately 1 kilogram of cocaine from 1117 West Main Street, Norristown, Pennsylvania .

4. On or about April 28, 2010, defendant JOALEX BORGES-LOPEZ caused a package containing approximately 1 kilogram of cocaine to be mailed from Puerto Rico to an unidentified person at 706 Hillview Drive in Altamonte Springs, Florida, via Express Mail.

5. On or about May 17, 2010, defendant JOALEX BORGES-LOPEZ caused a package containing approximately 1 kilogram of cocaine to be mailed from Puerto Rico to 37 Jacoby Street, Norristown, Pennsylvania, via Express Mail.

6. On or about May 18, 2010, defendant JOALEX BORGES-LOPEZ picked up the package containing approximately 1 kilogram of cocaine from 37 Jacoby Street, Norristown, Pennsylvania.

7. On or about May 19, 2010, defendant JOALEX BORGES-LOPEZ caused a package containing approximately 1 kilogram of cocaine to be mailed from Puerto Rico to 906 Violet Street, Norristown, Pennsylvania, via Express Mail.

8. On or about May 20, 2010, defendant JOALEX BORGES-LOPEZ picked up the package containing approximately 1 kilogram of cocaine from 906 Violet Street, Norristown, Pennsylvania.

On or about June 1, 2010:

9. Defendant JOALEX BORGES-LOPEZ traveled to Puerto Rico to purchase cocaine for resale.

10. Defendant JOALEX BORGES-LOPEZ caused a package containing approximately 1 kilogram of cocaine to be mailed from Puerto Rico to 236 West Main Street, Norristown, Pennsylvania via Express Mail.

On or about June 2, 2010:

11. Defendant JOALEX BORGES-LOPEZ caused Person #2 known to the grand jury (“Person #2”) to pick up the package containing approximately 1 kilogram of cocaine from 236 West Main Street, Norristown, Pennsylvania.

12. Defendant JOALEX BORGES-LOPEZ caused a package containing approximately 1 kilogram of cocaine to be mailed from Puerto Rico to M.H., a person known to the grand jury, at 706 Hillview Drive in Altamonte Springs, Florida, via Express Mail.

13. On or about June 3, 2010, defendant JOALEX BORGES-LOPEZ caused a package containing approximately 1 kilogram of cocaine to be mailed from Puerto Rico to 709 West Airy Street, Norristown, Pennsylvania, via Express Mail.

On or about June 4, 2010:

14. M.H. signed for the package delivered to 706 Hillview Drive in Altamonte Springs, Florida, placed the package into his vehicle, and drove away with it.

15. Defendant JOALEX BORGES-LOPEZ picked up the package containing approximately 1 kilogram of cocaine from 709 West Airy Street, Norristown, Pennsylvania.

16. On or about June 18, 2010, defendant JOALEX BORGES-LOPEZ traveled to Puerto Rico to purchase cocaine for resale.

17. On or about June 23, 2010, defendant JOALEX BORGES-LOPEZ caused a package containing approximately 1.36 kilograms of cocaine to be mailed from Puerto Rico to 810 West Airy Street, Norristown, Pennsylvania via Express Mail.

18. On or about June 25, 2010, defendant JOALEX BORGES-LOPEZ picked up the package containing approximately 1.36 kilograms of cocaine from 810 West Airy Street, Norristown, Pennsylvania.

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

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 2, 2010, in Norristown, in the Eastern District of Pennsylvania,  
defendant

**JOALEX BORGES-LOPEZ**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 500 grams or more, that is approximately 1 kilogram, 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)(B), and Title 18, United States Code, Section 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 2, 2010, in Norristown, in the Eastern District of Pennsylvania,  
defendant

**JOALEX BORGES-LOPEZ**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 500 grams or more, that is, approximately 1 kilogram, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, within 1000 feet of the real property comprising the Crawford Playground, a public playground located at 342 West Main Street, Norristown, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 4, 2010, in Norristown, in the Eastern District of Pennsylvania,  
defendant

**JOALEX BORGES-LOPEZ**

knowingly and intentionally possessed with intent to distribute 500 grams or more, that is,  
approximately 1 kilogram, 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)(B).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 25, 2010, in Norristown, in the Eastern District of Pennsylvania, and elsewhere, defendant

**JOALEX BORGES-LOPEZ**

knowingly and intentionally attempted to possess with intent to distribute 500 grams or more, that is, approximately 1.36 kilograms, 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)(B).

In violation of Title 21, United States Code, Section 846.

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**ZANE DAVID MEMEGER**  
**United States Attorney**