

**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>ANTONIO SMITH-VALERA, a/k/a "Antonio Smith"</b>	:	<b>VIOLATIONS:</b>
<b>MOISE CALZADILLA, a/k/a "Cuba"</b>	:	<b>21 U.S.C. § 846 (conspiracy to distribute cocaine - 1 count)</b>
	:	<b>21 U.S.C. § 841(a)(1), (b)(1)(C) (distribution of cocaine - 1 count)</b>
	:	<b>21 U.S.C. §§ 846, 841(a)(1), (b)(1)(C) (attempted distribution of cocaine - 1 count)</b>
	:	<b>21 U.S.C. § 841(a)(1), (b)(1)(B), (b)(1)(C) (possession with intent to distribute crack, cocaine and heroin - 1 count)</b>
	:	<b>18 U.S.C. § 924(c)(1) (possession of firearm in furtherance of drug trafficking crime - 1 count)</b>
	:	<b>18 U.S.C. § § 922(g)(1) (possession of firearm by convicted felon - 1 count)</b>
	:	<b>18 U.S.C. § 2 (aiding and abetting) Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. From on or about June 19, 2013, through on or about July 11, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ANTONIO SMITH-VALERA,  
a/k/a "Antonio Smith," and  
MOISE CALZADILLA,  
a/k/a "Cuba,"**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute 500 grams 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)(B).

### **MANNER AND MEANS**

It was a part of the conspiracy that:

2. Defendants ANTONIO SMITH-VALERA, a/k/a “Antonio Smith,” and MOISE CALZADILLA, a/k/a “Cuba,” worked together to distribute cocaine, including to CS, a person known to the grand jury.

3. Defendant ANTONIO SMITH-VALERA, a/k/a “Antonio Smith,” stored cocaine and other controlled substances, as well as proceeds from the sale of controlled substances, firearms used to protect the controlled substances and the proceeds, and other materials used to process and package controlled substances, inside an apartment located at 4633 Adams Avenue, Philadelphia.

### **OVERT ACTS**

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in Philadelphia, in the Eastern District of Pennsylvania:

1. On or about June 19, 2013, defendant MOISE CALZADILLA, a/k/a “Cuba,” met with CS to discuss the purchase of kilogram quantities of cocaine by CS from defendant ANTONIO SMITH-VALERA, a/k/a “Antonio Smith.”

2. On or about July 3, 2013, defendants ANTONIO SMITH-VALERA, a/k/a “Antonio Smith,” and MOISE CALZADILLA, a/k/a “Cuba,” sold approximately one ounce of

cocaine to the CS for \$1200 as a sample of the cocaine available for purchase from defendants SMITH-VALERA and CALZADILLA.

3. On or about July 11, 2013, defendants ANTONIO SMITH-VALERA, a/k/a “Antonio Smith,” and MOISE CALZADILLA, a/k/a “Cuba,” attempted to sell approximately four ounces of cocaine to CS for \$4000.

In violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 3, 2013, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**ANTONIO SMITH-VALERA,  
a/k/a "Antonio Smith," and  
MOISE CALZADILLA,  
a/k/a "Cuba,"**

knowingly and intentionally distributed, and aided and abetted the distribution 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)(C) and  
Title 18, United States Code, Section 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 11, 2013, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**ANTONIO SMITH-VALERA,  
a/k/a "Antonio Smith," and  
MOISE CALZADILLA,  
a/k/a "Cuba,"**

knowingly and intentionally attempted to distribute, and aided and abetted the attempted  
distribution of, a mixture and substance containing a detectable amount of cocaine, a Schedule II  
controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), (b)(1)(C)  
and Title 18, United States Code, Section 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 11, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ANTONIO SMITH-VALERA,  
a/k/a "Antonio Smith,"**

knowingly and intentionally possessed with intent to distribute 28 grams or more of a mixture and substance containing a detectable amount of cocaine base ("crack"), and a mixture and substance containing a detectable amount of cocaine, both Schedule II controlled substances, and 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), (b)(1)(C).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 11, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ANTONIO SMITH-VALERA,  
a/k/a "Antonio Smith,"**

knowingly possessed a firearm, that is, a Cobray M-11, 9 millimeter semi-automatic handgun, serial number 88-0001082, loaded with ten live rounds of ammunition, and a Springfield Armory 40 caliber pistol, serial number MG155654, with two magazines loaded with twenty-six live rounds of ammunition, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, conspiracy and possession with intent to distribute a controlled substance in violation of Title 21, United States Code, Sections 846 and 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 11, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ANTONIO SMITH-VALERA,  
a/k/a "Antonio Smith,"**

having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, a Cobray M-11, 9 millimeter semi-automatic handgun, serial number 88-0001082, loaded with ten live rounds of ammunition, and a Springfield Armory 40 caliber pistol, serial number MG155654, with two magazines loaded with twenty-six live rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Sections 922(g)(1) and 924(c)(1) set forth in this indictment, the defendant

**ANTONIO SMITH-VALERA,  
a/k/a "Antonio Smith,"**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), the firearms and ammunition involved in the commission of such offenses including, but not limited to:

- (a) a Cobray M-11, 9 millimeter semi-automatic handgun, serial number 88-0001082, loaded with ten live rounds of ammunition; and
- (b) and a Springfield Armory 40 caliber pistol, serial number MG155654, with two magazines loaded with twenty-six live rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

2. As a result of the violations of Title 21, United States Code, Sections 846 and 841(a)(1), as set forth in this indictment, defendant

**ANTONIO SMITH-VALERA,  
a/k/a "Antonio Smith," and  
MOISE CALZADILLA,  
a/k/a "Cuba,"**

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 offenses; and

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses.

Said property includes but is not limited to:

- (a) approximately \$1,937 in cash seized on July 11, 2013 from the person of Antonio Smith-Valera, a/k/a "Antonio Smith;"
- (b) approximately \$26,244 in cash seized on July 11, 2013 at 4633 Adams Avenue, Philadelphia, Pennsylvania;
- (c) approximately \$15,473 in cash seized on July 16, 2013 at 311 W. Roosevelt Boulevard, Philadelphia, Pennsylvania.

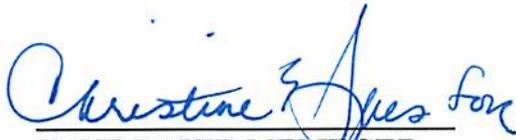
3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third 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 with out 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 the defendant up to the value of property subject to forfeiture.

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

**A TRUE BILL:**

  
ZANE DAVID MEMEGER  
United States Attorney

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**GRAND JURY FOREPERSON**