

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
JOSSUE RAMIREZ-LARACUENTE,	:	VIOLATIONS:
 a/k/a “Gordo,”	:	21 U.S.C. § 846 (conspiracy to distribute
AARON JOHNSON,	:	five kilograms or more of cocaine - 1
 a/k/a “Butt Butt,”	:	count)
MIGUEL MUNOZ,	:	21 U.S.C. § 841(a)(1) (possession with
 a/k/a “XM,”	:	intent to distribute five kilograms or
HUASCAR MONTILLA-REYES,	:	more of cocaine - 1 count)
JOHANNE SANTANA,	:	21 U.S.C. § 841(a)(1) (possession with
MICHAEL SOLOMON,	:	intent to distribute 500 grams or more of
HECTOR TORRES,	:	cocaine - 4 counts)
NICHOLAS FATIGA	:	21 U.S.C. § 841(a)(1) (distribution of
	:	500 grams or more of cocaine - 1 count)
	:	18 U.S.C. § 924(c) (possession of a
	:	firearm in furtherance of a drug
	:	trafficking crime - 2 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about August 2009 to in or about March 2010, in Philadelphia and Lancaster County, in the Eastern District of Pennsylvania, and elsewhere, defendants

JOSSUE RAMIREZ-LARACUENTE,
a/k/a “Gordo,”
AARON JOHNSON,
a/k/a “Butt Butt,”
MIGUEL MUNOZ,
a/k/a “XM,”

**HUASCAR MONTILLA-REYES,
JOHANNE SANTANA,
MICHAEL SOLOMON,
HECTOR TORRES, and
NICHOLAS FATIGA**

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

MANNER AND MEANS

It was part of the conspiracy that:

The Ramirez-Laracuate Cocaine Distribution Organization

2. Defendant JOSSUE RAMIREZ-LARACUENTE ran the RAMIREZ-LARACUENTE COCAINE DISTRIBUTION ORGANIZATION (RLCDO) that operated in the Philadelphia, Pennsylvania metropolitan area and distributed cocaine in northeast Philadelphia, York, Pennsylvania, and Delaware. Defendant RAMIREZ-LARACUENTE, the principle organizer and manager of the RLCDO, obtained kilograms quantities of cocaine from suppliers, employed workers, and supplied customers.

3. Defendant JOSSUE RAMIREZ-LARACUENTE purchased kilogram quantities of cocaine for distribution in Philadelphia, Pennsylvania, York, Pennsylvania, and Delaware, and elsewhere, from suppliers, including, but not limited to defendant MIGUEL MUNOZ, located in Philadelphia, Pennsylvania.

4. Defendant JOSSUE RAMIREZ-LARACUENTE employed

workers to assist in the operation of the RLCDO, including persons known and unknown to the grand jury, including:

a. Defendant AARON JOHNSON, a/k/a “Butt Butt,” who was the primary cocaine distributor for the RLCDO and traveled to York, Pennsylvania and elsewhere to distribute cocaine to customers of the RLCDO; and

b. Defendant MICHAEL SOLOMON, who co-owned a vehicle detail business with defendant JOSSUE RAMIREZ-LARACUENTE that the two men used to store, package, and distribute narcotics. Defendant MICHAEL SOLOMON also bought cocaine from the RLCDO which he transported and sold to customers in Chester County, Pennsylvania.

5. Defendants JOSSUE RAMIREZ-LARACUENTE, AARON JOHNSON, and MICHAEL SOLOMON, and others known and unknown to the grand jury, met with each other and drug customers, including defendant HUASCAR MONTILLA-REYES and JOHANNE SANTANA, to arrange the delivery of cocaine in various quantities and to collect drug proceeds.

6. Defendants HUASCAR MONTILLA-REYES and JOHANNE SANTANA located in York, Pennsylvania, were major customers of the RLCDO from whom they purchased half-kilograms of cocaine. Mark Benzenhafer and Grant Lyons, charged elsewhere, were also major customers of the RLCDO.

The Munoz Narcotics Distribution Organization

7. Defendant MIGUEL MUNOZ was the head of the MUNOZ NARCOTICS DISTRIBUTION ORGANIZATION (MNDO) that operated in the Philadelphia, Pennsylvania metropolitan area and distributed kilogram quantities of cocaine and heroin in

Philadelphia. Defendant MIGUEL MUNOZ, the principle organizer and manager of the MNDO, obtained kilograms quantities of cocaine and heroin from suppliers, employed workers, and supplied customers.

8. Defendant MIGUEL MUNOZ purchased kilogram quantities of cocaine and heroin for distribution in Philadelphia, from suppliers, including, but not limited to defendant HECTOR TORRES, and others known and unknown to the grand jury.

9. Defendant MIGUEL MUNOZ employed workers to assist in the operation of the MNDO, including persons known and unknown to the grand jury, including:

a. Defendant NICHOLAS FATIGA who assisted MUNOZ's exotic rental car business and in the management and renovation of real estate. Both the rental car business and the real estate were purchased by the MNDO with drug proceeds and were a means of laundering these drug proceeds. Defendant NICHOLAS FATIGA also purchased cocaine from MUNOZ which he distributed to his customers.

10. Defendants MIGUEL MUNOZ and NICHOLAS FATIGA, and others known and unknown to the grand jury, met with each other and drug customers and drug suppliers, including defendants JOSSUE RAMIREZ-LARACUENTE and HECTOR TORRES, to arrange the delivery of cocaine in various quantities.

11. Defendants MIGUEL MUNOZ and NICHOLAS FATIGA, and others known and unknown to the grand jury, were responsible for cutting, packaging, storing, and delivering quantities of cocaine and heroin to their customers.

Communication by and between the RLCDO and the MNDO

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

13. Members of the MNDO routinely used cellular telephone to arrange meeting locations to acquire and distribute cocaine and heroin.

14. Members of the RLCDO and the MNDO routinely used cellular telephones to negotiate the price of cocaine, the dates the shipments of cocaine were to be delivered, the locations where the sales would occur, and to facilitate the collection of drug proceeds.

15. The defendants and others known and unknown to the grand jury working on behalf of the RLCDO and MNDO, 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 private residences, 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 RLCDO and the MNDO

16. In transporting cocaine, the RLCDO and MNDO routinely used automobiles with secret compartments to hide cocaine, and proceeds from the sale of cocaine. In transporting cocaine, members of the RLCDO also used all-terrain vehicles capable of driving “off road” making it difficult for law enforcement to follow.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants

JOSSUE RAMIREZ-LARACUENTE, AARON JOHNSON, MIGUEL MUNOZ, HUASCAR MONTILLA-REYES, JOHANNE SANTANA, MICHAEL SOLOMON, HECTOR TORRES, and NICHOLAS FATIGA, 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 RLCDO Obtains Cocaine From the MNDO

1. On or about October 1, 2009, defendant JOSSUE RAMIREZ-LARACUENTE went to defendant MIGUEL MUNOZ's exotic car rental business to obtain a kilogram of cocaine.

The RLCDO Distributes Cocaine to Mark Benzenhafer and his Organization

2. On or about October 12, 2009, defendant JOSSUE RAMIREZ-LARACUENTE delivered one kilogram of cocaine to Mark Benzenhafer, charged elsewhere.

The RLCDO Distributes Cocaine to Customers in West Chester, Pennsylvania

3. On or about November 14, 2009:
- a. Defendant MICHAEL SOLOMON acquired cocaine from defendant JOSSUE RAMIREZ-LARACUENTE to deliver to customers in West Chester, Pennsylvania.
 - b. At approximately 8:30 p.m., defendant MICHAEL SOLOMON delivered approximately 4.5 ounces of cocaine to his customers in West Chester, Pennsylvania.
 - c. Defendant MICHAEL SOLOMON paid defendant JOSSUE RAMIREZ-LARACUENTE approximately \$3,800 he owed for cocaine.

The RLCDO Delivers Cocaine to York, Pennsylvania

4. On or about November 30, 2009:

a. At approximately 10:48 a.m., defendants JOSSUE RAMIREZ-LARACUENTE and HUASCAR MONTILLA-REYES discussed on the telephone a delivery of cocaine defendant RAMIREZ-LARACUENTE was sending to defendants MONTILLA-REYES, JOHANNE SANTANA, and others, in York, Pennsylvania.

b. At approximately 12:00 p.m., defendant AARON JOHNSON left Philadelphia, Pennsylvania to deliver four quarter-pound bags of cocaine to defendants HUASCAR MONTILLA-REYES, JOHANNE SANTANA, and others, in York, Pennsylvania.

c. At approximately 1:20 p.m., defendant AARON JOHNSON telephoned defendant JOSSUE RAMIREZ-LARACUENTE to tell him he had been stopped by the police in Lancaster County, Pennsylvania.

d. At approximately 1:22 p.m., defendant JOSSUE RAMIREZ-LARACUENTE telephoned defendant HUASCAR MONTILLA-REYES and asked him to go and look for defendant AARON JOHNSON, who had just been stopped by police on Route 30 in Lancaster. Defendant HUASCAR MONTILLA-REYES sent defendant JOHANNE SANTANA and others to look for defendant AARON JOHNSON.

e. At approximately 2:00 p.m., defendant JOSSUE RAMIREZ-LARACUENTE telephoned Mark Benzenhafer and said, "I need you to do me a favor, call Lou and see if he can find anything about Aaron Johnson. . . . I finally got straight late last night and Butt-Butt was doing a trip for me to upstate PA and he got pulled over."

f. At approximately 9:20 p.m., defendant HUASCAR MONTILLA-REYES arrived at defendant JOSSUE RAMIREZ-LARACUENTE's residence in Philadelphia, Pennsylvania and picked up one-half kilogram of cocaine.

g. At approximately 10:26 p.m., defendant JOSSUE RAMIREZ-LARACUENTE telephoned defendant MICHAEL SOLOMON and discussed the arrest of defendant AARON JOHNSON.

5. On or about December 1, 2009, at approximately 9:16 a.m., defendant JOSSUE RAMIREZ-LARACUENTE called defendant MIGUEL MUNOZ, and told him, "I'm sick to my stomach, I didn't even know how to tell you this one. . . . I sent my man to take care of something for me for one of my peoples up in York and the same thing that happened to you, just happened to me. . . . just half of what you gave me. I already got in the works the other half to get you the most I can get back."

The RLCDO Obtains Cocaine From the MNDO for Delivery to York, Pennsylvania

6. On or about December 8, 2009:

a. At approximately 12:19 a.m., defendants JOSSUE RAMIREZ-LARACUENTE and MIGUEL MUNOZ discussed on the telephone defendant RAMIREZ-LARACUENTE acquiring one kilogram of cocaine from defendant MUNOZ.

b. At approximately 3:04 p.m., defendant MIGUEL MUNOZ telephoned defendant JOSSUE RAMIREZ-LARACUENTE and asked, "you think you can shoot down there to my spot?"

c. At approximately 4:30 p.m., defendants JOSSUE RAMIREZ-LARACUENTE and AARON JOHNSON traveled to defendant MIGUEL MUNOZ's commercial exotic car rental business to obtain a kilogram of cocaine.

d. At approximately 4:40 p.m., defendant JOSSUE RAMIREZ-LARACUENTE telephoned defendant HUASCAR MONTILLA-REYES and told him that he would deliver him cocaine the next day on December 9, 2009.

7. On or about December 9, 2009, defendants JOSSUE RAMIREZ-LARACUENTE and AARON JOHNSON drove to York, Pennsylvania to deliver cocaine to defendants HUASCAR MONTILLA-REYES and JOHANNE SANTANA at her residence.

The MNDO Obtains Approximately Nine Kilograms of Cocaine From Hector Torres

8. On or about March 16, 2010:

a. At approximately 6:17 p.m., Person #1, known to the grand jury, called defendant MIGUEL MUNOZ and asked him to meet to discuss the acquisition of cocaine. Defendant MIGUEL MUNOZ then traveled to Camden, New Jersey.

b. At approximately 8:04 p.m., defendant MIGUEL MUNOZ spoke to defendant JOSSUE RAMIREZ-LARACUENTE on the telephone and told him that he would have cocaine for RAMIREZ-LARACUENTE to pick up the next day.

c. Later that night, defendant MIGUEL MUNOZ spoke with other customers, known and unknown to the grand jury, and told them he would have cocaine for distribution the next day.

9. On or about March 17, 2010:

a. At approximately 2:50 p.m., Person #1 called defendant MIGUEL MUNOZ and discussed meeting in an hour.

b. At approximately 4:53 p.m., defendant MIGUEL MUNOZ arrived at a liquor store in Camden, New Jersey. Defendant MIGUEL MUNOZ then called Person #1 to

tell Person #1 he was at the meeting location. At about this time, defendant MIGUEL MUNOZ was met by defendant HECTOR TORRES driving a black SUV.

c. At approximately 5:20 p.m., defendants MIGUEL MUNOZ and HECTOR TORRES each exited the liquor store parking lot in separate vehicles and traveled in tandem to an alley behind a Camden residence where both men parked.

d. At that location, defendant HECTOR TORRES and Person #1 sold defendant MIGUEL MUNOZ approximately nine kilograms of cocaine. A short time later, defendant MIGUEL MUNOZ departed that location with eight individually wrapped bricks of cocaine weighing approximately nine kilograms.

e. At approximately 5:29 p.m., defendant MIGUEL MUNOZ called defendant JOSSUE RAMIREZ-LARACUENTE and told him that he had cocaine and would be coming back to Philadelphia shortly.

f. At approximately 5:45 p.m., defendant MIGUEL MUNOZ was pulled over by officers of the Philadelphia Police Department. Defendant MIGUEL MUNOZ then made multiple calls to defendant JOSSUE RAMIREZ-LARACUENTE, Person #1, and others known and unknown to the grand jury, warning them that he had just been pulled over.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

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

**JOSSUE RAMIREZ-LARACUENTE,
a/k/a, "Gordo,"**

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 THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or November 30, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**MIGUEL MUNOZ,
a/k/a "XM,"**

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 FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 30, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JOSSUE RAMIREZ-LARACUENTE,
a/k/a “Gordo,” and
AARON JOHNSON,
a/k/a “Butt Butt,”**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 500 grams 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)(B), and Title 18, United States Code, Section 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 30, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JOSSUE RAMIREZ-LARACUENTE,
a/k/a “Gordo,” and
AARON JOHNSON,
a/k/a “Butt Butt,”**

knowingly possessed a firearm, and aided and abetted and willfully caused, the possession of a firearm, that is, a loaded Heckler & Koch P2000, semi-automatic pistol, serial number 123-057899, 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 cocaine, in violation of Title 21, United States Code, Section 846; and possession with intent to distribute 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 18, United States Code, Sections 924(c)(1) and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 30, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JOSSUE RAMIREZ-LARACUENTE,
a/k/a “Gordo,” and
HUASCAR MONTILLA-REYES**

knowingly and intentionally possessed with intent to distribute 500 grams 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)(B).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 8, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JOSSUE RAMIREZ-LARACUENTE,
a/k/a “Gordo,” and
MIGUEL MUNOZ,
a/k/a “XM,”**

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 EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 17, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MIGUEL MUNOZ,
a/k/a "XM,"**

knowingly and intentionally possessed with intent to distribute five kilograms or more, that is, approximately nine 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).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 17, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MIGUEL MUNOZ,
a/k/a "XM,"**

knowingly possessed a firearm, that is, a loaded Smith and Wesson Model SW40VE, .40 caliber semi-automatic pistol, serial number PBL1236, 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 cocaine, in violation of Title 21, United States Code, Section 846; and possession with intent to distribute 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 18, United States Code, Sections 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

**JOSSUE RAMIREZ-LARACUENTE,
a/k/a “Gordo,”
AARON JOHNSON,
a/k/a “Butt Butt,”
MIGUEL MUNOZ,
a/k/a “XM,”
HUASCAR MONTILLA-REYES,
JOHANNE SANTANA,
MICHAEL SOLOMON,
HECTOR TORRES, and
NICHOLAS FATIGA**

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:

- (1) Heckler & Koch P2000, semi-automatic pistol, serial number 123-057899, and ammunition for the firearm;
- (2) \$740,041.00;
- (3) Smith and Wesson Model SW40VE, .40 caliber semi-automatic pistol, serial number PBL1236, and ammunition for the firearm;
- (4) Ford Freestar Van, VIN 1FTPW145X4KB28362;
- (5) Land Rover Range Rover, VIN SALSF25416A981286;
- (6) Ford F150 Pickup Truck, VIN 2FMZA52297BA10868;
- (7) BMW 645, VIN WBAEK73414B322399; and

(8) Cadillac Escalade, VIN 1GYFK66827R323065.

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

JOSSUE RAMIREZ-LARACUENTE,
a/k/a “Gordo,”
AARON JOHNSON,
a/k/a “Butt Butt,”
MIGUEL MUNOZ,
a/k/a “XM”

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

- (1) Heckler & Koch P2000, semi-automatic pistol, serial number 123-057899, and ammunition for the firearm; and

- (2) Smith and Wesson Model SW40VE, .40 caliber semi-automatic pistol, serial number PBL1236, and ammunition for the firearm;

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