

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

XIANG GAO,
OLEKSANDR KLOCHKOV, and
IGORS KRICFALUSIJS,

Defendants.

INDICTMENT

24 Cr.

COUNT ONE

(Conspiracy to Distribute Fentanyl and Methamphetamine)

The Grand Jury charges:

1. From at least in or about August 2023, up to and including in or about March 2024, in the Southern District of New York, China, Spain, Germany, Poland, Austria, and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, and others known and unknown, at least one of whom is expected to be first brought to and arrested in the Southern District of New York, intentionally and knowingly combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, and others known and unknown, would and did manufacture, distribute, possess with intent to manufacture, and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, conspired to manufacture, distribute, possess with intent to manufacture, and possess with intent to distribute were (i) 400 grams and more of mixtures and substances containing a detectable amount of fentanyl; (ii) 100 grams and more of mixtures and substances containing a detectable amount of fentanyl analogue; and (iii) 500 grams or more of mixtures and substances containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846; and
Title 18, United States Code, Section 3238.)

COUNT TWO

(Conspiracy to Import Fentanyl Precursor Chemicals and a Methamphetamine Precursor Chemical with Intent to Manufacture Fentanyl and Methamphetamine)

The Grand Jury further charges:

4. From at least in or about August 2023, up to and including in or about March 2024, in the Southern District of New York, China, Spain, Germany, Poland, Austria, and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, and others known and unknown, at least one of whom is expected to be first brought to and arrested in the Southern District of New York, intentionally and knowingly combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States.

5. It was a part and an object of the conspiracy that XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, and others known and unknown, would and did manufacture and distribute listed chemicals and controlled substances, intending, knowing, and having reasonable cause to believe that such chemicals would be unlawfully

imported into the United States and into waters within a distance of 12 miles of the coast of the United States, in violation of Title 21, United States Code, Section 959(a).

6. The listed chemicals that XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, and others known and unknown, conspired to manufacture and distribute, intending, knowing, and having reasonable cause to believe that such chemicals would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States, were (i) 1-BOC-4-AP; (ii) para-methyl-1-BOC-4-AP; (iii) para-fluoro-1-BOC-4-AP; and (iv) phenylacetone, which the defendants knowingly and intentionally imported with the intent to manufacture controlled substances, to wit, fentanyl and methamphetamine, and knowingly and intentionally imported, knowing and having reasonable cause to believe that such listed chemicals would be used to manufacture controlled substances, to wit, fentanyl and methamphetamine, in violation of Title 21, United States Code, Sections 812, 813, 841(a)(1), 960(b)(3), 960(d)(1), and 960(d)(3), and Title 21, Code of Federal Regulations, Parts 1308.12(g)(1) and 1310.02(a)(33).

(Title 21, United States Code, Section 963; and
Title 18, United States Code, Section 3238.)

COUNT THREE
(Importation of a Fentanyl Precursor Chemical)

The Grand Jury further charges:

7. In or about October 2023, in the Southern District of New York, China, Spain, Germany, Poland, Austria, and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, at least one of whom is expected to be first brought to and arrested in the Southern District of New York, knowingly and intentionally manufactured and

distributed listed chemicals and controlled substances, and aided and abetted the same, intending, knowing, and having reasonable cause to believe that such chemicals would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States.

8. The listed chemical that XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, and others known and unknown, knowingly and intentionally manufactured and distributed, and aided and abetted the same, intending, knowing, and having reasonable cause to believe that such chemical would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States, was (i) 1-BOC-4-AP, which the defendants knowingly and intentionally imported with the intent to manufacture a controlled substance, to wit, fentanyl, and knowingly and intentionally imported, knowing and having reasonable cause to believe that such listed chemical would be used to manufacture a controlled substance, to wit, fentanyl, in violation of Title 21, United States Code, Sections 812, 813, 841(a)(1), 960(d)(1), and 960(d)(3), and Title 21, Code of Federal Regulations, Parts 1310.02(a)(33).

(Title 21, United States Code, Sections 841(a)(1), 959(a), 960(d)(1), and 960(d)(3); and Title 18, United States Code, Sections 2 and 3238.)

COUNT FOUR
(Conspiracy to Commit Money Laundering)

The Grand Jury further charges:

9. From at least in or about August 2023, up to and including in or about March 2024, in the Southern District of New York, China, Spain, Germany, Poland, Austria, and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, and

others known and unknown, at least one of whom is expected to be first brought to and arrested in the Southern District of New York, intentionally and knowingly combined, conspired, confederated, and agreed together and with each other to commit money laundering offenses, in violation of Title 18, United States Code, Section 1956.

10. It was a part and an object of the conspiracy that XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, and others known and unknown, would and did transport, transmit, and transfer, and attempt to transport, transmit, and transfer a money instrument and funds from a place in the United States to and through a place outside the United States, in an amount exceeding \$10,000, with the intent to promote the carrying on of specified unlawful activity, to wit, felonious narcotics offenses involving controlled substances and listed chemicals (as those terms are defined in the Controlled Substances Act), in violation of Title 18, United States Code, Section 1956(a)(2)(A).

(Title 18, United States Code, Sections 1956(h), 1956(f), and 3238.)

FORFEITURE ALLEGATION

11. As a result of committing the controlled substance offenses charged in Counts One through Three of this Indictment, XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offenses, and any and all property used, or intended to be used, in any manner or part, to commit, and to facilitate the commission of, the offenses charged in Counts One through Three of this Indictment.

12. As a result of committing the money laundering offense charged in Count Four of this Indictment, XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the

defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in said offense, and any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offense or traceable to such property.

Substitute Assets Provision

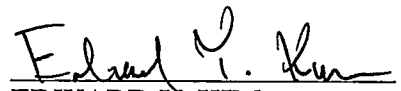
13. If any of the above-described forfeitable property, as a result of any act or omission of XIANG GAO, OLEKSANDR KLOCHKOV, and IGORS KRICFALUSIJS, the defendants:

- 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, Sections 853(p) and 970, and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Sections 853 and 970; and
Title 28, United States Code, Section 2461.)

FOREPERSON


EDWARD Y. KIM
Acting United States Attorney