

FILED
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U.S. DISTRICT COURT
SAN FRANCISCO, CALIF.

1 MELINDA HAAG (CABN 132612)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SEALED
COURT ORDER

WHA

8 UNITED STATES OF AMERICA)
9 v.)
10 (1) DAVID ANDREW MARTINEZ,)
11 a/k/a "Oso," a/k/a "Fat Boy,")
12 a/k/a "Big Homie,")
13 (2) EDMUND DESHAWN DENEILIOM,)
14 a/k/a "EZ,")
15 (3) RUBEN ALEJANDRO QUIROZ,)
16 (4) CESAR CASTELLANOS,)
17 a/k/a "Cheese,")
18 (5) LUCIO LERENZO MENDOZA,)
19 a/k/a "Juce,")
20 (6) SAMUEL TEWOLDE,)
21 (7) KALIN CARELL, and)
22 (8) ANDREW HILL-PICCOLA,)
23 Defendants.)

CASE NO. **CR 13 794**

VIOLATIONS: 18 U.S.C. § 1962(d) – Racketeering Conspiracy; 18 U.S.C. § 1959 – Violent Crime in Aid of Racketeering; 18 U.S.C. § 924(c) – Use/Possession of Firearm in Furtherance of Crime of Violence/Drug Trafficking Crime; 18 U.S.C. § 922(g)(1) – Felon in Possession of Firearm/Ammunition; 18 U.S.C. § 1951 – Hobbs Act Robbery/Conspiracy; 18 U.S.C. § 1513 – Witness Retaliation; 21 U.S.C. 841(a)(1) – Possession with Intent to Distribute Controlled Substance; 21 U.S.C. 846 – Drug Conspiracy; 18 U.S.C. § 2 – Aiding and Abetting; 18 U.S.C. 1963 – RICO Forfeiture

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 1962(d) – Racketeering Conspiracy)

Introductory Allegations

1. *Nuestra Familia* – Spanish for “Our Family” – also known by the letters “NF,” is a prison gang that was formed in the late 1960s in the California State prison system. The rise of *Nuestra Familia* is linked to the emergence in the late 1950s of another prison gang called the Mexican Mafia,

1 also known as "*La Eme.*" Hispanic inmates in the California State prison system joined together to form
2 what became the Mexican Mafia for protection against other prison gangs as well as to engage in illegal
3 activities for profit. The Mexican Mafia soon became dominated by Mexican and Mexican-American
4 inmates from Southern California and outside the United States, and Hispanic inmates from Northern
5 California perceived that they were marginalized under the dominion of the Mexican Mafia. As a result,
6 Hispanic inmates with roots in Northern California banded together and formed what became *Nuestra*
7 *Familia* in order to protect themselves and advance their own interests.

8 2. By the 1970s, *Nuestra Familia* rivaled the power of the Mexican Mafia and other prison
9 gangs in California, and the competition between members and associates of *Nuestra Familia* and the
10 Mexican Mafia resulted in violent and often fatal encounters. Similarly, outside of prison, the members
11 and associates of *Nuestra Familia* and the Mexican Mafia competed with each other to control profitable
12 criminal activities such as narcotics trafficking, extortion, and robbery. This competition between the
13 two rivals led to murder, attempted murder, and other acts of violence.

14 3. *Nuestra Familia* is comprised of relatively few full members, who are known as
15 "*carnales*" and who control the gang. An individual becomes a *Nuestra Familia* member or *carnal* after
16 being properly schooled, sponsored, and approved by other *Nuestra Familia carnales*. A *carnal* must
17 also prove his loyalty and worth by committing crimes and conducting himself for the gang's benefit. A
18 *carnal* must value the gang above all else and must be willing to sacrifice even family and friends for
19 the gang. According to *Nuestra Familia's* rules, once one becomes a *carnal*, death is the only way to
20 withdraw from the gang.

21 4. *Nuestra Familia carnales* control and direct the activities of others, notably members of
22 the various *Norteño* street gangs. *Norteño* gang members are generally born in the United States, have
23 roots in Northern California, and recognize the primacy of *Nuestra Familia*. *Norteño* gang members
24 pledge their allegiance and loyalty to *Nuestra Familia* and are instructed on the rules, rituals, and
25 obligations of *Nuestra Familia*. *Norteños* commit crimes such as narcotics trafficking, robbery, and
26 murder to benefit themselves and *Nuestra Familia*. Proceeds generated by such illegal activities are
27 expected to be paid as a "tax" to *Nuestra Familia carnales*. If a *carnal* is incarcerated, the tax is paid
28 into the *carnal's* jail or prison commissary account or to the *carnal's* family. *Nuestra Familia* enforces

1 its rules and promotes discipline among its members and associates by assaulting and threatening those
2 individuals who violate the gang's rules, defy the gang's wishes, or pose a threat to the gang.

3 5. Despite the efforts of law enforcement officials, *Nuestra Familia* continues to flourish
4 and has continued influence over illegal activities outside of the prison system. After *Nuestra*
5 *Familia* members or associates are released from prison, they remain loyal to *Nuestra Familia* and work
6 to further the goals of *Nuestra Familia* outside of the prison environment. Despite the fact that many
7 *Nuestra Familia carnales* are imprisoned and closely scrutinized by prison officials, they still manage to
8 convey their orders to *Nuestra Familia* members and associates in and outside of prison through a
9 variety of means, including secret notes, called "kites" or "filters," coded letters, and messages conveyed
10 by complicit visitors. These messages are also sent as legal mail, thereby securing the privacy of its
11 contents, or as a three-way messaging system using post office boxes pursuant to which third parties
12 pick up coded messages and re-deliver them to the intended recipients outside of prison. These types of
13 communications allow incarcerated *Nuestra Familia* members to communicate with and direct other
14 incarcerated members and associates, as well as to communicate with and direct members and associates
15 on the streets.

16 6. *Nuestra Familia* organizes its followers on the streets into "regiments," or "crews,"
17 which commit crimes for the gang's benefit. A regiment is usually led by a regimental commander who
18 is typically a *carnal* or a high-level *Norteño* gang member. Some *carnales* command more than one
19 regiment. The rank and file of a *Nuestra Familia* regiment are called "soldiers" and are usually
20 *Norteños*. Among other things, the regimental commander is responsible for overseeing the criminal
21 activities of his regiment. The gang member in charge of a regiment collects the regiment's ill-gotten
22 gains and then — after keeping his share — transfers the money up the gang's chain of command.
23 *Norteño* gangs in Santa Rosa, California, follow a set of bylaws that were developed by the *Nuestra*
24 *Familia* in 1983. These rules outline the behavior, beliefs and practices of *Nuestra Familia* and are
25 taught to *Norteño* gang members.

26 7. *Nuestra Familia* and its affiliated gangs have been and continue to be engaged in a fierce
27 and violent gang war with the Mexican Mafia and the Mexican Mafia's affiliated gangs, which are
28 generally called "*Sureño*" or "*Southern*" gangs, the members of which typically were born outside the

1 United States, have a connection to Southern California, and recognize the primacy of the Mexican
2 Mafia. Within the prison system, this rivalry manifests itself in beatings and stabbings, which often
3 result in death. Outside the prison system, the two sides, north and south, fight for control of narcotics
4 trafficking territory as well as control over other crimes. In addition to fighting for control over
5 remunerative illegal activities and using violence and terror for the purpose of enriching themselves, the
6 two sides also engage in violence simply to assert their gang identities. A member or associate of one
7 side is expected to “hunt” — that is, seek out and beat, stab, and shoot — a member or associate of the
8 other side.

9 The Varrio South Park Gang

10 8. The Varrio South Park gang (“VSP”) first appeared in Santa Rosa, California, in the early
11 1990s, when several members of an existing *Norteño* gang in Santa Rosa, the South Side Posse (“SSP”),
12 split from the SSP due to internal disagreements over the racial composition of the gang. Like SSP
13 members, VSP members identify themselves as *Norteños*, for instance, by claiming the color red and the
14 number 14, which stands for the fourteenth letter of the alphabet, “N,” a symbol for *NF* and *Norteños*.
15 The VSP gang claims as its territory the South Park area of Santa Rosa, comprised of neighborhoods
16 east of US 101 and South of SR 12, north of Yolanda Avenue and west of Brookwood Avenue. The
17 gang’s members refer to the gang in writings, graffiti, and tattoos as “VSP” and “South Park.” There are
18 currently approximately 90 active VSP members. The VSP’s sworn enemies are *Sureños*. VSP
19 members engage in violence to defend their territory against rival *Sureños* gangs, such as Angelino
20 Heights (“AHTS”), *Varrio Sureño Locos* (“VSL”), *Puro Sureño Cholos* (“PSC”).

21 The Racketeering Enterprise

22 9. VSP, including its leadership, members and its associates, constituted an “enterprise” as
23 defined in Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in
24 fact. The enterprise constituted an ongoing organization whose members functioned as a continuing unit
25 for a common purpose of achieving the objectives of the enterprise. The enterprise was engaged in, and
26 its activities affected, interstate and foreign commerce.

27 Purposes of the Enterprise

28 10. The purposes of the VSP enterprise included the following:

- a. Preserving and protecting the power, territory, reputation, and profits of VSP through the use of intimidation, violence, threats of violence, assaults, and murder;
- b. Enriching the members and associates of VSP through, among other things, the control of and participation in the distribution of controlled substances;
- c. Enriching the members and associates of VSP through, among other things, violence and threats of violence, extortion, assault, and robbery;
- d. Keeping victims, potential victims, and witnesses in fear of VSP and in fear of its members and associates through violence and threats of violence;
- e. Providing financial support to other VSP and *Nuestra Familia* members, including those incarcerated for committing acts of violence, robbery, distribution of controlled substances and other offenses; and
- f. Protecting VSP and *Nuestra Familia* members and associates who committed crimes by hindering, obstructing, and preventing law enforcement officers from identifying the offenders, apprehending the offenders, and successfully prosecuting and punishing the offenders.

The Defendants

11. The defendant, DAVID MARTINEZ, a/k/a "Oso," a/k/a "Fat Boy," a/k/a "Big Homie," is the regimental commander for VSP and has served in that capacity since at least in or about 2012. MARTINEZ has been a member or associate of VSP since at least in or about 1996. Among other acts taken in furtherance of VSP, MARTINEZ committed a robbery that resulted in a high-speed chase during which MARTINEZ fired shots at the victim's vehicle on or about August 19, 2013, sold drugs throughout 2013, and ordered "hits" on other gang members whom he deemed "no good."

12. The defendant, EDMUND DENEILIOM, a/k/a "EZ," has been a member or associate of VSP since at least in or about 2000 and has served as second-in-command to MARTINEZ since at least in or about 2012. Among other activities taken in furtherance of VSP, DENEILIOM distributed controlled substances on behalf of VSP, possessed firearms for VSP members and associates to use, and sent proceeds from his illegal narcotics trafficking to incarcerated *Nuestra Familia carnales*.

13. The defendant, CESAR CASTELLANOS, a/k/a "Cheese," has been a member or associate of VSP since at least in or about 1998. Among other activities taken in furtherance of VSP, on

1 or about October 9, 2012, CASTELLANOS shot at and wounded a fellow gang member whom
2 CASTELLANOS believed to have challenged CASTELLANOS's status and authority within the gang.
3 On or about September 14, 2013, CASTELLANOS also threatened to kill a woman if her ex-boyfriend
4 testified against VSP member SAMUEL TEWOLDE.

5 14. The defendants, LUIS MENDOZA, a/k/a "Juce," and KALIN CARELL have been
6 members of VSP since at least in or about 2007. In or about November 2013, MARTINEZ tapped
7 MENDOZA to assume control of all VSP street operations while MARTINEZ was in custody. Among
8 other activities taken in furtherance of VSP, MENDOZA and CARELL paid and collected VSP "taxes"
9 and agreed to participate in assaults and hits against individuals deemed "no good" by the gang.

10 15. The defendant, RUBEN QUIROZ, has been a member or associate of VSP since at least
11 in or about 2000. Among other activities taken in furtherance of the gang, QUIROZ participated in the
12 robbery on or about August 19, 2013 referenced above and, on or about August 24, 2013, ordered a hit
13 against an individual deemed "no good" by the gang.

14 16. The defendant, SAMUEL TEWOLDE, has been a member or associate of VSP since at
15 least in or about 2003. Among other activities taken in furtherance of VSP, on or about September 5,
16 2013, in the parking lot of a restaurant in downtown Santa Rosa, TEWOLDE fired shots at an individual
17 whom TEWOLDE believed to have "snitched" against other members of VSP.

18 17. The defendants — MARTINEZ, DENEILIOM, QUIROZ, CASTELLANOS,
19 MENDOZA, TEWOLDE, and CARELL — who are associates, members, and leaders of VSP, acted
20 individually, with each other, and also with non-member VSP associates in the commission of
21 racketeering activities and other criminal conduct.

22 The Racketeering Conspiracy

23 18. Beginning on a date unknown to the Grand Jury but since at least the mid-2000s, and
24 continuing up through and including the present, in the Northern District of California and elsewhere,
25 the defendants,

26 DAVID MARTINEZ, a/k/a "Oso," a/k/a "Fat Boy," a/k/a "Big Homie,"

27 EDMUND DENEILIOM, a/k/a "EZ,"

28 RUBEN QUIROZ,

1 CESAR CASTELLANOS, a/k/a "Cheese,"
2 LUCIO LERENZO MENDOZA, a/k/a "Juce,"
3 SAMUEL TEWOLDE, and
4 KALIN CARELL,

5 together with others known and unknown, each being a person employed by and associated with VSP,
6 an enterprise engaged in, and the activities of which affected, interstate and foreign commerce,
7 unlawfully, willfully, and intentionally did conspire to violate Title 18, United States Code, Section
8 1962(c), that is to conduct and participate, directly and indirectly, in the conduct of the affairs of the
9 VSP enterprise through a pattern of racketeering activity, as defined in Title 18, United States Code,
10 Sections 1961(1) and (5), which pattern of racketeering activity consisted of:

- 11 a. multiple acts and threats involving murder, in violation of California Penal Code
12 §§ 187, 188, 189, 182, 21a, 664, 653f, and 422;
- 13 b. multiple acts and threats involving robbery, in violation of California Penal Code
14 §§ 211, 212, 212.5, 213, 182, 21a, 664, 653f, and 422;
- 15 c. multiple acts involving dealing in controlled substances, in violation of
16 21 U.S.C. §§ 841(a)(1) and 846;
- 17 d. multiple acts indictable under 18 U.S.C. § 1951 (interference with commerce,
18 robbery, or extortion); and
- 19 e. multiple acts indictable under 18 U.S.C. §§ 1503 (obstruction of justice); 1512
20 (tampering with a witness, victim, or informant); and 1513 (retaliating against a witness, victim, or
21 informant).

22 19. It was part of the conspiracy that each defendant agreed that a member of the conspiracy
23 would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

24 Means and Methods of the Conspiracy

25 20. It was part of the means and methods of the conspiracy that the defendants and other
26 members and associates of VSP discussed with other members and associates of VSP, among other
27 things: the membership and rules of VSP; the status of VSP members and associates who were arrested
28 or incarcerated; the disciplining of VSP members; encounters between law enforcement and VSP

1 members and associates; the identities of individuals suspected of cooperating with law enforcement and
2 the proposed actions to be taken against them; crimes committed by VSP members and associates; plans
3 and agreements regarding the commission of future crimes, including murder, robbery, narcotics
4 distribution, illegal possession of firearms, and assault, as well as ways to conceal these crimes; and the
5 enforcement of the rules of VSP.

6 21. It was further part of the means and methods of the conspiracy that the defendants and
7 other members and associates of VSP purchased, possessed, maintained, used, and circulated a
8 collection of firearms for use in criminal activity by the members and associates of VSP.

9 22. It was further part of the means and methods of the conspiracy that the defendants and
10 other members and associates of VSP committed acts of violence, including murder, attempted murder,
11 and assault, including acts of violence by members and associates of VSP against rival gang members
12 and others when it suited the enterprise's purposes. Members of VSP also used violence to impose
13 discipline within the gang.

14 23. It was further part of the means and methods of the conspiracy that the defendants and
15 other members and associates of VSP distributed narcotics, committed robbery, extortion, and other
16 crimes, and concealed their criminal activities by obstructing justice, threatening and intimidating
17 witnesses, and other means.

18 All in violation of Title 18, United States Code, Section 1962(d).

19 COUNT TWO: (18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of
20 Racketeering)

21 24. Paragraphs 1 through 17 and 20 through 23 of this Indictment are realleged and
22 incorporated by reference as though fully set forth herein.

23 25. At all times relevant to this Indictment, VSP – including its leadership, members, and
24 associates – constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that
25 is, a group of individuals associated in fact that was engaged in, and the activities of which affected,
26 interstate and foreign commerce. The enterprise constituted an ongoing organization whose members
27 functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

28 26. At all times relevant to this Indictment, VSP, the above-described enterprise, through its

1 members and associates, engaged in racketeering activity, as defined in Title 18, United States Code,
2 Sections 1959(b)(1) and 1961(1), namely, multiple acts and threats involving murder, in violation of
3 California Penal Code §§ 187, 188, 189, 182, 21a, 664, 653f, and 422; multiple acts and threats
4 involving robbery, in violation of California Penal Code §§ 211, 212, 212.5, 213, 182, 21a, and 664;
5 multiple acts involving dealing in a controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 846;
6 and multiple acts indictable under 18 U.S.C. §§ 1951, 1503, 1512, and 1513.

7 27. Beginning on a date unknown to the Grand Jury but since at least the mid-2000s, and
8 continuing up through and including the present, in the Northern District of California and elsewhere,
9 for the purpose of gaining entrance to and maintaining and increasing position in VSP, an enterprise
10 engaged in racketeering activity, the defendants,

- 11 DAVID MARTINEZ, a/k/a "Oso," a/k/a "Fat Boy," a/k/a "Big Homie,"
- 12 EDMUND DENEILIOM, a/k/a "EZ,"
- 13 RUBEN QUIROZ,
- 14 CESAR CASTELLANOS, a/k/a "Cheese,"
- 15 LUCIO LERENZO MENDOZA, a/k/a "Juce,"
- 16 SAMUEL TEWOLDE, and
- 17 KALIN CARELL,

18 together with others known and unknown, unlawfully, willfully, and intentionally did combine,
19 conspire, confederate, and agree together and with each other to commit murder, in violation of
20 California Penal Code Sections 187, 188, and 189, to wit, MARTINEZ, DENEILIOM, QUIROZ,
21 CASTELLANOS, MENDOZA, TEWOLDE, and CARELL, agreed together and with each other to kill
22 actual and suspected members of rival gangs, individuals suspected of cooperating with law
23 enforcement, and individuals who defied the will of VSP.

24 All in violation of Title 18, United States Code, Section 1959(a)(5).

25 COUNT THREE: (18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a
26 Dangerous Weapon in Aid of Racketeering)

27 28. Paragraphs 1 through 17, 20 through 23, and 25 through 26 of this Indictment are
28 realleged and incorporated by reference as though fully set forth herein.

1 29. Beginning on a date unknown to the Grand Jury but since at least the mid-2000s, and
2 continuing up through and including the present, in the Northern District of California and elsewhere,
3 for the purpose of gaining entrance to and maintaining and increasing position in VSP, an enterprise
4 engaged in racketeering activity, the defendants,

5 DAVID MARTINEZ, a/k/a "Oso," a/k/a "Fat Boy," a/k/a "Big Homie,"

6 EDMUND DENEILIOM, a/k/a "EZ,"

7 RUBEN QUIROZ,

8 CESAR CASTELLANOS, a/k/a "Cheese,"

9 LUCIO LERENZO MENDOZA, a/k/a "Juce,"

10 SAMUEL TEWOLDE, and

11 KALIN CARELL,

12 together with others known and unknown, unlawfully, willfully, and intentionally did combine,
13 conspire, confederate, and agree together and with each other to commit assault with a dangerous
14 weapon, in violation of California Penal Code Section 245(a)(1), to wit, MARTINEZ, DENEILIOM,
15 QUIROZ, CASTELLANOS, MENDOZA, TEWOLDE, and CARELL agreed together and with each
16 other to assault with guns, knives, and other dangerous weapons on actual and suspected members of
17 rival gangs, individuals suspected of cooperating with law enforcement, and individuals who defied the
18 will of VSP.

19 All in violation of Title 18, United States Code, Section 1959(a)(6).

20 COUNT FOUR: (18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in
21 Furtherance of Crime of Violence)

22 30. Beginning on a date unknown to the Grand Jury but since at least the mid-2000s, and
23 continuing up through and including the present, in the Northern District of California and elsewhere,
24 the defendants,

25 DAVID MARTINEZ, a/k/a "Oso," a/k/a "Fat Boy," a/k/a "Big Homie,"

26 EDMUND DENEILIOM, a/k/a "EZ,"

27 RUBEN QUIROZ,

28 CESAR CASTELLANOS, a/k/a "Cheese,"

1 LUCIO LERENZO MENDOZA, a/k/a "Juce,"

2 SAMUEL TEWOLDE, and

3 KALIN CARELL,

4 together with others known and unknown, unlawfully and knowingly did use and carry a firearm during
5 and in relation to a crime of violence for which they may be prosecuted in a court of the United States,
6 namely, the VSP racketeering conspiracy charged in Count One of this Indictment, the conspiracy to
7 commit murder in aid of racketeering charged in Count Two of this Indictment, and the conspiracy to
8 commit assault with a dangerous weapon in aid of racketeering charged in Count Three of this
9 Indictment, and did possess a firearm in furtherance of the offenses charged in Count One, Count Two,
10 and Count Three of this Indictment, and did brandish a firearm in furtherance of the offenses charged in
11 Count One, Count Two, and Count Three of this Indictment, and did discharge a firearm in furtherance
12 of the offenses charged in Count One, Count Two, and Count Three of this Indictment, to wit,
13 MARTINEZ, DENEILION, QUIROZ, CASTELLANOS, MENDOZA, TEWOLDE, and CARELL,
14 possessed and used, aided and abetted another's possession and use, and had available for their use, a
15 variety of firearms to further the goals and activities of VSP.

16 All in violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2.

17 COUNT FIVE: (18 U.S.C. §§ 1959(a)(5) and 2 - Attempted Murder in Aid of
18 Racketeering of Victim-1)

19 31. Paragraphs 1 through 17, 20 through 23, and 25 through 26 of this Indictment are
20 realleged and incorporated by reference as though fully set forth herein.

21 32. On or about October 9, 2012, in the Northern District of California, for the
22 purpose of gaining entrance to and maintaining and increasing position in VSP, an enterprise engaged in
23 racketeering activity, the defendant,

24 CESAR CASTELLANOS, a/k/a "Cheese,"

25 together with others known and unknown, unlawfully, willfully, and intentionally did attempt to murder
26 Victim-1, in violation of California Penal Code, Sections 187, 188, 189, 21a, and 664.

27 All in violation of Title 18, United States Code, Sections 1959(a)(5) and 2.

28 //

1 COUNT SIX: (18 U.S.C. §§ 1959(a)(5) and 2 – Attempted Murder in Aid of
2 Racketeering of Victim-2)

3 33. Paragraphs 1 through 17, 20 through 23, and 25 through 26 of this Indictment are
4 realleged and incorporated by reference as though fully set forth herein.

5 34. On or about September 5, 2013, in the Northern District of California, for the
6 purpose of gaining entrance to and maintaining and increasing position in VSP, an enterprise engaged in
7 racketeering activity, the defendant,

8 SAMUEL TEWOLDE,

9 together with others known and unknown, unlawfully, willfully, and intentionally did attempt to murder
10 Victim-2, in violation of California Penal Code, Sections 187, 188, 189, 21a, and 664.

11 All in violation of Title 18, United States Code, Sections 1959(a)(5) and 2.

12 COUNT SEVEN: (21 U.S.C. § 846 – Conspiracy to Distribute/Possess with Intent to
13 Distribute Controlled Substances)

14 35. From at least in or about May 2013, up through and including in or about November
15 2013, in the Northern District of California and elsewhere, the defendants,

16 DAVID MARTINEZ, a/k/a “Oso,” a/k/a “Fat Boy,” a/k/a “Big Homie,” and

17 EDMUND DENEILIOM, a/k/a “EZ,”

18 and others known and unknown, unlawfully, willfully, and intentionally did conspire to violate the
19 narcotics laws of the United States.

20 36. It was a part and an object of the conspiracy that the defendants,

21 DAVID MARTINEZ, a/k/a “Oso,” a/k/a “Fat Boy,” a/k/a “Big Homie,” and

22 EDMUND DENEILIOM, a/k/a “EZ,”

23 together with others known and unknown, unlawfully, knowingly, and intentionally would and did
24 distribute, and possess with intent to distribute, a controlled substance, to wit, 50 grams and more of
25 methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States
26 Code, Section 841(a)(1) and (b)(1)(A).

27 37. It was further a part and an object of the conspiracy that the defendants,

28 DAVID MARTINEZ, a/k/a “Oso,” a/k/a “Fat Boy,” a/k/a “Big Homie,” and

1 EDMUND DENEILIOM, a/k/a "EZ,"

2 together with others known and unknown, unlawfully, knowingly, and intentionally would and did
3 distribute, and possess with intent to distribute, a controlled substance, to wit, marijuana, in violation of
4 Title 21, United States Code, Section 841(a)(1) and (b)(1)(D).

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

6 COUNT EIGHT: (21 U.S.C. § 841(a) and (b)(1)(B) and 18 U.S.C. § 2 —
7 Distribution/Possession with Intent to Distribute 5 Grams and More of
8 Methamphetamine)

9 38. On or about June 25, 2013, in the Northern District of California, the
10 defendants,

11 DAVID MARTINEZ, a/k/a "Oso," a/k/a "Fat Boy," a/k/a "Big Homie," and

12 EDMUND DENEILIOM, a/k/a "EZ"

13 unlawfully, knowingly, and intentionally did distribute, and possess with the intent to distribute, a
14 Schedule II controlled substance, to wit, 5 grams and more of methamphetamine, its salts, isomers, and
15 salts of its isomers.

16 All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B), and
17 Title 18, United States Code, Section 2.

18 COUNT NINE: (21 U.S.C. § 841(a) and (b)(1)(B) — Distribution/Possession with Intent to
19 Distribute 5 Grams and More of Methamphetamine)

20 39. On or about July 11, 2013, in the Northern District of California, the
21 defendant,

22 DAVID MARTINEZ, a/k/a "Oso," a/k/a "Fat Boy," a/k/a "Big Homie,"

23 unlawfully, knowingly, and intentionally did distribute, and possess with the intent to distribute, a
24 Schedule II controlled substance, to wit, 5 grams and more of methamphetamine, its salts, isomers, and
25 salts of its isomers.

26 All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B).

27 //

1 COUNT TEN: (21 U.S.C. § 841(a) and (b)(1)(B) — Distribution/Possession with Intent to
2 Distribute 5 Grams and More of Methamphetamine)

3 40. On or about July 23, 2013, in the Northern District of California, the
4 defendant,

5 DAVID MARTINEZ, a/k/a "Oso," a/k/a "Fat Boy," a/k/a "Big Homie,"
6 unlawfully, knowingly, and intentionally did distribute, and possess with the intent to distribute, a
7 Schedule II controlled substance, to wit, 5 grams and more of methamphetamine, its salts, isomers, and
8 salts of its isomers.

9 All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(B).

10 COUNT ELEVEN: (21 U.S.C. § 841(a) and (b)(1)(C) — Distribution/Possession with Intent to
11 Distribute Methamphetamine)

12 41. On or about August 15, 2013, in the Northern District of California, the
13 defendant,

14 DAVID MARTINEZ, a/k/a "Oso," a/k/a "Fat Boy," a/k/a "Big Homie,"
15 unlawfully, knowingly, and intentionally did distribute, and possess with the intent to distribute, a
16 Schedule II controlled substance, to wit, methamphetamine, its salts, isomers, and salts of its isomers.

17 All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

18 COUNT TWELVE: (21 U.S.C. § 841(a)(1) and (b)(1)(D) — Possession with Intent to
19 Distribute Marijuana)

20 42. On or about August 1, 2013, in the Northern District of California, the
21 defendant,

22 EDMUND DENEILIOM, a/k/a "EZ,"
23 unlawfully, knowingly, and intentionally did distribute, and possess with the intent to distribute,
24 marijuana.

25 All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(D).

26 //

1 COUNT THIRTEEN: (18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting
2 Interstate Commerce)

3 43. In or about August 19 2013, in the Northern District of California, the defendants,
4 DAVID MARTINEZ, a/k/a “Oso,” a/k/a “Fat Boy,” a/k/a “Big Homie,” and
5 RUBEN QUIROZ,
6 and others known and unknown, unlawfully, willfully, and intentionally did combine, conspire,
7 confederate, and agree together and with each other to commit robbery, as that term is defined in Title
8 18, United States Code, Section 1951(b)(1), and thereby would obstruct, delay, and affect commerce and
9 the movement of articles and commodities in commerce.

10 All in violation of Title 18, United States Code, Section 1951(a).

11 COUNT FOURTEEN: (18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce)

12 44. On or about August 19, 2013, in the Northern District of California, the defendants,
13 DAVID MARTINEZ, a/k/a “Oso,” a/k/a “Fat Boy,” a/k/a “Big Homie,” and
14 RUBEN QUIROZ,
15 and others known and unknown, unlawfully and knowingly did obstruct, delay, and affect commerce
16 and the movement of articles and commodities in commerce by robbery, as that term is defined in Title
17 18, United States Code, Section 1951(b)(1).

18 All in violation of Title 18, United States Code, Sections 1951(a) and 2.

19 COUNT FIFTEEN: (18 U.S.C. §§ 1512(a)(2) and 2 — Witness Tampering)

20 45. On or about October 13, 2013, in the Northern District of California, the defendant,
21 CESAR CASTELLANOS, a/k/a “Cheese”
22 unlawfully and knowingly did use the threat of physical force against a person with intent to influence,
23 delay, and prevent the testimony of that person in an official proceeding, and to cause and induce that
24 person to withhold testimony from an official proceeding, and to hinder, delay, and prevent the
25 communication to a law enforcement officer and judge of the United States of information relating to the
26 commission and possible commission of a federal offense, to wit, CASTELLANOS threatened to kill an
27 individual whom he believed would testify as a witness against SAMUEL TEWOLDE to prevent that
28 witness from testifying and providing information against TEWOLDE.

1 All in violation of Title 18, United States Code, Sections 1512(a)(2) and 2.

2 COUNT SIXTEEN: (18 U.S.C. § 922(g)(1) — Felon in Possession of Firearm/Ammunition)

3 46. On or about August 1, 2013, in the Northern District of California, the
4 defendant,

5 EDMUND DENEILIOM, a/k/a “EZ,”

6 having been previously convicted of a crime punishable by a term of imprisonment exceeding one year,
7 unlawfully and knowingly did possess a firearm and ammunition, specifically a Kimber .45 caliber
8 handgun bearing serial #K244531, 12 rounds of Federal .45 caliber ammunition, 6 rounds of CCI .357
9 caliber ammunition, and 1 round of CCI .38 caliber ammunition, in and affecting interstate commerce.

10 All in violation of Title 18, United States Code, Section 922(g)(1).

11 COUNT SEVENTEEN: (18 U.S.C. § 922(g)(1) — Felon in Possession of Firearm)

12 47. On or about October 1, 2013, in the Northern District of California, the
13 defendant,

14 ANDREW HILL-PICCOLA

15 having been previously convicted of a crime punishable by a term of imprisonment exceeding one year,
16 unlawfully and knowingly did possess a firearm, specifically an Intratec Tec9 bearing serial number
17 D026407, in and affecting interstate commerce.

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

19 FIRST FORFEITURE ALLEGATION: (18 U.S.C. § 1963 — Proceeds and Property Involved in
20 Racketeering)

21 48. The allegations contained in Count One of this Indictment are hereby realleged
22 and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States
23 Code, Section 1963.

24 49. Pursuant to Title 18, United States Code, Section 1963, upon conviction of an
25 offense in violation of Title 18, United States Code, Section 1962, the defendants,

26 DAVID MARTINEZ, a/k/a “Oso,” a/k/a “Fat Boy,” a/k/a “Big Homie,”

27 EDMUND DENEILIOM, a/k/a “EZ”

28 RUBEN QUIROZ,

1 CESAR CASTELLANOS, a/k/a "Cheese"

2 LUCIO LERENZO MENDOZA, a/k/a "Juce"

3 SAMUEL TEWOLDE, and

4 KALIN CARELL,

5 shall forfeit to the United States of America:

6 a. any interest the defendants have acquired and/or maintained in violation of 18
7 U.S.C. § 1962;

8 b. any interest in, security, of, claim against, and property and contractual
9 right of any kind affording a source of influence over an enterprise which the defendants have
10 established, operated, controlled, conducted, and participated in the conduct of in violation of 18 U.S.C.
11 § 1962;

12 c. any property constituting, and derived from, any proceeds obtained, directly and
13 indirectly, from racketeering activity in violation of 18 U.S.C. § 1962.

14 50. Defendants are jointly and severally liable for forfeiture.

15 51. If any of the property described above, as a result of any act or omission of the
16 defendants:

17 a. cannot be located upon the exercise of due diligence;

18 b. has been transferred or sold to, or deposited with, a third party;

19 c. has been placed beyond the jurisdiction of the court;

20 d. has been substantially diminished in value;

21 e. has been commingled with other property which cannot be divided without
22 difficulty,

23 the United States shall be entitled to forfeiture of substitute property pursuant to Title 18, United States
24 Code, Section 1963(m).

25 All pursuant to Title 18, United States Code, Section 1963.

26 SECOND FORFEITURE ALLEGATION: (18 U.S.C. § 924(d)(1) – Gun/Ammunition Forfeiture)

27 52. The allegations contained in Counts Sixteen and Seventeen of this Indictment are
28 realleged and incorporated herein.

1 53. Upon a conviction for the offenses alleged in Counts Sixteen and Seventeen above, the
2 defendants,

3 EDMUND DENEILIOM, a/k/a "EZ," and

4 ANDREW HILL-PICCOLA,

5 shall forfeit to the United States any firearm and ammunition involved in or used in any knowing
6 violations of Title 18, United States Code, Section 922(g)(1), including an Intratec Tec9 bearing serial
7 number D026407, a Kimber .45 caliber handgun bearing serial #K244531, 12 rounds of Federal .45
8 caliber ammunition, 6 rounds of CCI .357 caliber ammunition, and 1 round of CCI .38 caliber
9 ammunition.

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

12 NOTICE OF SPECIAL SENTENCING FACTORS REGARDING COUNT ONE

13 Number 1: ALL DEFENDANTS — Conspiracy to Commit Murder

14 54. Beginning on a date unknown to the Grand Jury but since at least the mid-2000s, and
15 continuing up through and including the present, in the Northern District of California, the defendants,

16 DAVID MARTINEZ, a/k/a "Oso," a/k/a "Fat Boy," a/k/a "Big Homie,"

17 EDMUND DENEILIOM, a/k/a "EZ"

18 RUBEN QUIROZ,

19 CESAR CASTELLANOS, a/k/a "Cheese,"

20 LUCIO LERENZO MENDOZA, a/k/a "Juce,"

21 SAMUEL TEWOLDE, and

22 KALIN CARELL,

23 together with others known and unknown, unlawfully, knowingly, and intentionally did conspire to
24 commit murder, in violation of California Penal Code Sections 187, 188, 189, and 182, to wit, the
25 defendants agreed together and with each other to kill, with malice aforethought, actual and suspected
26 members of rival gangs, individuals suspected of cooperating with law enforcement, and individuals
27 who defied the will of VSP.
28

1 DATED: December 10, 2013

A TRUE BILL

2

3



FOREPERSON

4 MELINDA HAAG
5 United States Attorney

6

7



DOUGLAS WILSON
8 Chief, Criminal Division

9

10 (Approved as to form)

11



RANDY LUSKEY

12

Assistant United States Attorney

13

MARC PRICE WOLF

14

Special Assistant United States Attorney

15

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United States District Court
Northern District of California

**SEALED
BY COURT ORDER**

CRIMINAL COVER SHEET

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CR 13 794

Case Name:

USA v. David Martinez, et al

Case Number:

TBD

WHA

Total Number of Defendants:

1 2-7 8 or more

Is This Case Under Seal?

Yes No

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes No

Venue (Per Crim. L.R. 18-1):

SF OAK SJ EUR MON

Is any defendant charged with a death-penalty-eligible crime?

Yes No

Assigned AUSA (Lead Attorney):

Randy Luskey

Is this a RICO Act gang case?

Yes No

Date Submitted:

December 10, 2013

Comments:

Save Print Clear Form

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED

DEC 10 2013

DEFENDANT - U.S.

DAVID MARTINEZ

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

DISTRICT COURT NUMBER

TBD

CR 13 794

OFFENSE CHARGED

See Attachment A for a list of the charged offenses.

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: See Attachment A for maximum penalties

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI TASK FORCE OFFICER WILLIAM HARM

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Asst U.S. Atty Randy S. Luskey

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction } Federal State
- 6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution
Santa Rosa County Jail

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address: _____

Date/Time: _____ Before Judge: _____

Comments: _____

United States v. David Martinez, et al
Defendant Information Sheet
Attachment A

(1) DAVID ANDREW MARTINEZ, a/k/a "Oso" a/k/a "Fat Boy" a/k/a "Big homie"

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in Furtherance of Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5 (possessed), 7 (brandished), or 10 (discharged) years imprisonment, to be imposed consecutive to any other term of imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 7: 21 U.S.C. § 846 – Conspiracy to Distribute/Possess with Intent to Distribute More Than 50 Grams of Methamphetamine

Maximum term of Life imprisonment
Mandatory minimum term of 10 years imprisonment
Term of supervised release between 5 years and life
Maximum fine of \$10,000,000
Mandatory special assessment of \$100

COUNT 8: 21 U.S.C. § 841(a) and (b)(1)(B) and 18 U.S.C. § 2 — Possession with Intent to Distribute Controlled Substance (over five grams of methamphetamine)

Maximum term of 40 years' imprisonment
Mandatory minimum term of 5 years imprisonment
Term of supervised release between 4 years and life
Maximum fine of the greatest of: \$5,000,000
Mandatory special assessment of \$100

COUNT 9: 21 U.S.C. § 841(a) and (b)(1)(B) — Possession with Intent to Distribute Controlled Substance (over five grams of methamphetamine)

Maximum term of 40 years' imprisonment
Mandatory minimum term of 5 years imprisonment
Term of supervised release between 4 years and life
Maximum fine of the greatest of: \$5,000,000
Mandatory special assessment of \$100

COUNT 10: 21 U.S.C. § 841(a) and (b)(1)(B) — Possession with Intent to Distribute Controlled Substance (over five grams of methamphetamine)

Maximum term of 40 years' imprisonment
Mandatory minimum term of 5 years imprisonment
Term of supervised release between 4 years and life
Maximum fine of the greatest of: \$5,000,000
Mandatory special assessment of \$100

COUNT 11: 21 U.S.C. § 841(a) and (b)(1)(C) — Possession with Intent to Distribute Controlled Substance (methamphetamine)

Maximum term of 20 years imprisonment
Term of supervised release between 3 years and life
Maximum fine of \$1,000,000
Mandatory special assessment of \$100

COUNT 13: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 14: 18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED

DEC 10 2013

DEFENDANT - U.S.

EDMUND DESHAWN DENEILL
RICHARD W. WIEFING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DISTRICT COURT NUMBER

TBD

CR 13 794

DEFENDANT

WHA

OFFENSE CHARGED

See Attachment A for a list of the charged offenses.

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: See Attachment A for maximum penalties

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI TASK FORCE OFFICER WILLIAM HARM

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Asst U.S. Atty Randy S. Luskey

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction } Federal State
- 6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution
Santa Rosa County Jail

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

(2) EDMUND DESHAWN DENEILIOM, a/k/a "EZ"

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in Furtherance of Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5 (possessed), 7 (brandished), or 10 (discharged) years imprisonment, to be imposed consecutive to any other term of imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 7: 21 U.S.C. § 846 — Conspiracy to Distribute/Possess with Intent to Distribute More Than 50 Grams of Methamphetamine

Maximum term of Life imprisonment

Mandatory minimum term of 10 years imprisonment

Term of supervised release between 5 years and life

Maximum fine of \$10,000,000

Mandatory special assessment of \$100

COUNT 8: 21 U.S.C. § 841(a) and (b)(1)(B) and 18 U.S.C. § 2 — Possession with Intent to Distribute Controlled Substance (over five grams of methamphetamine)

Maximum term of 40 years' imprisonment

Mandatory minimum term of 5 years imprisonment

Term of supervised release between 4 years and life

Maximum fine of the greatest of: \$5,000,000

Mandatory special assessment of \$100

COUNT 12: 21 U.S.C. § 841(a)(1) and (b)(1)(D) — Possession with Intent to Distribute Controlled Substance (less than 50 KG of marijuana)

Maximum term of 5 years imprisonment

Term of supervised release between 2 years and life

Maximum fine of \$250,000

Mandatory special assessment of \$100

COUNT 16: 18 U.S.C. §§ 922(g)(1) — Felon in Possession of Firearm/Ammunition

Maximum term of 10 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of: \$250,000

Mandatory special assessment of \$100

SEALED
BY COURT REPORTER

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

See Attachment A for a list of the charged offenses.

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: See Attachment A for maximum penalties

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED

DEC 10 2013

RICHARD W. WIEP ING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

RUBEN ALEJANDRO QUIROZ

DISTRICT COURT NUMBER

TBD
CR 13 794

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI TASK FORCE OFFICER WILLIAM HARM

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Asst U.S. Atty Randy S. Luskey

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding

- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

WHA

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction } Federal State
- 6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution
Santa Rosa County Jail

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

(3) RUBEN ALEJANDRO QUIROZ

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in Furtherance of Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5 (possessed), 7 (brandished), or 10 (discharged) years imprisonment, to be imposed consecutive to any other term of imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 13: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 14: 18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

SEALED BY COURT ORDER

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

See Attachment A for a list of the charged offenses.

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: See Attachment A for maximum penalties

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED

DEC 10 2013

DEFENDANT - U.S.

CESAR CASTELLANOS

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

DISTRICT COURT NUMBER

CR 13 794

DEFENDANT

WHA

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI TASK FORCE OFFICER WILLIAM HARM

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Asst U.S. Atty Randy S. Luskey

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount:

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

(4) CESAR CASTELLANOS, a/k/a/ "Cheese"

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in Furtherance of Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5 (possessed), 7 (brandished), or 10 (discharged) years imprisonment, to be imposed consecutive to any other term of imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

Count 5: 18 U.S.C. §§ 1959(a)(1) and 2 — Attempted Murder in Aid of Racketeering of Victim-1

For each count:

Maximum term of 10 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 15: 18 U.S.C. §§ 1512(a)(2) and 2 — Witness Tampering

Maximum term of 20 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

SEALED

DEFENDANT INFORMATION RELATIVE TO CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

See Attachment A for a list of the charged offenses.

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: See Attachment A for maximum penalties

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

FILED DEC 16 2013

DEFENDANT - U.S.

LUCIO LERENZO MENDOZA

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

DISTRICT COURT NUMBER

CR 13 794

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI TASK FORCE OFFICER WILLIAM HARM

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a prosecution of charges previously dismissed which were dismissed on motion of.

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Asst U.S. Atty Randy S. Luskey

This report amends AO 257 previously submitted

DEFENDANT

WHA

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
2) Is a Fugitive
3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
5) On another conviction Federal State
6) Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount:

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

(5) LUCIO LERENZO MENDOZA, a/k/a "Juce"

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in Furtherance of Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5 (possessed), 7 (brandished), or 10 (discharged) years imprisonment, to be imposed consecutive to any other term of imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

SEAL ED
BY COURT CLERK

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

See Attachment A for a list of the charged offenses.

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: See Attachment A for maximum penalties

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED
DEC 10 2013

DEFENDANT - U.S.

▶ SAMUEL TEWOLDE

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

DISTRICT COURT NUMBER

TBD

CR 13 794

DEFENDANT

WHA

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI TASK FORCE OFFICER WILLIAM HARM

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Asst U.S. Atty Randy S. Luskey

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) If not detained give date any prior summons was served on above charges

2) Is a Fugitive

3) Is on Bail or Release from (show District)

IS IN CUSTODY

4) On this charge

5) On another conviction } Federal State

6) Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

(6) SAMUEL TEWOLDE

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in Furtherance of Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5 (possessed), 7 (brandished), or 10 (discharged) years imprisonment, to be imposed consecutive to any other term of imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

Count 6: 18 U.S.C. §§ 1959(a)(1) and 2 — Attempted Murder in Aid of Racketeering of Victim-2

For each count:

Maximum term of 10 years' imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

SEALED BY COURT ORDER

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

See Attachment A for a list of the charged offenses.

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: See Attachment A for maximum penalties

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

FILED

DEC 10 2013

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

DEFENDANT - U.S.

KALIN CARELL

DISTRICT COURT NUMBER

TBD

CR 13 794

DEFENDANT

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI TASK FORCE OFFICER WILLIAM HARM

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Asst U.S. Atty Randy S. Luskey

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding

If not detained give date any prior summons was served on above charges

Is a Fugitive

Is on Bail or Release from (show District)

IS IN CUSTODY

On this charge

On another conviction

Federal State

Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount:

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

(7) KALIN CARELL

COUNT 1: 18 U.S.C. § 1962(d) — Racketeering Conspiracy

Maximum term of life imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. § 1959(a)(5) — Conspiracy to Commit Murder in Aid of Racketeering

Maximum term of 10 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. § 1959(a)(6) — Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering

Maximum term of 3 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 4: 18 U.S.C. §§ 924(c)(1)(A) and 2 — Use/Possession of Firearm in Furtherance of Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5 (possessed), 7 (brandished), or 10 (discharged) years imprisonment, to be imposed consecutive to any other term of imprisonment

Term of supervised release between 5 years and life

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

SEALED

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

See Attachment A for a list of the charged offenses.

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: See Attachment A for maximum penalties

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED
DEC 10 2013

DEFENDANT - U.S.

ANDREW HILL-PICCOLA

DISTRICT COURT NUMBER

CR 13 794

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

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI TASK FORCE OFFICER WILLIAM HARM

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of.

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Asst U.S. Atty Randy S. Luskey

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.
1) If not detained give date any prior summons was served on above charges

2) Is a Fugitive

3) Is on Bail or Release from (show District)

IS IN CUSTODY

4) On this charge

5) On another conviction

Federal State

6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount:

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

(8) ANDREW HILL-PICCOLA

COUNT 17: 18 U.S.C. §§ 922(g)(1) — Felon in Possession of Firearm

Maximum term of 10 years imprisonment

Term of supervised release between 3 years and life

Maximum fine of: \$250,000

Mandatory special assessment of \$100

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

FILED
DEC 10 P 3:53
RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

SEALED
BY COURT ORDER

DAVID MARTINEZ, et al.

CR 13 794

DEFENDANT(S).

WHA

INDICTMENT

VIOLATIONS: 18 U.S.C. ' 1962(d) B Racketeering Conspiracy; 18 U.S.C. ' 1959 B Violent Crime in Aid of Racketeering; 18 U.S.C. ' 924(c) B Use/Possession of Firearm in Furtherance of Crime of Violence/Drug Trafficking Crime; 18 U.S.C. ' 922(g)(1) B Felon in Possession of Firearm/Ammunition; 18 U.S.C. ' 1951 B Hobbs Act Robbery/Conspiracy; 18 U.S.C. ' 1513 B Witness Retaliation; 21 U.S.C. 841(a)(1) B Possession with Intent to Distribute Controlled Substance; 21 U.S.C. 846 B Drug Conspiracy; 18 U.S.C. ' 2 B Aiding and Abetting; 18 U.S.C. 1963 B RICO Forfeiture

A true bill.

J. Scheer

Foreman

Filed in open court this 10 day of

Dec 2013

ROSE MAHER

Rose Maher

Clerk

Maria Elena James

NO BAIL ARREST WARRANT

all Defs

Bail, \$

In all defendants