

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.</b> _____
<b>v.</b>	:	<b>DATE FILED:</b> _____
<b>JORGE BAUTISTA-BANDA</b>	:	<b>VIOLATIONS:</b>
<b>a/k/a "Cochito,"</b>	:	<b>21 U.S.C. § 846 (conspiracy to distribute</b>
<b>a/k/a "Jorge Batista-Banda"</b>	:	<b>5 kilograms or more of cocaine - 1 count)</b>
	:	<b>18 U.S.C. § 1956(a)(1)(B)(i), (B)(ii)</b>
	:	<b>(money laundering – 1 count)</b>
	:	<b>18 U.S.C. § 2 (aiding &amp; abetting)</b>
	:	<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. From on or about September 24, 2013, to on or about April 23, 2014, in the Eastern District of Pennsylvania and elsewhere, defendant

**JORGE BAUTISTA-BANDA**  
    **a/k/a "Cochito,"**  
    **a/k/a "Jorge Batista-Banda,"**

conspired and agreed with others known and unknown to the grand jury, to knowingly and intentionally distribute 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

**MANNER AND MEANS**

It was part of the conspiracy that:

1. Alfredo Alemida-Urias, charged elsewhere, obtained kilogram quantities

of cocaine each month from sources of supply in Mexico and arranged for some or all of that cocaine to be transported to Philadelphia, Pennsylvania for re-distribution in the Eastern District of Pennsylvania.

2. Alfredo Almeida-Urias arranged for truck drivers to use tractor trailers to deliver the cocaine to Jorge Martinez and Wallace Oliveira, each charged elsewhere, in the Philadelphia area. After delivering the cocaine, the truck drivers also transported payments for previously supplied cocaine shipments back to Almeida-Urias.

3. Jorge Martinez took delivery of the cocaine from the truck drivers and made arrangements to distribute it to Wallace Oliveira and Luis Gonzalez, charged elsewhere, and others.

4. Wallace Oliveira and Luis Gonzalez re-distributed the cocaine and provided payment, in large sums of United States currency, to Jorge Martinez.

5. Defendant JORGE BAUTISTA-BANDA and Juan Enrique Castro and Sergio Rodriguez, Jr., each charged elsewhere, obtained cash proceeds of sales of multi-kilogram quantities of cocaine from Jorge Martinez and arranged to transport those funds back to the sources of supply in Mexico, either through the use of numerous structured cash deposits to identified pass-through bank accounts of cash amounts under \$10,000, or through the use of bulk cash transfers.

6. At various times, to effect the transport of drug proceeds back to the sources of supply in Mexico, defendant JORGE BAUTISTA-BANDA traveled from Mexico to Philadelphia, Pennsylvania to receive large sums of currency representing proceeds of narcotics sales from Jorge Martinez. Defendant BAUTISTA-BANDA then deposited the funds to various

“pass through” bank accounts at multiple bank branches in Philadelphia, Pennsylvania, and elsewhere, as designated by Mexican cocaine suppliers, in structured amounts of less than \$10,000 per deposit, to avoid the filing of a currency transaction report, and to conceal and disguise the nature, location, source, ownership and the control of proceeds of the specified unlawful activity, specifically, illegal narcotics trafficking.

### OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendant JORGE BAUTISTA-BANDA and others known and unknown to the grand jury committed the following overt acts, among others, in the Eastern District of Pennsylvania, and elsewhere:

1. On or about September 24, 2013, at 5:41 p.m., Alfredo Almeida-Urias' telephone number (267) 250-3010 placed an outgoing call to telephone number (215) 432-4400, utilized by Jorge Martinez. During the conversation, Almeida-Urias told Martinez, "Early tomorrow on behalf of Flaco, a guy named "Cochito" (a/k/a defendant JORGE BAUTISTA-BANDA) is going to call you. It's going to be in 3 days; that's 50, 50, and then 45," thus advising Martinez that, on behalf of Flaco (a Mexico based multi-kilogram source of supply of cocaine to Almeida-Urias), "Cochito" (an alias for defendant JORGE BAUTISTA-BANDA) would launder \$145,000 in cash in 3 increments each day as \$50,000, then the next day \$50,000, and finally \$45,000.

2. On or about September 24, 2013, at approximately 9:32 a.m., defendant JORGE BAUTISTA-BANDA entered the passenger side of Jorge Martinez's blue Mazda Tribute, in the vicinity of 16<sup>th</sup> and Market Streets, in Philadelphia, Pennsylvania, at which time the Mazda Tribute, driven by Martinez, proceeded northbound on 16<sup>th</sup> Street. While in the Mazda Tribute, defendant BAUTISTA-BANDA retrieved a bag from the rear area of the Mazda.

3. On or about September 24, 2013, at approximately 9:34 a.m., Jorge Martinez pulled the Mazda Tribute to the side of the road around 17<sup>th</sup> and Cherry Streets, in Philadelphia, at which time defendant BAUTISTA-BANDA exited the passenger side of the Mazda, carrying a large dark colored spotted satchel hanging across his body. After defendant BAUTISTA-BANDA exited the vehicle, BAUTISTA-BANDA walked to the 17<sup>th</sup> Street entrance to the Sheraton Hotel located at 201 N. 17<sup>th</sup> Street.

4. On or about September 24, 2013, at approximately 10:50 a.m., defendant JORGE BAUTISTA-BANDA exited the Sheraton Hotel, carrying the same satchel strapped across his body, and walked to and entered the Bank of America located at 1818 Market Street in Philadelphia. While standing at the teller window, defendant BAUTISTA-BANDA passed a stack of cash to the teller, and conducted a cash deposit transaction; a short time later, defendant BAUTISTA-BANDA exited the Bank of America and walked to the Wells Fargo Bank branch located at 20<sup>th</sup> and Market Streets in Philadelphia.

5. On or about September 24, 2013, at approximately 11:40 a.m., defendant JORGE BAUTISTA-BANDA exited the Wells Fargo Bank located at 20<sup>th</sup> and Market Streets, and walked to the Wells Fargo Bank branch located at 17<sup>th</sup> and Walnut Streets, in Philadelphia, and completed a cash deposit transaction.

6. On or about September 24, 2013, at approximately 11:57 a.m., defendant JORGE BAUTISTA-BANDA walked to the Wells Fargo Bank located at 1700 Market Street, in Philadelphia and completed a cash deposit transaction. After leaving the Wells Fargo Bank, defendant BAUTISTA-BANDA walked back to the Sheraton Hotel.

7. On or about September 24, 2013, at approximately 1:12 p.m., defendant JORGE

BAUTISTA-BANDA exited the Sheraton Hotel, carrying a satchel strapped across his body, and walked to the Bank of America branch located at 1818 Market Street, in Philadelphia, where he entered the bank and completed a cash deposit transaction.

8. On or about September 24, 2013, at approximately 5:28 p.m., defendant JORGE BAUTISTA-BANDA returned to and entered the Sheraton Hotel located at 17<sup>th</sup> and Vine Streets in Philadelphia.

9. On or about September 24, 2013, at approximately 6:52 p.m., defendant JORGE BAUTISTA-BANDA exited the Sheraton Hotel and walked to the area of 17<sup>th</sup> and Market Streets, where BAUTISTA-BANDA entered the blue Mazda Tribute driven by Jorge Martinez. At this time defendant BAUTISTA-BANDA wore the satchel strapped across his body.

10. On or about September 24, 2013, at approximately 7:06 p.m., defendant JORGE BAUTISTA-BANDA exited Martinez's Mazda wearing the same satchel across his body. BAUTISTA-BANDA also carried a large Olive Garden bag with him as he exited Martinez's vehicle.

11. On or about September 24, 2013, at approximately 7:12 p.m., defendant JORGE BAUTISTA-BANDA returned to the Sheraton Hotel and his room on the 16<sup>th</sup> Floor.

12. On or about September 24, 2013, defendant JORGE BAUTISTA-BANDA completed multiple structured deposits of currency, in amounts less than \$10,000, thus avoiding the filing of currency transaction reports, to accounts in the names of other individuals, at the various branches of the Bank of America and the Wells Fargo Bank he visited.

13. On or about April 23, 2014, defendant JORGE BAUTISTA-BANDA traveled via United Airlines from San Antonio, Texas to Houston, Texas to Philadelphia, Pennsylvania, in

order to carry out money laundering activities with regard to narcotics proceeds located in Philadelphia.

14. On or about April 23, 2014, at approximately 11:50 a.m., defendant JORGE BAUTISTA-BANDA departed United Airlines Gate D3 at the Philadelphia International Airport, carrying only a black backpack. After exiting the airport, defendant BAUTISTA-BANDA entered a taxi and traveled to the Sheraton Hotel located at 201 N. 17<sup>th</sup> Street, in Philadelphia, where he was dropped off by the taxi; defendant BAUTISTA-BANDA subsequently traveled on foot to the Sonesta Hotel located at 1800 Market Street in Philadelphia.

15. On or about April 23, 2014, following his arrival in Philadelphia, defendant BAUTISTA-BANDA, in the vicinity of 12<sup>th</sup> and Walnut Streets, entered a black Kia Crossover vehicle bearing a Pennsylvania registration; the Kia Crossover vehicle, driven by an unknown male, proceeded to the area of 13<sup>th</sup> Street and Washington Avenue, in Philadelphia. At that time, defendant BAUTISTA-BANDA retrieved a black bag from the rear passenger compartment of the Kia; the black bag contained approximately \$100,000 in cash which he was directed to launder through the use of structured cash deposits to pass through accounts designated by Mexican sources of supply; subsequently defendant BAUTISTA-BANDA traveled in the Kia to 13<sup>th</sup> and Walnut Streets, where BAUTISTA-BANDA exited the vehicle and walked eastbound on Walnut Street.

16. On or about April 23, 2014, defendant BAUTISTA-BANDA proceeded to and registered at the Roadway Inn located at 1208 Walnut Street, in Philadelphia. Shortly thereafter, defendant BAUTISTA-BANDA, wearing different clothing and carrying a black backpack, walked east on Walnut Street towards 9<sup>th</sup> Street.

17. On or about April 23, 2014, defendant BAUTISTA-BANDA proceeded to the Bank of America branch located at 932 Walnut Street in Philadelphia, at which time BAUTISTA-BANDA commenced to engage in a \$8,000 cash deposit transaction with the bank teller. At that time, defendant BAUTISTA-BANDA also possessed a large sum of U.S. currency contained within a black backpack in his possession, as well as a Roadway Inn paper that contained handwritten notes documenting locations of financial institutions in Philadelphia.

18. On or about April 23, 2014, defendant JORGE BAUTISTA-BANDA possessed approximately \$68,000 in cash in a safe located in his hotel room at the Roadway Inn in Philadelphia.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. On or about April 23, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JORGE BAUTISTA-BANDA,  
a/k/a "Cochito,"  
a/k/a "Jorge Batista-Banda,"**

knowingly conducted and attempted to conduct, and aided and abetted and willfully caused, a financial transaction, that is, an \$8,000 cash bank deposit to the Bank of America, 932 Walnut Street, Philadelphia, Pennsylvania.

2. When conducting and attempting to conduct, and aiding and abetting and willfully causing, the financial transaction described above, defendant JORGE BAUTISTA-BANDA knew that the property involved in that financial transaction represented the proceeds of some form of unlawful activity.

3. The financial transaction described above involved the proceeds of a specified unlawful activity, that is, distribution of a controlled substance, and defendant JORGE BAUTISTA-BANDA acted, knowing that the transaction was designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity, and to avoid a transaction reporting requirement under federal law.

In violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and (B)(ii), and 2.

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violation of Title 21, United States Code, Section 846, as set forth in this indictment, defendant

**JORGE BAUTISTA-BANDA  
a/k/a "Cochito,"  
a/k/a "Jorge Batista-Banda,"**

shall forfeit to the United States of America:

A. any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense, including but not limited to:

1. \$100,000 in United States currency;
2. \$145,000 in United States currency; and,

B. any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offense.

2. If any of the property subject to forfeiture, 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, pursuant to Title 21, United States Code, Section 853(p), to

