

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
SEALED

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Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY
SEALED

**SUPERSEDING INDICTMENT FOR VIOLATIONS OF
THE FEDERAL CONTROLLED SUBSTANCES ACT**

UNITED STATES OF AMERICA

* CRIMINAL NO. 11-95

v.

* SECTION: "R"

SERGIO GRIMALDO
NOE JUAREZ

* VIOLATION: 21: U.S.C. § 846
18: U.S.C. § 924(o)

* * *

The Grand Jury charges that:

COUNT 1

Beginning at a time unknown and continuing until in or about the year 2012, in the Eastern District of Louisiana, and elsewhere, the defendants, **SERGIO GRIMALDO**, and **NOE JUAREZ**, did knowingly and intentionally combine, conspire, confederate and agree with each other and other persons known and unknown to the Grand Jury, to distribute and to possess with the intent to distribute five kilograms or more of cocaine hydrochloride, a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A); all in violation of Title 21, United States Code, Section 846.

___ Fee ___
___ Process ___
 Dktd ___
___ CtRmDep ___
___ Doc. No. ___

COUNT 2

Beginning on a date unknown but prior to July 17, 2013, and continuing to on or about the date of this Superseding Indictment, in the Eastern District of Louisiana and elsewhere, the defendant, **NOE JUAREZ**, did knowingly and intentionally combine, conspire, confederate and agree with other persons known and unknown to the Grand Jury, to possess firearms in furtherance of a drug trafficking crimes as alleged in this Superseding Indictment; all in violation of Title 18, United States Code, Section 924(o).

NOTICE OF DRUG FORFEITURE

1. The allegation set forth in Count One of this Superseding Indictment is realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offense alleged herein, the defendants, **SERGIO GRIMALDO** and **NOE JUAREZ**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Superseding Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;

- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

NOTICE OF GUN FORFEITURE

1. The allegations of Count 2 of this Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924 (d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the offense alleged in Count 2 of this Superseding Indictment, defendant, **NOE JUAREZ**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28 United States Code, Section 2461, any firearm or ammunition, which was involved in or used in a knowing violation of Title 18, United States Code, Section(s) 922 and or 924(c)(1), as alleged in Count 2 of the Superseding Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of 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 person;

- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 922 and/or 924(c)(1) and 924(d)(1).

FOREPERSON'S SIGNATURE
HAS BEEN REDACTED

KENNETH ALLEN POLITE, JR.
UNITED STATES ATTORNEY


JOHN F. MURPHY
Assistant United States Attorney

New Orleans, Louisiana
April 2, 2015

FORM OBD-34

No. 11-95 "R"

UNITED STATES DISTRICT COURT

Eastern District of Louisiana
Criminal Division

THE UNITED STATES OF AMERICA

vs.
**SERGIO GRIMALDO
NOE JUAREZ**

**SUPERSEDING INDICTMENT
SUPERSEDING INDICTMENT FOR VIOLATION OF
THE FEDERAL CONTROLLED SUBSTANCES ACT**

**VIOLATIONS: 21 U.S.C. § 846
18 U.S.C. § 924(o)**

**FOREPERSON'S SIGNATURE
HAS BEEN REDACTED**

Filed in open court this _____ day of _____ A.D. 2015.

Clerk

Bail, \$ _____


John K. Murphy, Assistant United States Attorney