

FILED
At Albuquerque NMDEC 17 2015 *ml*IN THE UNITED STATES DISTRICT COURT **MATTHEW J. DYKMAN**
FOR THE DISTRICT OF NEW MEXICO **CLERK**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**IVAN ROMERO,
RICCO ROMERO,
WILMA ROMERO,
NICHOLAS BACA,
TYLER BAKER (a.k.a. "Zig-Zag"),
JUANITA ROMERO,
JASON DURAN (a.k.a. "Jurassic"), and
MELISSA ROMERO,**

Defendants.

CRIMINAL NO. 15-4512 MV

Count 1: 21 U.S.C. § 846: Conspiracy;

Count 2: 18 U.S.C. § 1956(h): Conspiracy;

Counts 3, 4 and 7: 21 U.S.C. §§ 841(a)(1)
and 841(b)(1)(C): Possession with Intent to
Distribute Heroin;Count 5: 21 U.S.C. §§ 841(a)(1) and
841(b)(1)(B): Possession with Intent to
Distribute 100 grams and More of Heroin;Count 6: 21 U.S.C. §§ 841(a)(1) and
841(b)(1)(D): Possession with Intent to
Distribute Marijuana;Count 8: 18 U.S.C. §§ 922(g)(1) and
924(a)(2): Prohibited Person in Possession
of Ammunition.INDICTMENT

The Grand Jury charges:

Count 1

Beginning on a date unknown, but not later than or about June 2012, and continuing to on or about December 2015, in Taos County, in the District of New Mexico, and elsewhere, the defendants, **IVAN ROMERO, RICCO ROMERO, WILMA ROMERO, NICHOLAS BACA, TYLER BAKER, JUANITA ROMERO, and JASON DURAN**, unlawfully, knowingly and intentionally combined, conspired, confederated, agreed and acted interdependently with each other and with other persons whose names are known and unknown

to the Grand Jury to commit offenses defined in 21 U.S.C. § 841(a)(1), that is, to possess with the intent to distribute, and to distribute, 1 kilogram and more of a mixture and substance containing a detectable amount of heroin and to possess with the intent to distribute, and to distribute, methamphetamine.

In violation of 21 U.S.C. § 846.

Count 2

Beginning on or about April 2015, and continuing to on or about July 2015, in Taos County, in the District of New Mexico, and elsewhere, the defendants, **IVAN ROMERO, RICCO ROMERO, WILMA ROMERO, and MELISSA ROMERO**, unlawfully, knowingly and intentionally combined, conspired, confederated, agreed and acted interdependently with each other and with other persons whose names are known and unknown to the Grand Jury to commit offenses defined in 18 U.S.C. §§ 1956 and 1957, that is:

- (a) to knowingly conduct financial transactions in and affecting interstate commerce involving proceeds from the criminal distribution of controlled substances, knowing that the property involved in the transactions represented the proceeds of such a specified unlawful activity and that the transactions were designed, in whole or in part, to conceal and disguise the nature, source, ownership, and control of those proceeds, in violation of 18 U.S.C. § 1956(a)(1)(B)(i); and
- (b) to knowingly engage in monetary transactions in and affecting interstate commerce through or to a financial institution in criminally derived property of a value greater than \$10,000 constituting or derived from proceeds of the unlawful distribution of controlled substances in violation of 18 U.S.C. § 1957(a).

In violation of 18 U.S.C. § 1956(h).

Count 3

On or about July 7, 2014, in Taos County, in the District of New Mexico, the defendant, **TYLER BAKER**, unlawfully, knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of heroin.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Count 4

On or about April 2, 2015, in Taos County, in the District of New Mexico, the defendant, **NICHOLAS BACA**, unlawfully, knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of heroin.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Count 5

On or about April 2, 2015, in Taos County, in the District of New Mexico, the defendant, **IVAN ROMERO**, unlawfully, knowingly and intentionally possessed with intent to distribute 100 grams and more of a mixture and substance containing a detectable amount of heroin.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

Count 6

On or about April 2, 2015, in Taos County, in the District of New Mexico, the defendant, **IVAN ROMERO**, unlawfully, knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of marijuana.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(D).

Count 7

On or about June 29, 2015, in Taos County, in the District of New Mexico, the defendant, **WILMA ROMERO**, unlawfully, knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of heroin.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Count 8

On or about June 29, 2015 in Taos County, in the District of New Mexico, the defendant, **WILMA ROMERO**, having previously been convicted of the following felony crimes punishable by imprisonment for a term exceeding one year:

- (1) Trafficking Controlled Substances, and
- (2) Possession of a Firearm by a Felon,

knowingly possessed, in and affecting commerce, ammunition: 115 Remington .22 caliber cartridges; 7 Federal .22 caliber cartridges; 7 CCI .22 caliber cartridges; and 2 Winchester 12 gauge shotgun shells.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

FORFEITURE ALLEGATIONS

I. Forfeiture Related to Violations of 21 U.S.C. §§ 841(a)(1) and 846

1. Counts 1, 3, 4, 5, 6 and 7 of this indictment are incorporated as part of this section of the indictment as if fully re-alleged herein for the purpose of alleging forfeiture to the United States pursuant to 21 U.S.C. § 853.
2. Upon conviction of any of the felony offenses charged in Count 1, 3, 4, 5, 6 and 7 of this indictment in violation of 21 U.S.C. §§ 841 or 846, the defendants, **IVAN ROMERO, RICCO**

ROMERO, WILMA ROMERO, NICHOLAS BACA, TYLER BAKER, JUANITA

ROMERO, and **JASON DURAN**, shall forfeit to the United States any property constituting or derived from any proceeds obtained directly or indirectly as a result of any violation of 21 U.S.C. §§ 841(a)(1) and 846. The property to be forfeited to the United States includes, but is not limited to, the following:

- a. \$64,920 in United States currency;
- b. \$90,000 in United States currency;
- c. \$150,000 in United States currency;
- d. \$73,288 in United States currency; and
- e. an *in personam* criminal forfeiture money judgment representing the proceeds obtained, directly or indirectly, as a result of any of the offenses set forth in Counts 1, 3, 4, 5, 6 and 7, for which the Defendants are jointly and severally liable.

3. If any property subject to forfeiture pursuant to 21 U.S.C. § 853, as a result of any act or omission of the defendants -

- 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;

it is the intent of the United States to seek forfeiture of other properties of the defendants up to the value of the forfeitable property described above.

All pursuant to 21 U.S.C. §§ 841(a)(1), 846 and 853.

II. Forfeiture Related to Violations of 18 U.S.C. § 1956(h)

1. Count 2 of this indictment is incorporated as part of this section of the indictment as if fully re-alleged herein for the purpose of alleging forfeiture to the United States pursuant to 18 U.S.C. § 982(a)(1).

2. Upon conviction of the felony offense charged in Count 2, the defendants, **IVAN ROMERO, RICCO ROMERO, WILMA ROMERO, and MELISSA ROMERO**, shall forfeit to the United States any property, real or personal, involved in the conspiracy to violate 18 U.S.C. § 1956 and 1957, or property traceable to such property. The property to be forfeited to the United States includes, but is not limited to, the following.

- a. \$90,000 in United States currency; and
- b. \$150,000 in United States currency.

3. If any property subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(A) and 982(a)(1), as a result of any act or omission of the defendants -

- 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 that cannot be divided without difficulty;

it is the intent of the United States to seek forfeiture of any other properties of the defendants up to the value of the forfeitable property described above.

All pursuant to 18 U.S.C. § 982(a)(1).

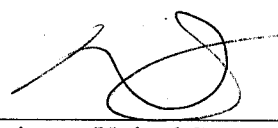
III. Forfeiture Related to Violations of 18 U.S.C. § 922(g)


1. Count 8 of this indictment is incorporated as part of this section of the indictment as if fully re-alleged herein for the purpose of alleging forfeiture to the United States pursuant to 18 U.S.C. § 924(d)(1).
2. If convicted of Count 8 alleged in this Indictment, the defendant, **WILMA ROMERO**, shall forfeit to the United States any ammunition involved in the commission of any violation of 18 U.S.C. § 922(g)(1) specifically including any interest in or claim to:
 - a. 115 Remington .22 caliber cartridges;
 - b. 7 Federal .22 caliber cartridges;
 - c. 7 CCI .22 caliber cartridges; and
 - d. 2 Winchester 12 gauge shotgun shells.

All pursuant to 18 U.S.C. §§ 922(g), 924(d), and 28 U.S.C. § 2461(c).

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY


Assistant United States Attorney

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