

23 MAG 6716

UNITED STATES OF AMERICA

v.

WELLINGTON EUSTATE ESPINAL,
a/k/a "Ronny,"
CRISTIAN EUSTATE ESPINAL,
HERIBERTO EUSTATE ESPINAL,
a/k/a "Daulin," and
ROBERTO JOSE VARGAS-PAULINO,

Defendants.

COMPLAINT

Violations of 21 U.S.C. §§ 841, 846; 18
U.S.C. § 2

COUNTY OF OFFENSE:
BRONX

SOUTHERN DISTRICT OF NEW YORK, ss.:

VICTOR VEROUHIS, being duly sworn, deposes and says that he is a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), and charges as follows:

COUNT ONE

(Conspiracy to Distribute Narcotics)

1. From at least in or about August 2023 through at least in or about October 2023, in the Southern District of New York and elsewhere, WELLINGTON EUSTATE ESPINAL, a/k/a "Ronny," CRISTIAN EUSTATE ESPINAL, HERIBERTO EUSTATE ESPINAL, a/k/a "Daulin," and ROBERTO JOSE VARGAS-PAULINO, the defendants, and others known and unknown, knowingly and intentionally combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that WELLINGTON EUSTATE ESPINAL, a/k/a "Ronny," CRISTIAN EUSTATE ESPINAL, HERIBERTO EUSTATE ESPINAL, a/k/a "Daulin," and ROBERTO JOSE VARGAS-PAULINO, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance involved in the offense was 400 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

COUNT TWO
(Possession with Intent to Distribute Narcotics)

4. On or about October 5, 2023, in the Southern District of New York and elsewhere, WELLINGTON EUSTATE ESPINAL, a/k/a “Ronny,” CRISTIAN EUSTATE ESPINAL, HERIBERTO EUSTATE ESPINAL, a/k/a “Daulin,” and ROBERTO JOSE VARGAS-PAULINO, the defendants, knowingly and intentionally distributed and possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and aided and abetted the same.

5. The controlled substance involved in the offense was 400 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A);
Title 18, United States Code, Section 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

6. I have been a Special Agent with HSI for approximately five years, and I am currently assigned to the El Dorado Task Force, which focuses on combatting drug trafficking and money laundering. I have been personally involved in this investigation. This affidavit is based on my involvement in this investigation, my conversations with other law enforcement officers and other individuals, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Background

7. Since at least in or about September 2023, members of law enforcement have been investigating a network of drug traffickers who, among other things, appear to have converted an apartment within a two-family house in a residential neighborhood in the Bronx, New York, to be utilized for the purpose of packaging large quantities of fentanyl into portions for wholesale distribution. In particular, the traffickers used the apartment (the “Fentanyl Mill”) to store kilogram-quantities of fentanyl, combine the fentanyl with other fillers, use dyes to color the combined powders, and use large industrial-scale pill presses to create hundreds of thousands of deadly fentanyl pills at a time. Some of the pills appear to have been manufactured to resemble prescription drugs, and others were pressed into colorful shapes to resemble party drugs such as ecstasy. The pills were then packaged in smaller quantities, for distribution to other traffickers selling the pills.

Trash Searches

8. Based on my participation in this investigation, my conversations with other law enforcement officers, and my review of reports and records, I have learned the following:

a. On two occasions in September 2023, law enforcement officers found narcotics residue and materials used in packaging narcotics in the trash placed on the curb for municipal trash collection in front of the Fentanyl Mill.

b. In particular, on or about September 14, 2023, a law enforcement search of trash bags placed on the curb in the vicinity of the Fentanyl Mill revealed: (1) a clear plastic bag containing a powdery residue that tested positive for fentanyl and methamphetamine, and (2) shreds of plastic packaging consistent with packaging used for narcotics.

c. Similarly, on or about September 16, 2023, a search of trash bags placed on the curb in the vicinity of the Fentanyl Mill revealed: (1) four clear plastic bags containing a powdery residue that tested positive for fentanyl and methamphetamine and (2) numerous empty calcium citrate pill jars. Based on my training and experience, I know that calcium citrate is often used by narcotics traffickers to “cut” illegal narcotics. In other words, it is used as a filler and binding agent to increase the weight of raw narcotics before the narcotics are pressed and packaged for further distribution. The trash also contained medical records belonging to a “Christian Espinal.”

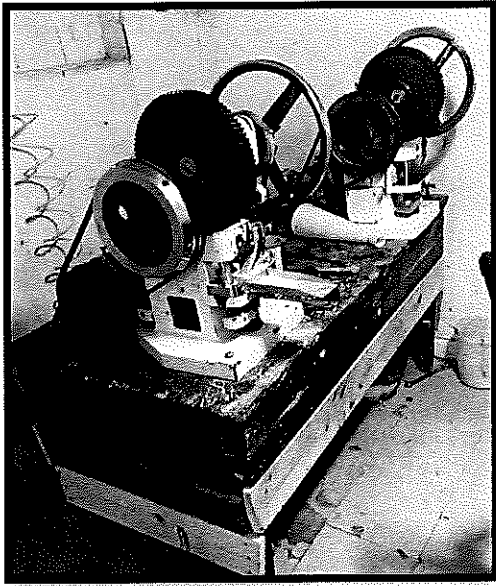
The Search of the Fentanyl Mill

9. Based on my participation in this investigation, and conversations I have had with other law enforcement officers, I know the following:

a. On or about October 5, 2023, law enforcement officers searched the basement and first floor of the Fentanyl Mill pursuant to a search warrant. During that search, law enforcement officers found large quantities of narcotics as well as the materials and equipment necessary to press the narcotics into pill and kilogram form for further distribution. The search revealed, among other things, the following:

i. The interior of the Fentanyl Mill appears to have been converted for dedicated use as a fentanyl repackaging and redistribution facility. For example, in an apparent effort to conceal the narcotics operation occurring in the Fentanyl Mill, law enforcement officers discovered that the first-floor windows of the Fentanyl Mill were covered with black trash bags and dark fabric, preventing outside observers from a view of what was occurring inside. The Fentanyl Mill also had a surveillance system, including a television screen displaying a live feed of security camera footage from outside the residence in the basement.

ii. In the basement of the Fentanyl Mill, law enforcement officers found three industrial pill presses and one disassembled pill press; one kilogram press; thousands of pills in a variety of colors; pills stamped with the logo “M” on one side and “30” on the other, designed to resemble prescription oxycodone pills; at least two kilogram-sized bricks of what appear to be narcotics; various narcotics manufacturing and repackaging materials including blenders, dyes, and jars of calcium citrate, that are used in connection with pressing narcotics into pill form and packaging narcotics for further distribution; and what appear to be industrial-grade protective face masks. From the search, two of the pill presses are depicted below to the left; thousands of pills packaged for redistribution are depicted below to the right:



iii. Law enforcement officers also found large quantities of what appear to be narcotics hidden inside of a compartment in an electrical fireplace in the basement. That hidden compartment contained at least 12 plastic-wrapped packages of powder compressed into brick-shapes which each appear to weigh approximately one kilogram, and hundreds of thousands of pills packaged for redistribution. The fireplace is depicted below to the left, and the suspected narcotics concealed within it, are depicted to the right.



iv. On the first floor of the Fentanyl Mill, inside a bathroom, law enforcement officers found thousands of pills that are suspected narcotics.



b. In total, from both the basement and first floor of the Fentanyl Mill, law enforcement officers recovered approximately 24 kilograms of suspected fentanyl in powder form—comprised of approximately 14 kilograms of compressed powder in brick-shape they believe to contain fentanyl, and approximately 10 kilograms of loose powder they believe to contain fentanyl—as well as over 200,000 suspected fentanyl pills.¹ A photograph of narcotics and other items recovered during the search is below.



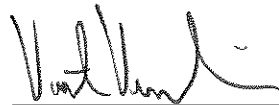
¹ Laboratory testing of the suspected narcotics is pending. Portions of the loose powder were field tested at the Fentanyl Mill by members of law enforcement and were positive for fentanyl.

The Defendants

10. Based on my participation in this investigation and conversations I have had with other law enforcement officers, I know that at the time law enforcement officers executed the search of the Fentanyl Mill, both WELLINGTON EUSTATE ESPINAL, a/k/a “Ronny,” and HERIBERTO EUSTATE ESPINAL, a/k/a “Daulin,” were in the basement of the Fentanyl Mill in an area in which one of the pill presses and other narcotics paraphernalia were located. ROBERTO JOSE VARGAS-PAULINO, the defendant, was climbing the stairs up from the basement, and CRISTIAN EUSTATE ESPINAL, the defendant, was on the first floor of the Fentanyl Mill near the kitchen and bedroom.

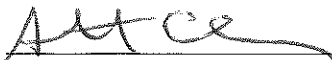
11. Based on data obtained pursuant to cellphone GPS warrants, I know that since at least August of 2023, a cellphone believed to belong to WELLINGTON EUSTATE ESPINAL, a/k/a “Ronny,” the defendant, has been located in the vicinity of the Fentanyl Mill on a near-daily basis, and cellphones believed to belong to HERIBERTO EUSTATE ESPINAL, a/k/a “Daulin,” the defendant, have been located in the vicinity of the Fentanyl Mill at least several days per week.² Additionally, since law enforcement officers began receiving location information on a cellphone believed to belong to CRISTIAN EUSTATE ESPINAL, the defendant, on approximately October 3, 2023, that phone has been located in the vicinity of the Fentanyl Mill nearly the entire time.

WHEREFORE, I respectfully request that WELLINGTON EUSTATE ESPINAL, a/k/a “Ronny,” CRISTIAN EUSTATE ESPINAL, HERIBERTO EUSTATE ESPINAL, a/k/a “Daulin,” and ROBERTO JOSE VARGAS-PAULINO, the defendants, be imprisoned or bailed, as the case may be.



VICTOR VEROUHIS
Special Agent
Homeland Security Investigations

Sworn to before me
this 6th day of October, 2023.



THE HONORABLE STEWART D. AARON
United States Magistrate Judge
Southern District of New York

² Except for periods when HERIBERTO EUSTATE ESPINAL, a/k/a “Daulin,” the defendant, appears to have travelled outside of the United States.