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EASTERN DISTRICT OF CALIFORNIA

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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS REYNALDO REYES CASTILLO,  
aka "Molesto,"  
JOSE AUDON REYES BARRERA,  
aka Calacas; and  
NILSON ISRAEL REYES MENDOZA,

Defendants.

CASE NO. 1:18 CR 00092 DAD BAM

VIOLATIONS: 18 U.S.C. § 1959(a)(3) and 2 –  
Assault with a Dangerous Weapon in Aid of  
Racketeering (Count 1);

18 U.S.C. § 1959(a)(6) – Conspiracy to Commit  
Assault With A Dangerous Weapon in Aid of  
Racketeering (Count 2)

INDICTMENT

The Grand Jury charges:

GENERAL ALLEGATIONS

A. THE ENTERPRISE

1. At various times material to this Indictment, defendants LUIS REYNALDO REYES CASTILLO, aka "Molesto," JOSE AUDON REYES BARRERA, aka "Calacas," and NILSON ISRAEL REYES MENDOZA, and others known and unknown to the grand jury, were members and associates of an organization known as "Mara Salvatrucha", or "MS-13" (hereinafter referred to as "MS-13") in Mendota, California. At all relevant times, MS-13 operated in the Eastern District of California and

1 elsewhere. The MS-13 organization was engaged in a variety of illegal activities, including but not  
2 limited to murder, kidnapping, extortion, assault, and narcotics trafficking. MS-13, including its leaders,  
3 members and associates constituted an "Enterprise," as defined by Title 18, United States Code, Section  
4 1959(b)(2) (hereinafter the "Enterprise"), that is, a group of individuals associated in fact, that engaged  
5 in, and the activities of which affected, interstate and foreign commerce. The Enterprise constituted an  
6 ongoing organization whose members functioned as a continuing unit for the common purpose of  
7 achieving the objectives of the Enterprise.

8 **B. OPERATION OF MS-13 IN LOS ANGELES, CALIFORNIA.**

9 2. MS-13 in Mendota, California operates in tandem with MS-13 in Los Angeles,  
10 California. Mara Salvatrucha was formed in Los Angeles, California in the mid-1980s by immigrants  
11 fleeing the civil war in El Salvador. Once in Los Angeles, they organized themselves into a group called  
12 Mara Salvatrucha, which was initially largely composed of Salvadoran immigrants. "Mara" is a Central  
13 American term for gang. "Salva" refers to El Salvador. In the 1990s in Los Angeles, Mara Salvatrucha  
14 distinguished itself by committing brutal acts of violence against rival gang members and non-gang  
15 members. In the mid-1990s, Mara Salvatrucha became associated with the Mexican Mafia, commonly  
16 referred to as "la Eme" (which translates in English to "the M"), and added the number "13" to its name.  
17 The number "13" marks the 13th letter of the alphabet: "M." Thus, Mara Salvatrucha became MS-13.  
18 While MS-13 originated in Los Angeles, over the years, MS-13 spread as its members were deported to  
19 El Salvador and because its members traveled to other locations in the United States and abroad. As a  
20 result, in addition to operating in Los Angeles, MS-13 operates nationally and internationally, with more  
21 than ten thousand members regularly conducting gang activities in at least ten states and Washington,  
22 D.C., and with thousands more conducting gang activities in Central America and Mexico.

23 3. MS-13 in Los Angeles, and MS-13 nationally and internationally, is largely comprised of  
24 persons from Central America, including El Salvador, Honduras, and Guatemala. Although each MS-13  
25 locale has a common origin, MS-13 in Los Angeles operates differently in El Salvador, Honduras,  
26 Guatemala, and the other states within the United States. Notwithstanding, clique names in other parts  
27 of the United States are often named for existing cliques in Los Angeles. At times, MS-13 members  
28 from other geographic locations travel to Los Angeles to participate in leadership meetings; however,



1 MS-13 in Los Angeles is independent, self-governing, and makes its own decisions. Conversely, MS-13  
2 members in Los Angeles are sometimes called upon to provide input in other parts of the country. Also,  
3 MS-13 members in Los Angeles distribute drugs from Los Angeles to other parts of the country.

4 4. In Los Angeles, MS-13 operates under the "Los Angeles Program," which is distinct  
5 from programs in El Salvador, Honduras, Guatemala, and other parts of the United States, whereby its  
6 leaders and members make all decisions concerning how and when a new person becomes a member of  
7 MS-13, how MS-13 operates, when discipline is meted out, when a clique is responsible for paying its  
8 extortionate rent payments, the geographical boundaries of each clique, and the identity of the shot  
9 callers and leaders.

10 5. MS-13 operates through subsets, mentioned above, known as "cliques," which are  
11 usually named for a street within a clique's territory, or for the neighborhood in which the clique  
12 operates. MS-13 has approximately 20 cliques operating in Los Angeles, including, but not limited to,  
13 "Parkview," "Vatos Locos Salvatruchos," and "Francis Locos."

14 6. A clique adds new members through an initiation ritual known as "jumping in," during  
15 which several existing MS-13 members beat up a prospective MS-13 member for 13 seconds. Once  
16 jumped in, an MS-13 member is expected to participate fully in MS-13's criminal activities.

17 7. MS-13 members sometimes signify their membership with tattoos reading "Mara  
18 Salvatrucha," "MS," "MS-13," or other variations of the gang's name. MS-13 members typically refer  
19 to other members by their monikers, or nicknames, and often do not know fellow gang members' legal  
20 names.

21 8. MS-13 has a self-imposed code of conduct, which is imposed and enforced to maintain  
22 compliance among its members. MS-13 enforces its rules and promotes discipline among its members  
23 by imposing monetary fines and threatening and committing acts of violence against members who  
24 break the rules. This is known as being "courted" or "regulated." MS-13, through its leadership or  
25 individual cliques, can vote for MS-13 members to be disciplined for violating MS-13's rules or code of  
26 conduct. Depending on the severity of the violation, MS-13, through its leadership or individual cliques,  
27 will decide whether the violator will receive a beating for 13, 26, or 39 seconds, all multiples of 13, and  
28 will select at least three to four MS-13 members to administer the beatings, with one member counting

1 aloud the seconds. The premise underlying these punishments is that a person who broke a rule should  
2 be punished by beatings for either 13 seconds, or for a multiple of 13 seconds. Additionally, for even  
3 more serious violations of MS-13's rules, MS-13, through its leadership or individual cliques, may vote  
4 to introduce weapons into the beatings, to include knives, bats and/or pipes. Once an MS-13 member  
5 has been disciplined, the individual cliques may also vote to eject the disciplined member from their  
6 cliques. If a member is voted out of the clique, he/she must be "jumped out" of the clique, which means  
7 that member will receive another beating. However, that member may join a different MS-13 clique, if  
8 the new clique votes to accept that member. To join a new clique, that member must be "jumped in," or  
9 beaten for a designated period of time, usually 13 seconds.

10 9. MS-13 has zero tolerance for members and associates who cooperate with law  
11 enforcement. Once MS-13 has evidence that someone has cooperated with law enforcement, by  
12 receiving and reviewing law enforcement reports or videos of interviews, MS-13 issues a "green light"  
13 as to that person, which is an order that if any MS-13 member sees the person who is allegedly or  
14 actually cooperating with law enforcement, that person is to be killed on sight.

15 10. MS-13 members also engage in acts of violence against innocent citizens and rival gang  
16 members in their territory. Participation in violent acts increases the respect accorded to members who  
17 commit violent acts. Additionally, commission of violent acts by MS-13 members enhances the gang's  
18 overall reputation for violence in the community, resulting in the intimidation of citizens in MS-13's  
19 territory.

20 11. MS-13 members write or paint graffiti in the areas they control to identify the area as  
21 controlled by MS-13.

22 12. Narcotics sales provide the bulk of MS-13's profits. Individual MS-13 members who sell  
23 narcotics are often required to provide a portion of their narcotics proceeds to the shot caller of the  
24 clique. This money is used by the shot caller for a variety of purposes, including paying the clique's  
25 rent to the overall MS-13 leader, paying legal fees for MS-13 members in need, helping MS-13  
26 members in need in El Salvador and other points abroad, and purchasing weapons that are maintained by  
27 the clique in their territory for protection. If a clique member earns money for the clique by selling

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1 drugs or other criminal ventures, and contributes a portion to the shot caller, this money is oftentimes  
2 considered their rent contribution to the clique.

3 13. MS-13 also derives income from the extortion of street and food vendors who operate in  
4 MS-13 controlled territory. On a clique level, the clique shot caller identifies targets for extortion and  
5 coordinates which clique member is authorized to collect extortion from each vendor. MS-13 extorts  
6 both legitimate and illegitimate businesses alike, though MS-13 tends to focus on illegitimate or "grey-  
7 market" businesses. These businesses are often owned or run by illegal immigrants, who rarely report  
8 this extortion to law enforcement, despite the threats of violence which accompany the extortion.

9 **C. MS-13 IN MENDOTA, CALIFORNIA.**

10 14. MS-13 in Mendota, California and its members are engaged in murder, assaults,  
11 extortion, illegal weapons possession, as well as other criminal activity in furtherance of the gang,  
12 including but not limited to the selling of illegal narcotics.

13 15. The Mara Salvatrucha subsets Vatos Locos Salvatruchos (VLS) and Park View Locos  
14 Salvatruchos (PVLS) in Mendota both fall under the larger MS-13 transnational criminal organization,  
15 and are aligned with the Los Angeles cliques. VLS and PVLS align and associate with one another and,  
16 in view of that, these two cliques can be observed together as MS-13 gang members in Mendota. They  
17 identify with the color blue and claim the number 13; the number 13 being a reference to the thirteenth  
18 letter of the alphabet, "M", which is a symbol for "Mara." The Mendota MS-13 gang members often  
19 utilize monikers with fellow gang members, phrases such as "Mara" or "Mara Salvatrucha," the letters  
20 VLS, PVLS, and MS, and symbols of devil horns, in their graffiti and tattoos, as an expression of their  
21 gang affiliation. Among other things, the gangs' members and associates engage in the sale of narcotics,  
22 extortion, possession of firearms, and other crimes, including murder, to intimidate rival gang members,  
23 victims of extortion, members of the community, and to protect their "turf" and fellow gang members.

24 16. In addition to VLS and PVLS MS-13 subsets feuding with rival gang members, they also  
25 use violence against their own members to enforce the gang's rules. These rules include, among others,  
26 a prohibition against cooperating with law enforcement in the investigation and prosecution of any  
27 criminal case, especially those involving fellow gang members. An example of a recurring use of

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1 violence to enforce MS-13 rules is the imposition of a 13-second "beat-down" by fellow gang members  
2 during a gang meeting as punishment for an infraction.

3 17. The MS-13 Enterprise in Mendota, CA has a hierarchy. The lowest of the members of  
4 the MS-13 Enterprise are referred to as "Paros." Paros take orders from higher ranking Enterprise  
5 members and are responsible for doing errands and committing crimes on behalf of the gang. Chequeos  
6 also take orders from higher ranking Enterprise members. Chequeos are also responsible for fighting  
7 with rival gang members and expanding the Enterprise's territory. Paros and Chequeos take orders from  
8 "Homeboys." Homeboys are leaders, or shot callers, in the Enterprise and direct Enterprise activity.

9 18. "Homeboys," control the Enterprise's activities, despite often times not being located in  
10 the same city. Homeboys influence that Enterprise's activity remotely through communicating with  
11 other members through phone calls and social media communications. They decide if and when a  
12 murder occurs and which gang members can be involved in the crime. Homeboys also make decisions  
13 that impact Enterprise membership, such as whether or not new members are added, and what members  
14 can be promoted.

15 19. In Mendota, the primary rival to MS-13 is the Bulldogs criminal street gang. The MS-13  
16 cliques in Mendota, CA view the Bulldogs as a threat to the El Salvadoran community and regularly  
17 participate in patrols to attack Bulldog gang members. The MS-13 Enterprise uses the violence to  
18 expand its control of Mendota and to rid the town of rival gangs. Mid-ranking MS-13 Enterprise  
19 members in Mendota, known as "Chequeos" often respond to requests through social media from non-  
20 Enterprise affected El Salvadorans who are being harassed by rival gangs, including the Bulldogs.  
21 Chequoes will respond to these requests and intimidate or attack the rival gang member. MS-13  
22 Enterprise members in Mendota believe that by doing this they earn the trust and respect of the El  
23 Salvadoran community, and deter reporting by the community to law enforcement of crimes committed  
24 by MS-13 Enterprise members.

25 20. Some members of the VLS and PVLS have admitted their gang membership to local  
26 detectives, and a number of the VLS and PVLS members have tattoos that reflect Enterprise affiliation.  
27 These tattoos include words and symbols that refer to the Mara Salvatrucha Enterprise name, such as  
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1 "MS," "Vatos Locos," or "Park View," or a reference to being a member of MS-13, such as "MS-13,"  
2 three dots, skulls, sad/happy faces, 503, 504 or the triangle symbol as seen on the El Salvador flag.

3 21. MS-13 Enterprise members in Mendota must follow clearly established rules of the  
4 Enterprise or face discipline.

5 22. MS-13 Enterprise members in Mendota often receive instructions from higher ranking  
6 Enterprise members in Los Angeles, Santa Maria, and Oakland. Many times, these instructions involve  
7 traveling to Los Angeles or Oakland to support the Enterprise's agenda, including conducting assaults,  
8 helping wanted subjects travel to escape law enforcement, and transporting drugs and firearms on behalf  
9 of the Enterprise.

10 **D. THE PURPOSES OF THE ENTERPRISE**

11 23. The purposes of the Enterprise included, but were not limited to, the following:

12 a) Enriching the members and associates of the Enterprise through, among other  
13 things, gun sales, narcotics sales, and extortion, as well as the remittance of proceeds generated  
14 as a result of MS-13's criminal activities (referred to as "taxes"), and conducting other profit-  
15 driven illegal activities in Fresno County and elsewhere;

16 b) Preserving, promoting, and protecting the power, territory, and profits of MS-13  
17 and its members and associates, through threats of violence and actual acts of violence, including  
18 extortion, assault, attempted murder, and murder;

19 c) Maintaining MS-13's control and authority over its territory, and over illegal  
20 activities occurring in MS-13 "territory" within Fresno County, California, including keeping the  
21 public-at-large in fear of the Enterprise, and in fear of its members and associates through  
22 violence and threats of violence;

23 d) Protecting MS-13 members and associates who have committed crimes, by  
24 hindering, obstructing, and preventing law enforcement officers from identifying, apprehending,  
25 and successfully prosecuting and punishing the offenders; and

26 e) Violently retaliating against rival gang members or perceived outsiders who  
27 challenge MS-13's authority, disrespect MS-13 members and associates, or who fail to pay debts  
28 owed to MS-13 members and associates.

1           **E.    MEANS AND METHODS OF THE ENTERPRISE**

2           24.    Among the means and methods employed by the members and associates who conducted  
3 and participated in the conduct of the affairs of the Enterprise were the following:

4               a)    Members of the Enterprise and their associates committed, attempted and  
5 threatened to commit acts of violence, including murder, kidnapping, and extortion, to protect  
6 and expand the Enterprise's criminal operations.

7               b)    Members of the Enterprise and their associates promoted a climate of fear through  
8 violence and threats of violence.

9               c)    Members of the Enterprise and their associates used and threatened to use  
10 physical violence against rival gang members, neighborhood residents and visitors, and to  
11 violently discipline insubordinate members of the Enterprise;

12              d)    Members of the Enterprise and their associates engaged in extortion of local  
13 businesses.

14              e)    Members of the Enterprise and their associates trafficked in various controlled  
15 substances, including marijuana, methamphetamine, and prescription drugs.

16              f)    Members and associates of the Enterprise frequently engaged in the  
17 aforementioned criminal activity in the presence of other MS-13 gang members and/or associates  
18 to enhance the status within MS-13 of those affirmatively conducting criminal acts; and

19              g)    Members and associates of the Enterprise used various techniques to avoid law  
20 enforcement scrutiny of the Enterprise's criminal activities and to evade and frustrate law  
21 enforcement, such as the use of coded language to discuss criminal activities, the use of internet-  
22 based methods of communication, movement of MS-13 members and associates from Mendota  
23 to other areas and from other areas to Mendota when wanted by law enforcement, and other  
24 counter-surveillance techniques.

25           25.    The above-described Enterprise, through its members and associates, engaged in  
26 racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1),  
27 namely, acts involving murder, extortion, kidnapping, robbery, assaults, and assaults with a dangerous  
28 weapon in violation of California law, and offenses involving trafficking in controlled substances in



violation of Title 21, United States Code, Sections 846, 841(a)(1) (distribution and possession with intent to distribute a controlled substance).

**COUNT ONE:**      **[18 U.S.C. § 1959(a)(3) and 2 – Assault with a Dangerous Weapon in Aid of Racketeering]**

The Grand Jury further charges:

26. Paragraphs 1 through 25 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

27. On or about May 5, 2017, in Fresno County, within the Eastern District of California, for the purpose of gaining entrance to and maintaining and increasing position in MS-13, an Enterprise engaged in racketeering activity, the defendants, LUIS REYNALDO REYES CASTILLO, aka “Molesto,” JOSE AUDON REYES BARRERA, aka “Calacas,” and NILSON ISRAEL REYES MENDOZA, unlawfully and willfully assaulted M.M., J.M, and S.C. with a dangerous weapon, in violation of California Penal Code Sections 245(a)(1);

All in violation of Title 18, United States Code, Sections 1959(a)(3) and 2.

**COUNT TWO:**      **[18 U.S.C. § 1959(a)(6) – Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering]**

The Grand Jury further charges:

28. Paragraphs 1 through 25 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

29. Beginning on a date unknown to the Grand Jury, but no later than May 5, 2017, and continuing to on or about that same day, in the County of Fresno, State and Eastern District of California, and elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in MS-13, an Enterprise engaged in racketeering activity, the defendants, LUIS REYNALDO REYES CASTILLO, aka “Molesto,” JOSE AUDON REYES BARRERA, aka “Calacas,” and NILSON ISRAEL REYES MENDOZA, knowingly and intentionally did combine, conspire, confederate, and agree together and with each other to commit assault with a dangerous weapon, in violation of California Penal Section 245(a)(1), that is, the defendants agreed together with others

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1 known to the Grand Jury to attack with knives and other dangerous weapons suspected rival gang  
2 members and others.

3 All in violation of Title 18, United States Code, Section 1959(a)(6).

4 A TRUE BILL.

5  
6 /s/ Signature on file w/AUSA

7 FOREPERSON

8 MCGREGOR W. SCOTT  
9 United States Attorney

10 By

11   
KIRK E. SHERRIFF

12 Assistant U.S. Attorney  
13 Chief, Fresno Office  
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