

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

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. 15-</b> _____
<b>v.</b>	<b>:</b>	<b>DATE FILED: December 9, 2015</b>
<b>JORGE BALBUENA</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>a/k/a "Hansel"</b>		<b>21 U.S.C. § 846 (conspiracy to distribute</b>
<b>YAN MOTA SOTO</b>	<b>:</b>	<b>100 grams or more of heroin, cocaine, and</b>
<b>a/k/a "Yan"</b>		<b>cocaine base ("crack") – 1 count)</b>
<b>LUIS GARCIA</b>	<b>:</b>	<b>21 U.S.C. § 841(a)(1) (distribution of 100</b>
<b>a/k/a "Twin"</b>		<b>grams or more of heroin – 1 count)</b>
<b>a/k/a "Mellos"</b>	<b>:</b>	<b>21 U.S.C. § 841(a)(1) (distribution of</b>
<b>a/k/a "Domi"</b>		<b>heroin – 13 counts)</b>
<b>JOSE GARCIA</b>	<b>:</b>	<b>21 U.S.C. § 860(a) (distribution of heroin</b>
<b>a/k/a "Twin"</b>		<b>within 1000 feet of a school - 10 counts)</b>
<b>a/k/a "Mellos"</b>	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>
<b>YSIDRO GARCIA</b>		
<b>a/k/a "Pisa Pie"</b>	<b>:</b>	
<b>ELVIN DE JESUS</b>		
<b>a/k/a "Elvys Ricardo DeJesus"</b>	<b>:</b>	
<b>PEDRO ANGEL MONTES-PEREZ</b>		
<b>GARY CUEVAS-REYES</b>	<b>:</b>	

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. From in or about March 2014 to in or about October 2015, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**JORGE BALBUENA,**  
    **a/k/a "Hansel,"**  
**YAN MOTA SOTO,**  
    **a/k/a "Yan,"**  
**LUIS GARCIA,**  
    **a/k/a "Twin,"**  
    **a/k/a "Mellos,"**  
    **a/k/a "Domi,"**  
**JOSE GARCIA,**  
    **a/k/a "Twin,"**

**a/k/a “Mellos,”  
YSIDRO GARCIA,  
a/k/a “Pisa Pie,”  
ELVIN DE JESUS,  
a/k/a “Elvys Ricardo DeJesus”  
PEDRO ANGEL MONTES-PEREZ, and  
GARY CUEVAS-REYES,**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute controlled substances, that is, a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, a mixture and substance containing a detectable amount of cocaine, and cocaine base (“crack”), both Schedule II controlled substances, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

2. It is further alleged that, with respect to the conspiracy charged in this Count, 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, is attributable to and was reasonably foreseeable to defendants **JORGE BALBUENA, LUIS GARCIA, JOSE GARCIA, ELVIN DE JESUS, PEDRO ANGEL MONTES-PEREZ, and GARY CUEVAS-REYES**, 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:

3. The defendants and others participated in a heroin distribution organization that operated in the Kensington area of the City of Philadelphia, Pennsylvania. This organization supplied wholesale amounts of heroin, cocaine, cocaine base (“crack”), and other controlled substances to other wholesale drug distributors, and to street corner drug operations.

4. Defendant JORGE BALBUENA was a leader of, and supplier to, this organization. Defendant BALBUENA obtained larger quantities of heroin and other controlled substances. Defendant BALBUENA processed, remixed, and repackaged heroin, and sold it to

other members of the organization, as well as to other wholesale dealers, and to individual buyers in the Eastern District of Pennsylvania and elsewhere.

5. Defendant YAN MOTA SOTO sold heroin, and assisted defendant JORGE BALBUENA with deliveries. Defendant SOTO also served as an assistant, driver and interpreter for defendant BALBUENA. Defendant SOTO also engaged in the procurement and sale of cellular telephones, which he supplied to other drug dealers.

6. Defendant LUIS GARCIA sold heroin in wholesale amounts for the organization. With his twin brother defendant JOSE GARCIA and their father, defendant YSIDRO GARCIA, he supplied and controlled a street-level heroin distribution operation in the vicinity of D and Indiana Streets in Philadelphia.

7. Defendant JOSE GARCIA sold heroin in wholesale amounts for the organization. With his twin brother defendant LUIS GARCIA and their father, defendant YSIDRO GARCIA, he supplied and controlled a street-level heroin distribution operation in the vicinity of D and Indiana Streets in Philadelphia.

8. Defendant YSIDRO GARCIA sold wholesale amounts of heroin and cocaine, and supervised his sons, defendants JOSE GARCIA and LUIS GARCIA in the supply of heroin to a street-level heroin distribution operation in the vicinity of D Street and Indiana Avenue in Philadelphia.

9. Defendant ELVIN DE JESUS sold wholesale and smaller amounts of heroin for the organization. Defendant DE JESUS distributed heroin for defendants LUIS GARCIA and JOSE GARCIA.

10. Defendant PEDRO ANGEL MONTES-PEREZ sold heroin for the organization. Defendant MONTES-PEREZ supplied wholesale amounts of heroin to a street-level heroin distribution operation in the vicinity of B and Stella Streets in Philadelphia.

11. Defendant GARY CUEVAS-REYES sold heroin for the organization and was, at times, a supplier of heroin to the organization.

12. The defendants and others in the organization used stash houses to store, package, and prepare controlled substances for sale.

13. The defendants and others in the organization used commercial establishments, including local bars, restaurants, and stores, to conduct their drug distribution business.

14. The defendants and other members of the organization routinely used counter-surveillance to protect against the presence of law enforcement, rival drug dealers, and robbers, and warned each other of the presence of law enforcement in the area while conducting drug deals.

### **OVERT ACTS**

In furtherance of the conspiracy, and to accomplish its object, the defendants and others known and unknown to the grand jury committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. On or about March 12, 2014, in Philadelphia, defendant ELVIN DE JESUS spoke to a person known to the grand jury as CHS-1, to arrange a sale of heroin to CHS-1 at a price of \$70 per gram.

2. On or about March 13, 2014, in Philadelphia, defendant ELVIN DE JESUS sold approximately 7.2 grams of heroin, packaged in fifteen “bundles” containing 205 packets, to CHS-1, in exchange for \$1,050.

3. On or about March 19, 2014, in Philadelphia, defendant ELVIN DE JESUS sold approximately 8.089 grams of heroin, packaged in sixteen “bundles” containing 218 packets, to CHS-1.

4. On or about April 11, 2014, in Philadelphia CHS-1 met with defendants LUIS GARCIA, JOSE GARCIA, YSIDRO GARCIA, and discussed the purchase of heroin. Defendant LUIS GARCIA offered to sell CHS-1 61 grams of heroin for a total price of \$4,000. Defendant LUIS GARCIA provided CHS-1 with a telephone number, which number had previously been provided by defendant ELVIN DE JESUS.

5. On or about April 23, 2014, in Philadelphia, defendants JORGE BALBUENA, LUIS GARCIA, JOSE GARCIA, ELVIN DE JESUS, PEDRO ANGEL MONTES-PEREZ, and GARY CUEVAS-REYES sold approximately 104.19 grams of heroin to CHS-1.

6. On or about June 24, 2014, in Philadelphia, defendant ELVIN DE JESUS met with CHS-1 and discussed selling 25 grams of heroin to CHS-1 in exchange for \$1,750. Defendant DE JESUS told CHS-1 that defendant DE JESUS would call his drug supplier, then promptly called defendant JORGE BALBUENA.

7. On or about June 24, 2014, in Philadelphia, defendant ELVIN DE JESUS sold approximately 24.5 grams of heroin to CHS-1, in exchange for \$1,750.

8. On or about August 13, 2014, in Philadelphia, defendant ELVIN DE JESUS spoke to CHS-1 about selling 100 grams of heroin to CHS-1.

9. On or about August 14, 2014, in Philadelphia, defendant ELVIN DE JESUS sold approximately 206 grams of fake heroin to CHS-1.

10. On or about September 16, 2014, in Philadelphia, defendants JORGE BALBUENA and YSIDRO GARCIA discussed with a person known to the grand jury as CHS-5 the sale of 100 grams of heroin to CHS-5.

11. On or about September 16, 2014, at the home of defendant YSIDRO GARCIA in Philadelphia, defendants JORGE BALBUENA and YSIDRO GARCIA sold approximately 87.65 grams of heroin to CHS-5, after defendant BALBUENA weighed the heroin in CHS-5's presence.

12. On or about October 23, 2014, in Philadelphia, defendants YSIDRO GARCIA and PEDRO ANGEL MONTES-PEREZ sold approximately 24.86 grams of heroin to CHS-5, in exchange for \$1,700.

13. On or about January 6, 2015, in Philadelphia, defendants JORGE BALBUENA and PEDRO ANGEL MONTES-PEREZ provided a sample of heroin to a person known to the grand jury as CHS-6.

14. On or about January 8, 2015, in Philadelphia, defendant JORGE BALBUENA and a person unknown to the grand jury sold approximately 24.97 grams of heroin to CHS-6, in exchange for \$1,580.

15. On or about January 20, 2015, in Philadelphia, a person known to the grand jury as E.P., a/k/a "El Frekito," provided samples of heroin and cocaine to CHS-5.

16. On or about January 28, 2015, in Philadelphia, defendant JORGE BALBUENA sold approximately 24.68 grams of heroin to CHS-1 in exchange for \$1,750.

17. On or about February 10, 2015, in Philadelphia, E.P., a/k/a "El Frekito," sold approximately 52.5 grams of heroin to CHS-5, for which CHS-5 provided a partial payment of \$1,675.

18. On or about February 14, 2015, in Philadelphia, CHS-5 paid the remaining balance of \$1,675 to E.P., a/k/a “El Frekito,” for the heroin sold on February 10, 2015.

19. On or about March 13, 2015, in Philadelphia, defendant JORGE BALBUENA agreed to sell heroin to CHS-1 at a price of \$65 per gram.

20. On or about March 14, 2015, in Philadelphia, defendants JORGE BALBUENA and YAN MOTA SOTO sold approximately 26.5 grams of heroin to CHS-1, in exchange for \$1,630.

21. On or about March 15, 2015, in Philadelphia, defendant JORGE BALBUENA spoke to a person known to the grand jury as “O.R.,” and discussed establishing and supplying heroin to a drug corner, at F Street and Allegheny Avenue, in Philadelphia, Pennsylvania.

22. On or about March 22, 2015, in Philadelphia and elsewhere, defendant JORGE BALBUENA spoke to a person unknown to the grand jury, who was located in the Dominican Republic, in which conversation they discussed the smuggling of 50 to 100 kilograms of heroin from the Dominican Republic to the United States, using couriers, which heroin would be destined for defendant BALBUENA in Philadelphia, Pennsylvania.

23. On or about March 24, 2015, in Philadelphia and elsewhere, defendants JORGE BALBUENA and YAN MOTA SOTO traveled by car from Philadelphia to North Carolina to obtain a supply of controlled substances.

24. On or about May 10, 2015, in Philadelphia and elsewhere, defendant JORGE BALBUENA and a person from the Dominican Republic unknown to the grand jury, discussed routes for smuggling heroin from Colombia, South America to the United States, via Panama, the Dominican Republic, and Puerto Rico.

25. On or about May 20, 2015, in Philadelphia, defendants JORGE BALBUENA and YAN MOTA SOTO provided three samples of heroin, in packets marked “SAP,” to CHS-5.

26. On or about May 20, 2015, in Philadelphia, defendants JORGE BALBUENA and YAN MOTA SOTO provided one sample of heroin, in a packet marked “SAP,” to CHS-1.

27. On or about May 21, 2015, in Philadelphia, defendants JORGE BALBUENA, YAN MOTA SOTO, LUIS GARCIA, and PEDRO ANGEL MONTES-PEREZ sold approximately 23.36 grams of heroin to CHS-5, in exchange for \$1,700.

28. On or about June 2, 2015, in Philadelphia, defendants JORGE BALBUENA and YAN MOTA SOTO supplied a person known to the grand jury as “D.T.,” approximately 8.82 grams of heroin, packaged in 252 packets.

29. On or about June 11, 2015, in Philadelphia, defendants JORGE BALBUENA and YAN MOTA SOTO provided a sample of heroin to CHS-5, and discussed selling one kilogram of heroin to CHS-5.

30. On or about July 9 and 10, 2015, in Philadelphia, defendant JORGE BALBUENA discussed a proposed sale of two kilograms of heroin to CHS-5.

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

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about March 13, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUIS GARCIA,  
a/k/a “Twin,”  
a/k/a “Mellos,”  
a/k/a “Domi,” and  
ELVIN DE JESUS,  
a/k/a “Elvys Ricardo DeJesus,”**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 7.2 grams 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:**

On or about March 13, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUIS GARCIA,  
a/k/a “Twin,”  
a/k/a “Mellos,”  
a/k/a “Domi,” and  
ELVIN DE JESUS,  
a/k/a “Elvys Ricardo DeJesus,”**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 7.2 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising a public elementary school, that is, the Lewis Elkin Elementary School, located at 3199 D Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

In violation of Title 21, United States Code, Section 860.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about March 19, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUIS GARCIA,  
a/k/a “Twin,”  
a/k/a “Mellos,”  
a/k/a “Domi,” and  
ELVIN DE JESUS,  
a/k/a “Elvys Ricardo DeJesus,”**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 8.089 grams 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:**

On or about March 19, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUIS GARCIA,  
a/k/a “Twin,”  
a/k/a “Mellos,”  
a/k/a “Domi,” and  
ELVIN DE JESUS,  
a/k/a “Elvys Ricardo DeJesus,”**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 8.089 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising a public elementary school, that is, the Lewis Elkin Elementary School, located at 3199 D Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

In violation of Title 21, United States Code, Section 860.

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 23, 2014, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**JORGE BALBUENA,  
a/k/a "Hansel,"  
LUIS GARCIA,  
a/k/a "Twin,"  
a/k/a "Mellos,"  
a/k/a "Domi,"  
JOSE GARCIA,  
a/k/a "Twin,"  
a/k/a "Mellos,"  
ELVIN DE JESUS,  
a/k/a "Elvys Ricardo DeJesus,"  
PEDRO ANGEL MONTES-PEREZ, and  
GARY CUEVAS-REYES**

knowingly and intentionally distributed, and aided and abetted the distribution of, 100 grams or more, that is, approximately 104.19 grams, 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)(B), and Title 18, United States Code, Section 2.

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 23, 2014, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**JORGE BALBUENA,  
a/k/a "Hansel,"  
LUIS GARCIA,  
a/k/a "Twin,"  
a/k/a "Mellos,"  
a/k/a "Domi,"  
JOSE GARCIA,  
a/k/a "Twin,"  
a/k/a "Mellos,"  
ELVIN DE JESUS,  
a/k/a "Elvys Ricardo DeJesus,"  
PEDRO ANGEL MONTES-PEREZ, and  
GARY CUEVAS-REYES,**

knowingly and intentionally distributed, and aided and abetted the distribution of, 100 grams or more, that is, approximately 104.19 grams, of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising a public elementary school, that is, the Lewis Elkin Elementary School, located at 3199 D Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

In violation of Title 21, United States Code, Section 860.

**COUNT EIGHT**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 24, 2014, in Philadelphia, in the Eastern District of Pennsylvania,  
defendant

**ELVIN DE JESUS,  
a/k/a “Elvys Ricardo DeJesus,”**

knowingly and intentionally distributed approximately 24.5 grams 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).

**COUNT NINE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 24, 2014, in Philadelphia, in the Eastern District of Pennsylvania,  
defendant

**ELVIN DE JESUS,  
a/k/a “Elvys Ricardo DeJesus,”**

knowingly and intentionally distributed approximately 24.5 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising a public elementary school, that is, the Lewis Elkin Elementary School, located at 3199 D Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860.

**COUNT TEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 16, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
YSIDRO GARCIA,  
a/k/a "Pisa Pie,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 87.65 grams 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 ELEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 16, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
YSIDRO GARCIA,  
a/k/a "Pisa Pie,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 87.65 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising a public elementary school, that is, the Lewis Elkin Elementary School, located at 3199 D Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

In violation of Title 21, United States Code, Section 860.

**COUNT TWELVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 23, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**YSIDRO GARCIA,  
a/k/a “Pisa Pie,” and  
PEDRO ANGEL MONTES-PEREZ,**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 24.86 grams 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 THIRTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 23, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**YSIDRO GARCIA,  
a/k/a “Pisa Pie,” and  
PEDRO ANGEL MONTES-PEREZ,**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 24.86 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising a public elementary school, that is, the Lewis Elkin Elementary School, located at 3199 D Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

In violation of Title 21, United States Code, Section 860.

**COUNT FOURTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 6, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
PEDRO ANGEL MONTES-PEREZ,**

knowingly and intentionally distributed, and aided and abetted the distribution of, less than 1 gram 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 FIFTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 6, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
PEDRO ANGEL MONTES-PEREZ,**

knowingly and intentionally distributed, and aided and abetted the distribution of, less than 1 gram of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising a playground, that is, the Hissey Center Park Playground, located at the corner of Indiana Avenue and Boudinot Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

In violation of Title 21, United States Code, Section 860.

**COUNT SIXTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 8, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JORGE BALBUENA,  
a/k/a "Hansel,"**

knowingly and intentionally distributed approximately 24.97 grams 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).

**COUNT SEVENTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 8, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JORGE BALBUENA,  
a/k/a "Hansel,"**

knowingly and intentionally distributed approximately 24.97 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising a public elementary school, that is, the Lewis Elkin Elementary School, located at 3199 D Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860.

**COUNT EIGHTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 28, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
YAN MOTA SOTO,  
a/k/a "Yan,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 24.68 grams 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 NINETEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 28, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
YAN MOTA SOTO,  
a/k/a "Yan,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 24.68 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising a playground, that is, the McKinley Playground, located at the corner of C and Westmoreland Streets, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

In violation of Title 21, United States Code, Section 860.

**COUNT TWENTY**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about March 14, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
YAN MOTA SOTO,  
a/k/a "Yan,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 25.58 grams 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-ONE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 20, 2015, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
YAN MOTA SOTO,  
a/k/a "Yan,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, three packets 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-TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 20, 2015, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
YAN MOTA SOTO,  
a/k/a "Yan,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, one packet 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-THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 20, 2015, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
YAN MOTA SOTO,  
a/k/a "Yan,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, one packet of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising a public elementary school, that is, the Lewis Elkin Elementary School, located at 3199 D Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

In violation of Title 21, United States Code, Section 860.

**COUNT TWENTY-FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 21, 2015, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**JORGE BALBUENA,  
a/k/a "Hansel,"  
YAN MOTA SOTO,  
a/k/a "Yan,"  
LUIS GARCIA,  
a/k/a "Twin,"  
a/k/a "Mellos,"  
a/k/a "Domi," and  
PEDRO ANGEL MONTES-PEREZ,**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately  
23.36 grams 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-FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 11, 2015, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**JORGE BALBUENA,  
a/k/a "Hansel," and  
YAN MOTA SOTO,  
a/k/a "Yan,"**

knowingly and intentionally 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.

**A TRUE BILL:**

\_\_\_\_\_  
**FOREPERSON**

\_\_\_\_\_  
**ZANE DAVID MEMEGER**  
United States Attorney