

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

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____

v. : **DATE FILED:** November 3, 2010

ALEXANDER RIVERA, : **VIOLATIONS:**
a/k/a "Reds," : **21 U.S.C. § 846 (conspiracy to distribute**
DANIEL CORTEZ, : **280 grams or more of cocaine base**
a/k/a "Daniel Cortes," : **("crack"), cocaine, heroin, and**
a/k/a "Alicate," : **phencyclidine - 1 count)**
a/k/a "Al," : **21 U.S.C. § 841(a)(1) (distribution of**
CESAR BURGOS, : **50 grams or more of cocaine base ("crack")**
a/k/a "Bebe," : **- 2 counts)**
JOSE ALEQUIN, : **21 U.S.C. § 841(a)(1) (possession with**
a/k/a "Papito," : **intent to distribute 50 grams or more of**
MANUEL MAYSONET, : **cocaine base ("crack") - 1 count)**
a/k/a "Manuel Maysonel," : **21 U.S.C. § 841(a)(1) (possession with**
a/k/a "Manny," : **intent to distribute 28 grams or more of**
ANGEL RIVERA, : **cocaine base ("crack") - 1 count)**
a/k/a "Macho," : **21 U.S.C. § 841(a)(1) (possession with**
ALEXANDER SANTANA- : **intent to distribute 5 grams or more of**
SANTIAGO, : **cocaine base ("crack") - 1 count)**
a/k/a "Mario," : **21 U.S.C. § 841(a)(1) (possession with**
EDWIN GONZALEZ, : **intent to distribute 100 grams or more of**
a/k/a "Edwin Sitiriche," : **phencyclidine - 1 count)**
FERNANDO NIEVES, : **21 U.S.C. § 841(a)(1) (possession with**
a/k/a "Fern" : **intent to distribute cocaine base ("crack")**
PEDRO VEGA, : **- 1 count)**
a/k/a "Luis," : **21 U.S.C. § 841(a)(1) (distribution of**
VICTOR PAGAN : **cocaine base ("crack") - 5 counts)**
a/k/a "Vic" : **21 U.S.C. § 841(a)(1) (possession with**
ILEANA VIDAL, : **intent to distribute cocaine - 2 counts)**
a/k/a "Diana," : **21 U.S.C. § 841(a)(1) (distribution of**
IDA CARDONA : **cocaine - 1 count)**
a/k/a "Maria" : **21 U.S.C. § 841(a)(1) (possession with**
: **intent to distribute heroin - 1 count)**
: **21 U.S.C. § 841(a)(1) (distribution of**
: **heroin - 5 counts)**
: **21 U.S.C. § 841(a)(1) (possession with**
: **intent to distribute phencyclidine - 1 count)**
: **18 U.S.C. § 924(c) (possession of a firearm**
: **in furtherance of a drug trafficking crime -**
: **4 counts)**
: **18 U.S.C. § 2 (aiding and abetting)**
: **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about February 2006, to in or about September 2010, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ALEXANDER RIVERA,
a/k/a “Reds,”
DANIEL CORTEZ,
a/k/a “Daniel Cortes,”
a/k/a “Alicate,”
a/k/a “Al,”
CESAR BURGOS,
a/k/a “Bebe,”
JOSE ALEQUIN,
a/k/a “Papito,”
MANUEL MAYSONET,
a/k/a “Manuel Maysonel,”
a/k/a “Manny,”
ANGEL RIVERA,
a/k/a “Macho,”
ALEXANDER SANTANA-SANTIAGO,
a/k/a “Mario,”
EDWIN GONZALEZ,
a/k/a “Edwin Sitiriche,”
FERNANDO NIEVES,
a/k/a “Fern,”
PEDRO VEGA,
a/k/a “Luis,”
VICTOR PAGAN
a/k/a “Vic”
ILEANA VIDAL,
a/k/a “Diana,” and
IDA CARDONA
a/k/a “Maria,”**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute 280 grams or more 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); 500 grams or more of cocaine, a

Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B); heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C); and 100 grams or more of a mixture and substance containing a detectable amount of phencyclidine (“PCP”), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

MANNER AND MEANS

It was part of the conspiracy that:

The Alexander Rivera Narcotics Distribution Organization

2. Defendant ALEXANDER RIVERA ran the Alexander Rivera Narcotics Distribution Organization (“ARDO”) that operated in the Philadelphia, Pennsylvania metropolitan area and specifically in and around the intersection of Indiana Avenue and Lawrence Street and the 3200 block of North Randolph Street in North Philadelphia. Defendant ALEXANDER RIVERA obtained quantities of cocaine, heroin, and PCP from suppliers; employed workers to sell these drugs; and supplied drug customers.

3. Defendant ALEXANDER RIVERA “owned” or controlled the drug sales of cocaine, cocaine base (“crack”), heroin, and PCP in and around the intersection of Indiana Avenue and Lawrence Street in North Philadelphia.

4. Defendant ALEXANDER RIVERA employed workers to assist in the operation of the ARDO, including the following defendants and others known and unknown to the grand jury: DANIEL CORTEZ, CESAR BURGOS, JOSE ALEQUIN, MANUEL MAYSONET, ANGEL RIVERA, ALEXANDER SANTANA-SANTIAGO, FERNANDO NIEVES, PEDRO VEGA, EDWIN GONZALEZ and VICTOR PAGAN.

5. Defendant ALEXANDER RIVERA also used his wife, defendant ILEANA VIDAL, and mother-in-law, defendant IDA CARDONA, to assist him in the operation of the ARDO.

6. Defendants ALEXANDER RIVERA, DANIEL CORTEZ, CESAR BURGOS, JOSE ALEQUIN, MANUEL MAYSONEL, ANGEL RIVERA, ALEXANDER SANTANA-SANTIAGO, FERNANDO NIEVES, EDWIN GONZALEZ, PEDRO VEGA, VICTOR PAGAN, ILEANA VIDAL, and IDA CARDONA, and others known and unknown to the grand jury, met with each other and drug customers, to arrange the sale of cocaine, cocaine base (“crack”), heroin, and PCP in various quantities.

7. Defendants ALEXANDER RIVERA, DANIEL CORTEZ, CESAR BURGOS, JOSE ALEQUIN, MANUEL MAYSONET, ANGEL RIVERA, ALEXANDER SANTANA-SANTIAGO, FERNANDO NIEVES, EDWIN GONZALEZ, PEDRO VEGA, VICTOR PAGAN, ILEANA VIDAL, and IDA CARDONA, and others known and unknown to the grand jury, were responsible for cutting, packaging, storing, and selling quantities of cocaine, cocaine base (“crack”), heroin, and PCP to their customers.

8. Defendants ALEXANDER RIVERA, DANIEL CORTEZ, CESAR BURGOS, JOSE ALEQUIN, MANUEL MAYSONET, ANGEL RIVERA, ALEXANDER SANTANA-SANTIAGO, FERNANDO NIEVES, EDWIN GONZALEZ, PEDRO VEGA, VICTOR PAGAN, ILEANA VIDAL, and IDA CARDONA used vacant properties, and residences, in and around the intersection of Indiana Avenue and Lawrence Street to store and distribute cocaine, cocaine base (“crack”), heroin, and PCP to their customers, including the following properties:

- a. 3439 North F Street, Philadelphia, Pennsylvania, including garages 19 and 20;

- b. 2976-2980 North Leithgow Street, Philadelphia, Pennsylvania;
- c. 2971-2973 North Leithgow Street, Philadelphia, Pennsylvania;
- d. 2542 North 3rd Street, Philadelphia, Pennsylvania;
- e. 4143 Barnett Street, Philadelphia, Pennsylvania;
- f. 3439 North Palethorpe Street, Philadelphia, Pennsylvania;
- g. 3441 North Palethorpe Street, Philadelphia, Pennsylvania; and
- h. 2965 North Lawrence Street, Philadelphia, Pennsylvania.

9. Defendants ALEXANDER RIVERA, DANIEL CORTEZ, CESAR BURGOS, JOSE ALEQUIN, MANUEL MAYSONET, ANGEL RIVERA, ALEXANDER SANTANA-SANTIAGO, FERNANDO NIEVES, EDWIN GONZALEZ, PEDRO VEGA, VICTOR PAGAN, ILEANA VIDAL, and IDA CARDONA also used numerous vehicles to store, process, and distribute narcotics, including:

- a. a white Cadillac Escalade, VIN 3GYF66N53G210498;
- b. a white Buick Lucerne, VIN 1G4HP57296U160393;
- c. a black Audi A8, VIN WAULH64B44N075414; and
- d. a silver Mercedes Benz S550, VIN WDDNG71X67A057111.

Communication by and between members of the ARDO

10. Members of the ARDO routinely used cellular telephones:
- a. to arrange meeting locations to distribute narcotics to one another and others known and unknown to the grand jury;
 - b. to arrange meeting locations to distribute narcotics; and
 - c. to negotiate the price of narcotics, the dates the shipments of narcotics were to be delivered, and the locations where the transactions would occur.

11. The defendants and others known and unknown to the grand jury working on behalf of the ARDO, consistently used coded language when speaking over the telephone, and when completing drug transactions with customers, engaged in counter-surveillance actions, in order to thwart detection of their unlawful activities by law enforcement authorities.

Use of Violence to Protect Drug Territory

12. Defendants ALEXANDER RIVERA, DANIEL CORTES, MANUEL MAYSONET, VICTOR PAGAN and FERNANDO NIEVES, and others known and unknown to the grand jury, used guns, violence, and the threat of violence to protect and maintain the drug territory controlled by the ARDO.

13. Defendants ALEXANDER RIVERA, MANUEL MAYSONET, VICTOR PAGAN and FERNANDO NIEVES used firearms to protect and maintain their drug territory. In furtherance of this conspiracy, these defendants possessed:

- a. a Combat Exchange assault rifle, serial number 22004112;
- b. a Glock 17 9mm handgun, serial number BAA421;
- c. a Glock 32 .357 caliber handgun, serial number MKS551;
- d. a Heckler and Koch .45 caliber handgun, serial number 25-076708;
- e. a Rossi .44 caliber handgun, serial number AB064306;
- f. a Ruger GP100 .357 revolver, serial number 17070941;
- g. a Keltec 9mm handgun, serial number 131965;
- h. a Taurus 9 mm handgun, serial number TH 142273;
- i. a Savage Arms 12 gauge sawed off shotgun, with an obliterated serial number; and
- j. a Taurus 9mm handgun, with an obliterated serial number.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objectives, defendants ALEXANDER RIVERA, DANIEL CORTEZ, CESAR BURGOS, JOSE ALEQUIN, MANUEL MAYSONET, ANGEL RIVERA, ALEXANDER SANTANA-SANTIAGO, FERNANDO NIEVES, EDWIN GONZALEZ, PEDRO VEGA, VICTOR PAGAN, ILEANA VIDAL, and IDA CARDONA, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania, and elsewhere:

The ARDO Made Drug Sales Near the Intersection of Lawrence and Indiana

On or about May 1, 2007:

1. Person #1, known to the grand jury, approached defendant ALEXANDER RIVERA at the intersection of Fifth Street and Indiana Avenue in Philadelphia. Person #1 asked defendant ALEXANDER RIVERA to sell Person #1 bundles of crack cocaine or heroin.

2. Defendant ALEXANDER RIVERA told Person #1 he did not currently have any crack cocaine but could sell Person #1 bundles of heroin.

3. Defendant ALEXANDER RIVERA directed Person #1 to go speak to defendant DANIEL CORTEZ who sold Person #1 three bundles of heroin.

4. On or about October 7, 2007, defendant EDWIN GONZALEZ possessed four packets of cocaine base (“crack”) and seven packets of heroin.

5. On or about October 23, 2007, defendant EDWIN GONZALEZ possessed 23 packets of cocaine base (“crack”).

6. On or about September 13, 2008, defendant CESAR BURGOS possessed 26 packets of cocaine base (“crack”).

Between on or about April 8, 2009 and July 16, 2009:

7. On or about April 8, 2009, defendant MANUEL MAYSONET possessed two packets of heroin.

8. On or about April 9, 2009, defendant MANUEL MAYSONET possessed 38 packets of heroin.

9. On or about April 23, 2009, defendant MANUEL MAYSONET possessed 42 packets of heroin.

10. On or about July 4, 2009, defendant MANUEL MAYSONET possessed five packets of heroin, and five packets of cocaine base (“crack”).

11. On or about July 11, 2009, defendant MANUEL MAYSONET possessed 13 packets of heroin.

12. On or about July 16, 2009, defendant MANUEL MAYSONET possessed 36 packets of heroin.

Between on or about January 20, 2010 and January 22, 2010:

13. On or about January 20, 2010, Person #2, known to the grand jury, called defendant ALEXANDER RIVERA and asked to purchase 62 grams of cocaine.

14. On or about January 21, 2010, defendant ALEXANDER RIVERA and Person #2 met to discuss the purchase of cocaine. Defendant ALEXANDER RIVERA told Person #2 that he would “cook” the cocaine into crack cocaine and sell Person #2 62 grams of crack cocaine the next day.

15. On or about January 22, 2010, defendant ALEXANDER RIVERA sold Person #2 approximately 62 grams of crack cocaine.

On or about February 4, 2010:

16. Person #3, known to the grand jury, called defendant ALEXANDER RIVERA who offered to supply Person #3, with heroin. Defendant ALEXANDER RIVERA told Person #3 to come meet him.

17. Person #3 went to a garage controlled by defendant ALEXANDER RIVERA near the intersection of Leithgow Street and Indiana Avenue to discuss the acquisition of heroin. Defendant CESAR BURGOS was at the garage, as was Person #4, unknown to the grand jury.

18. Defendant CESAR BURGOS placed a telephone call to defendant ALEXANDER RIVERA who told defendant BURGOS to give Person #3 samples of two different types of heroin. On defendant BURGOS' instructions, Person #4 then gave Person #3 the samples of heroin.

On or about February 19, 2010:

19. Defendant MANUEL MAYSONET possessed approximately 13 jars of PCP oil.

20. Defendant MANUEL MAYSONET possessed a Rossi Model 720 .44 caliber handgun, serial number AB064306, loaded with five rounds of ammunition.

21. On or about March 11, 2010, defendant ALEXANDER RIVERA met with Person #1 and advised him that he was obtaining bundles of heroin for resale. RIVERA asked Person #1 if he could obtain PCP for resale, and suggested that he and Person #1 split the profits of such resale.

Between on or about April 13, 2010 and on or about April 16, 2010:

22. On or about April 13, 2010, defendant VICTOR PAGAN, and Person #5, and Person #6, both known to the grand jury, sold five bundles of crack cocaine to an undercover Philadelphia Police Officer in the area of 3400 North 2nd Street.

23. On or about April 16, 2010, defendant VICTOR PAGAN, Person #5, and Person #6, possessed, inside two stash houses located at 3439 and 3441 North Palethorpe Street:

- a. 234 packets of crack cocaine;
- b. a Ruger GP100 .357 revolver, serial number 17070941, loaded with two rounds of ammunition;
- c. a Keltec 9mm handgun, serial number 131965, loaded with ten rounds of ammunition;
- d. and a Taurus 9mm handgun, serial number TH142273, loaded with fifteen rounds of ammunition.

Between on or about May 20, 2010 and May 25, 2010:

24. On or about May 20, 2010, Person #2 called defendant ALEXANDER RIVERA to acquire 62 grams of crack cocaine. Defendant ALEXANDER RIVERA told Person #2 he did not have the crack cocaine and would need to drive to New Jersey to pick it up. Defendant ALEXANDER RIVERA told Person #2 he would call him back.

25. Over the next few days, defendant ALEXANDER RIVERA called Person #2 multiple times to complete the sale of 62 grams of crack cocaine.

26. On or about May 25, 2010, Person #2 and defendant ALEXANDER RIVERA spoke on the telephone. Defendant ALEXANDER RIVERA told Person #2 to come to defendant ALEXANDER RIVERA's mother-in-law's house to pick up the crack cocaine.

27. Later that day, Person #2 went to defendant ALEXANDER RIVERA's mother-in-law's house. There, defendant ALEXANDER RIVERA's mother-in-law, defendant IDA CARDONA, sold Person #2 approximately 62 grams of cocaine.

Between on or about June 2, 2010 and on or about June 4, 2010:

28. On or about June 2, 2010, Person #3 spoke to defendant ALEXANDER RIVERA on the telephone about purchasing two 125 gram quantities of crack cocaine. Defendant ALEXANDER RIVERA told Person #3 that he would charge \$4,000 for each 125 gram quantity of cocaine and \$300 to “cook” the cocaine into crack cocaine. Defendant ALEXANDER RIVERA and Person #3 agreed to meet on June 4, 2010 to complete the transaction.

29. On or about June 3, 2010, defendant ALEXANDER RIVERA called Person #3 on the telephone and asked him if he was still interested in purchasing the crack cocaine.

30. On or about June 4, 2010, defendant DANIEL CORTEZ called Person #3 on the telephone and told him that defendants ALEXANDER RIVERA and DANIEL CORTEZ were waiting for him at defendant ALEXANDER RIVERA’s mother-in-law’s house and that the crack cocaine was drying.

31. Person #3 then traveled to defendant ALEXANDER RIVERA’s mother-in-law’s house where he met defendants ALEXANDER RIVERA and DANIEL CORTEZ, who sold Person #3 approximately 145 grams of crack cocaine.

32. On or about July 8, 2010, defendant ALEXANDER RIVERA spoke to defendant ILEANA VIDAL on the telephone about firearms defendant ALEXANDER RIVERA kept in the residence they shared.

On or about July 12, 2010:

33. Defendant ALEXANDER RIVERA spoke to defendant EDWIN GONZALEZ on the telephone. During this call defendant ALEXANDER RIVERA asked defendant GONZALEZ if he had completed packaging a quantity of narcotics. Defendant GONZALEZ told defendant ALEXANDER RIVERA that he had only packaged part of the

quantity of narcotics, at which point defendant ALEXANDER RIVERA instructed defendant GONZALEZ how to package the remaining narcotics.

34. Later that day, defendant EDWIN GONZALEZ spoke to defendant ALEXANDER RIVERA on the telephone and asked defendant ALEXANDER RIVERA if he had retrieved drugs defendant GONZALEZ had packaged. Defendant ALEXANDER RIVERA responded that he had not retrieved the drugs, and would call defendant JOSE ALEQUIN to find out whether he had done so.

On or about July 16, 2010:

35. Defendant ALEXANDER RIVERA called defendant CESAR BURGOS to discuss re-supplying defendant BURGOS with crack cocaine. Defendant BURGOS asked defendant ALEXANDER RIVERA to have defendant JOSE ALEQUIN deliver defendant BURGOS crack cocaine.

36. Shortly thereafter, defendant CESAR BURGOS sold Person #7, known to the grand jury, one bundle of heroin and defendant BURGOS and defendant JOSE ALEQUIN sold Person #7 one bundle of crack cocaine.

37. On or about July 18, 2010, defendant ALEXANDER SANTANA-SANTIAGO called defendant ALEXANDER RIVERA to tell him that defendant SANTANA-SANTIAGO had spoken to one of defendant ALEXANDER RIVERA's narcotics suppliers and could not obtain additional narcotics.

On or about July 21, 2010:

38. Defendant CESAR BURGOS called defendant ALEXANDER RIVERA on the telephone and told defendant ALEXANDER RIVERA that he needed more crack cocaine to sell at the corner of Leithgow Street and Indiana Avenue. Defendant ALEXANDER RIVERA

told defendant BURGOS to call defendant JOSE ALEQUIN and see if defendant ALEQUIN had any crack cocaine.

39. Defendant CESAR BURGOS and defendant ANGEL RIVERA sold one bundle of crack cocaine to Person #7.

40. On or about July 21, 2010, defendant ALEXANDER RIVERA spoke to defendant PEDRO VEGA on the telephone and asked defendant VEGA to bring him a .357 caliber handgun.

On or about July 22, 2010:

41. Person #2 spoke to defendant ALEXANDER RIVERA on the telephone about buying two 125 grams quantities of cocaine for \$8,400.

42. Person #2 went to the home of defendant ALEXANDER RIVERA's mother-in-law at 3439 North F Street. When Person #2 arrived at the residence, defendant IDA CARDONA opened the door.

43. Upon entering the house, Person #2 saw that defendant ALEXANDER RIVERA had just finished "cooking" approximately one quarter-pound of crack cocaine that was drying on the kitchen table.

44. Later the same day, defendant ALEXANDER RIVERA called defendant MANUEL MAYSONET and asked him if had any drugs remaining. Defendant MAYSONET told defendant ALEXANDER RIVERA that he had just spoken to defendant EDWIN GONZALES and they were almost out of cocaine.

45. On or about July 28, 2010, defendants ALEXANDER RIVERA and ALEXANDER SANTANA-SANTIAGO met near the intersection of Leithgow Street and Indiana Avenue. As customers approached, defendant SANTANA-SANTIAGO retrieved drugs from inside a horse trailer parked on a vacant lot and engaged in numerous hand-to-hand sales.

46. On or about August 5, 2010, defendant PEDRO VEGA sold one bundle of crack cocaine and one bundle of heroin to Person #8, known to the grand jury.

On or about August 10, 2010:

47. Defendant ALEXANDER SANTANA-SANTIAGO sold one bundle of heroin to Person #9, known to the grand jury.

48. Later the same day, Person #10, known to the grand jury, went to the intersection of Leithgow Street and Indiana Avenue and asked defendant ALEXANDER RIVERA to sell him one bundle of heroin. Defendant ALEXANDER RIVERA directed Person #10 to speak with Person #11, a minor, known to the Grand Jury. Person #11 sold Person #10 one bundle of heroin for defendant ALEXANDER RIVERA.

On or about August 19, 2010:

49. Defendant ALEXANDER RIVERA spoke to defendant FERNANDO NIEVES on the telephone. During this call defendant NIEVES told defendant ALEXANDER RIVERA that he was trying to sell his remaining supply of narcotics so that he could pay defendant ALEXANDER RIVERA rent. Defendant NIEVES also told defendant ALEXANDER RIVERA that he would need an additional supply of narcotics in the near future. Defendant ALEXANDER RIVERA told defendant NIEVES that he would provide him an additional supply of narcotics.

50. Defendant FERNANDO NIEVES then traveled to the intersection of Indiana Avenue and North Leithgow Street to pick up drugs at the direction of defendant ALEXANDER RIVERA.

51. Defendant FERNANDO NIEVES possessed:

- a. ten bundles of cocaine;
- b. 100 grams or more of a mixture and substance containing PCP;

- c. 65 ounces of marijuana;
- d. a sawed-off Savage Arms twelve gauge shotgun with an obliterated serial number;
- e. one box of .22 caliber bullets;
- f. five boxes of 7.62 caliber bullets;
- g. one box of .380 caliber bullets; and
- h. one box of 9mm bullets.

52. On or about August 26, 2010, defendant ALEXANDER SANTANA-SANTIAGO sold one bundle of heroin to Person # 9, known to the grand jury.

On or about September 7, 2010:

53. At 4143 Barnett Street, defendant ALEXANDER RIVERA possessed:

- a. a Glock 32 .357 caliber handgun, with 13 live rounds of ammunition;
- b. a Glock 17 9mm handgun with 18 live rounds of ammunition;
- c. an HK .45 caliber handgun, with two magazine, loaded with 10 and 12 live rounds of ammunition, respectively;
- d. a box containing 46 live rounds of .357 caliber ammunition; and
- e. approximately \$19,023 in cash.

54. At 3439 F Street, defendant ALEXANDER RIVERA possessed:

- a. an Combat Exchange assault rifle;
- b. a Taurus 9mm handgun, with an obliterated serial number;
- c. a box containing 12 rounds of .44 caliber ammunition;
- d. numerous rounds of loose ammunition;
- e. two clear baggies and 728 packets containing cocaine base

(“crack”); and

f. three clear baggies and 390 packets containing cocaine.

55. At 2965 North Lawrence Street, defendants ALEXANDER RIVERA and ALEXANDER SANTANA-SANTIAGO possessed:

a. 78 packets containing cocaine base (“crack”); and

b. 40 packets containing heroin.

The ARDO Acquired Drugs from Suppliers

Between on or about July 21, 2010 and July 22, 2010:

56. On or about July 21, 2010, defendant ALEXANDER RIVERA spoke to Person #12, unknown to the grand jury, on the telephone and asked to purchase 125 grams of cocaine.

57. On or about July 22, 2010, defendant ALEXANDER RIVERA spoke to Person #12 on the telephone, and asked him how much a quantity of cocaine cost. Person #12 told RIVERA that it cost \$4,000.

58. Moments later, defendant ALEXANDER RIVERA called defendant MANUEL MAYSONET and told him to deliver \$4,000 to Person #12.

59. Later that night defendant MANUEL MAYSONET went to Person #12’s house and picked up the cocaine.

On or about July 26, 2010:

60. Defendant ALEXANDER RIVERA spoke to defendant FERNANDO NIEVES on the telephone about acquiring more drugs. During this phone call, defendant NIEVES told defendant ALEXANDER RIVERA that he was almost out of narcotics to sell, and requested that defendant ALEXANDER RIVERA resupply him.

61. Later that day, defendant ALEXANDER RIVERA spoke to defendant PEDRO VEGA on the telephone. During this call defendant ALEXANDER RIVERA told defendant VEGA that he wanted defendant VEGA to assist him in locating narcotics for re-sale, and defendant VEGA told defendant ALEXANDER RIVERA he would attempt to contact his sources in New York to purchase drugs.

62. On or about August 10, 2010:

63. On or about August 10, 2010, defendant DANIEL CORTEZ spoke to defendant ALEXANDER RIVERA on the telephone. During this call defendant CORTEZ told defendant ALEXANDER RIVERA he is waiting for an unnamed drug supplier to bring him a quantity of narcotics. Defendant ALEXANDER RIVERA told defendant CORTEZ that he was waiting for defendant CESAR BURGOS to provide him with money to purchase additional narcotics.

64. Defendants ALEXANDER RIVERA, DANIEL CORTEZ, CESAR BURGOS and ILEANA VIDAL met outside defendant ALEXANDER RIVERA's horse stable on the 2900 block of North Leithgow Street.

65. Defendant DANIEL CORTEZ met with Person #13 and Person #14, both known to the grand jury, who were sitting inside a green Acura and handed defendant CORTEZ a dark colored object from the passenger side of the vehicle.

66. On or about August 25, 2010, defendant ALEXANDER RIVERA called Person #12 to discuss the acquisition of narcotics. At the conclusion of this call, Person #12 told defendant ALEXANDER RIVERA he would deliver a quantity of narcotics.

On or about August 26, 2010:

67. Defendant ALEXANDER RIVERA spoke on the telephone to Person #12 about paying for a quantity of narcotics.

68. Defendant ALEXANDER RIVERA called defendant ILEANA VIDAL and told her to bring him \$4,000.

69. Defendant ILEANA VIDAL drove to the residence she shared with defendant ALEXANDER RIVERA. At the house, defendant VIDAL picked up the \$4,000, and then drove to the intersection of Leithgow Street and Indiana Avenue where she gave defendant ALEXANDER RIVERA the money.

70. On or about August 30, 2010, defendant ALEXANDER RIVERA called Person #13 and discussed the possible acquisition of liquid cocaine being smuggled into the United States from Colombia.

The ARDO Engaged in Violence to Protect its Drug Territory

71. In or about September 2006, defendant ALEXANDER RIVERA was engaged in a dispute with a rival drug dealer.

72. On or about September 26, 2006, defendant ALEXANDER RIVERA exchanged gunfire with this rival drug dealer. During this exchange, defendant ALEXANDER RIVERA shot an innocent bystander.

73. On or about August 14, 2007, defendant DANIEL CORTEZ, and Person #15 and Person #16, both known to the grand jury, kidnaped and tortured a man who defendant ALEXANDER RIVERA money relating to a drug transaction.

74. On or about December 24, 2009, defendant ALEXANDER RIVERA and defendant CESAR BURGOS hired Person #17, known to the grand jury, to shoot a rival drug dealer.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 1 through 3 of Count One of this indictment are incorporated here.

2. On or about May 1, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ALEXANDER RIVERA,
a/k/a “Reds,” and
DANIEL CORTEZ,
a/k/a “Daniel Cortes,”
a/k/a “Alicate,”
a/k/a “Al,”**

distributed, and aided and abetted the distribution 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 THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 13 through 15 of Count One of this indictment are incorporated here.

2. On or about January 22, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALEXANDER RIVERA,
a/k/a “Reds,”**

distributed 50 grams or more, that is approximately 62 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).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 16 through 18 of Count One of this indictment are incorporated here.

2. On or about February 4, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ALEXANDER RIVERA,
a/k/a “Reds,” and
CESAR BURGOS,
a/k/a “Bebe,”**

distributed, and aided and abetted the distribution 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 FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 19 and 20 of Count One of this indictment are incorporated here.

2. On or about February 19, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MANUEL MAYSONET,
a/k/a “Manuel Maysonel,”
a/k/a “Manny,”**

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of phencyclidine (“PCP”), a Schedule II controlled substance.

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

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 19 and 20 of Count One of this indictment are incorporated here.

2. On or about February 19, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MANUEL MAYSONET,
a/k/a “Manuel Maysonel,”
a/k/a “Manny,”**

knowingly possessed a firearm, that is, a Rossi Model 720 .44 caliber handgun, serial number AB06306 loaded with five rounds of ammunition, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, conspiracy to distribute controlled substances, in violation of Title 21, United States Code, Section 846; and possession with intent to distribute phencyclidine (“PCP”), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

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

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 22 and 23 of Count One of this indictment are incorporated here.

2. On or about April 13, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**VICTOR PAGAN,
a/k/a “Vic,”**

distributed, and aided and abetted the distribution 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)(C), and Title 18, United States Code, Section 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 22 and 23 of Count One of this indictment are incorporated here.

2. On or about April 16, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**VICTOR PAGAN,
a/k/a “Vic,”**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 5 grams or more, that is, approximately 13.89 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)(B), and Title 18, United States Code, Section 2.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 22 and 23 of Count One of this indictment are incorporated here.

2. On or about April 16, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**VICTOR PAGAN,
a/k/a “Vic,”**

knowingly possessed a firearm, that is:

- a. a Ruger GP100 .357 revolver, serial number 17070941;
- b. a Keltec 9mm handgun, serial number 131965; and
- c. a Taurus 9mm handgun, serial number TH142273;

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, conspiracy to distribute controlled substances, in violation of Title 21, United States Code, Section 846; and possession with intent to distribute cocaine base (“crack”), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

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

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 24 through 27 of Count One of this indictment are incorporated here.

2. On or about May 25, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ALEXANDER RIVERA,
a/k/a “Reds,” and
IDA CARDONA
a/k/a “Maria”**

distributed, and aided and abetted the distribution 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 ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 11, and Overt Acts 28 through 31 of Count One of this indictment are incorporated here.

2. On or about June 4, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALEXANDER RIVERA,
a/k/a “Reds,” and
DANIEL CORTEZ,
a/k/a “Daniel Cortes,”
a/k/a “Alicate,”
a/k/a “Al,”**

distributed, and aided and abetted the distribution of, 50 grams or more, that is approximately 133 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 TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 35 and 36 of Count One of this indictment are incorporated here.

2. On or about July 16, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**CESAR BURGOS,
a/k/a "Bebe,"**

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).

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 35 and 36 of Count One of this indictment are incorporated here.

2. On or about July 16, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**CESAR BURGOS,
a/k/a “Bebe,”and
JOSE ALEQUIN,
a/k/a “Papito,”**

distributed, and aided and abetted the distribution 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)(C), and Title 18, United States Code, Section 2.

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 38 and 39 of Count One of this indictment are incorporated here.

2. On or about July 21, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**CESAR BURGOS,
a/k/a “Bebe,” and
ANGEL RIVERA,
a/k/a “Macho,”**

distributed, and aided and abetted the distribution 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)(C), and Title 18, United States Code, Section 2.

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 41 through 44 of Count One of this indictment are incorporated here.

2. On or about July 22, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALEXANDER RIVERA,
a/k/a “Reds,”**

knowingly and intentionally possessed with intent to distribute, 50 grams or more, that is approximately 125 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).

COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Act 46 of Count One of this indictment are incorporated here.

2. On or about August 5, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**PEDRO VEGA,
a/k/a "Luis,"**

distributed 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)(C).

COUNT SEVENTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Act 46 of Count One of this indictment are incorporated here.

2. On or about August 5, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**PEDRO VEGA,
a/k/a "Luis,"**

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 EIGHTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 47 and 48 of Count One of this indictment are incorporated here.

2. On or about August 10, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALEXANDER SANTANA-SANTIAGO,
a/k/a “Mario,”**

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 NINETEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 49 through 51 of Count One of this indictment are incorporated here.

2. On or about August 19, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**FERNANDO NIEVES,
a/k/a “Fern,”**

knowingly and intentionally possessed with intent to distribute 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).

COUNT TWENTY

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 49 through 51 of Count One of this indictment are incorporated here.

2. On or about August 19, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**FERNANDO NIEVES,
a/k/a “Fern,”**

knowingly and intentionally possessed with intent to distribute a mixture and substance containing 100 grams or more of a mixture and substance containing phencyclidine (“PCP”), a Schedule II controlled substance.

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

COUNT TWENTY-ONE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 49 through 51 of Count One of this indictment are incorporated here.

2. On or about August 19, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**FERNANDO NIEVES,
a/k/a “Fern,”**

knowingly possessed a firearm, that is, a sawed-off Savage Arms 12-gauge shotgun with an obliterated serial number, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, conspiracy to distribute controlled substances, in violation of Title 21, United States Code, Section 846; and possession with intent to distribute cocaine and PCP, Schedule II controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

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

COUNT TWENTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Act 52 of Count One of this indictment are incorporated here.

2. On or about August 26, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALEXANDER SANTANA-SANTIAGO,
a/k/a “Mario,”**

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 TWENTY-THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 53 through 55 of Count One of this indictment are incorporated here.

2. On or about September 7, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALEXANDER RIVERA,
a/k/a “Reds,”**

knowingly and intentionally possessed with intent to distribute 28 grams or more, that is, approximately 54.075 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)(B).

COUNT TWENTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 53 through 55 of Count One of this indictment are incorporated here.

2. On or about September 7, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALEXANDER RIVERA,
a/k/a “Reds,”**

knowingly and intentionally possessed with intent to distribute 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).

COUNT TWENTY-FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Act 55 of Count One of this indictment are incorporated here.

2. On or about September 7, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALEXANDER RIVERA,
a/k/a “Reds,”and
ALEXANDER SANTANA-SANTIAGO,
a/k/a “Mario,”**

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 base (“crack”), 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 TWENTY-SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Act 55 of Count One of this indictment are incorporated here.

2. On or about September 7, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALEXANDER RIVERA,
a/k/a “Reds,”and
ALEXANDER SANTANA-SANTIAGO,
a/k/a “Mario,”**

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 TWENTY-SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 13, and Overt Acts 53 through 55 of Count One of this indictment are incorporated here.
2. On or about September 7, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALEXANDER RIVERA,
a/k/a “Reds,”**

knowingly possessed a firearm, that is:

- a. a Combat Exchange assault rifle, serial number 22004112;
- b. a Glock 32 9mm handgun, serial number baa421;
- c. a Glock 17 .357 caliber handgun, serial number mks551;
- d. a Heckler and Koch .45 caliber handgun, serial number 25- 76708;
and
- e. a Taurus 9 mm handgun, with an obliterated serial number;

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, conspiracy to distribute controlled substances, in violation of Title 21, United States Code, Section 846; and distribution of heroin, a Schedule I controlled substance, and cocaine and cocaine base (“crack”), Schedule II controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

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

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 846, set forth in this indictment, defendants

**ALEXANDER RIVERA,
a/k/a "Reds,"
DANIEL CORTEZ,
a/k/a "Daniel Cortes,"
a/k/a "Alicate,"
a/k/a "Al,"
CESAR BURGOS,
a/k/a "Bebe,"
JOSE ALEQUIN,
a/k/a "Papito,"
MANUEL MAYSONET,
a/k/a "Manuel Maysonel,"
a/k/a "Manny,"
ANGEL RIVERA,
a/k/a "Macho,"
ALEXANDER SANTANA-SANTIAGO,
a/k/a "Mario,"
EDWIN GONZALEZ,
a/k/a "Edwin Sitiriche,"
FERNANDO NIEVES,
a/k/a "Fern,"
PEDRO VEGA,
a/k/a "Luis,"
VICTOR PAGAN,
a/k/a "Vic,"
ILEANA VIDAL,
a/k/a "Diana," and
IDA CARDONA,
a/k/a "Maria,"**

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 violations, including but not limited to:

- i. a Combat Exchange assault rifle, serial number 22004112;
- ii. a Glock 9mm handgun, serial number BAA421;

- iii. a Glock .357 caliber handgun, serial number MKS551;
- iv. a Heckler and Koch .45 caliber handgun, serial number 25-076708;
- v. a Rossi .44 caliber handgun, serial number AB064306;
- vi. a Ruger GP100 .357 revolver, serial number 17070941;
- vii. a Keltec 9mm handgun, serial number 131965;
- vii. a Taurus 9 mm handgun, serial number TH 142273;
- viii. a Savage Arms 12 gauge sawed off shotgun, with an obliterated serial number;
- ix. a Taurus 9mm handgun, with an obliterated serial number;
- x. 3439 North F Street, Philadelphia, Pennsylvania, including garages 19 and 20;
- xi. 2976-2980 North Leithgow Street, Philadelphia, PA;
- xii. 2971-2973 North Leithgow Street, Philadelphia, PA;
- xiii. 2542 North 3rd Street, Philadelphia, PA;
- xiv. 4143 Barnett Street, Philadelphia, PA;
- xv. 3439 North Palethorpe Street, Philadelphia, PA;
- xvi. 3441 North Palethorpe Street, Philadelphia, PA;
- xvii. 2965 North Lawrence Street
- xviii. a white Cadillac Escalade, VIN 3GYF66N53G210498;
- xix. a white Buick Lucerne, VIN 1G4HP57296U160393;
- xx. a black Audi A8, VIN WAULH64B44N075414; and
- xxi. a silver Mercedes Benz S550, VIN DDNG71X67A057111.

2. If any of the property described above as being subject to forfeiture, as a result of any act of omission of the defendants:

- (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 intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

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

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

**ALEXANDER RIVERA,
a/k/a "Reds,"**

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

- a. a Combat Exchange assault rifle, serial number 22004112;
 - b. a Glock 32 9mm handgun, serial number baa421;
 - c. a Glock 17 .357 caliber handgun, serial number mks551;
 - d. a Heckler and Koch 45 caliber handgun, serial number 25-076708;
- and
- e. a Taurus 9 mm handgun, with an obliterated serial number.

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

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

**MANUEL MAYSONET,
a/k/a “Manuel Maysonel,”
a/k/a “Manny,”**

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

- a. a Rossi Model 720 .44 caliber handgun, serial number AB06306 .

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

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

**VICTOR PAGAN,
a/k/a “Vic,”**

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

- a. a Ruger GP100 .357 revolver, serial number 17070941;
- b. a Keltec 9mm handgun, serial number 131965; and
- c. a Taurus 9mm handgun, serial number TH142273.

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

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

**FERNANDO NIEVES,
a/k/a “Fern,”**

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

- a. a sawed-off Savage Arms 12-gauge shotgun with an obliterated serial number.

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

A TRUE BILL:

GRAND JURY FOREPERSON

ZANE DAVID MEMEGER
United States Attorney