UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 15-cr-20403-WPD/LSS
21 U.S.C. § 963
21 U.S.C. § 853

UNITED STATES OF AMERICA

vs.

FILED BY RB
Jun 4, 2015
STEVEN M. LARIMORE
CLERK U.S. DISTRICT CT.
S.D. OF FLA. Miami

DAIRO ANTONIO USUGA-DAVID,
a/k/a "Otoniel,"
a/k/a "Mao,"
a/k/a "Mauricio,"
JAIRO DE JESUS DURANGO RESTREPO,
a/k/a "Gua Gua,"
ROBERTO VARGAS GUTIERREZ,
a/k/a "Gavilan,"
ARISTIDES MANUEL MESA PAEZ,
a/k/a "El Indio,"
ALVERIO FEO ALVARADO,
a/k/a "Benevides,"
OSCAR DAVID PULGARIN-GANAN,
a/k/a "Niño,"
a/k/a "Coroso," and
RAMIRO CARO-PINEDA,
a/k/a "Nolasco,"
a/k/a "Hugo,"
CESAR DANIEL ANAYA MARTINEZ,
a/k/a "Tierra," and
EDUARDO LUIS VARGAS GUTIERREZ,
a/k/a "Pipon,"

Defendants.
_____/

INDICTMENT

The Grand Jury charges that:

Beginning at least as early as in and around 2002, the exact date being unknown to the Grand Jury, and continuing through the date of the return of this Indictment, in the countries of

Colombia, Venezuela, Ecuador, Guatemala, Panama, Honduras, Costa Rica, Nicaragua, Mexico, and elsewhere, the defendants,

DAIRO ANTONIO USUGA-DAVID,
a/k/a "Otoniel,"
a/k/a "Mao,"
a/k/a "Mauricio,"
JAIRO DE JESUS DURANGO RESTREPO,
a/k/a "Gua Gua,"
ROBERTO VARGAS GUTIERREZ,
a/k/a "Gavilan,"
ARISTIDES MANUEL MESA PAEZ,
a/k/a "El Indio,"
ALVERIO FEO ALVARADO,
a/k/a "Benevides,"
OSCAR DAVID PULGARIN GANAN,
a/k/a "Niño,"
a/k/a "Coroso," and
RAMIRO CARO-PINEDA,
a/k/a "Nolasco,"
a/k/a "Hugo,"
CESAR DANIEL ANAYA MARTINEZ,
a/k/a "Tierra," and
EDUARDO LUIS VARGAS GUTIERREZ,
a/k/a "Pipon,"

did knowingly and willfully combine, conspire, confederate, and agree with each other and persons known and unknown to the Grand Jury, to distribute a controlled substance in Schedule II, intending that such controlled substance would be unlawfully imported into the United States, in violation of Title 21, United States Code, Section 959(a)(2); all in violation of Title 21, United States Code, Section 963.

With respect to all defendants, the controlled substance involved in the conspiracy attributable to them as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, is five (5) kilograms or more of a mixture and substance

containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 963 and 960(b)(1)(B).

FORFEITURE ALLEGATIONS

1. The allegations contained in this Indictment are re-alleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendants, **DAIRO ANTONIO USUGA-DAVID, a/k/a "Otoniel," a/k/a "Mao," a/k/a "Mauricio," JAIRO DE JESUS DURANGO RESTREPO, a/k/a "Gua Gua," ROBERTO VARGAS GUTIERREZ, a/k/a "Gavilan," ARISTIDES MANUEL MESA PAEZ, a/k/a "El Indio," ALVERIO FEO ALVARADO a/k/a "Benevides," OSCAR DAVID PULGARIN GANAN, a/k/a "Niño," a/k/a "Coroso," RAMIRO CARO-PINEDA, a/k/a "Nolasco," a/k/a "Hugo," CESAR DANIEL ANAYA MARTINEZ, a/k/a "Tierra,"** and **EDUARDO LUIS VARGAS GUTIERREZ, a/k/a "Pipon,"** have an interest.

2. Upon conviction of the violation alleged in this Indictment, the defendant shall forfeit to the United States any property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as the result of such violation and any property which the defendants used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

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

A TRUE BILL

FOREPERSON

for , Chief, Crim. Div.
WIFREDO A. FERRER
UNITED STATES ATTORNEY

MICHAEL B. NADLER
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA **CASE NO.** _____

vs.

DAIRO ANTONIO USUGA-DAVID,
a/k/a "Otoniel,"
a/k/a "Mao,"
a/k/a "Mauricio," et al.,

Defendants./

CERTIFICATE OF TRIAL ATTORNEY*

Superseding Case Information:

Court Division: (Select One)

__X__ Miami _____ Key West
_____ FTL _____ WPB ____ FTP

New Defendant(s) Yes _____ No ____
Number of New Defendants _____
Total number of counts _____

I do hereby certify that:

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) YES
List language and/or dialect SPANISH

4. This case will take 21 days for the parties to try.

5. Please check appropriate category and type of offense listed below:

	(Check only one)		(Check only one)	
I	0 to 5 days	_____	Petty	_____
II	6 to 10 days	_____	Minor	_____
III	11 to 20 days	_____	Misdem.	_____
IV	21 to 60 days	x	Felony	X
V	61 days and over	_____		

6. Has this case been previously filed in this District Court? (Yes or 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 Northern Region of the U.S. Attorney's Office prior to October 14, 2003? Yes _____ No x

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? Yes _____ No x

Michael B. Nadler
ASSISTANT UNITED STATES ATTORNEY
Florida Bar No./Court No. 0051264

*Penalty Sheet(s) attached

REV 4/8/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: DAIRO ANTONIO USUGA- DAVID

Case No:

Count #: 1

Conspiracy to Possess with Intent to Distribute a controlled substance knowing it will be imported to the United States

Title 21, United States Code, Section 963

* **Max. Penalty**:Life Imprisonment

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JAIRO DE JESUS DURANGO RESTREPO

Case No:

Count #: 1

Conspiracy to Possess with Intent to Distribute a controlled substance knowing it will be imported to the United States

Title 21, United States Code, Section 963

* **Max. Penalty**:Life Imprisonment

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ROBERTO VARGAS GUTIERREZ

Case No:

Count #: 1

Conspiracy to Possess with Intent to Distribute a controlled substance knowing it will be imported to the United States

Title 21, United States Code, Section 963

* **Max. Penalty**:Life Imprisonment

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ARISTIDES MANUEL MESA PAEZ

Case No:

Count #: 1

Conspiracy to Possess with Intent to Distribute a controlled substance knowing it will be imported to the United States

Title 21, United States Code, Section 963

*** Max. Penalty**:Life Imprisonment

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ALVERIO FEO ALVARADO

Case No:

Count #: 1

Conspiracy to Possess with Intent to Distribute a controlled substance knowing it will be imported to the United States

Title 21, United States Code, Section 963

* **Max. Penalty**:Life Imprisonment

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: OSCAR DAVID PULGARIN GANAN

Case No:

Count #: 1

Conspiracy to Possess with Intent to Distribute a controlled substance knowing it will be imported to the United States

Title 21, United States Code, Section 963

* **Max. Penalty**:Life Imprisonment

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: RAMIRO CARO- PINEDA

Case No:

Count #: 1

Conspiracy to Possess with Intent to Distribute a controlled substance knowing it will be imported to the United States

Title 21, United States Code, Section 963

* **Max. Penalty**:Life Imprisonment

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: CESAR DANIEL ANAYA MARTINEZ

Case No:

Count #: 1

Conspiracy to Possess with Intent to Distribute a controlled substance knowing it will be imported to the United States

Title 21, United States Code, Section 963

* **Max. Penalty**:Life Imprisonment

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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: EDUARDO LUIS VARGAS GUTIERREZ

Case No:

Count #: 1

Conspiracy to Possess with Intent to Distribute a controlled substance knowing it will be imported to the United States

Title 21, United States Code, Section 963

* **Max. Penalty**:Life Imprisonment

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