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Attorneys for Plaintiff
 UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
 FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
 Plaintiff,
 v.
 CARLOS HERNANDEZ, et al.,
 [JOSE SAUCEDO]
 Defendants.

No. CR 16-442-CAS-2
PLEA AGREEMENT FOR DEFENDANT JOSE SAUCEDO

1. This constitutes the plea agreement between JOSE SAUCEDO ("defendant") and the United States Attorney's Office for the Central District of California and the Department of Justice Civil Rights Division (collectively, "the USAO") in the above-captioned case. This agreement is limited to the USAO and cannot bind any other federal, state, local, or foreign prosecuting, enforcement, administrative, or regulatory authorities.

1 joined; (2) the object of the conspiracy was to injure, oppress,
2 threaten or intimidate a person or persons in the free exercise or
3 enjoyment of a right protected by the Constitution or laws of the
4 United States, in this case, that is, the right to occupy a dwelling
5 free from injury, intimidation, and interference based on race or
6 color; and (3) the planned interference with a protected right was
7 willful.

8 5. Defendant understands that for defendant to be guilty of
9 the crime charged in Count Three, that is, Violent Crime in Aid of
10 Racketeering, in violation of Title 18, United States Code, Section
11 1959(a)(6), the following must be true: (1) an enterprise affecting
12 interstate commerce existed during the time period set forth in Count
13 Three; (2) the enterprise engaged in racketeering activity; (3)
14 defendant attempted to commit an assault with a dangerous weapon; (4)
15 defendant's purpose in attempting to commit assault with a dangerous
16 weapon was to gain entrance to, or to maintain, or to increase his
17 position in the enterprise; and (5) defendant did something that was
18 a substantial step toward committing the crime.

19 6. Defendant understands that for defendant to be guilty of
20 the crime charged in Count Four, that is, Interference With the Fair
21 Housing Act, in violation of Title 42, United States Code, Section
22 3631, the following must be true: (1) defendant used force or threats
23 of force to intimidate or interfere with, or to attempt to intimidate
24 or interfere with, a person; (2) defendant did so because of that
25 person's race or color; and (3) because that person was enjoying a
26 housing right, namely renting or occupying a dwelling.

27 7. Defendant understands that for defendant to be subject to
28 the statutory maximum sentence set forth below with respect to Count

1 Four, the government must prove beyond a reasonable doubt that
2 defendant used a dangerous weapon, explosives, or fire in the
3 commission of the offense. Defendant admits that defendant, in fact,
4 used a dangerous weapon, explosives, and fire in the commission of
5 the interference with the Fair Housing Act offense charged in Count
6 Four.

7 8. Defendant understands that for defendant to be guilty of
8 the crime charged in Count Five, that is, Attempted Arson of Federal
9 Property, in violation of Title 18, United States Code, Section
10 844(f), the following must be true: (1) defendant maliciously
11 attempted to damage or destroy; (2) a building; (3) owned or leased
12 by an organization receiving federal assistance; by (4) means of
13 fire.

14 9. Defendant understands that for defendant to be subject to
15 the mandatory minimum and statutory maximum sentence set forth below
16 with respect to Count Five, the government must prove beyond a
17 reasonable doubt that defendant's attempted use of fire created a
18 substantial risk of injury to any person. Defendant admits that the
19 attempted use of fire to damage federal property, as charged in Count
20 Five, created a substantial risk of injury to a person.

21 PENALTIES

22 10. Defendant understands that the statutory maximum sentence
23 that the Court can impose for a violation of Title 18, United States
24 Code, Section 241, is: 10 years' imprisonment; a three-year period of
25 supervised release; a fine of \$250,000 or twice the gross gain or
26 gross loss resulting from the offense, whichever is greatest; and a
27 mandatory special assessment of \$100.

28

1 11. Defendant understands that the statutory maximum sentence
2 that the Court can impose for a violation of Title 18, United States
3 Code, Section 1959(a)(6), as charged in Count Three of the
4 Indictment, is: three years' imprisonment; a one-year period of
5 supervised release; a fine of \$250,000 or twice the gross gain or
6 gross loss resulting from the offense, whichever is greatest; and a
7 mandatory special assessment of \$100.

8 12. Defendant understands that the statutory maximum sentence
9 that the Court can impose for a violation of Title 42, United States
10 Code, Section 3631, as charged in Count Four of the Indictment, is:
11 10 years' imprisonment; a three-year period of supervised release; a
12 fine of \$250,000 or twice the gross gain or gross loss resulting from
13 the offense, whichever is greatest; and a mandatory special
14 assessment of \$100.

15 13. Defendant understands that the statutory maximum sentence
16 that the Court can impose for a violation of Title 18, United States
17 Code, Section 844(f)(2), as charged in Count Five of the Indictment,
18 is 40 years' imprisonment; a five-year period of supervised release;¹
19 a fine of \$250,000 or twice the gross gain or gross loss resulting
20 from the offense, whichever is greatest; and a mandatory special
21 assessment of \$100.

22 14. Defendant understands that the statutory mandatory minimum
23 sentence that the Court must impose for a violation of Title 18,
24

25 ¹ Defendant understands that there is case law suggesting that
26 the term of supervised release on Count Five could be imposed to run
27 consecutively to the terms of supervised release on the other counts.
28 While the USAO does not intend to seek a consecutive term of
supervised release, defendant understands that if the court were to
impose a consecutive term of supervised release, the maximum term of
supervised release for all of the counts of conviction would be eight
years, rather than five years as stated in the text above.

1 United States Code, Section 844(f)(2), as charged in Count Five of
2 the Indictment, is 7 years' imprisonment.

3 15. Defendant understands, therefore, that the total maximum
4 sentence for all offenses to which defendant is pleading guilty is:
5 63 years' imprisonment; a five-year period of supervised release; a
6 fine of \$1,000,000 or twice the gross gain or gross loss resulting
7 from the offenses, whichever is greatest; and a mandatory special
8 assessment of \$400. Defendant further understands that the total
9 mandatory minimum sentence that the Court must impose is 7 years'
10 imprisonment.

11 16. Defendant understands that supervised release is a period
12 of time following imprisonment during which defendant will be subject
13 to various restrictions and requirements. Defendant understands that
14 if defendant violates one or more of the conditions of any supervised
15 release imposed, defendant may be returned to prison for all or part
16 of the term of supervised release authorized by statute for the
17 offense that resulted in the term of supervised release.

18 17. Defendant understands that, by pleading guilty, defendant
19 may be giving up valuable government benefits and valuable civic
20 rights, such as the right to vote, the right to possess a firearm,
21 the right to hold office, and the right to serve on a jury.
22 Defendant understands that once the court accepts defendant's guilty
23 plea, it will be a federal felony for defendant to possess a firearm
24 or ammunition. Defendant understands that the conviction in this
25 case may also subject defendant to various other collateral
26 consequences, including but not limited to revocation of probation,
27 parole, or supervised release in another case and suspension or
28 revocation of a professional license. Defendant understands that

1 unanticipated collateral consequences will not serve as grounds to
2 withdraw defendant's guilty plea.

3 18. Defendant understands that, if defendant is not a United
4 States citizen, the felony conviction in this case may subject
5 defendant to: removal, also known as deportation, which may, under
6 some circumstances, be mandatory; denial of citizenship; and denial
7 of admission to the United States in the future. The court cannot,
8 and defendant's attorney also may not be able to, advise defendant
9 fully regarding the immigration consequences of the felony conviction
10 in this case. Defendant understands that unexpected immigration
11 consequences will not serve as grounds to withdraw defendant's guilty
12 plea.

13 FACTUAL BASIS

14 19. Defendant admits that defendant is, in fact, guilty of the
15 offenses to which defendant is agreeing to plead guilty. Defendant
16 and the USAO agree to the statement of facts provided in Attachment A
17 and agree that this statement of facts is sufficient to support pleas
18 of guilty to the charges described in this agreement and to establish
19 the Sentencing Guidelines factors set forth below but is not meant to
20 be a complete recitation of all facts relevant to the underlying
21 criminal conduct or all facts known to either party that relate to
22 that conduct.

23 SENTENCING FACTORS

24 20. Defendant understands that in determining defendant's
25 sentence the Court is required to calculate the applicable Sentencing
26 Guidelines range and to consider that range, possible departures
27 under the Sentencing Guidelines, and the other sentencing factors set
28 forth in 18 U.S.C. § 3553(a). Defendant understands that the

1 Sentencing Guidelines are advisory only, that defendant cannot have
2 any expectation of receiving a sentence within the calculated
3 Sentencing Guidelines range, and that after considering the
4 Sentencing Guidelines and the other § 3553(a) factors, the Court will
5 be free to exercise its discretion to impose any sentence it finds
6 appropriate between the mandatory minimum and up to the maximum set
7 by statute for the crimes of conviction.

8 21. Defendant and the USAO agree to the following applicable
9 Sentencing Guidelines factors:

Base Offense Level:	24	[U.S.S.G. §§ 2H1.1., 2K1.4]
Hate Crime Motivation:	+3	[U.S.S.G. § 3A1.1]

13
14 Defendant and the USAO reserve the right to argue that additional
15 specific offense characteristics, adjustments, and departures under
16 the Sentencing Guidelines are appropriate. Defendant understands
17 that, absent a finding from the Court that defendant provided
18 substantial assistance, the Court must sentence defendant to a term
19 of 7 years' imprisonment on Count Five.

20 22. Defendant understands that there is no agreement as to
21 defendant's criminal history or criminal history category.

22 23. Consistent with their Obligations above, including
23 paragraphs 2(h) and 3(e), defendant and the USAO reserve the right to
24 argue for a sentence outside the sentencing range established by the
25 Sentencing Guidelines based on the factors set forth in 18 U.S.C.
26 § 3553(a)(1), (a)(2), (a)(3), (a)(6), and (a)(7).

1 appeal defendant's convictions on the offenses to which defendant is
2 pleading guilty.

3 LIMITED MUTUAL WAIVER OF APPEAL OF SENTENCE

4 26. Defendant agrees that, provided the Court imposes a term of
5 imprisonment of 180 months or less, defendant gives up the right to
6 appeal all of the following: (a) the procedures and calculations used
7 to determine and impose any portion of the sentence, with the
8 exception of defendant's criminal history category (b) the term of
9 imprisonment imposed by the Court; (c) the fine imposed by the court,
10 provided it is within the statutory maximum; (d) the term of
11 probation or supervised release imposed by the Court, provided it is
12 within the statutory maximum; and (e) any of the following conditions
13 of probation or supervised release imposed by the Court: the
14 conditions set forth in General Orders 318, 01-05, and/or 05-02 of
15 this Court; the drug testing conditions mandated by 18 U.S.C.
16 §§ 3563(a)(5) and 3583(d).

17 27. The USAO agrees that, provided the Court imposes a term of
18 imprisonment no less than 120 months, the USAO gives up its right to
19 appeal any portion of the sentence.

20 RESULT OF WITHDRAWAL OF GUILTY PLEA

21 28. Defendant agrees that if, after entering guilty pleas
22 pursuant to this agreement, defendant seeks to withdraw and succeeds
23 in withdrawing defendant's guilty pleas on any basis other than a
24 claim and finding that entry into this plea agreement was
25 involuntary, then (a) the USAO will be relieved of all of its
26 obligations under this agreement; (b) should the USAO choose to
27 pursue any charge that was either dismissed or not filed as a result
28 of this agreement, then (i) any applicable statute of limitations

1 will be tolled between the date of defendant's signing of this
2 agreement and the filing commencing any such action; and
3 (ii) defendant waives and gives up all defenses based on the statute
4 of limitations, any claim of pre-indictment delay, or any speedy
5 trial claim with respect to any such action, except to the extent
6 that such defenses existed as of the date of defendant's signing this
7 agreement.

8 EFFECTIVE DATE OF AGREEMENT

9 29. This agreement is effective upon signature and execution of
10 all required certifications by defendant, defendant's counsel, and an
11 Assistant United States Attorney.

12 BREACH OF AGREEMENT

13 30. Defendant agrees that if defendant, at any time after the
14 signature of this agreement and execution of all required
15 certifications by defendant, defendant's counsel, and an Assistant
16 United States Attorney, knowingly violates or fails to perform any of
17 defendant's obligations under this agreement ("a breach"), the USAO
18 may declare this agreement breached. For example, if defendant
19 knowingly, in an interview, before a grand jury, or at trial, falsely
20 accuses another person of criminal conduct or falsely minimizes
21 defendant's own role, or the role of another, in criminal conduct,
22 defendant will have breached this agreement. All of defendant's
23 obligations are material, a single breach of this agreement is
24 sufficient for the USAO to declare a breach, and defendant shall not
25 be deemed to have cured a breach without the express agreement of the
26 USAO in writing. If the USAO declares this agreement breached, and
27 the Court finds such a breach to have occurred, then:

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1 a. If defendant has previously entered guilty pleas
2 pursuant to this agreement, defendant will not be able to withdraw
3 the guilty pleas.

4 b. The USAO will be relieved of all its obligations under
5 this agreement; in particular, the USAO will no longer be bound by
6 any agreements concerning sentencing and will be free to seek any
7 sentence up to the statutory maximum for the crimes to which
8 defendant has pleaded guilty.

9 c. The USAO will be free to criminally prosecute
10 defendant for false statement, obstruction of justice, and perjury
11 based on any knowingly false or misleading statement by defendant.

12 COURT AND PROBATION OFFICE NOT PARTIES

13 31. Defendant understands that the Court and the United States
14 Probation Office are not parties to this agreement and need not
15 accept any of the USAO's sentencing recommendations or the parties'
16 agreements to facts or sentencing factors.

17 32. Defendant understands that both defendant and the USAO are
18 free to: (a) supplement the facts by supplying relevant information
19 to the United States Probation Office and the Court, (b) correct any
20 and all factual misstatements relating to the Court's Sentencing
21 Guidelines calculations and determination of sentence, and (c) argue
22 on appeal and collateral review that the Court's Sentencing
23 Guidelines calculations and the sentence it chooses to impose are not
24 error, although each party agrees to maintain its view that the
25 calculations in paragraph 21 are consistent with the facts of this
26 case. This paragraph permits both the USAO and defendant to submit
27 full and complete factual information to the United States Probation
28 Office and the Court, even if that factual information may be viewed

1 as inconsistent with the Factual Basis or Sentencing Factors agreed
2 to in this agreement.

3 33. Defendant understands that even if the Court ignores any
4 sentencing recommendation, finds facts or reaches conclusions
5 different from those agreed to, and/or imposes any sentence up to the
6 maximum established by statute, defendant cannot, for that reason,
7 withdraw defendant's guilty pleas, and defendant will remain bound to
8 fulfill all of defendant's obligations under this agreement.

9 Defendant understands that no one - not the prosecutor, defendant's
10 attorney, or the Court - can make a binding prediction or promise
11 regarding the sentence defendant will receive, except that it will be
12 within the statutory maximum.

13 NO ADDITIONAL AGREEMENTS

14 34. Defendant understands that, except as set forth herein,
15 there are no promises, understandings, or agreements between the USAO
16 and defendant or defendant's attorney, and that no additional
17 promise, understanding, or agreement may be entered into unless in a
18 writing signed by all parties or on the record in court.

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PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

35. The parties agree that this agreement will be considered part of the record of defendant's guilty plea hearing as if the entire agreement had been read into the record of the proceeding.

AGREED AND ACCEPTED

UNITED STATES ATTORNEY'S OFFICE
FOR THE CENTRAL DISTRICT OF
CALIFORNIA

NICOLA T. HANNA
United States Attorney

Mack E. Jenkins

MACK E. JENKINS
JULIA GEGENHEIMER
Assistant United States Attorneys

3/19/2018

Date

JS.

JOSE SAUECDO
Defendant

3/19/18

Date

Chad Nardiello

CHAD NARDIELLO
Attorney for Defendant
Jose Saucedo

3/19/18

Date

CERTIFICATION OF DEFENDANT

1
2 I have had this agreement read to me in its entirety. I have
3 had enough time to review and consider this agreement, and I have
4 carefully and thoroughly discussed every part of it with my attorney.
5 I understand the terms of this agreement, and I voluntarily agree to
6 those terms. I have discussed the evidence with my attorney, and my
7 attorney has advised me of my rights, of possible pretrial motions
8 that might be filed, of possible defenses that might be asserted
9 either prior to or at trial, of the sentencing factors set forth in
10 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions,
11 and of the consequences of entering into this agreement. No
12 promises, inducements, or representations of any kind have been made
13 to me other than those contained in this agreement. No one has
14 threatened or forced me in any way to enter into this agreement. I
15 am satisfied with the representation of my attorney in this matter,
16 and I am pleading guilty because I am guilty of the charges and wish
17 to take advantage of the promises set forth in this agreement, and
18 not for any other reason.

19
20 
21 _____
JOSE SAUCEDO
Defendant

5/19/18

Date

CERTIFICATION OF DEFENDANT'S ATTORNEY

I am the defendant's attorney. I have carefully and thoroughly discussed every part of this agreement with my client. Further, I have fully advised my client of his rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. To my knowledge: no promises, inducements, or representations of any kind have been made to my client other than those contained in this agreement; no one has threatened or forced my client in any way to enter into this agreement; my client's decision to enter into this agreement is an informed and voluntary one; and the factual basis set forth in this agreement is sufficient to support my client's entry of guilty pleas pursuant to this agreement.



CHAD NARDIELLO
Attorney for Defendant
Jose Saucedo

3/19/18

Date

ATTACHMENT A: FACTUAL BASIS

The parties agree to the following facts and that, if this case were to proceed to trial, the government would be prepared to prove at least the following facts beyond a reasonable doubt:

1. Throughout the period described in the above-captioned Indictment, defendant JOSE SAUCEDO, aka "Lil' Moe" ("defendant"), along with codefendants 1, 3, 4, 5, 6, 7, 8 (collectively, the "codefendants"), were all members of the Big Hazard street gang ("Hazard").

2. Throughout the period described in the above-captioned Indictment, Hazard is and was a multi-generational gang that claims as part of its territory the Ramona Garden Housing Development ("RGHD"), a public housing development located in the Boyle Heights section of Los Angeles, within the Central District of California. The RGHD was built using federal funds provided by the United States Housing Authority and continues to receive financial assistance from the United States Department of Housing and Urban Development. The RGHD is occupied primarily by Hispanic residents and also includes, among others, a tiny fraction of African-American residents.

3. Hazard, including its leaders, members, and associates, constitutes a criminal "enterprise," as defined by Title 18, United States Code, Section 1961(4). That is, Hazard constitutes a group of individuals associated together in an organization whose members and associates function as a continuing unit for a common purpose of achieving the objectives of the enterprise. These objectives include dominating the RGHD and monopolizing its criminal activity, including

Defendant's Initials JS

1 drug trafficking. As a result of its drug trafficking conduct,
2 throughout the period described in the above-captioned Indictment,
3 Hazard members and associates engaged in, and their activities in
4 some way affected, interstate commerce.

5 4. Between no later than early May 2014, defendant SAUCEDO and
6 the codefendants knowingly and willfully entered into an agreement to
7 firebomb several of the apartments in the RGHD that were occupied by
8 African-American families, including women and children ("the
9 African-American victims"). The co-conspirators planned to use
10 Molotov cocktails to attack residences in order to (1) threaten and
11 intimidate the African-American victims for exercising and enjoying
12 their federally protected right to live in the RGHD free from injury,
13 intimidation, and interference based on race and (2) maliciously
14 damage the residences occupied by the African-American victims.
15 Additionally, defendant SAUCEDO knew that the firebombing could
16 result in serious bodily injury to the African-American victims.
17 Defendant SAUCEDO entered into this agreement in order to maintain
18 his position within Hazard.

19 5. Codefendant 1 divided defendant SAUCEDO and the other
20 codefendants into two groups of four. Codefendant 1 told the two
21 groups they would split up when they arrived at the RGHD, with one
22 group going to target the African-American victims who resided in one
23 area of the RGHD and the other group going to target the African-
24 American victims who resided in a different area of the RGHD. The
25 codefendants then discussed the locations of each victim's residence.

26 6. Codefendants 1, 3, 6, and another coconspirator were in one
27 group; codefendant 1 was the leader of that group. Defendant SAUCEDO

28 Defendant's Initials J.S

1 was part of the second group that included codefendants 4, 5, and 7.
2 Codefendant 1 assigned everyone in his group a role in the
3 firebombing. Codefendant 1 stated that the group would throw the
4 Molotov cocktails into the African-American victims' apartments after
5 the windows were broken and the Molotov cocktails were ignited.
6 Codefendant 1 provided the codefendants with several Molotov
7 cocktails, tools to break the windows, including a wrench and a
8 hammer, and materials to conceal their identities from the
9 surveillance cameras in and around the RGHD and any witnesses.
10 Codefendants 3 and 5 put the gasoline-filled bottles with torn rags
11 in a crate.

12 7. Defendant SAUCEDO and the other codefendants who were
13 present were told by codefendant 1 that the African-American victims
14 were being targeted for firebombing because of their race and that
15 such order had come down from a senior Hazard gang leader and
16 ultimately from a Hispanic prison gang. Codefendant 1, defendant
17 SAUCEDO and the other codefendants who were present discussed that
18 the targeted units would be occupied by residents, including
19 children, at the time of the proposed firebombing attack.

20 8. Codefendant 1 obtained a van to transport the codefendants.
21 Codefendants 1 and 4 were each armed with a semiautomatic handgun in
22 furtherance of the firebombing and to protect the Hazard members from
23 any rivals they might encounter while preparing to travel to the
24 firebombing.

25 9. Codefendant 1 drove the codefendants in the van outside of
26 the Projects and Hazard territory and parked the van. After leaving
27 the van, the codefendants walked to the RGHD using the pedestrian

28 Defendant's Initials J.S

1 overpass that runs over the I-10 freeway. The codefendants chose
2 this route to the RGHD in order to avoid detection by surveillance
3 cameras. Shortly after midnight on or about May 12, 2014, the
4 codefendants entered the RGHD. Once inside the RGHD, the
5 codefendants split up into their respective groups and proceeded to
6 their targets.

7 10. When defendant SAUCEDO's group arrived at their victims'
8 residences, he and his codefendants fulfilled the roles provided them
9 by codefendant 1. Using his hammer, codefendant 7 broke the window
10 of one victim's residence in order to allow a firebomb to enter the
11 unit, codefendant 5 lit the ripped up towel in the firebomb, and
12 defendant SAUCEDO then threw a firebomb into that unit. A
13 codefendant in defendant SAUCEDO's group threw a second firebomb at
14 their targeted unit.

15 11. Defendant SAUCEDO and the codefendants moved to a second
16 victim's residence. Defendant SAUCEDO knew the location of second
17 victim's unit and directed his codefendants to which window to break.
18 Codefendant 7 hit a window with a hammer. A codefendant threw a
19 firebomb at the second victim's unit.

20 12. Immediately after the firebombing attack, codefendant 3,
21 driving the van obtained by codefendant 1, transported codefendant 1
22 to White Memorial Hospital due to injuries that codefendant 1
23 incurred during the firebombing. Codefendant 3 then drove the other
24 codefendants to a location outside of Hazard territory. While at
25 that location, codefendants 4 and 7 both possessed firearms.

26 13. In total, the codefendants maliciously struck and damaged
27 four different residences in the RGHD with Molotov cocktails on May
28

Defendant's Initials *J.S.*

1 12, 2014. The units were: (a) Unit 124, occupied by Victim "1",
2 Victim "1"'s minor children, and Victim "2"; (b) Unit 119, occupied
3 by Victim "3", Victim "3"'s minor children, and Victim "4"; (c) Unit
4 61, occupied by Victim "5", and Victim "5"'s children and three
5 grandchildren; (d) Unit 123, occupied by Victim "6", directly
6 adjacent to Victim "1"'s Unit 124.

7 14. Three of the four residences they struck and damaged were
8 occupied by the African-American victims, who were the intended
9 targets of the codefendants' firebombing. Defendant SAUCEDO and the
10 codefendants targeted the victims because they are African-American
11 and in order to force the African-American victims to move from the
12 RGHD. Defendant SAUCEDO also committed the firebombing, in
13 substantial part, to maintain his status in Hazard.

14 15. Defendant SAUCEDO and the codefendants knew that throwing
15 firebombs into residences occupied by children, among others, after
16 midnight created a substantial likelihood of causing serious bodily
17 injury to at least one of the residents. Such bodily injury could
18 have included injuries sustained from broken glass, being hit by an
19 ignited bottle, smoke inhalation, the explosion resulting from the
20 firebomb, and any resulting fire. Defendant SAUCEDO also knew that
21 such bodily injury was intended by at least one of the codefendants.
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Defendant's Initials J.S