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CHARLOTTE, N. C.

JUN 23 2008

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

U. S. DISTRICT COURT

UNITED STATES OF AMERICA	)	W. DIST. OF N. C.
	)	DOCKET NO. 3:08-CR- <u>134</u> -RJC
v.)	
	)	<u>BILL OF INDICTMENT</u>
(1) MANUEL DE JESUS AYALA,)	
a/k/a "Chacua"	)	Violations:
(2) ALEJANDRO ENRIQUE RAMIREZ UMANA,	)	8 U.S.C. § 1326
a/k/a "Wizard"	)	18 U.S.C. § 2
"Lobo"	)	18 U.S.C. § 3
(3) HEVERTH ULISES CASTELLON,	)	18 U.S.C. § 371
a/k/a "Misterio"	)	18 U.S.C. § 922(g)(1)
"Sailor"	)	18 U.S.C. § 922(g)(5)
(4) JULIO CESAR ROSALES LOPEZ,	)	18 U.S.C. § 924(c)
a/k/a "Stiler"	)	18 U.S.C. § 1503
(5) JUAN GILBERTO VILLALOBOS,	)	18 U.S.C. § 1512(b)(1)
a/k/a "Smoke"	)	18 U.S.C. § 1951
"Smokey"	)	18 U.S.C. § 1959(a)(3)
(6) ELVIN PASTOR FERNANDEZ-GRADIS,	)	18 U.S.C. § 1962(d)
a/k/a "Tigre"	)	21 U.S.C. § 841(a)(1)
"Flaco"	)	21 U.S.C. § 843(b)
"Juan Alberto Irias"	)	21 U.S.C. § 846
"Freddy")	
(7) JUAN RUBEN VELA GARCIA,)	
a/k/a "Mariachi")	
(8) JOSE AMILCAR GARCIA-BONILLA,)	
a/k/a "Psicopata,")	
"Sicario")	
(9) YELSON OLIDER CASTRO-LICONA,)	
a/k/a "Diablo")	
(10) CARLOS FERUFINO-BONILLA,)	
a/k/a "Tigre")	
(11) NELSON HERNANDEZ-AYALA,)	
a/k/a "Sixteen")	
(12) MARIO MELGAR-DIAZ,)	
a/k/a "Nino")	
(13) ALEXI RICARDO RAMOS,)	
a/k/a "Pajaro")	
(14) CARLOS ROBERTO FIGUEROA-PINEDA,)	
a/k/a "Drogo")	

(15) CESAR YOALDO CASTILLO,)
a/k/a "Chino")
(16) ALEXANDER GRANADOS,)
a/k/a "Gorilon")
(17) MICHAEL STEVEN MENA,)
a/k/a "Cholo")
(18) JOHNNY ELIAS GONZALEZ,)
a/k/a "Solo")
(19) JAIME SANDOVAL,)
a/k/a "Pelon")
(20) SANTOS CANALES-REYES,)
a/k/a "Chicago")
(21) JOSE EFRAIN AYALA-URBINA,)
a/k/a "Peligroso")
(22) OSCAR MANUEL)
MORAL-HERNANDEZ,)
a/k/a "Truchon")
(23) SANTOS ANIBAL CABALLERO)
FERNANDEZ,)
a/k/a "Garra")
(24) MANUEL CRUZ,)
a/k/a "Silencioso")
(25) JAVIER MOLINA,)
a/k/a "Big Psycho")
"Gringo")
(26) MARIO GUARJARDO-GARCIA,)
a/k/a "Speedy")
"Iran Guerrero-Gomez")

THE GRAND JURY CHARGES:

COUNT ONE

(Racketeer Influenced Corrupt Organization—RICO Conspiracy)

The Grand Jury for the Western District of North Carolina charges that:

Introduction

1. La Mara Salvatrucha, also known as the MS-13 gang (hereafter "MS-13"), is a gang composed primarily of immigrants or descendants of immigrants from El Salvador, with members operating throughout North Carolina including Mecklenburg, Guilford, Wake, and Durham counties, and elsewhere.
2. The name "Mara Salvatrucha" is a combination of several slang terms. The word "Mara" is the term used in El Salvador for "gang." The phrase "Salvatrucha" is a combination of the words "Salva," which is an abbreviation for "Salvadoran," and "trucha," which is a slang term for "fear us," "look out," or "heads up."
3. In the United States, MS-13 originated in Los Angeles, California, where MS-13 members engaged in turf wars for the control of drug distribution locations. MS-13 quickly spread to states across the country, including North Carolina and elsewhere.
4. MS-13 is a national and international criminal organization with over 10,000 members regularly conducting gang activities in at least twenty states and the District of Columbia, as well as in Mexico, Honduras, Guatemala, and El Salvador. MS-13 is one of the largest street gangs in the United States. Gang members actively recruit members, including juveniles, from communities with a large number of immigrants from El Salvador. Members, however, can also have ethnic heritage from other Central American countries. In the United States, MS-13 has been functioning since at least the 1980s.

5. At all times relevant to this Indictment, the following defendants were members of
MS-13:

- (1) MANUEL DE JESUS AYALA,
a/k/a "Chacua"
- (2) ALEJANDRO ENRIQUE RAMIREZ UMANA,
a/k/a "Wizard"
"Lobo"
- (3) HEVERTH ULISES CASTELLON,
a/k/a "Misterio"
"Sailor"
- (4) JULIO CESAR ROSALES LOPEZ,
a/k/a "Stiler"
- (5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke"
"Smokey"
- (6) ELVIN PASTOR FERNANDEZ-GRADIS,
a/k/a "Tigre"
"Flaco"
"Juan Alberto Irias"
"Freddy"
- (7) JUAN RUBEN VELA GARCIA,
a/k/a "Mariachi"
- (8) JOSE AMILCAR GARCIA-BONILLA,
a/k/a "Psicopata"
"Sicario"
- (9) YELSON OLIDER CASTRO-LICONA,
a/k/a "Diablo"
- (10) CARLOS FERUFINO-BONILLA,
a/k/a "Tigre"
- (11) NELSON HERNANDEZ-AYALA,
a/k/a "Sixteen"
- (12) MARIO MELGAR-DIAZ,
a/k/a "Nino"
- (13) ALEXI RAMOS,
a/k/a "Pajaro"
- (14) CARLOS ROBERTO FIGUEROA-PINEDA,
a/k/a "Drogo"
- (15) CESAR YOALDO CASTILLO,
a/k/a "Chino"

- (16) ALEXANDER GRANADOS,
a/k/a "Gorilon"**
- (17) MICHAEL STEVEN MENA,
a/k/a "Cholo"**
- (18) JOHNNY ELIAS GONZALEZ,
a/k/a "Solo"**
- (19) JAIME SANDOVAL,
a/k/a "Pelon"**
- (20) SANTOS CANALES-REYES,
a/k/a "Chicago"**
- (21) JOSE EFRAIN AYALA-URBINA,
a/k/a "Peligroso"**
- (22) OSCAR MANUEL MORAL-HERNANDEZ,
a/k/a "Truchon"**
- (23) SANTOS ANIBAL CABALLERO FERNANDEZ,
a/k/a "Garra"**
- (24) MANUEL CRUZ,
a/k/a "Silencioso"**
- (25) JAVIER MOLINA,
a/k/a "Big Psycho"
"Gringo"**
- (26) MARIO GUARJARDO-GARCIA,
a/k/a "Speedy"
"Iran Guerrero-Gomez"**

6. At all times relevant to this Indictment, in order to join MS-13, members were required to complete an initiation process, often referred to as being "jumped in" or "beat in" to the gang. During that initiation, other members of MS-13 would beat the new member, usually until a gang member finished counting aloud to thirteen.

7. At all times relevant to this Indictment, some members of MS-13 signified their membership by wearing tattoos reading "MARA SALVATRUCHA," "MS," or "MS-13," or similar slogans, often written in gothic lettering. The gang colors of MS-13 are blue, black, and white, and members often wore clothing of these colors often bearing the number "13," or with numbers that, when added together, totaled 13, such as "76." Also, MS-13 members from time to time marked their

territory or signified their presence through the use of graffiti with the words "MS" or other identifying slogans. More recently, some MS-13 members have more discreetly and less publicly signified their membership, by hiding and avoiding such clothing and tattoos in order to avoid detection by law enforcement. MS-13 members refer to one another by their gang names or other nicknames and often do not know fellow gang members except by these gang names.

8. At all times relevant to the Indictment, members of MS-13 were expected to protect the name, reputation, and status of the gang from rival gang members or any other person. MS-13 members believe that all individuals should show respect and deference to the gang and its membership. To protect the gang and to enhance its reputation, MS-13 members are expected to use any means necessary to get respect from those who show disrespect, including acts of intimidation and violence.

9. At all times relevant to this Indictment, members of MS-13 engaged in criminal activity including drug distribution, murders, assaults, robberies, and obstructing justice in the form of threatening and intimidating witnesses that they believed to be cooperating with law enforcement. MS-13 members were required to commit acts of violence to maintain membership and discipline within the gang, including violence against rival gangs. Participation in criminal activity by an MS-13 member, particularly violent acts directed at rival gangs or as directed by the gang leadership, increased the level of respect accorded that member, resulting in that member maintaining or increasing his position in the gang, and possibly resulting in a promotion to a leadership position.

10. At all times relevant to this Indictment, MS-13 was organized in the Western District of North Carolina and elsewhere in "cliques," that is smaller groups operating in a specific city or region. The MS-13 cliques worked together cooperatively to engage in criminal activity and assist one another in avoiding detection by law enforcement. The cliques operated under the umbrella rules of

MS-13. In North Carolina, some of these cliques are identified by names such as "Centrales," "South Boulevard," "Hollywood," "Coronado," "Charlotes Loco Salvatrucha," and other names both known and unknown to the Grand Jury.

11. At all times relevant to this Indictment, MS-13 members attended meetings together on a regular basis. Leaders of cliques of MS-13 from across the United States, and within regions of North Carolina, met to discuss gang rules and gang business, to resolve problems or issues among gang members of different cliques, and to unite gang members from across the country. In Charlotte, Greensboro, and Durham, North Carolina, and in Columbia, South Carolina, and elsewhere, members met to discuss, plan, and report on: gang organizational issues; illegal activity on behalf of MS-13; acts of violence committed by MS-13 members against rival gang members and others with the goal of achieving control of territory; law enforcement activity against MS-13 members; and those suspected of cooperating with law enforcement, among other subjects. Often, members from other states attended North Carolina MS-13 meetings or sought assistance from MS-13 members in North Carolina.

12. The leaders of various MS-13 groups are frequently called "shot callers" or "voices." Often, the leaders, many of whom are incarcerated in El Salvador, exerted authority through the use of telephones. Leaders acted to resolve disputes, address organizational issues, and participate in gang decisions such as whether to assault or murder those suspected of cooperating with law enforcement.

13. At all times relevant to this Indictment, MS-13 members paid dues that were collected at gang meetings. MS-13 members collected dues for the benefit of, and to be provided to, MS-13 gang members who were imprisoned in the United States and in El Salvador. On more than one occasion, MS-13 members in North Carolina transferred funds to MS-13 members incarcerated in prison in El Salvador. MS-13 members also collected dues to buy firearms to be used in MS-13 activities and to

promote other illegal activities.

14. At all times relevant to this Indictment, MS-13 members communicated about gang activities with other MS-13 members in North Carolina and elsewhere, using mobile telephones and other modes of communication. Additionally, MS-13 members used transnational and international money wire transfers to conduct and promote gang activities.

The Racketeering Enterprise

15. MS-13, including its leadership, members and associates, in the Western District of North Carolina, El Salvador, and elsewhere, constituted an "enterprise" as defined in Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact that engaged in, and whose activities affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit that had a common purpose, as described in Paragraph 16 below.

Purposes of the Enterprise

16. The purposes of the MS-13 enterprise included the following:
- a. Preserving and protecting the power, territory, reputation, and profits of the enterprise through the use of intimidation, violence, threats of violence, assaults, and murder;
 - b. Promoting and enhancing the enterprise and its members' and associates' activities, including, but not limited to, drug trafficking, robberies, extortions, and other criminal activities;
 - c. Keeping victims, potential victims, and community members in fear of the enterprise and its members and associates through violence and threats of violence;
 - d. Providing financial support and information to gang members, including those

incarcerated in the United States and El Salvador; and

e. Providing assistance to other gang members who committed crimes for and on behalf of the gang, to hinder, obstruct, and prevent law enforcement officers from identifying the offenders, apprehending the offenders, and successfully prosecuting and punishing the offenders.

The Racketeering Conspiracy

17. Beginning on a date unknown to the Grand Jury, but from at least in or about 2003, and continuing to the present date, in the Western District of North Carolina and elsewhere, defendants,

(1) MANUEL DE JESUS AYALA,
a/k/a "Chacua"

(2) ALEJANDRO ENRIQUE RAMIREZ UMANA,
a/k/a "Wizard"
"Lobo"

(3) HEVERTH ULISES CASTELLON,
a/k/a "Misterio"
"Sailor"

(4) JULIO CESAR ROSALES LOPEZ,
a/k/a "Stiler"

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke"
"Smokey"

(6) ELVIN PASTOR FERNANDEZ-GRADIS,
a/k/a "Tigre"
"Flaco"

"Juan Alberto Irias"
"Freddy"

(7) JUAN RUBEN VELA GARCIA,
a/k/a "Mariachi"

(8) JOSE AMILCAR GARCIA-BONILLA,
a/k/a "Psicopata"
"Sicario"

(9) YELSON OLIDER CASTRO-LICONA,
a/k/a "Diablo"

(10) CARLOS FERUFINO-BONILLA,
a/k/a "Tigre"

(11) NELSON HERNANDEZ-AYALA,
a/k/a "Sixteen"

(12) MARIO MELGAR-DIAZ,

- a/k/a "Nino"
(13) ALEXI RAMOS,
a/k/a "Pajaro"
(14) CARLOS ROBERTO FIGUEROA-PINEDA,
a/k/a "Drogo"
(15) CESAR YOALDO CASTILLO,
a/k/a "Chino"
(16) ALEXANDER GRANADOS,
a/k/a "Gorilon"
(17) MICHAEL STEVEN MENA,
a/k/a "Cholo"
(18) JOHNNY ELIAS GONZALEZ,
a/k/a "Solo"
(19) JAIME SANDOVAL,
a/k/a "Pelon"
(20) SANTOS CANALES-REYES,
a/k/a "Chicago"
(21) JOSE EFRAIN AYALA-URBINA,
a/k/a "Peligroso"
(22) OSCAR MANUEL MORAL-HERNANDEZ,
a/k/a "Truchon"
(23) SANTOS ANIBAL CABALLERO FERNANDEZ,
a/k/a "Garra"
(24) MANUEL CRUZ,
a/k/a "Silencioso"
(25) JAVIER MOLINA,
a/k/a "Big Psycho"
"Gringo"
(26) MARIO GUARJARDO-GARCIA,
a/k/a "Speedy"
"Iran Guerrero-Gomez"

together with others both known and unknown to the Grand Jury, each being a person employed by and associated with MS-13, an enterprise engaged in, and the activities of which affected, interstate and foreign commerce, did knowingly and intentionally conspire to violate Title 18, United States Code, Section 1962(c), that is to conduct and participate, directly and indirectly, in the conduct of the affairs of the MS-13 enterprise through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and (5), which pattern of racketeering activity consisted of multiple acts

indictable under the following provisions of federal law:

- i. 18 U.S.C. § 1951 (Hobbs Act Robbery and Extortion);
- ii. 18 U.S.C. § 1503 (Obstruction of Justice);
- iii. 18 U.S.C. § 1512 (Tampering with Witnesses);

and multiple acts involving the following provisions of federal narcotics law:

- i. 21 U.S.C. § 846 (Conspiracy to Distribute and Possess Cocaine and Marijuana);
- ii. 21 U.S.C. § 841(a)(1) (Distribution and Possession with Intent to Distribute Cocaine);
- iii. 21 U.S.C. § 843(b) (Illegal Use of a Communication Facility);

and multiple acts involving offenses chargeable under the following provisions of North Carolina law:

- i. Murder, in violation of North Carolina Gen. Stat. §§14-17 and 14-2.4;
- ii. Robbery, in violation of North Carolina Gen. Stat. §§14-87.1, 14.87, and 14-2.4;
- iii. Extortion, in violation of North Carolina Gen. Stat. §§ 14-118.4 and 14-2.4.

Manner and Means of the Conspiracy

18. It was part of the manner and means of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

19. It was further part of the manner and means of the conspiracy that the defendants, as gang members of MS-13, were required to have and did have regular meetings with other MS-13 gang members to discuss, among other things: structure and organization of the gang; past criminal acts committed against rival gang members and others; MS-13 members who were arrested or incarcerated; the discipline of MS-13 members; police interactions with MS-13 members; the identities of individuals suspected of cooperating with law enforcement and proposed actions to be taken against them; plans

and agreements regarding the commission of future crimes, to include narcotics distribution robbery, extortion, murder, illegal possession of firearms and assault, as well as ways to conceal these crimes; and enforcement of gang rules.

20. It was further part of the manner and means of the conspiracy that the defendants and other members and associates of MS-13 agreed to purchase, maintain, and circulate a collection of firearms for use in criminal activity by MS-13 members.

21. It was further part of the manner and means of the conspiracy that the defendants and other members and associates of MS-13 agreed that acts of violence, including murder and attempted murder and assaults, would be committed by members and associates of MS-13 against rival gang members or others when it suited the enterprise's purposes. MS-13 members also used violence to impose discipline within the gang.

22. It was further part of the manner and means of the conspiracy that the defendants and other members and associates of MS-13 agreed to distribute narcotics, to use the telephone to facilitate narcotics distribution, to commit robberies, and other crimes, and to conceal their criminal activities by obstructing justice, threatening or intimidating witnesses, and other means.

Overt Acts

23. In furtherance of the conspiracy and to achieve the objectives thereof, at least one of the conspirators performed or caused to be performed at least one of the following overt acts, among others, in Charlotte, Mecklenburg County, within the Western District of North Carolina, and elsewhere:

a. On or about June 13, 2003, MANUEL DE JESUS AYALA, a/k/a "Chacua," who was then a leader of MS-13 in Charlotte, and others both known and unknown to the Grand Jury vandalized a Blockbuster store by painting MS-13 graffiti on the wall of the store.

b. On or about April 8, 2004, **MARIO GUARJARDO-GARCIA, a/k/a "Speedy," "Iran Guerrero-Gomez,"** distributed a quantity of marijuana to a person known to the Grand Jury.

c. On or about April 16, 2004, **MARIO GUARJARDO-GARCIA, a/k/a "Speedy," "Iran Guerrero-Gomez,"** distributed a quantity of cocaine to a person known to the Grand Jury.

d. On or about June 15, 2004, **MARIO GUARJARDO-GARCIA, a/k/a "Speedy," "Iran Guerrero-Gomez,"** distributed a quantity of cocaine and a firearm to a person known to the Grand Jury.

e. On or about July 13, 2004, **MARIO GUARJARDO-GARCIA, a/k/a "Speedy," "Iran Guerrero-Gomez,"** distributed a quantity of cocaine and a firearm to a person known to the Grand Jury.

f. On or about October 30, 2004, **JOSE EFRAIN AYALA-URBINA, a/k/a "Peligroso," NELSON HERNANDEZ-AYALA, a/k/a "Sixteen," and ELVIN PASTOR FERNANDEZ-GRADIS, a/k/a "Tigre," a/k/a "Flaco" a/k/a "Juan Alberto Irias," a/k/a "Freddy,"** and others both known and unknown to the Grand Jury held a meeting to discuss MS-13 gang business (activities in furtherance of the enterprise).

g. On or about June 3, 2005, **NELSON HERNANDEZ-AYALA, a/k/a "Sixteen,"** possessed a firearm.

h. On or about June 6, 2005, **JOHNNY ELIAS GONZALEZ, a/k/a "Solo,"** and others both known and unknown to the Grand Jury, committed a robbery and thereafter murdered Jonnie Maradiaga.

i. On or about August 19, 2005, in Durham, North Carolina, **MICHAEL STEVEN MENA, a/k/a "Cholo,"** shot Victim No. 1, a person believed to be a rival gang member.

j. On or about March 17, 2006, in Durham, North Carolina, **MICHAEL STEVEN MENA, a/k/a "Cholo,"** and others both known and unknown to the Grand Jury conducted an MS-13 "beat in" to initiate a new member into MS-13.

k. On or about March 24, 2006, in Durham, North Carolina, **MICHAEL STEVEN MENA, a/k/a "Cholo,"** and others both known and unknown to the Grand Jury assaulted a person believed to be a rival gang member.

l. On or about July 12, 2006, **ALEXI RICARDO RAMOS, a/k/a "Pajaro,"** possessed a firearm.

m. On or about August 3, 2006, September 8, 2006, and September 28, 2006, **MARIO MELGAR-DIAZ, a/k/a "Nino,"** distributed quantities of cocaine to a person known to the Grand Jury.

n. On or about October 29, 2006, **SANTOS ANIBAL CABALLERO FERNANDEZ, a/k/a "Garra,"** possessed a firearm.

o. On or about November 28, 2006, **MARIO MELGAR-DIAZ, a/k/a "Nino,"** discussed distributing cocaine with a person known to the Grand Jury.

p. On or about January 22, 2007, **MARIO MELGAR-DIAZ, a/k/a "Nino,"** discussed distributing cocaine with a person known to the Grand Jury.

q. On or about March 19, 2007, **JOSE EFRAIN AYALA-URBINA, a/k/a "Peligroso,"** possessed a firearm.

r. On or about June 8, 2007, **NELSON HERNANDEZ-AYALA, a/k/a "Sixteen,"**

discussed distributing cocaine with a person known to the Grand Jury.

s. On or about June 16, 2007, at an MS-13 meeting in Charlotte, **CESAR CASTILLO, a/k/a "Chino," ALEXANDER GRANADOS, a/k/a "Gorilon," MARIO GUARJARDO-GARCIA, a/k/a "Speedy," "Iran Guerrero-Gomez,"** and others both known and unknown to the Grand Jury discussed coordinating their gang activities. At the meeting, MS-13 members from Charlotte and Durham sought each other's assistance with criminal activities including retaliation against rival gang members.

t. On or about July 19, 2007, **NELSON HERNANDEZ-AYALA, a/k/a "Sixteen,"** discussed distributing cocaine with a person known to the Grand Jury. Later that day, **NELSON HERNANDEZ-AYALA, a/k/a "Sixteen,"** and **MARIO GUARJARDO-GARCIA, a/k/a "Speedy," "Iran Guerrero-Gomez,"** distributed a quantity of cocaine to a person known to the Grand Jury.

u. On or about August 6, 2007, in Guilford County, North Carolina, **ALEJANDRO ENRIQUE UMANA, a/k/a "Wizard," "Lobo,"** possessed cocaine.

v. On or about August 10, 2007, **ALEXI RICARDO RAMOS, a/k/a "Pajaro,"** possessed cocaine.

w. On or about October 26, 2007, in Mecklenburg County at the El Vaquero club, an MS-13 meeting was held and attended by **JUAN RUBEN VELA GARCIA, a/k/a "Mariachi," JOSE AMILCAR GARCIA-BONILLA, a/k/a "Psicopata," a/k/a "Sicario," CARLOS FERUFINO-BONILLA, a/k/a "Tigre," YELSON OLIDER CASTRO-LICONA a/k/a "Diablo," CESAR YOALDO CASTILLO, a/k/a "Chino,"** and others both known and unknown to the Grand Jury. At this meeting, the members discussed gang business (activities in furtherance of the enterprise),

including attacking rival gangs, extorting drug dealers in MS-13 territory, and other criminal activity.

x. On or about October 27, 2007, in a wooded area in Mecklenburg County, an MS-13 meeting was held and attended by **JUAN RUBEN VELA GARCIA, a/k/a "Mariachi," JOSE AMILCAR GARCIA-BONILLA, a/k/a "Psicopata," a/k/a "Sicario," CARLOS FERUFINO-BONILLA, a/k/a "Tigre," YELSON OLIDER CASTRO-LICONA, a/k/a "Diablo,"** and others both known and unknown to the Grand Jury. At this meeting, the members discussed gang business (activities in furtherance of the enterprise), such as organizational issues, obtaining guns for the gang, extorting drug dealers, and other criminal activities. After this meeting, gang members held another MS-13 meeting at the El Vaquero club, to discuss various aspects of gang business (activities in furtherance of the enterprise), which was attended by **JUAN RUBEN VELA GARCIA, a/k/a "Mariachi,"** and others both known and unknown to the Grand Jury.

y. On or about November 7, 2007, **MANUEL CRUZ, a/k/a "Silencioso,"** discussed distributing cocaine with a person known to the Grand Jury.

z. On or about November 18, 2007 in Mecklenburg County, at the El Vaquero club, an MS-13 meeting was held and attended by **JUAN RUBEN VELA GARCIA, a/k/a "Mariachi," JOSE AMILCAR GARCIA-BONILLA, a/k/a "Psicopata," a/k/a "Sicario," CARLOS FERUFINO-BONILLA, a/k/a "Tigre," YELSON OLIDER CASTRO-LICONA, a/k/a "Diablo," JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey," MANUEL CRUZ, a/k/a "Silencioso," SANTOS CANALES-REYES, a/k/a "Chicago,"** and others both known and unknown to the Grand Jury. At the meeting, the members discussed gang business (activities in furtherance of the enterprise), including obtaining guns for MS-13 and killing rival gang members.

aa. On or about November 23, 2007, in Greensboro, North Carolina, an MS-13

meeting was held and attended by JUAN RUBEN VELA GARCIA, a/k/a "Mariachi," YELSON OLIDER CASTRO-LICONA, a/k/a "Diablo," ALEJANDRO ENRIQUE UMANA, a/k/a "Wizard," "Lobo," JULIO CESAR ROSALAS LOPEZ, a/k/a "Stiler," and others both known and unknown to the Grand Jury. At this meeting, the members discussed gang business (activities in furtherance of the enterprise) and illegal activities.

bb. On or about November 24, 2007, JOSE AMILCAR GARCIA-BONILLA, a/k/a "Psicopata," a/k/a "Sicario," CARLOS FERUFINO-BONILLA, a/k/a "Tigre," and YELSON OLIDER CASTRO-LICONA, a/k/a "Diablo," conspired, attempted to, and did rob an individual known to the Grand Jury.

cc. On or about November 26, 2007, JOSE AMILCAR GARCIA-BONILLA, a/k/a "Psicopata," a/k/a "Sicario," CARLOS FERUFINO-BONILLA, a/k/a "Tigre," and YELSON OLIDER CASTRO-LICONA, a/k/a "Diablo," robbed a person known to the Grand Jury.

dd. On or about November 28, 2007, JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey," discussed distributing cocaine with a person known to the Grand Jury.

ee. On or about November 29, 2007, JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey," distributed a quantity of cocaine to a person known to the Grand Jury. During the cocaine transaction, JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey," discussed obtaining firearms in support of enterprise activities and other MS-13 gang business (activities in furtherance of the enterprise).

ff. On or about November 30, 2007, JOSE AMILCA GARCIA-BONILLA, a/k/a "Psicopata," a/k/a "Sicario," CARLOS FERUFINO-BONILLA, a/k/a "Tigre," JUAN RUBEN VELA GARCIA, a/k/a "Mariachi," and YELSON OLIDER CASTRO-LICONA, a/k/a "Diablo,"

conspired and attempted to commit an armed robbery of a known house of prostitution. They later met with **ALEJANDRO ENRIQUE UMANA, a/k/a "Wizard," "Lobo," JUAN RUBEN VELA GARCIA, a/k/a "Mariachi," JAIME SANDOVAL, a/k/a "Pelon,"** and others both known and unknown to the Grand Jury to discuss the attempted armed robbery and other gang business (activities in furtherance of the enterprise).

gg. On or about and between December 6, 2007 and December 7, 2007, **JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey,"** discussed distributing a quantity of cocaine. Also on or about December 7, 2007, **JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey,"** distributed a quantity of cocaine.

hh. On or about December 6, 2007, **MARIO GUARJARDO-GARCIA, a/k/a "Speedy," "Iran Guerrero-Gomez,"** discussed distributing a quantity of cocaine with others both known and unknown to the Grand Jury.

ii. On or about December 7, 2007, **JUAN RUBEN VELA GARCIA, a/k/a "Mariachi,"** discussed obtaining a gun and grenades with others both known and unknown to the Grand Jury.

jj. On or about December 8, 2007, **JOSE AMILCAS GARCIA BONILLA, a/k/a "Psicopata," a/k/a "Sicario," CARLOS ALBERTO FERRUFINO-BONILLA, a/k/a "El Tigre," YELSO OLIDER CASTRO-LICONA a/k/a "El Diablo," and JUAN RUBEN VELA GARCIA, a/k/a "Mariachi,"** conspired and attempted to rob a known house of prostitution.

kk. On or about December 8, 2007, in a Greensboro, North Carolina restaurant, **ALEJANDRO ENRIQUE UMANA, a/k/a "Wizard," "Lobo,"** murdered Ruben Garcia Salinas and Manuel Garcia Salinas. **ALEJANDRO ENRIQUE UMANA, a/k/a "Wizard," "Lobo,"** later escaped

to Charlotte with the help of **CESAR CASTILLO, a/k/a "Chino," JULIO CESAR ROSALAS LOPEZ, a/k/a "Stiler,"** and others both known and unknown to Grand Jury.

ll. On or about December 8, 2007, at the El Vaquero club in Charlotte, **ALEJANDRO ENRIQUE UMANA, a/k/a "Wizard," "Lobo," JAIME SANDOVAL, a/k/a "Pelon,"** and **JULIO CESAR ROSALES LOPEZ, a/k/a "Stiler,"** threatened, attempted to, and did rob a person known to the Grand Jury.

mm. On or about January 5, 2008, in Greensboro, North Carolina, **JOSE AMILCAS GARCIA BONILLA, a/k/a "Psicopata," a/k/a "Sicario," ALEXANDER GRANADOS, a/k/a "Gorilon," JULIO CESAR RODRIQUEZ, a/k/a "Stiler,"** and **SANTOS CANALES-REYES, a/k/a/ "Chicago "** met to discuss MS-13 gang business (activities in furtherance of the enterprise), including organizing, killing rival gang members, collecting dues, obtaining firearms, and other criminal activities.

nn. On or about January 5 and January 6, 2008, **MICHAEL STEVEN MENA, a/k/a "Cholo,"** possessed a firearm.

oo. On or about January 9, 2008, **MANUEL DE JESUS AYALA, a/k/a "Chacua,"** discussed MS-13 business (activities in furtherance of the enterprise) with a person known to the Grand Jury.

pp. On or about January 10, 2008, **ALEXANDER GRANADOS, a/k/a "Gorilon,"** discussed distributing cocaine with a person known to the Grand Jury.

qq. On or about January 11, 2008, **JOHNNY ELIAS GONZALEZ, a/k/a "Solo,"** and **JAVIER MOLINA, a/k/a "Big Psycho,"** discussed the commission of various shootings and the possession of firearms and drugs with others both known and unknown to the Grand Jury.

rr. On or about January 12, 2008, **ALEXI RICARDO RAMOS, a/k/a "Pajaro,"** possessed firearms and cocaine.

ss. On or about January 12, 2008, **JOHNNY ELIAS GONZALEZ, a/k/a "Solo," JAVIER MOLINA, a/k/a "Big Psycho,"** and others both known and unknown to the Grand Jury, threatened rival gang members and possessed firearms.

tt. On or about January 12, 2008, **ALEXANDER GRANADOS, a/k/a "Gorilon,"** discussed distributing cocaine with a person known to the Grand Jury.

uu. On or about January 13, 2008, **JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey,"** discussed distributing cocaine and firearms with others both known and unknown to the Grand Jury.

vv. On or about January 14, 2008, **JUAN RUBEN VELA GARCIA, a/k/a "Mariachi,"** discussed obtaining grenades and blowing up rival gang members with others both known and unknown to the Grand Jury.

ww. On or about January 14, 2008, **JULIO CESAR RODRIQUEZ, a/k/a "Stiler,"** discussed organizing MS-13 cliques with others both known and unknown to the Grand Jury.

xx. On or about January 14, 2008, **MANUEL DE JESUS AYALA, a/k/a "Chacua,"** discussed MS-13 gang business (activities in furtherance of the enterprise) with a person known to the Grand Jury.

yy. On or about January 18, 2008, in Greensboro, North Carolina, **JULIO CESAR RODRIQUEZ, a/k/a "Stiler,"** possessed a firearm.

zz. On or about January 19, 2008, **MANUEL DE JESUS AYALA, a/k/a "Chacua,"** discussed MS-13 gang business (activities in furtherance of the enterprise) with a person

known to the Grand Jury.

aaa. On or about January 22, 2008, **CARLOS ROBERTO FIGUEROA-PINEDA, a/k/a "Drogo,"** possessed marijuana and firearms.

bbb. On or about February 3, 2008, at the Golden Palacio club in Charlotte, **CESAR YOALDO CASTILLO, a/k/a "Chino,"** shot Victim No. 2 and Victim No. 3 and shot at others both known and unknown to the Grand Jury.

ccc. On or about February 9, 2008, **JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey,"** discussed possessing firearms with others both known and unknown to the Grand Jury.

ddd. On or about February 16, 2008, at the Mi Cabana club in Charlotte, **CESAR YOALDO CASTILLO, a/k/a "Chino,"** shot at and assaulted Victims No. 4, 5, and 6, whom he believed to be rival gang members.

eee. On or about February 19, 2008, **JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey,"** discussed distributing cocaine with others both known and unknown to the Grand Jury. On or about February 22, 2008, **JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey,"** distributed a quantity of cocaine.

fff. On or about February 29, 2008, a MS-13 meeting was held in Charlotte and attended by **JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey," HEVERTH ULISES CASTELLON, a/k/a "Misterio," a/k/a "Sailor," JOSE EFRAIN AYALA-URBINA, a/k/a "Peligroso," OSCAR MANUEL MORAL-HERNANDEZ, a/k/a "Truchon," SANTOS ANIBAL CABALLERO FERNANDEZ, a/k/a "Garra," ELVIN PASTOR FERNANDEZ-GRADIS, a/k/a "Tigre," a/k/a "Flaco," a/k/a "Juan Alberto Irias," a/k/a**

"Freddy," CARLOS ROBERTO FIGUEROA-PINEDA, a/k/a "Drogo," JAIME SANDOVAL, a/k/a "Pelon," and others both known and unknown to the Grand Jury. At the meeting, members discussed MS-13 business (activities in furtherance of the enterprise) and other criminal activities.

ggg. On or about March 7, 2008, a MS-13 meeting was held in Columbia, South Carolina and attended by **HEVERTH ULISES CASTELLON, a/k/a "Misterio," a/k/a "Sailor," CARLOS ROBERTO FIGUEROA-PINEDA, a/k/a "Drogo," JAIME SANDOVAL, a/k/a "Pelon," CESAR YOALDO CASTILLO, a/k/a "Chino," JUAN GILBERTO VILLALOBOS, a/k/a "Smoke" a/k/a "Smokey," JOSE EFRAIN AYALA-URBINA, a/k/a "Peligroso,"** and others both known and unknown to the Grand Jury. At the meeting, members discussed MS-13 business (activities in furtherance of the enterprise).

hhh. On or about March 7, 2008, **SANTOS CANALES-REYES, a/k/a "Chicago,"** threatened a person known to the Grand Jury by holding a firearm to his head.

iii. From about March 18 to March 21, 2008, **HEVERTH ULISES CASTELLON, a/k/a "Misterio," a/k/a "Sailor," JUAN GILBERTO VILLALOBOS, a/k/a "Smoke" a/k/a "Smokey," CESAR YOALDO CASTILLO, a/k/a "Chino,"** and **OSCAR MANUEL MORAL-HERNANDEZ, a/k/a "Truchon,"** conspired and attempted to commit an armed robbery of a business in Virginia.

jjj. On or about April 12, 2008, in Charlotte, North Carolina, **ELVIN PASTOR FERNANDEZ-GRADIS, a/k/a "Tigre," a/k/a "Flaco," a/k/a "Juan Alberto Irias," a/k/a "Freddy,"** murdered Ulisses Alejandro Mayo-De La Torre. Right after the murder, **ELVIN PASTOR FERNANDEZ-GRADIS, a/k/a "Tigre," a/k/a "Flaco," a/k/a "Juan Alberto Irias," a/k/a "Freddy,"** escaped the murder scene with the assistance of **SANTOS ANIBAL CABALLERO**

FERNANDEZ, a/k/a "Garra."

kkk. On or about May 1, 2008, **JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey,"** and **JAIME SANDOVAL, a/k/a "Pelon,"** distributed a quantity of cocaine to a person known to the Grand Jury.

lll. On or about May 26, 2008, **JAIME SANDOVAL, a/k/a "Pelon,"** possessed a firearm.

mmm. On numerous occasions between about October 2007 and continuing until the present, from within an El Salvador prison, where he remains incarcerated, **MANUEL DE JESUS AYALA, a/k/a "Chacua,"** exercised a leadership role with respect to various MS-13 gang activities, and on multiple occasions requested that MS-13 members, within the Western District of North Carolina and elsewhere, wire him money. After these requests, MS-13 members and associates often wired him money.

nnn. From about October 2007 and continuing until the present, and on numerous occasions, members of MS-13 including **JULIO CESAR RODRIQUEZ, a/k/a "Stiler,"** and others both known and unknown to the Grand Jury, discussed plans to murder a person known to the Grand Jury whom they believed to be cooperating with law enforcement.

ooo. On or about May 29, 2008, **MARIO GUARJARDO-GARCIA, a/k/a "Speedy," "Iran Guerrero-Gomez,"** possessed cocaine with the intent to distribute.

ppp. On or about June 12, 2008, in Greensboro, North Carolina, **ALEJANDRO ENRIQUE UMANA, a/k/a "Wizard," "Lobo," JAIME SANDOVAL, a/k/a "Pelon," JOSE EFRAIN AYALA-URBINA, a/k/a "Peligroso,"** and **SANTOS CANALES-REYES, a/k/a "Chicago,"** and others both known and unknown to the Grand Jury, conspired to, attempted to, and

did intimidate witnesses and obstruct justice, by searching out eyewitnesses to crimes and overt acts described in this Indictment for the purpose of preventing them from testifying or cooperating with law enforcement.

All in violation of Title 18, United States Code, Section 1962(d).

COUNT TWO

(Conspiracy to Distribute and Possession with Intent to Distribute Cocaine and Marijuana)

24. From at least on or about 2004 and continuing to until the present, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendants,

(3) HEVERTH ULISES CASTELLON,

a/k/a "Misterio"

"Sailor"

(5) JUAN GILBERTO VILLALOBOS,

a/k/a "Smoke"

a/k/a "Smokey"

(7) JUAN RUBEN VELA GARCIA,

a/k/a "Mariachi"

(11) NELSON HERNANDEZ-AYALA,

a/k/a "Sixteen"

(12) MARIO MELGAR-DIAZ,

a/k/a "Nino"

(14) CARLOS ROBERTO FIGUEROA-PINEDA,

a/k/a "Drogo"

(16) ALEXANDER GRANADOS,

a/k/a "Gorilon"

(19) JAIME SANDOVAL,

a/k/a "Pelon"

(24) MANUEL CRUZ, and

a/k/a "Silencioso"

(26) MARIO GUARJARDO-GARCIA,

a/k/a "Speedy"

"Iran Guerrero-Gomez"

did knowingly and intentionally conspire and agree with each other and others both known and unknown to the Grand Jury, to distribute and to possess with intent to distribute one or more controlled substances, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Said offense involved 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine.

Said offense involved a mixture and substance containing a detectable amount of marijuana.

All in violation of Title 21, United States Code, Sections 846, 841(b)(1)(A), and 841(b)(1)(C).

COUNT THREE

(Assault with a Dangerous Weapon in Aid of Racketeering Activity)

25. Paragraphs 1 through 23 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

26. On or about August 19, 2005, in Durham, North Carolina, within the Middle District of North Carolina, and elsewhere, defendant,

**(17) MICHAEL STEVEN MENA,
a/k/a "Cholo,"**

aiding and abetting others both known and unknown to the Grand Jury, for the purpose of gaining entrance to and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, did assault with a dangerous weapon, a firearm, an individual known to the Grand Jury, Victim No. 1, in violation of North Carolina law, N.C. Gen. Stat. § 14-32.

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

COUNT FOUR
(Distribution of Cocaine)

27. On or about August 3, 2006, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(12) MARIO MELGAR-DIAZ,
a/k/a "Nino,"

aiding and abetting others both known and unknown to the Grand Jury, did knowingly and intentionally distribute a controlled substance, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT FIVE
(Distribution of Cocaine)

28. On or about September 8, 2006, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(12) MARIO MELGAR-DIAZ,
a/k/a "Nino,"

aiding and abetting others both known and unknown to the Grand Jury, did knowingly and intentionally distribute a controlled substance, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT SIX
(Distribution of Cocaine)

29. On or about September 28, 2006, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(12) MARIO MELGAR-DIAZ,
a/k/a "Nino,"

aiding and abetting others both known and unknown to the Grand Jury, did knowingly and intentionally distribute a controlled substance, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT SEVEN
(Possession of a Firearm by an Illegal Alien)

30. On or about October 29, 2006, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(23) SANTOS ANIBAL CABALLERO FERNANDEZ,
a/k/a "Garra,"

aiding and abetting others both known and unknown to the Grand Jury, then being an alien illegally and unlawfully in the United States, did knowingly possess, in and affecting commerce, one or more firearms, to wit: one .357 revolver and ammunition.

In violation of Title 18, United States Code, Sections 922(g)(5) and 2.

COUNT EIGHT
(Illegal Use of Communication Facility)

31. On or about January 22, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(12) MARIO MELGAR-DIAZ,
a/k/a "Nino,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Count Two of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT NINE
(Felon in Possession of a Firearm)

32. On or about March 19, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(21) JOSE EFRAIN AYALA-URBINA,
a/k/a "Peligroso"

having previously been convicted of one or more crimes punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, one or more firearms, to wit: one .25 Lorcin L25 semi-automatic pistol and ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TEN
(Illegal Use of Communication Facility)

33. On or about June 8, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(11) NELSON HERNANDEZ-AYALA,
a/k/a "Sixteen,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Count Two of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT ELEVEN
(Illegal Use of Communication Facility)

34. On or about July 19, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(11) NELSON HERNANDEZ-AYALA,
a/k/a "Sixteen,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Counts Two and Twelve of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWELVE
(Distribution of Cocaine)

35. On or about July 19, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendants,

(11) NELSON HERNANDEZ-AYALA,
a/k/a "Sixteen," and
(26) MARIO GUARJARDO-GARCIA,
a/k/a "Speedy,"
"Iran Guerrero-Gomez,"

aiding and abetting each other and others both known and unknown to the Grand Jury, did knowingly and intentionally distribute a controlled substance, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and 18 United States Code, Section 2.

COUNT THIRTEEN
(Possession with Intent to Distribute Cocaine)

36. On or about August 10, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(13) ALEXI RICARDO RAMOS,
a/k/a "Pajaro,"

did knowingly and intentionally possess with intent to distribute a controlled substance, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of United States Code Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FOURTEEN
(Illegal Use of Communication Facility)

37. On or about and between November 7, 2007 and continuing until November 9, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(24) MANUEL CRUZ,
a/k/a "Silencioso,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Count Two of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT FIFTEEN
(Illegal Use of a Communication Facility)

38. On or about and between November 28, 2007 and November 29, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Count Two and Count Sixteen of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT SIXTEEN
(Distribution of Cocaine)

39. On or about November 29, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

aiding and abetting others both known and unknown to the Grand Jury, did knowingly and intentionally distribute a controlled substance, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT SEVENTEEN
(Alien in Possession of a Firearm and Ammunition)

40. On or about November 30, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendants,

(8) JOSE AMILCAR GARCIA-BONILLA,
a/k/a "Psicopata,"
"Sicario,"

(9) YELSON OLIDER CASTRO-LICONA,
a/k/a "Diablo," and

(10) CARLOS FERUFINO-BONILLA,
a/k/a "Tigre,"

aiding and abetting each other and others both known and unknown to the Grand Jury, then being aliens illegally and unlawfully in the United States, did knowingly possess, in and affecting commerce, one or more firearms, to wit: an Intratec nine millimeter semi-automatic pistol and a Bauer .25 semi-automatic pistol and ammunition.

In violation of Title 18, United States Code, Sections 922(g)(5) and 2.

COUNT EIGHTEEN
(Illegal Use of a Communication Facility)

41. On or about December 6, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(26) MARIO GUARJARDO-GARCIA,
a/k/a "Speedy,"
a/k/a "Iran Guerrero-Gomez,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Count Two of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT NINETEEN
(Illegal Use of a Communication Facility)

42. On or about December 7, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Counts Two and Twenty of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY
(Distribution of Cocaine)

43. On or about December 7, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

aiding and abetting others both known and unknown to the Grand Jury, did knowingly and intentionally distribute a controlled substance, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TWENTY-ONE
(Alien in Possession of Firearm)

44. On or about December 8, 2007, in Guilford County, within the Middle District of North Carolina, and in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(2) ALEJANDRO ENRIQUE RAMIREZ UMANA,
a/k/a "Wizard,"
"Lobo"

then being an alien illegally and unlawfully in the United States, did knowingly possess, in and affecting commerce, one or more firearms, to wit: one Ruger .45 caliber semi-automatic pistol and ammunition.

In violation of Title 18, United States Code, Section 922(g)(5).

COUNT TWENTY-TWO
(Hobbs Act Robbery)

45. Introductory Paragraphs 1 through 23 of Count One of this Indictment are re-alleged and incorporated herein by reference.

46. On or about December 8, 2007, in Mecklenburg County, within the Western District of North Carolina, defendants,

(2) ALEJANDRO ENRIQUE RAMIREZ UMANA,
a/k/a "Wizard,"
"Lobo,"
(4) JULIO CESAR ROSALES LOPEZ,
a/k/a "Stiler," and
(19) JAIME SANDOVAL,
a/k/a "Pelon,"

aiding and abetting each other and others both known and unknown to the Grand Jury, attempted to and did knowingly and intentionally obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(a)(3), by robbery, in that they did unlawfully attempt to take and did take controlled substances and the proceeds of the illegal trafficking of controlled substances from the person of an individual known to the Grand Jury, without consent, against his will, and by means of actual and threatened force, violence, and fear of immediate and future injury, and induced by the wrongful use of force, violence, and fear, including fear of economic loss.

All in violation of Title 18, United States Code, Sections 1951 and 2.

COUNT TWENTY-THREE
(Felon in Possession of a Firearm)

47. On or about January 12, 2008, in Mecklenburg County, within the Western District of North Carolina, defendant,

(25) JAVIER MOLINA,
a/k/a "Big Psycho,"
"Gringo,"

aiding and abetting others both known and unknown to the Grand Jury, having previously been convicted of one or more crimes punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, one or more firearms, to wit: one .25 Raven MP25 semi-automatic pistol and ammunition.

In violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT TWENTY-FOUR
(Possession of Cocaine with Intent to Distribute)

48. On or about January 12, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(13) ALEXI RICARDO RAMOS,
a/k/a "Pajaro,"

aiding and abetting others both known and unknown to the Grand Jury, did knowingly and intentionally possess with intent to distribute a controlled substance, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TWENTY-FIVE

(Use and Carrying of Firearm During and in Relation to a Drug Trafficking Offense)

49. On or about January 12, 2008, in Mecklenburg County, in the Western District of North Carolina, and elsewhere, defendant,

**(13) ALEXI RICARDO RAMOS,
a/k/a/ "Pajaro,"**

during and in relation to a drug trafficking offense, to wit, possession with intent to distribute one or more controlled substances, a violation of Title 21, United States Code, Sections 846 and 841(a)(1), charged in Count Two and Count Twenty-Four of this Indictment, for which he may be prosecuted in a court of the United States, did knowingly and unlawfully use and carry one or more firearms, and in furtherance of such drug trafficking offense, did possess one or more firearms, that is, a .38 Smith and Wesson "38 Special" revolver and a .25 Berretta semi-automatic pistol.

In violation of Title 18, United States Code, Section 924(c).

COUNT TWENTY-SIX
(Illegal Use of a Communication Facility)

50. On or about January 14, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Count Two of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT TWENTY-SEVEN
(Possession of Marijuana with Intent to Distribute)

51. On or about January 22, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(14) CARLOS ROBERTO FIGUEROA-PINEDA,
a/k/a "Drogo,"

aiding and abetting others both known and unknown to the Grand Jury, did knowingly and intentionally possess with intent to distribute a controlled substance, that is, a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TWENTY-EIGHT

(Use and Carrying of Firearm During and in Relation to a Drug Trafficking Offense)

52. On or about January 22, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

**(14) CARLOS ROBERTO FIGUEROA-PINEDA,
a/k/a "Drogo,"**

aiding and abetting others both known and unknown to the Grand Jury, during and in relation to a drug trafficking offense, to wit, possession with intent to distribute one or more controlled substances, a violation of Title 21, United States Code, Sections 846 and 841(a)(1), charged in Counts Two and Twenty-Seven of this Indictment, for which he may be prosecuted in a court of the United States, did knowingly and unlawfully use and carry one or more firearms, and in furtherance of such drug trafficking offense, did possess a firearm, that is, a .22 RG Industries revolver.

In violation of Title 18, United States Code, Sections 924(c) and 2.

COUNT TWENTY-NINE

(Assault with a Deadly Weapon in Aid of Racketeering Activity)

53. Introductory Paragraphs 1 through 23 of Count One of this Indictment are re-alleged and incorporated herein by reference.

54. On or about February 3, 2008, in Mecklenburg County, Western District of North Carolina, and elsewhere, defendant,

**(15) CESAR YOALDO CASTILLO,
a/k/a "Chino,"**

aiding and abetting others both known and unknown to the Grand Jury, for the purpose of gaining entrance to, and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, did unlawfully and knowingly did assault Victim No. 2 with a dangerous weapon, that being a firearm, in violation of North Carolina law, N.C. Gen. Stat. § 14-32.

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

COUNT THIRTY

(Use and Carrying of Firearm During and in Relation to a Crime of Violence)

55. On or about February 3, 2008, in Mecklenburg County, in the Western District of North Carolina, and elsewhere, defendant,

**(15) CESAR YOALDO CASTILLO,
a/k/a "Chino,"**

during and in relation to a crime of violence, to wit, Assault with a Deadly Weapon in Aid of Racketeering Activity of Victim No. 2, a violation of Title 18, United States Code, Section 1959(a)(3), charged in Count Twenty-Nine of this Indictment, for which he may be prosecuted in a court of the United States, did knowingly and unlawfully use and carry one or more firearms, and in furtherance of such crime of violence, did possess one or more firearms.

In violation of Title 18, United States Code, Section 924(c).

COUNT THIRTY-ONE

(Assault with a Deadly Weapon in Aid of Racketeering Activity)

56. Introductory Paragraphs 1 through 23 of Count One of this Indictment are re-alleged and incorporated herein by reference.

57. On or about February 3, 2008, in Mecklenburg County, Western District of North Carolina, and elsewhere, defendant,

**(15) CESAR YOALDO CASTILLO,
a/k/a "Chino,"**

aiding and abetting others both known and unknown to the Grand Jury, for the purpose of gaining entrance to, and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, did unlawfully and knowingly assault Victim No. 3 with a dangerous weapon, that being a firearm, in violation of North Carolina law, N.C. Gen. Stat. § 14-32.

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

COUNT THIRTY-TWO

(Use and Carrying of Firearm During and in Relation to a Crime of Violence)

58. On or about February 3, 2008, in Mecklenburg County, in the Western District of North Carolina, and elsewhere, defendant,

**(15) CESAR YOALDO CASTILLO,
a/k/a "Chino,"**

during and in relation to a crime of violence, to wit, Assault with a Deadly Weapon in Aid of Racketeering Activity of Victim No. 3, a violation of Title 18, United States Code, Section 1959(a)(3), as charged in Count Thirty-One of this Indictment, for which he may be prosecuted in a court of the United States, did knowingly and unlawfully use and carry one or more firearms, and in furtherance of such crime of violence, did possess one or more firearms.

In violation of Title 18, United States Code, Section 924(c).

COUNT THIRTY-THREE

(Assault with a Deadly Weapon in Aid of Racketeering Activity)

59. Introductory Paragraphs 1 through 23 of Count One of this Indictment are re-alleged and incorporated herein by reference.

60. On or about February 16, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(15) CESAR YOALDO CASTILLO,
a/k/a "Chino,"

aided and abetted by others both known and unknown to the Grand Jury, for the purpose of gaining entrance to, and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, did knowingly and unlawfully assault Victims No. 4, 5, and 6 with a dangerous weapon, that being a firearm, in violation of North Carolina law, N.C. Gen. Stat. § 14-32.

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

COUNT THIRTY-FOUR

(Use and Carrying of Firearm During and in Relation to a Crime of Violence)

61. On or about February 16, 2008, in Mecklenburg County, in the Western District of North Carolina, and elsewhere, defendant,

**(15) CESAR YOALDO CASTILLO,
a/k/a "Chino,"**

during and in relation to a crime of violence, to wit, Assault with a Deadly Weapon in Aid of Racketeering Activity of Victims No. 4, 5, and 6, a violation of Title 18, United States Code, Section 1959(a)(3), charged in Count Thirty-Three of this Indictment, for which he may be prosecuted in a court of the United States, did knowingly and unlawfully use and carry one or more firearms, and in furtherance of such crime of violence, did possess one or more firearms.

In violation of Title 18, United States Code, Section 924(c).

COUNT THIRTY-FIVE

(Accessory After the Fact to Assault with a Deadly Weapon in Aid of Racketeering)

62. Introductory Paragraphs 1 through 23 of Count One of this Indictment are re-alleged and incorporated herein by reference.

63. On or about February 16, 2008, Mecklenburg County, in the Western District of North Carolina, and elsewhere, defendant,

**(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"**

aiding and abetting others both known and unknown to the Grand Jury, knowing that an offense against the United States had been committed, that being Assault with a Deadly Weapon in Aid of Racketeering as charged in Count Thirty-Three, did intentionally receive, relieve, comfort, and assist the offender, **CESAR YOALDO CASTILLO, a/k/a "Chino,"** in order to hinder and prevent his apprehension, trial, and punishment.

In violation of Title 18, United States Code, Sections 3 and 2.

COUNT THIRTY-SIX
(Illegal Use of A Communication Facility)

64. On or about February 19, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Count Two of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-SEVEN
(Illegal Use of a Communication Facility)

65. On or about February 22, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(19) JAIME SANDOVAL,
a/k/a "Pelon,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Count Two of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-EIGHT
(Illegal Use of a Communication Facility)

66. On or about February 22, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Counts Two and Count Thirty-Nine of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-NINE
(Distribution of Cocaine)

67. On or about February 22, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

aiding and abetting others both known and unknown to the Grand Jury, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT FORTY
(Hobbs Act Robbery Conspiracy)

68. Introductory Paragraphs 1 through 23 of Count One of this Indictment are re-alleged and incorporated herein by reference.

69. On or about and between March 18, 2008, and continuing until March 21, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendants,

(3) HEVERTH ULISES CASTELLON,
a/k/a "Misterio,"
"Sailor,"

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

(15) CESAR YOALDO CASTILLO,
a/k/a "Chino," and

(22) OSCAR MANUEL MORAL-HERNANDEZ,
a/k/a "Truchon,"

did knowingly and intentionally conspire and agree with each other and others both known and unknown to the Grand Jury to unlawfully obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), by robbery, in that they did travel in interstate commerce, and did unlawfully conspire and attempt to take property of a business in Virginia, from the person and in the presence of one or more persons, against their will and by means of actual and threatened force, violence, and fear of immediate and future injury.

Overt Acts

70. During the course and in furtherance of the conspiracy, the defendants, **HEVERTH ULISES CASTELLON, a/k/a "Misterio," a/k/a "Sailor," JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey," CESAR YOALDO CASTILLO, a/k/a "Chino," and OSCAR**

MANUEL MORAL-HERNANDEZ, a/k/a "Truchon," engaged in the following overt acts within the Western District of North Carolina, and elsewhere:

a. On or about March 18, 2008, in Mecklenburg County, **JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey,"** and **CESAR YOALDO CASTILLO, a/k/a "Chino,"** and others both known and unknown to the Grand Jury met to discuss the robbery of a store in Virginia.

b. On or about March 18, 2008, in Mecklenburg County, **JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," a/k/a "Smokey,"** provided a nine millimeter semi-automatic pistol to be used during the robbery.

c. On or about March 21, 2008, **HEVERTH ULISES CASTELLON, a/k/a "Misterio," a/k/a "Sailor,"** provided a .380 caliber semi-automatic pistol to be used during the robbery.

d. On or about March 21, 2008, **HEVERTH ULISES CASTELLON, a/k/a "Misterio," a/k/a "Sailor,"** and **OSCAR MANUEL MORAL-HERNANDEZ, a/k/a "Truchon,"** attempted to travel to Virginia to assist in the robbery.

All in violation of Title 18, United States Code, Section 1951.

COUNT FORTY-ONE
(Attempted Hobbs Act Robbery)

71. Introductory Paragraphs 1 through 23 of Count One of this Indictment are re-alleged and incorporated herein by reference.

72. On or about and between March 18, 2008, and continuing until March 21, 2008, in Mecklenburg County, within the Western District of North Carolina and elsewhere, the defendants,

(3) HEVERTH ULISES CASTELLON,

a/k/a "Misterio,"

"Sailor,"

(5) JUAN GILBERTO VILLALOBOS,

a/k/a "Smoke,"

"Smoke,"

(15) CESAR YOALDO CASTILLO,

a/k/a "Chino," and

(22) OSCAR MANUEL MORAL-HERNANDEZ,

a/k/a "Truchon,"

aiding and abetting each other and others both known and unknown to the Grand Jury, did knowingly and intentionally attempt to obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), by robbery, in that they did unlawfully travel in interstate commerce, and did attempt to take property of a business in Virginia, from the person and in the presence of one or more persons, against their will and by means of actual and threatened force, violence, and fear of immediate and future injury.

All in violation of Title 18, United States Code, Sections 1951 and 2.

COUNT FORTY-TWO

(Possession of Firearm During and in Furtherance of a Crime of Violence)

73. Introductory Paragraphs 1 through 23 of Count One and Counts Forty and Forty-One of this Indictment are re-alleged and incorporated herein by reference.

74. On or about and between March 18, 2008 and March 21, 2008, in Mecklenburg County, within the Western District of North Carolina and elsewhere, the defendants,

(3) HEVERTH ULISES CASTELLON,

a/k/a "Misterio,"

"Sailor,"

(5) JUAN GILBERTO VILLALOBOS,

a/k/a "Smoke,"

"Smokey," and

(22) OSCAR MANUEL MORAL-HERNANDEZ,

a/k/a "Truchon,"

aiding and abetting each other and others both known and unknown to the Grand Jury, during and in relation to a crime of violence, that is, the violation of Title 18, United States Code 1951 set forth in Counts Forty and Forty-One of this Indictment, for which they may be prosecuted in a court of the United States, did knowingly and unlawfully use and carry one or more firearms, and, in furtherance of such crime of violence, did possess said firearms, to wit: a nine millimeter semi-automatic pistol and a .380 caliber semi-automatic pistol.

All in violation of Title 18, United States Code, Sections 924(c) and 2.

COUNT FORTY-THREE
(Illegal Alien in Possession of a Firearm)

75. On or about and between March 18, 2008 and March 21, 2008, in Mecklenburg County, within the Western District of North Carolina and elsewhere, the defendant,

(22) OSCAR MANUEL MORAL-HERNANDEZ,
a/k/a "Truchon,"

aiding and abetting others both known and unknown to the Grand Jury, then being an alien illegally and unlawfully in the United States, did knowingly possess, in and affecting commerce, one or more firearms, to wit: a nine millimeter semi-automatic pistol and a .380 caliber semi-automatic pistol, and ammunition.

In violation of Title 18, United States Code, Sections 922(g)(5) and 2.

COUNT FORTY-FOUR
(Illegal Alien in Possession of a Firearm)

76. On or about and between March 18, 2008 and March 21, 2008, in Mecklenburg County, within the Western District of North Carolina and elsewhere, the defendant,

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

aiding and abetting others both known and unknown to the Grand Jury, then being an alien illegally and unlawfully in the United States, did knowingly possess, in and affecting commerce, one or more firearms, to wit: a nine millimeter semi-automatic pistol and a .380 caliber semi-automatic pistol, and ammunition.

In violation of Title 18, United States Code, Sections 922(g)(5) and 2.

COUNT FORTY-FIVE
(Reentry After Deportation)

77. On or about November 30, 2007, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(6) ELVIN PASTOR FERNANDEZ-GRADIS,
a/k/a "El Tigre,"
"Flaco,"
"Juan Alberto,"
"Freddy,"

an alien who had previously been deported and removed to Honduras on or about March 3, 2005, and again to Honduras on or about January 12, 2006, was found in the United States, without the Attorney General of the United States or his successor, the Secretary for Homeland Security, pursuant to Title 6, United States Code, Sections 202(3), 202(4) and 557, having expressly consented to such alien's reapplying for admission to the United States.

In violation of Title 8, United States Code, Section 1326(a).

COUNT FORTY-SIX
(Illegal Use of a Communication Facility)

78. On or about May 1, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(19) JAIME SANDOVAL,
a/k/a "Pelon,"

did knowingly and intentionally use a communication facility, that being a telephone, in committing or in causing or facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a)(1), that is, offenses set forth in Counts Two and Forty-Seven of this Indictment and incorporated by reference herein.

In violation of Title 21, United States Code, Section 843(b).

COUNT FORTY-SEVEN
(Distribution of Cocaine)

79. On or about May 1, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendants,

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey," and
(19) JAIME SANDOVAL,
a/k/a "Pelon,"

aiding and abetting each other and others both known and unknown to the Grand Jury, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT FORTY-EIGHT
(Hobbs Act Extortion Conspiracy)

80. Introductory Paragraphs 1 through 23 of Count One of this Indictment are re-alleged and incorporated herein by reference.

81. On or about and between October 2007, and continuing until the present, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendants,

(2) ALEJANDRO ENRIQUE RAMIREZ UMANA,
a/k/a "Wizard,"
"Lobo,"

(3) HEVERTH ULISES CASTELLON,
a/k/a "Misterio,"
"Sailor,"

(4) JULIO CESAR ROSALES LOPEZ,
a/k/a "Stiler,"

(5) JUAN GILBERTO VILLALOBOS,
a/k/a "Smoke,"
"Smokey,"

(7) JUAN RUBEN VELA GARCIA,
a/k/a "Mariachi," and

(19) JAIME SANDOVAL,
a/k/a "Pelon,"

did knowingly and intentionally conspire and agree with each other and others both known and unknown to the Grand Jury to obstruct, delay, and affect commerce and attempt to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), by extortion, that is, defendants conspired and attempted to obtain property, to wit, the proceeds of the illegal trafficking of controlled substances, with consent, induced by the wrongful use of force, violence, and fear, including fear of economic loss.

Overt Acts

82. During the course and in furtherance of the conspiracy, the defendants, **ALEJANDRO ENRIQUE RAMIREZ UMANA, a/k/a "Wizard," "Lobo," HEVERTH ULISES CASTELLON, a/k/a "Misterio," "Sailor," JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," "Smokey," JUAN RUBEN VELA GARCIA, a/k/a "Mariachi," and JAIME SANDOVAL, a/k/a "Pelon,"** engaged in the following overt acts within the Western District of North Carolina, and elsewhere:

a. On or about October 26, 2007 and October 27, 2007, in Mecklenburg County, **JUAN RUBEN VELA GARCIA, a/k/a "Mariachi,"** and others both known and unknown to the Grand Jury met to discuss the ways to increase gang revenues by means of extorting drug dealers.

b. On or about February 29, 2008, in Mecklenburg County, **HEVERTH ULISES CASTELLON, a/k/a "Misterio," "Sailor," JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," "Smokey," JAIME SANDOVAL, a/k/a "Pelon,"** and others both known and unknown to the Grand Jury met to plan and implement a systematic tax on drug dealers selling in MS-13 controlled nightclubs.

All in violation of Title 18, United States Code, Section 1951.

COUNT FORTY-NINE
(Possession with Intent to Distribute Cocaine)

83. On or about May 29, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(26) MARIO GUARJARDO-GARCIA,
a/k/a "Speedy"
"Iran Guerrero-Gomez"

aiding and abetting others both known and unknown to the Grand Jury, did knowingly and intentionally possess with intent to distribute a controlled substance, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT FIFTY
(Reentry After Deportation)

84. On or about May 29, 2008, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendant,

(26) MARIO GUARJARDO-GARCIA,
a/k/a "Speedy"
"Iran Guerrero-Gomez"

an alien who had previously been deported and removed to Mexico on or about February 13, 2007, was found in the United States, without the Attorney General of the United States or his successor, the Secretary for Homeland Security, pursuant to Title 6, United States Code, Sections 202(3), 202(4) and 557, having expressly consented to such alien's reapplying for admission to the United States.

In violation of Title 8, United States Code, Section 1326(a).

COUNT FIFTY-ONE

(Conspiracy to Obstruct Justice and Tamper with Witnesses)

85. On or about and between June 12, 2008, in Guilford County, in the Middle District of North Carolina and elsewhere, defendants,

(2) ALEJANDRO ENRIQUE UMANA,
a/k/a "Wizard,"

"Lobo,"

(19) JAIME SANDOVAL,
a/k/a "Pelon,"

(20) SANTOS CANALES-REYES,
a/k/a "Chicago," and

(21) JOSE EFRAIN AYALA-URBINA,
a/k/a "Peligroso,"

did knowingly and willfully conspire and agree together with others both known and unknown to the Grand Jury, and aiding and abetting each other and others both known and unknown to the Grand Jury, to commit an offense against the United States, to wit:

- A. corruptly influence, obstruct and impede, and endeavor to influence, obstruct and impede the due administration of justice, in violation of Title 18, United States Code, Sections 1503 and 2.
- B. corruptly persuade another person, or attempt to do so, with intent to influence, delay, or prevent the testimony of any person in an official proceeding, in violation of Title 18, United States Code, Sections 1512(b)(1) and 2.

86. The primary object of the conspiracy was to intimidate witnesses to prevent them from testifying and cooperating with law enforcement in relation to Count One of this Indictment.

87. In furtherance of the conspiracy and to effect the object thereof, defendants and others both known and unknown to the Grand Jury performed or caused to be performed the following acts in the Middle and Western Districts of North Carolina and elsewhere, including but not limited to:

a. On or about June 12, 2008, defendant, **ALEJANDRO ENRIQUE UMANA, a/k/a "Wizard," "Lobo,"** did communicate directly or indirectly with defendant **JAIME SANDOVAL, a/k/a "Pelon,"** to plan a scheme to prevent eyewitness testimony and procure false evidence for the defendant.

b. On or about June 12, 2008, defendants, **JAIME SANDOVAL, a/k/a "Pelon," JOSE EFRAIN AYALA-URBINA, a/k/a "Peligroso,"** and **SANTOS CANALES-REYES, a/k/a "Chicago,"** and others both known and unknown to the Grand Jury, did drive to Las Jarochitas restaurant and did attempt to locate, intimidate, and influence witnesses in relation to Count One of this Indictment.

c. On our about June 12, 2008, defendants, **JAIME SANDOVAL, a/k/a "Pelon,"** and **SANTOS CANALES-REYES, a/k/a "Chicago,"** did possess firearms during and in relation to their attempt to locate, intimidate, and influence witnesses in relation to Count One of this Indictment.

All in violation of Title 18, United States Code, Sections 371 and 2.

COUNT FIFTY-TWO
(Obstruction of Justice)

88. On or about June 12, 2008, in Guilford County, in the Middle District of North Carolina and elsewhere, defendants,

(2) ALEJANDRO ENRIQUE UMANA,

a/k/a "Wizard,"

"Lobo,"

(19) JAIME SANDOVAL,

a/k/a "Pelon,"

(20) SANTOS CANALES-REYES,

a/k/a "Chicago," and

(21) JOSE EFRAIN AYALA-URBINA,

a/k/a "Peligroso,"

aiding and abetting each other and others both known and unknown to the Grand Jury, did corruptly influence, obstruct, and impede, and did endeavor to influence, obstruct, and impede, the due administration of justice.

In violation of Title 18, United States Code, Sections 1503 and 2.

COUNT FIFTY-THREE
(Tampering with Witnesses)

89. On or about June 12, 2008, in Guilford County, in the Middle District of North Carolina and elsewhere, defendants,

(2) ALEJANDRO ENRIQUE UMANA,
a/k/a "Wizard,"
"Lobo,"
(19) JAIME SANDOVAL,
a/k/a "Pelon,"
(20) SANTOS CANALES-REYES,
a/k/a "Chicago," and
(21) JOSE EFRAIN AYALA-URBINA,
a/k/a "Peligroso,"

aiding and abetting each other and others both known and unknown to the Grand Jury, did knowingly and willfully use intimidation, threaten, or corruptly persuade another person, or attempted to do so, with intent to influence, delay, or prevent the testimony of any person in an official proceeding.

In violation of Title 18, United States Code, Sections 1512(b)(1) and 2.

COUNT FIFTY-FOUR
(Illegal Alien in Possession of a Firearm)

90. On or about June 12, 2008, in Mecklenburg County, within the Western District of North Carolina, and in Guilford County, within the Middle District of North Carolina, and elsewhere, the defendant,

(19) JAIME SANDOVAL,
a/k/a "Pelon,"

aiding and abetting others both known and unknown to the Grand Jury, then being an alien illegally and unlawfully in the United States, did knowingly possess, in and affecting commerce, one or more firearms, to wit: a .380 caliber Beretta semi-automatic pistol, and ammunition.

In violation of Title 18, United States Code, Sections 922(g)(5) and 2.

COUNT FIFTY-FIVE
(Illegal Alien in Possession of a Firearm)

91. On or about June 12, 2008, in Mecklenburg County, within the Western District of North Carolina, and in Guilford County, within the Middle District of North Carolina, and elsewhere, the defendant,

(20) SANTOS CANALES-REYES,
a/k/a "Chicago,"

aiding and abetting others both known and unknown to the Grand Jury, then being an alien illegally and unlawfully in the United States, did knowingly possess, in and affecting commerce, one or more firearms, to wit: a .38 caliber H&R revolver, and ammunition.

In violation of Title 18, United States Code, Sections 922(g)(5) and 2.

NOTICE OF SPECIAL SENTENCING FACTORS REGARDING COUNT ONE

Number 1: Murder of Jonnie Maradiaga

On or about June 6, 2005, in Charlotte, North Carolina (18) JONNY ELLIAS GONZALEZ, a/k/a "Solo," and others known and unknown to the Grand Jury, murdered Jonnie Maradiaga in the perpetration of a robbery in violation of North Carolina Gen Stat. § 14-17.

Number 2: Murder of Ruben Garcia Salinas

On or about December 8, 2007, in Greensboro, North Carolina, (2) ALEJANDRO ENRIQUE UMANA, a/k/a "Wizard," "Lobo," willfully, deliberately and with premeditation murdered Ruben Garcia Salinas, in violation of North Carolina Gen. Stat. § 14-17.

Number 3: Murder of Manuel Garcia Salinas

On or about December 8, 2007, in Greensboro, North Carolina, (2) ALEJANDRO ENRIQUE UMANA, a/k/a "Wizard," "Lobo," willfully, deliberately and with premeditation murdered Manuel Garcia Salinas, in violation of North Carolina Gen. Stat. § 14-17.

Number 4: Murder of Ulisses Alejandro Mayo

On or about April 12, 2008 in Charlotte, North Carolina (6) ELVIN PASTOR FERNANDEZ-GRADIS, a/k/a "Tigre," "Flaco," "Juan Alberto Irias," "Freddy," willfully, deliberately and with premeditation murdered Ulisses Alejandro Mayo in violation of North Carolina Gen. Stat. § 14-17.

Number 5: Conspiracy to Distribute and Possession with Intent to Distribute Cocaine and Marijuana

From at least on or about 2004 and continuing to until the present, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, defendants, (3) HEVERTH ULISES

CASTELLON, a/k/a "Misterio," "Sailor," (5) JUAN GILBERTO VILLALOBOS, a/k/a "Smoke," "Smokey," (7) JUAN RUBEN VELA GARCIA, a/k/a "Mariachi," (11) NELSON HERNANDEZ-AYALA, a/k/a "Sixteen," (12) MARIO MELGAR-DIAZ, a/k/a "Nino," (14) CARLOS ROBERTO FIGUEROA-PINEDA, a/k/a "Drogo," (16) ALEXANDER GRANADOS, a/k/a "Gorilon," (19) JAIME SANDOVAL, a/k/a "Pelon," (24) MANUEL CRUZ, a/k/a "Silencioso," and (26) MARIO GUARJARDO-GARCIA, a/k/a "Speedy," "Iran Guerrero-Gomez," did knowingly and intentionally conspire and agree with each other and others both known and unknown to the Grand Jury, to distribute and to possess with intent to distribute one or more controlled substances, that is, a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Said offense involved 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine.

Said offense involved a mixture and substance containing a detectable amount of marijuana.

All in violation of Title 21, United States Code, Sections 846, 841(b)(1)(A), and 841(b)(1)(C).

NOTICE OF FORFEITURE

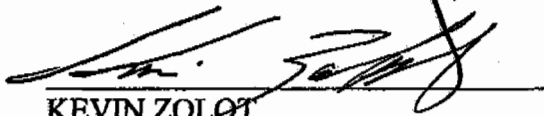
Notice is hereby given of the provisions of 18 U.S.C. §924(d) and the statutes incorporated or referred to therein. The firearms and ammunition listed below are subject to forfeiture in accordance with §924(d) because they were involved in or used or intended to be used in the violations alleged in this bill of indictment:

1. One .357 Revolver and ammunition (Count 7)
2. One .25 Lorcin L25 Semi-automatic Pistol and ammunition (Count Nine)
3. One Intratec nine millimeter semi-automatic pistol and ammunition (Count Seventeen)
4. One .25 semi-automatic pistol and ammunition (Count Seventeen)
5. One .45 caliber semi-automatic pistol and ammunition (Count Twenty-One)
6. One .25 Raven MP25 semi-automatic pistol and ammunition (Count Twenty-Three)
7. One .38 Smith and Wesson semi-automatic pistol and ammunition (Count Twenty-Five)
8. One .25 caliber Berretta semi-automatic pistol and ammunition (Count Twenty-Five)
9. One .22 caliber RG Industries revolver and ammunition (Count Twenty-Eight)
10. One nine millimeter semi-automatic pistol and ammunition (Count Forty-Two, Forty-Three, Forty-Four)
11. One .380 caliber semi-automatic pistol and ammunition (Count Forty-Two, Forty-Three, Forty-Four)

12. One .380 Berretta semi-automatic pistol and ammunition (Count Fifty-Four)
13. One .38 caliber H&R revolver and ammunition (Count Fifty-Five)

A TRUE BILL:

GRETCHEN C.F. SHAPPERT
UNITED STATES ATTORNEY



KEVIN ZOLOT
ASSISTANT UNITED STATES ATTORNEY



SAM NAZZARO
TRIAL ATTORNEY