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2019 SEP 13 P 4: 47

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT BY: *h*  
SOUTHERN DISTRICT OF CALIFORNIA

April 2018 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

RENE VALDEZ JR., (1),  
ARACELI S. LOMELI (2),  
DAVID VALDEZ (3),  
ROBERT TATE ALLEN (4),  
SERGIO EDUARDO  
GUTIERREZ MARTINEZ (5),  
MILTON PEREZ CRUZ (6),

Defendants.

Case No.

**19 CR 3629 CAB**

I N D I C T M E N T

Title 21, U.S.C., Secs. 841(a)(1) and 846 - Conspiracy to Distribute Methamphetamine; Title 18, U.S.C., Secs. 1956(a)(2)(A), 1956(a)(2)(B)(i), and 1956(h) - Conspiracy to Launder Monetary Instruments; Title 21, U.S.C., Sec. 853 and Title 18, U.S.C., Sec. 982 - Criminal Forfeiture

The grand jury charges:

Count 1

Beginning on a date unknown to the grand jury and continuing up to and including the date of this Indictment, within the Southern District of California and elsewhere, defendants RENE VALDEZ JR., ARACELI S. LOMELI, DAVID VALDEZ, ROBERT TATE ALLEN, SERGIO EDUARDO GUTIERREZ MARTINEZ, and MILTON PEREZ CRUZ, did knowingly and intentionally conspire together and with each other and with other persons known and unknown to the grand jury, to distribute 50 grams and more of methamphetamine (actual), a Schedule II Controlled Substance; in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

Count 2

Beginning on a date unknown to the grand jury and continuing to the date of this Indictment, within the Southern District of California and elsewhere, defendants RENE VALDEZ JR., ARACELI S. LOMELI and DAVID VALDEZ, did knowingly and intentionally conspire and agree with each other and with other persons, known and unknown to the Grand Jury:

a. to transport, transmit, and transfer a monetary instrument and funds from a place in the United States to and through a place outside the United States with the intent to promote the carrying on of specified unlawful activity, that is, the felonious importation and distribution of controlled substances punishable under Title 21, United States Code, Chapter 13, in violation of Title 18, United States Code, Section 1956(a)(2)(A); and

b. to transport, transmit, and transfer a monetary instrument and funds from a place in the United States to and through a place outside the United States, knowing that the monetary instrument and funds involved in the transportation, transmission and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, that is, the felonious importation and distribution of controlled substances punishable under Title 21, United States Code, Chapter 13, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i);

All in violation of Title 18, United States Code, Section 1956(h).

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1 FORFEITURE ALLEGATION

2 1. The allegations contained in Counts 1 and 2 are realleged and  
3 by their reference fully incorporated herein for the purpose of alleging  
4 forfeiture to the United States of America pursuant to the provisions  
5 of Title 21, United States Code, Section 853 and Title 18, United States  
6 Code, Section 982(a)(1).

7 2. Upon conviction of the felony offense alleged in Count 1 of  
8 this Indictment, said violation being punishable by imprisonment for  
9 more than one year and pursuant to Title 21, United States Code,  
10 Sections 853(a)(1) and 853(a)(2), defendants RENE VALDEZ JR., ARACELI  
11 S. LOMELI, DAVID VALDEZ, ROBERT TATE ALLEN, SERGIO EDUARDO GUTIERREZ  
12 MARTINEZ, and MILTON PEREZ CRUZ, shall, upon conviction, forfeit to the  
13 United States all their rights, title and interest in any and all  
14 property constituting, or derived from, any proceeds the defendants  
15 obtained, directly or indirectly, as the result of the offense, and any  
16 and all property used or intended to be used in any manner or part to  
17 commit and to facilitate the commission of the violation alleged in  
18 Count 1 of this Indictment.

19 3. Upon conviction of the offense alleged in Count 2 of this  
20 Indictment, and pursuant to Title 18, United States Code,  
21 Section 982(a)(1), defendants RENE VALDEZ JR., ARACELI S. LOMELI, and  
22 DAVID VALDEZ, shall forfeit to the United States, all property, real and  
23 personal, involved in such offense, and all property traceable to such  
24 property.

25 4. If any of the above-described forfeitable property, as a  
26 result of any act or omission of the defendants:

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- 1 a. cannot be located upon the exercise of due diligence;  
2 b. has been transferred or sold to, or deposited with, a  
3 third party;  
4 c. has been placed beyond the jurisdiction of the Court;  
5 d. has been substantially diminished in value; or  
6 e. has been commingled with other property which cannot be  
7 subdivided without difficulty; it is the intent of the United States,  
8 pursuant to Title 21, United States Code, Section 853(p) and Title 18,  
9 United States Code, Section 982(b), to seek forfeiture of any other  
10 property of the defendants up to the value of the property listed above  
11 as being subject to forfeiture.


12 All pursuant to Title 21, United States Code, Section 853, and Title 18,  
13 United States Code, Section 982.

14 DATED: September 13, 2019.

15 A TRUE BILL:

16   
17 Foreperson

18 ROBERT S. BREWER, JR.  
19 United States Attorney

20 By:   
21 MATTHEW J. SUTTON  
22 MARIO J. PEIA  
23 Assistant U.S. Attorneys

I hereby attest and certify on 9/14/19  
That the foregoing document is a full, true and correct  
copy of the original on file in my office and in my legal  
custody.

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

24 By  Deputy  
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