

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
MARK BENZENHAFFER	:	VIOLATIONS:
GRANT LYONS	:	
JAMES GALLAGHER	:	21 U.S.C. § 846 (conspiracy to distribute
MICHAEL DOEBLEY,	:	and possession with intent to distribute
a/k/a “Mev,”	:	five kilograms or more of cocaine - 1
ZACHARY DAVIS	:	count)
JAVIER DIAZ,	:	21 U.S.C. § 841(a)(1) (possession with
a/k/a “Jay,”	:	intent to distribute 500 grams or more of
JOSE ANGEL RAMIREZ,	:	cocaine - 4 counts)
a/k/a “Angel,”	:	21 U.S.C. § 841(a)(1) (distribution of
JOSE RICARDO RAMIREZ,	:	500 grams or more of cocaine - 1 count)
a/k/a “Ricky,”	:	21 U.S.C. § 846 (attempted possession
AARON DALE ROBINSON	:	with intent to distribute
JOSE MUNOZ	:	500 grams or more of cocaine - 1 count)
SUZANNA VOELKER	:	18 U.S.C. § 924(c) (possession of a
CHRISTINA RODRIGUEZ	:	firearm in furtherance of a drug
ROBERTO ALCALA TRUJILLO	:	trafficking crime - 1 count)
MARIO ERNESTO ARTEAGA	:	18 U.S.C. § 2 (aiding and abetting)
KENNETH CIMATO	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about January 2007, to in or about January 2010, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**MARK BENZENHAFFER,
GRANT LYONS,
JAMES GALLAGHER,
MICHAEL DOEBLEY,
a/k/a “Mev,”
ZACHARY DAVIS,**

**JAVIER DIAZ,
a/k/a “Jay,”
JOSE ANGEL RAMIREZ,
a/k/a “Angel,”
JOSE RICARDO RAMIREZ,
a/k/a “Ricky,”
AARON DALE ROBINSON,
JOSE MUNOZ,
SUZANNA VOELKER,
CHRISTINA RODRIGUEZ,
ROBERTO ALCALA TRUJILLO, and
MARIO ERNESTO ARTEAGA**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute five kilograms or more, that is, at least 50 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)(A).

MANNER AND MEANS

It was part of the conspiracy that:

The Benzenhafer - Lyons Cocaine Distribution Organization

2. Defendants MARK BENZENHAFER and GRANT LYONS were partners in the BENZENHAFER & LYONS COCAINE DISTRIBUTION ORGANIZATION (BLCDO) that operated in the Philadelphia, Pennsylvania metropolitan area and was centered in northeast Philadelphia and Bucks County. Defendants BENZENHAFER and LYONS were the principle organizers and managers of the BLCDO, obtained kilograms quantities of cocaine from suppliers, employed workers, and supplied customers.

3. Defendants MARK BENZENHAFER and GRANT LYONS purchased kilogram quantities of cocaine for distribution in Philadelphia and Bucks Counties,

Pennsylvania, and elsewhere, for approximately \$30,000 per kilogram, from suppliers, including, but not limited to:

- (a) Defendant JOSE ANGEL RAMIREZ' drug organization located in Houston; Texas.
- (b) Defendant JAVIER DIAZ located in Philadelphia; and
- (c) Jossue Ramirez-Laracuate, charged elsewhere, located in Philadelphia, Pennsylvania.

4. Defendants MARK BENZENHAFFER and GRANT LYONS employed workers to assist in the operation of the BLCDO, including persons known and unknown to the grand jury, including:

(a) Defendant JAMES GALLAGHER, who was the primary cocaine distributor for the BLCDO and traveled throughout Philadelphia and Bucks County distributing cocaine to customers of the BLCDO. Defendant GALLAGHER also collected the proceeds from cocaine sales from BLCDO customers; and

(b) Defendant ZACHARY DAVIS, who transported cocaine to customers or picked it up from suppliers.

5. Defendants MARK BENZENHAFFER, GRANT LYONS, MICHAEL DOEBLEY, ZACHARY DAVIS, and JAMES GALLAGHER, and others known and unknown to the grand jury, met with each other and drug customers, including defendant KENNETH CIMATO, to arrange the delivery of cocaine in various quantities.

6. Defendants MARK BENZENHAFFER, GRANT LYONS, MICHAEL DOEBLEY, ZACHARY DAVIS, and JAMES GALLAGHER, and others known and unknown

to the grand jury, were responsible for cutting, packaging, storing, and delivering quantities of cocaine to their customers.

7. Defendants MARK BENZENHAFFER, GRANT LYONS, MICHAEL DOEBLEY, ZACHARY DAVIS, and JAMES GALLAGHER used commercial rental garages in Northeast Philadelphia, Pennsylvania to store and distribute cocaine.

8. Defendants MICHAEL DOEBLEY and Kenneth Cimato, charged elsewhere in this indictment, were major customers of the BLCDO from whom they purchased kilograms of cocaine. Defendant DOEBLEY also assisted the BLCDO by sharing space, where cocaine was cut, packaged, and stored, and also shared equipment used in the cutting and packaging of cocaine.

The Ramirez Cocaine Distribution Organization

9. Defendant JOSE ANGEL RAMIREZ was the head of the Houston-based Ramirez Cocaine Distribution Organization (RCDO) that supplied kilograms of cocaine to customers in Louisiana, Pennsylvania, and Chicago, and elsewhere. From in or about January 2007, until in or about July 2009, defendants JOSE ANGEL RAMIREZ and JOSE RICARDO RAMIREZ organized regularly monthly cocaine deliveries to defendants MARK BENZENHAFFER and GRANT LYONS of approximately two to three kilograms of cocaine.

10. As part of the RCDO, defendant JOSE ANGEL RAMIREZ employed and paid numerous workers known and unknown to the grand jury, including, but not limited to:

(a) Defendant JOSE RICARDO RAMIREZ, the brother of defendant JOSE ANGEL RAMIREZ, who was in charge of trafficking cocaine for the RDCO to Pennsylvania, Illinois, and Louisiana.

(b) The following defendants, among others, were couriers for the RCDO: AARON DALE ROBINSON, JOSE MUNOZ, SUZANNA VOELKER, CHRISTINA RODRIGUEZ, ROBERTO ALCALA TRUJILLO, and MARIO ERNESTO ARTEAGA

Communication by and between the BLCDO and the RCDO

11. Members of the BLCDO routinely used cellular telephones to arrange meeting locations to distribute cocaine to one another and others known and unknown to the grand jury.

12. Members of the RCDO routinely used cellular telephone to arrange meeting locations to distribute cocaine.

13. Members of the BLCDO and the RCDO routinely used cellular telephones to negotiate the price of cocaine, the dates the shipments of cocaine were to be delivered, and the locations where the sales would occur.

14. The defendants and others known and unknown to the grand jury working on behalf of the BLCDO and RCDO, consistently used coded language when speaking over the telephone, and when completing drug transactions with customers, engaged in counter-surveillance actions, and carried out transactions at hotels, commercial garage locations, and other difficult to surveill locations in order to thwart detection of their unlawful activities by law enforcement.

Transportation of Cocaine by the BLCDO and the RCDO

15. In transporting cocaine, the BLCDO and RCDO routinely used automobiles with secret compartments to hide cocaine, and proceeds from the sale of cocaine.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants MARK BENZENHAFFER, GRANT LYONS, JAMES GALLAGHER, MICHAEL DOEBLEY, ZACHARY DAVIS, JAVIER DIAZ, JOSE ANGEL RAMIREZ, JOSE RICARDO RAMIREZ, AARON DALE ROBINSON, JOSE MUNOZ, SUZANNA VOELKER, CHRISTINA RODRIGUEZ, ROBERTO ALCALA TRUJILLO, and MARIO ERNESTO ARTEAGA committed the following overt acts, among others, in the Eastern District of Pennsylvania, and elsewhere:

RCDO Members Travel to Philadelphia to Pick up Drug Proceeds

On or about December 10, 2008:

1. Defendants JOSE RICARDO RAMIREZ, AARON DALE ROBINSON, and CHRISTINA RODRIGUEZ, and others known and unknown to the grand jury, traveled to Philadelphia to pick up money, owed to defendant JOSE ANGEL RAMIREZ for cocaine.
2. Defendants JOSE RICARDO RAMIREZ and CHRISTINA RODRIGUEZ possessed a firearm, that is a loaded Para-Ordnance Warthog, .45 caliber semi-automatic pistol, serial number P153361.

The July 22, 2009 Delivery of Two Kilograms of Cocaine

3. Between on or about July 21, 2009 and on or about July 22, 2009, defendants MARK BENZENHAFFER, GRANT LYONS, JAMES GALLAGHER, JOSE ANGEL RAMIREZ, and JOSE MUNOZ used cellular telephones to communicate with one another, and to negotiate the price of the cocaine and the date the cocaine was to be delivered by the RCDO to

defendants BENZENHAFER, LYONS, and GALLAGHER in Philadelphia from Houston, Texas.

4. On or about July 21, 2009, at approximately 11:35 p.m., defendant JOSE ANGEL RAMIREZ telephoned defendant MARK BENZENHAFER and discussed the delivery of two kilograms of cocaine by defendant JOSE MUNOZ to BENZENHAFER in Philadelphia the next day.

On or about July 22, 2009:

5. At approximately 3:40 p.m., defendant JOSE ANGEL RAMIREZ telephoned defendant MARK BENZENHAFER and told him that his courier, defendant JOSE MUNOZ, would be arriving at about 8:00 p.m.

6. At approximately 9:00 p.m., defendant MARK BENZENHAFER told defendant JAMES GALLAGHER to go to defendant BENZENHAFER's rented commercial garage and open the garage doors to let in a car driven from Texas by defendant JOSE MUNOZ.

7. At approximately 9:34 p.m., defendant MARK BENZENHAFER telephoned defendant JOSE ANGEL RAMIREZ and told him "everything looked great." Defendant BENZENHAFER also told defendant JOSE ANGEL RAMIREZ that he gave defendant JOSE MUNOZ some of the money for the cocaine delivered by defendant MUNOZ and he would give him the rest of the money on Friday, two days later.

8. Later the same day, after receiving two kilograms of cocaine from the RDCO, defendants MARK BENZENHAFER, GRANT LYONS, and JAMES GALLAGHER sold one kilogram to defendant Kenneth Cimato.

9. From on or about September 1, 2009 until on or about September 2, 2009, defendants MARK BENZENHAFER and JOSE ANGEL RAMIREZ made numerous phone calls arranging for a delivery of two to three kilograms of cocaine.

10. On or about September 5, 2009, defendants MARK BENZENHAFER and GRANT LYONS spoke on the telephone about splitting up cocaine between defendants MICHAEL DOEBLEY and ZACHARY DAVIS that defendant LYONS had just received and hidden in a black Pontiac Bonneville.

11. On or about September 12, 2009, defendant MARK BENZENHAFER telephoned defendant JAMES GALLAGHER and warned him to remove drugs and drug related paraphernalia from defendant BENZENHAFER's commercial garage and defendant GALLAGHER's residence, and to safeguard the van, equipped with a hidden compartment, that GALLAGHER used to transport drugs.

12. On or about September 16, 2009, defendant MARK BENZENHAFER telephoned defendant JAMES GALLAGHER and directed him to mix two separate ounce quantities (28 grams) of cocaine with 102 grams of a cutting agent to create two separate packages of cocaine for distribution.

13. On or about September 19, 2009, defendant MARK BENZENHAFER telephoned defendant GRANT LYONS and discussed the two kilograms of cocaine defendant LYONS was about to receive and share with defendant BENZENHAFER, and how defendant JAVIER DIAZ had supplied some of the money to acquire the cocaine.

The September 19, 2009 Cocaine Sale

14. On or about September 19, 2009, defendant JAMES GALLAGHER acquired from Jossue Ramirez-Laracuate an amount of cocaine for distribution by defendants MARK BENZENHAFFER, GRANT LYONS, and GALLAGHER.

The September 30, 2009 Attempted Acquisition of Three Kilograms of Cocaine

15. On or about September 30, 2009, defendants GRANT LYONS and JAVIER DIAZ drove defendant JAMES GALLAGHER's van, equipped with a hidden compartment, to New Jersey and New York to pick up three kilograms of cocaine – one kilogram for defendant MICHAEL DOEBLEY, one kilogram for defendant Kenneth Cimato, and one kilogram for defendants MARK BENZENHAFFER, LYONS, and GALLAGHER.

The October 12, 2009 One Kilogram Cocaine Sale

16. On or about October 12, 2009:
- a. Defendant MARK BENZENHAFFER telephoned Jossue Ramirez-Laracuate and asked him if he had a kilogram of cocaine for sale because defendant BENZENHAFFER had a customer who would buy it for \$33,000.
 - b. In a series of telephone calls, defendant MARK BENZENHAFFER and Jossue Ramirez-Laracuate discussed the plan for Ramirez-Laracuate to deliver the kilogram to defendant BENZENHAFFER's commercial garage.
 - c. Jossue Ramirez-Laracuate, and others known and unknown to the grand jury, delivered the kilogram of cocaine to defendant MARK BENZENHAFFER at defendant BENZENHAFFER's rented commercial garage.

d. Kenneth Cimato arrived at defendant MARK BENZENHAFER's commercial garage and picked up the kilogram of cocaine. Defendant BENZENHAFER then called defendant GRANT LYONS and told him that Jossue Ramirez-Laracuate had supplied a kilogram of cocaine for defendant Cimato.

17. On or about October 17, 2009, during a telephone conversation, defendants MARK BENZENHAFER and JAMES GALLAGHER discussed GALLAGHER's collection of money for selling cocaine and the amount of "cut" to add to the cocaine.

18. On or about November 2, 2009, defendants MARK BENZENHAFER and ZACHARY DAVIS discussed receiving a potential multi-kilogram delivery of cocaine from defendant JOSE ANGEL RAMIREZ.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

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

2. On or about December 10, 2008, in Bucks County, in the Eastern District of Pennsylvania, defendants

**JOSE RICARDO RAMIREZ,
a/k/a “Ricky,” and
CHRISTINA RODRIGUEZ**

knowingly possessed a firearm, and aided and abetted the possession of a firearm, that is, a loaded Para-Ordnance Warthog, .45 caliber semi-automatic pistol, serial number P153361, in furtherance of a drug trafficking crime for which they may be prosecuted in a court of the United States, that is, conspiracy 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 846.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 15, and Overt Acts 3 through 8 of Count One of this indictment are incorporated here.

2. On or about July 22, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**MARK BENZENHAFER,
GRANT LYONS,
JAMES GALLAGHER,
JOSE ANGEL RAMIREZ,
a/k/a "Angel," and
JOSE MUNOZ**

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 two 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), and Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 15, and Overt Acts 3 through 8 of Count One of this indictment are incorporated here.

2. On or about July 22, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

KENNETH CIMATO

knowingly and intentionally possessed with intent to distribute 500 grams or more, that is, approximately one 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:

1. Paragraphs 1 through 15, and Overt Act 10 of Count One of this indictment are incorporated here.

2. On or about September 5, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**MARK BENZENHAFER,
GRANT LYONS,
JAMES GALLAGHER,
MICHAEL DOEBLEY,
a/k/a "Mev," and
ZACHARY DAVIS**

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 two 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), and Title 18, United States Code, Section 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

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

2. On or about September 30, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**MARK BENZENHAFER,
GRANT LYONS,
JAMES GALLAGHER,
MICHAEL DOEBLEY,
a/k/a "Mev,"
JAVIER DIAZ,
a/k/a "Jay," and
KENNETH CIMATO**

attempted to knowingly and intentionally possess with intent to distribute, and aided and abetted the attempt to possess with intent to distribute of, 500 grams or more, that is, approximately three 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 846, and Title 18, United States Code, Section 2.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 15, and Overt Act 16 of Count One of this indictment are incorporated here.

2. On or about October 12, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

MARK BENZENHAFFER

knowingly and intentionally distributed 500 grams or more, that is, approximately one 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 EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 15, and Overt Act 16 of Count One of this indictment are incorporated here.

2. On or about October 12, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

KENNETH CIMATO

knowingly and intentionally possessed with intent to distribute 500 grams or more, that is, approximately one 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).

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

**MARK BENZENHAFFER,
GRANT LYONS,
JAMES GALLAGHER,
MICHAEL DOEBLEY,
a/k/a “Mev,”
ZACHARY DAVIS,
JAVIER DIAZ,
a/k/a “Jay,”
JOSE ANGEL RAMIREZ,
a/k/a “Angel,”
JOSE RICARDO RAMIREZ,
a/k/a “Ricky,”
AARON DALE ROBINSON,
JOSE MUNOZ,
SUZANNA VOELKER,
CHRISTINA RODRIGUEZ,
ROBERTO ALCALA TRUJILLO, and
MARIO ERNESTO ARTEAGA**

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:

– a loaded Para-Ordnance Warthog, .45 caliber semi-automatic pistol, serial number P153361.

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, defendants

**JOSE RICARDO RAMIREZ,
a/k/a “Ricky,” and
CHRISTINA RODRIGUEZ**

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 loaded Para-Ordnance Warthog, .45 caliber semi-automatic pistol, serial number P153361.

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

MICHAEL L. LEVY
United States Attorney