

SEALED  
BY COURT ORDER

FILED

OCT - 3 2013

United States District Court

RICHARD W. WIEKING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: Oakland

JSW

**CR13-00658**

UNITED STATES OF AMERICA,

v.

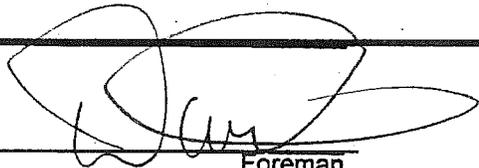
OSCAR GAXIOLA-VICENCIO  
a/k/a "Cheque,"  
RAFAEL VERDUZCO-PEREZ,  
JORGE GONZALEZ-HERRERA,  
MOISES SOLTERO-PELAYO,  
a/k/a "El Burro," and  
JESUS CAMPOS-ZARAGOZA,

DEFENDANT.

INDICTMENT

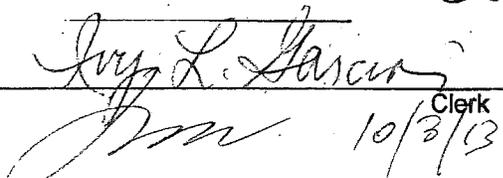
21 U.S.C. § 846 – Conspiracy to Possess With Intent to Distribute and to Distribute Methamphetamine; 21 U.S.C. § 846 – Conspiracy to Possess With Intent to Distribute and to Distribute Cocaine; 21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution of Methamphetamine; 21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution of Cocaine; 21 U.S.C. § 853(a) - Drug Forfeiture

A true bill.



Foreman

Filed in open court this 3 day of October



Clerk

Bail, \$ no bail warrants for all defendants

1 MELINDA HAAG (CABN 132612)  
United States Attorney

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5 SEALED  
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OCT - 3 2013

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11  
12 UNITED STATES OF AMERICA,  
13 Plaintiff,

14 v.

15 OSCAR GAXIOLA-VICENCIO a/k/a  
"Cheque,"  
16 RAFAEL VERDUZCO-PEREZ,  
17 JORGE GONZALEZ-HERRERA,  
18 MOISES SOLTERO-PELAYO a/k/a "El  
Burro," and  
19 JESUS CAMPOS-ZARAGOZA,  
20 Defendants.

No. **CR13-00658**

JSW

VIOLATIONS: 21 U.S.C. § 846 – Conspiracy to Possess With Intent to Distribute and to Distribute Methamphetamine; 21 U.S.C. § 846 – Conspiracy to Possess With Intent to Distribute and to Distribute Cocaine; 21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution of Methamphetamine; 21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution of Cocaine; 21 U.S.C. § 853(a) - Drug Forfeiture

OAKLAND VENUE

21  
22 INDICTMENT

23 The Grand Jury charges:

24 COUNT ONE: (21 U.S.C. § 846 – Conspiracy to Possess With Intent to Distribute and to  
25 Distribute Methamphetamine)

26 Beginning at a time unknown to the Grand Jury, but no later than February 11, 2013, and  
27 continuing thereafter until the date of this indictment, both dates being inclusive, in the Northern

28 //

INDICTMENT

8k

1 District of California and elsewhere, the defendants,

2 OSCAR GAXIOLA-VICENCIO a/k/a "Cheque,"  
3 RAFAEL VERDUZCO-PEREZ,  
4 MOISES SOLTERO-PELAYO a/k/a "El Burro," and  
5 JESUS CAMPOS-ZARAGOZA,

6 and others known and unknown to the grand jury, did knowingly and intentionally conspire to possess  
7 with intent to distribute and distribute 50 grams or more of methamphetamine, its salts, isomers, and  
8 salts of its isomers, in violation of Title 21, United States Code, Sections 846, 841(a)(1) and  
9 841(b)(1)(A)(viii).

10 COUNT TWO: (21 U.S.C. § 846 – Conspiracy to Possess With Intent to Distribute and to  
11 Distribute Cocaine)

12 Beginning at a time unknown to the Grand Jury, but no later than July 18, 2013, continuing  
13 thereafter until the date of this indictment, both dates being inclusive, in the Northern District of  
14 California and elsewhere, the defendants,

15 OSCAR GAXIOLA-VICENCIO a/k/a "Cheque" and  
16 JORGE GONZALEZ-HERRERA,

17 and others known and unknown to the grand jury, did knowingly and intentionally conspire to possess  
18 with intent to distribute and distribute 500 grams or more of a mixture and substance containing a  
19 detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, in violation  
20 of Title 21, United States Code, Sections 846, 841(a)(1) and (b)(1)(B)(ii).

21 COUNT THREE: (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution  
22 of Methamphetamine)

23 On or about February 12, 2013, in the Northern District of California, the defendant,

24 RAFAEL VERDUZCO-PEREZ,

25 did knowingly and intentionally possess with intent to distribute and distribute 50 grams or more of  
26 methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States  
27 Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

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1 COUNT FOUR: (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution  
2 of Methamphetamine)

3 On or about February 26, 2013, in the Northern District of California, the defendant,

4 RAFAEL VERDUZCO-PEREZ,

5 did knowingly and intentionally possess with intent to distribute and distribute 50 grams or more of  
6 methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States  
7 Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

8 COUNT FIVE: (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution  
9 of Methamphetamine)

10 On or about March 22, 2013, in the Northern District of California, the defendant,

11 RAFAEL VERDUZCO-PEREZ,

12 did knowingly and intentionally possess with intent to distribute and distribute 50 grams or more of  
13 methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States  
14 Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

15 COUNT SIX: (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution  
16 of Methamphetamine)

17 On or about May 15, 2013, in the Northern District of California, the defendant,

18 RAFAEL VERDUZCO-PEREZ,

19 did knowingly and intentionally possess with intent to distribute and distribute 50 grams or more of  
20 methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States  
21 Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

22 COUNT SEVEN: (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution  
23 of Methamphetamine)

24 On or about June 25, 2013, in the Northern District of California, the defendants,

25 RAFAEL VERDUZCO-PEREZ and  
26 JESUS CAMPOS-ZARAGOZA,

27 did knowingly and intentionally possess with intent to distribute and distribute a mixture or substance  
28 containing methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United  
States Code, Sections 841(a)(1) and 841(b)(1)(C).

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INDICTMENT

1 COUNT EIGHT: (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution  
2 of Methamphetamine)

3 On or about July 18, 2013, in the Northern District of California, the defendant,

4 ~~OSCAR GAXIOLA-VICENCIO a/k/a "Cheque,"~~

5 did knowingly and intentionally possess with intent to distribute and distribute a mixture or substance  
6 containing methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United  
7 States Code, Sections 841(a)(1) and 841(b)(1)(C).

8 COUNT NINE: (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution  
9 of Cocaine)

10 On or about August 12, 2013, in the Northern District of California, the defendant,

11 JORGE GONZALEZ-HERRERA,

12 did knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture and  
13 substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts  
14 of isomers, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(ii).

15 COUNT TEN: (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution  
16 of Cocaine)

17 On or about August 13, 2013, in the Northern District of California, the defendant,

18 ~~OSCAR GAXIOLA-VICENCIO a/k/a "Cheque,"~~

19 did knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture and  
20 substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts  
21 of isomers, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(ii).

22 COUNT ELEVEN: (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and  
23 Distribution of Methamphetamine)

24 On or about September 10, 2013, in the Northern District of California, the defendant,

25 MOISES SOLTERO-PELAYO,

26 did knowingly and intentionally possess with intent to distribute and distribute a mixture or substance  
27 containing methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United  
28 States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWELVE: (21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and  
Distribution of Methamphetamine)

On or about September 19, 2013, in the Northern District of California, the defendant,

INDICTMENT

1  
2 RAFAEL VERDUZCO-PEREZ,

3 did knowingly and intentionally possess with intent to distribute and distribute a mixture or substance  
4 ~~containing methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United~~  
5 States Code, Sections 841(a)(1) and 841(b)(1)(C).

6 FORFEITURE ALLEGATION: (21 U.S.C. § 853(a)) (Drug Forfeiture Allegation)

7 1. The allegations contained in Counts One through Twelve of this Indictment are  
8 hereby realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture  
9 pursuant to Title 21, United States Code, Sections 853(a)(1) and (a)(2).

10 2. Upon a conviction of the offenses alleged in Counts One through Twelve of the  
11 Indictment, the defendants,

12 OSCAR GAXIOLA-VICENCIO a/k/a "Chekas,"  
13 RAFAEL VERDUZCO-PEREZ,  
14 JORGE GONZALEZ HERRERA,  
15 MOISES SOLTERO-PELAYO a/k/a "El Burro," and  
16 JESUS CAMPOS-ZARAGOZA,

17 shall forfeit to the United States all right, title, and interest in property constituting and derived from any  
18 proceeds, the defendants obtained, directly or indirectly, as a result of said violations, and any property  
19 used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said  
20 violations.

- 21 3. If, as a result of any act or omission of the defendants, any of said property
- 22 a. cannot be located upon the exercise of due diligence;
  - 23 b. has been transferred or sold to or deposited with, a third person;
  - 24 c. has been placed beyond the jurisdiction of the Court;
  - 25 d. has been substantially diminished in value; or
  - 26 e. has been commingled with other property which cannot be divided  
27 without difficulty;

28 any and all interest the defendants have in any other property, up to the value of the property described  
in paragraph 2 above, shall be forfeited to the United States pursuant to Title 21, United States Code,  
Section 853(p).

1 All in violation of Title 21, United States Code, Sections 853(a)(1), (a)(2), (p); and Rule 32.2 of  
2 the Federal Rules of Criminal Procedure.

3  
4 DATED: 10/3/2013

A TRUE BILL.

FOREPERSON

5  
6 MELINDA HAAG  
7 United States Attorney

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10 J. DOUGLAS WILSON  
Chief, Criminal Division

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14 (Approved as to form: [Signature])

AUSA AARON D. WEGNER

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INDICTMENT