

FILED BY **MC** D.C.
Aug 13, 2021
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
21-60228-CR-SMITH/VALLE
Case No.

21 U.S.C. § 846
21 U.S.C. § 853

UNITED STATES OF AMERICA

vs.

ANGELITA NICOLAS,

Defendant.

_____ /

INFORMATION

The Acting United States Attorney charges that:

**Conspiracy to Distribute and Dispense a Controlled Substance
(21 U.S.C. § 846)**

From in or around January 2018, and continuing through in or around October 2020, in Broward County, in the Southern District of Florida, and elsewhere, the defendant,

ANGELITA NICOLAS,

did knowingly and willfully combine, conspire, and agree with others, known and unknown to the Acting United States Attorney, to distribute and dispense a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1); all in violation of Title 21, United States Code, Section 846.

The controlled substance involved in the conspiracy attributable to the defendant as a result of her own conduct, and the conduct of other conspirators reasonably foreseeable to her, is a mixture and substance containing a detectable amount of Oxycodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

FORFEITURE
(21 U.S.C. § 853)

1. The allegations in this Information are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of certain property in which the defendant, **ANGELITA NICOLAS**, has an interest.

2. Upon a conviction of a violation of Title 21, United States Code, Section 846, as alleged in this Information, the defendant shall forfeit to the United States all property constituting or derived from, any proceeds obtained, directly or indirectly, as the result of such violation, and all property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation, pursuant to Title 21, United States Code, Section 853.

3. The property subject to forfeiture includes, but is not limited to, a sum of approximately \$1,446,970 in United States currency, which represents the gross proceeds of the offense in the violation of Title 21, United States Code, Section 846 alleged in this Information and which may be sought as a forfeiture money judgment.

4. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States shall be entitled to the forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p).

All pursuant to Title 21, United States Code, Section 853.



JUAN ANTONIO GONZALEZ
ACTING UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

JOSEPH S. BEEMSTERBOER, ACTING CHIEF
CRIMINAL DIVISION, FRAUD SECTION
U.S. DEPARTMENT OF JUSTICE

ALLAN MEDINA, DEPUTY CHIEF
CRIMINAL DIVISION, FRAUD SECTION
U.S. DEPARTMENT OF JUSTICE



ALEXANDER THOR POGOZELESKI
TRIAL ATTORNEY
CRIMINAL DIVISION, FRAUD SECTION
U.S. DEPARTMENT OF JUSTICE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO. _____

v.

ANGELITA NICOLAS,

CERTIFICATE OF TRIAL ATTORNEY*

Superseding Case Information:

Defendant. _____/

Court Division: (Select One)

- Miami
- Key West
- FTL
- WPB
- FTP

New defendant(s) Yes No

Number of new defendants _____

Total number of counts _____

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
3. Interpreter: (Yes or No) **No** _____
List language and/or dialect _____
4. This case will take 0 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

<p>(Check only one)</p> <p>I 0 to 5 days <input checked="" type="checkbox"/></p> <p>II 6 to 10 days <input type="checkbox"/></p> <p>III 11 to 20 days <input type="checkbox"/></p> <p>IV 21 to 60 days <input type="checkbox"/></p> <p>V 61 days and over <input type="checkbox"/></p>	<p>(Check only one)</p> <p>Petty <input type="checkbox"/></p> <p>Minor <input type="checkbox"/></p> <p>Misdemeanor <input type="checkbox"/></p> <p>Felony <input checked="" type="checkbox"/></p>
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6. Has this case previously been filed in this District Court? (Yes or No) **No** _____
 If yes: Judge _____ Case No. _____
 (Attach copy of dispositive order)
 Has a complaint been filed in this matter? (Yes or No) **No** _____
 If yes: Magistrate Case No. _____
 Related miscellaneous numbers: _____
 Defendant(s) in federal custody as of _____
 Defendant(s) in state custody as of _____
 Rule 20 from the District of _____
 Is this a potential death penalty case? (Yes or No) **No** _____
7. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia O. Valle)? (Yes or No) **No** _____
8. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? (Yes or No) **No** _____
9. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? (Yes or No) **No** _____



 ALEXANDER TMOR POGOZELESKI
 DOJ Trial Attorney
 Court ID No. A5502549

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ANGELITA NICOLAS

Case No: _____

Count #: 1

Title 21, United States Code, Section 846

Conspiracy to Distribute and Dispense Controlled Substances

*Max Penalty: Twenty (20) years' imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

AO 455 (Rev. 01/09) Waiver of an Indictment

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

United States of America

v.

Angelita Nicolas,

Defendant

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)

Case No. 21-60228-CR-SMITH/VALLE

WAIVER OF AN INDICTMENT

I understand that I have been accused of one or more offenses punishable by imprisonment for more than one year. I was advised in open court of my rights and the nature of the proposed charges against me.

After receiving this advice, I waive my right to prosecution by indictment and consent to prosecution by information.

Date: _____

Defendant's signature

Signature of defendant's attorney

Printed name of defendant's attorney

Judge's signature

Judge's printed name and title