

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

FILED

VENUE: OAKLAND

2013 FEB 21 P 1:29

RICHARD M. WICKING
DISTRICT CLERK
DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

CR 12-834 ~~ORB~~
EMC

MONICO DOMINGUEZ,
JUAN DOMINGUEZ, JR.,
SHAWN GEERNAERT, and
JUAN PARTIDA

~~CHADWICK~~

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 1951-Hobbs Act Robbery/Conspiracy/Attempt; 18 U.S.C. § 924(c)-Use Possession of Firearm in Furtherance of Crime of Violence; 18 U.S.C. § 1957-Money Laundering; 31 U.S.C. § 5324(a)(3)- Structuring; 18 U.S.C. § 1512 - Obstruction of Justice; 21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute Controlled Substance; 21 U.S.C. § 860- Maintaining Drug-Involved Premises Near Schools and Playgrounds; 18 U.S.C. § 2- Aiding and Abetting; 18 U.S.C. §§ 924(d) and 981(a)(1)(C)-Robbery Forfeiture; 18 U.S.C. § 982(a)(1)- Money Laundering Forfeiture;
31 U.S.C. § 5317- Structuring Forfeiture

A true bill.

 Foreman

Filed in open court this 21ST day of

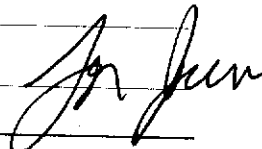
February 2013

Maria Elena James

 Clerk

ROSE MAHER 

NO BAIL ARREST WARRANT, \$

 Juan Partida

328

AO 257 (Rev. 6/78)

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

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

See Attachment A

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: See Attachment A

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

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

JUAN PARTIDA

DISTRICT COURT NUMBER

TBD

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

PROCEEDING

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

FBI MELISSA VANEK

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

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: _____

United States v. Monico Dominguez, et al, et al

Defendant Information Sheet

Attachment A

2013 FEB 21 P 1:29
RICHARD J. ...
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

(1) MONICO DOMINGUEZ

COUNT 1: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
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. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
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. §§ 924(c) and 2 – Possession of a Firearm in Furtherance of a Crime of Violence
Maximum term of life imprisonment
Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment
Maximum term of supervised release of 5 years
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

COUNTS 4 through 6: 18 U.S.C. § 1957 – Money Laundering
Maximum term of 10 years imprisonment
Maximum term of supervised release of 3 years
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

FILED
2013 FEB 21 P 1:29
NICHOLS COUNTY DISTRICT COURT
MCKENZIE, TEXAS

COUNT 7: 31 U.S.C. § 5324(d) — Structuring
Maximum term of 10 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of \$500,000
Mandatory special assessment of \$100

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
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 9: 18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
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 10: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence
Maximum term of life imprisonment
Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment; 25 year mandatory consecutive minimum if convicted of a second 924(c) offense
Maximum term of supervised release of 5 years
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 11: 18 U.S.C. §§ 1512(c)(2) — Obstruction of Justice
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
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

(2) JUAN DOMINGUEZ JR.

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
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 9: 18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate Commerce
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
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 10: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence
Maximum term of life imprisonment
Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment; 25 year mandatory consecutive minimum if convicted of a second 924(c) offense
Maximum term of supervised release of 5 years
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

FILED

2013 FEB 21 12:29

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TALLAHASSEE, FLORIDA

(3) SHAWN GEERNAERT

FILED

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
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

2013 FEB 21 10 29 AM
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

COUNT 9: 18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate Commerce
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
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 12: 21 U.S.C. § 841(a) and (b)(1)(C) — Possession with Intent to Distribute Controlled Substance
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
Maximum fine of \$1,000,000
Mandatory special assessment of \$100

COUNT 13: 21 U.S.C. § 860 — Maintaining Drug-Involved Premises Near Schools or Playgrounds
Maximum term of 40 years' imprisonment
Mandatory minimum term of one year imprisonment
Maximum term of 6 years' supervised release
Maximum fine of \$2,000,000
Mandatory special assessment of \$100



(4) **JUAN PARTIDA**

FILED
2013 FEB 21 P 1:29
RICHARD J. WOOD COURT
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

COUNT 1: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
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. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
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. §§ 924(c) and 2 – Possession of a Firearm in Furtherance of a Crime of Violence
Maximum term of life imprisonment
Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment
Maximum term of supervised release of 5 years
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. §§ 1001 — False Statements
Maximum term of 5 years imprisonment
Maximum term of 3 years' supervised release
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(c)(2) — Obstruction of Justice
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
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

MELINDA HAAG (CABN 132612)
United States Attorney

FILED

2013 FEB 21 P 1:29

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

)

No. CR 12-00834 EMC

v.

)

VIOLATIONS: 18 U.S.C. § 1951 – Hobbs Act Robbery/Conspiracy/Attempt; 18 U.S.C. § 924(c) – Use/Possession of Firearm in Furtherance of Crime of Violence; 18 U.S.C. § 1957 – Money Laundering; 31 U.S.C. § 5324(a)(3) – Structuring; 18 U.S.C. § 1512 – Obstruction of Justice; 21 U.S.C. § 841(a)(1) – Possession with Intent to Distribute Controlled Substance; 21 U.S.C. § 860 – Maintaining Drug-Involved Premises Near Schools and Playgrounds; 18 U.S.C. § 1001 – False Statements; 18 U.S.C. § 2 – Aiding and Abetting; 18 U.S.C. §§ 924(d) and 981(a)(1)(C) – Robbery Forfeiture; 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture; 31 U.S.C. § 5317 – Structuring Forfeiture.

MONICO DOMINGUEZ,
JUAN DOMINGUEZ, JR.,
SHAWN GEERNAERT, and
JUAN PARTIDA

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Defendants.

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SAN FRANCISCO VENUE

~~UNDER SEAL~~

SUPERSEDING INDICTMENT

The Grand Jury charges:

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

1 1. From in or about June 2011, up through and including on or about August 11,
2 2011, in the Northern District of California, the defendants,

3 MONICO DOMINGUEZ and

4 JUAN PARTIDA,

5 and others known and unknown to the grand jury, unlawfully, willfully, and intentionally
6 combined, conspired, confederated, and agreed together and with each other to commit robbery,
7 as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby would
8 obstruct, delay, and affect commerce and the movement of articles and commodities in
9 commerce.

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

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

12 2. On or about August 11, 2011, in the Northern District of California, the
13 defendants,

14 MONICO DOMINGUEZ and

15 JUAN PARTIDA,

16 and others known and unknown to the grand jury, unlawfully and knowingly obstructed, delayed,
17 and affected commerce and the movement of articles and commodities in commerce by robbery,
18 as that term is defined in Title 18, United States Code, Section 1951(b)(1).

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

20 COUNT THREE: (18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a
21 Crime of Violence)

22 3. On or about August 11, 2011, in the Northern District of California, the
23 defendants,

24 MONICO DOMINGUEZ and

25 JUAN PARTIDA,

26 and others known and unknown to the grand jury, unlawfully and knowingly used and carried a
27 firearm during and in relation to a crime of violence for which they may be prosecuted in a court
28 of the United States, namely, the conspiracy to commit robbery affecting commerce charged in

Count One of this Indictment, and the robbery affecting commerce charged in Count Two of this Indictment and possessed and brandished a firearm in furtherance of the offenses charged in Counts One and Two of this Indictment.

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

COUNTS FOUR THROUGH SIX: (18 U.S.C. § 1957 – Money Laundering)

4. On or about the dates set forth below, in the Northern District of California, the defendant,

MONICO DONINGUEZ,

unlawfully and knowingly engaged and attempted to engage in the following monetary transactions by, through, and to a financial institution, affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, that is the conspiracy to commit robbery affecting commerce charged in Count One of this Indictment and the robbery affecting interstate commerce as charged in Count Two of the Indictment:

Count	Date	Description
4	August 30, 2011	Purchase of 2011 Harley Davidson (20R3956) with \$21,000 in cash
5	December 4, 2011	Purchase of 2010 Hyundai Genesis (6TBD651) with \$20,000 cashier's check
6	March 7, 2012	Purchase of Edwards 60-Ton Hydraulic Ironworker with \$10,775 wire transfer

Each in violation of Title 18, United States Codes, Section 1957.

COUNT SEVEN: (31 U.S.C. § 5324(a)(3) – Structuring)

5. From on or about August 17, 2011, up through and including on or about June 29, 2012, in the Northern District of California, the defendant,

MONICO DOMINGUEZ,

unlawfully and knowingly, and for the purpose of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, structured,

1 assisted in structuring, and attempted to structure and assist in structuring transactions with
2 domestic financial institutions, by engaging in approximately 42 cash deposits of domestic coin
3 and currency totaling approximately \$146,500, as part of a scheme and pattern of illegal activity
4 involving more than \$100,000 in a 12-month period.

5 All in violation of Title 31, United States Code, Section 5324(a)(3) and 5324(d); and
6 Title 31, Code of Federal Regulations, Part 103.

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

9 6. From in or about July 2012, up through and including on or about August 6, 2012,
10 in the Northern District of California, the defendants,

11 MONICO DOMINGUEZ,

12 JUAN DOMINGUEZ, JR., and

13 SHAWN GEERNAERT,

14 and others known and unknown to the grand jury, unlawfully, willfully, and intentionally
15 combined, conspired, confederated, and agreed together and with each other to commit robbery,
16 as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby would
17 obstruct, delay, and affect commerce and the movement of articles and commodities in
18 commerce.

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

20 COUNT NINE: (18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate
21 Commerce)

22 7. On or about August 6, 2012, in the Northern District of California, the defendants,

23 MONICO DOMINGUEZ,

24 JUAN DOMINGUEZ, JR., and

25 SHAWN GEERNAERT,

26 and others known and unknown to the grand jury, unlawfully and knowingly attempted to
27 obstruct, delay, and affect commerce and the movement of articles and commodities in
28 commerce by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1).

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

2 COUNT TEN: (18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a
3 Crime of Violence)

4 8. On or about August 6, 2012, in the Northern District of California, the defendants,
5 MONICO DOMINGUEZ, and
6 JUAN DOMINGUEZ, JR.,
7 and others known and unknown to the grand jury, unlawfully and knowingly used and carried a
8 firearm during and in relation to a crime of violence for which they may be prosecuted in a court
9 of the United States, namely, the conspiracy to commit robbery affecting commerce charged in
10 Count Eight of this Indictment, and the attempted robbery affecting commerce charged in Count
11 Nine of this Indictment and possessed and brandished a firearm in furtherance of the offenses
12 charged in Counts Eight and Nine of this Indictment.

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

14 COUNT ELEVEN: (18 U.S.C. § 1512(c)(2) — Obstruction of Justice)

15 9. In or about September 2012, in the Northern District of California, the defendant,
16 MONICO DONINGUEZ,
17 unlawfully, knowingly, and corruptly attempted to obstruct, influence, and impede an official
18 proceeding, to wit, MONICO DOMINGUEZ solicited another individual to bribe a government
19 witness to offer false testimony, thereby obstructing and impeding a federal criminal
20 investigation.

21 All in violation of Title 18, United States Code, Section 1512(c)(2).

22 COUNT TWELVE: (21 U.S.C. § 841(a)(1) — Possession with Intent to Distribute a Controlled
23 Substance)

24 10. On or about October 21, 2012, in the Northern District of California, the
25 defendant,

26 SHAWN GEERNAERT,
27 unlawfully, knowingly, and intentionally possessed with the intent to distribute marijuana.

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

1 COUNT THIRTEEN: (21 U.S.C. § 860 — Maintaining Drug-Involved Premises in or
2 Near Schools and Playgrounds)

3 11. On or about October 21, 2012, in the Northern District of California, the
4 defendant,

5 SHAWN GEERNAERT,

6 unlawfully, knowingly, and intentionally maintained a cabinet shop at 2944 Dutton Meadow in
7 Santa Rosa, California, for the purpose of manufacturing marijuana, within 1,000 feet of the real
8 property comprising a playground.

9 All in violation of Title 21, United States Code, Section 860.

10 COUNT FOURTEEN: (18 U.S.C. § 1001 — False Statement to Government Agency)

11 12. On or about December 12, 2012, in the Northern District of California, the
12 defendant,

13 JUAN PARTIDA,

14 unlawfully, willfully, and knowingly made a materially false, fictitious, and fraudulent statement
15 and representation in a matter within the jurisdiction of a department or agency of the United
16 States, to wit, JUAN PARTIDA told federal investigators that he did not know MONICO
17 DOMINGUEZ, his cousin, had never heard the name MONICO DOMINGUEZ, and had never
18 talked to MONICO DOMINGUEZ, thereby obstructing and impeding a federal criminal
19 investigation.

20 All in violation of Title 18, United States Code, Section 1001.

21 COUNT FIFTEEN: (18 U.S.C. § 1512(c)(2) — Obstruction of Justice)

22 13. On or about December 12, 2012, in the Northern District of California, the
23 defendant,

24 JUAN PARTIDA,

25 unlawfully, knowingly, and corruptly attempted to obstruct, influence, and impede an official
26 proceeding, to wit, JUAN PARTIDA told federal investigators that he did not know MONICO
27 DOMINGUEZ, his cousin, had never heard the name MONICO DOMINGUEZ, and had never
28 talked to MONICO DOMINGUEZ, thereby obstructing and impeding a federal criminal

1 investigation.

2 All in violation of Title 18, United States Code, Section 1512(c)(2).

3 FIRST FORFEITURE ALLEGATION: (18 U.S.C. §§ 924(d) and 981(a)(1)(c) —
4 Robbery Forfeiture)

5 14. The allegations contained in this Indictment are re-alleged and by this reference
6 fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of 18
7 U.S.C. §§ 924(d), 981(a)(1)(C) and 28 U.S.C. § 2461(c).

8 15. Upon a conviction for Counts One, Two, Three, Eight, Nine, or Ten, alleged
9 above, the defendants,

10 MONICO DOMINGUEZ,
11 JUAN DOMINGUEZ, JR.,
12 SHAWN GEERNAERT, and
13 JUAN PARTIDA

14 shall forfeit to the United States of America: (1) any property, real or personal, which constitutes
15 or is derived from proceeds traceable to said offense, and (2) any firearms or ammunition
16 intended to be used in said offense, including but not limited to:

- 17 a. a 2011 Harley-Davidson Motorcycle bearing license plate number
- 18 20R3956;
- 19 b. a 2005 Harley-Davidson Motorcycle bearing license plate number
- 20 NORYDS;
- 21 c. a 1997 Harley-Davidson Motorcycle bearing license plate number
- 22 6KOR650;
- 23 d. a 2011 Kawasaki KLR 650 Motorcycle;
- 24 e. a 2010 Hyundai Genesis bearing license plate number 6TBD651;
- 25 f. a 1963 Chevy Impala bearing license plate number 6TXA180;
- 26 g. a Deep Arch Corrugated Quonset Hut Style Building; and
- 27 h. a Edwards 60-Ton Hydraulic Ironworker

28 16. If, as a result of any act or omission of the defendant, any of said property

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

any and all interest the defendants have in other property shall be vested in the United States and forfeited to the United States pursuant to 21 U.S.C. § 853(p) and 28 U.S.C. § 2461.

All in violation of 18 U.S.C. §§ 924(d), 981(a)(1)(C); 28 U.S.C. § 2461(c); and Rule 32.2 of the Federal Rules of Criminal Procedure.

SECOND FORFEITURE ALLEGATION: (18 U.S.C. § 982(a)(1) — Money Laundering Forfeiture)

17. The factual allegations contained in Counts Four through Six of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 982(a)(1).

18. Upon a conviction of any of the offenses alleged in Counts Four through Six, the defendant,

MONICO DOMINGUEZ,

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(1), all right, title, and interest in property, real and personal, involved in said violation, or any property traceable to such property, including but not limited to the following:

- a. a 2011 Harley-Davidson Motorcycle bearing license plate number 20R3956;
- b. a 2010 Hyundai Genesis bearing license plate number 6TBD651;
- c. a Edwards 60-Ton Hydraulic Ironworker.

19. If, as a result of any act or omission of the defendants, any of said property

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to or deposited with, a third person;

- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

any and all interest the defendant has in any other property (not to exceed the value of the above forfeitable property) shall be forfeited to the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated in Title 18, United States Code, Section 982(b)(1).

THIRD FORFEITURE ALLEGATION: (31 U.S.C. § 5317 - Structuring Forfeiture)

20. The allegations contained in Count Seven of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 31, United States Code, Section 5317.

21. Pursuant to Title 31, United States Code, Section 5317, upon conviction of Count Seven, the defendant,

MONICO DOMINGUEZ,

shall forfeit to the United States of America all property, real or personal, involved in the offense and any property traceable thereto, including but not limited to:

- a. a 2011 Harley-Davidson Motorcycle bearing license plate number 20R3956;
- b. a 2005 Harley-Davidson Motorcycle bearing license plate number NORYDS;
- c. a 1997 Harley-Davidson Motorcycle bearing license plate number 6KOR650;
- d. a 2011 Kawasaki KLR 650 Motorcycle;
- e. a 2010 Hyundai Genesis bearing license plate number 6TBD651;
- f. a 1963 Chevy Impala bearing license plate number 6TXA180;
- g. a Deep Arch Corrugated Quonset Hut Style Building; and
- h. a Edwards 60-Ton Hydraulic Ironworker

22. If any of the property described above, as a result of any act or omission

1 of the defendant:

- 2 a. cannot be located upon the exercise of due diligence;
- 3 b. has been transferred or sold to, or deposited with, a third party;
- 4 c. has been placed beyond the jurisdiction of the court;
- 5 d. has been substantially diminished in value; or
- 6 e. has been commingled with other property which cannot be divided
- 7 without difficulty,

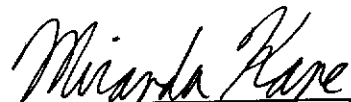
8 the United States of America shall be entitled to forfeiture of substitute property pursuant to
 9 Title 21, United States Code, Section 853(p), as incorporated by Title 31, United States Code,
 10 Section 5317(c) and by Title 28, United States Code, Section 2461(c).

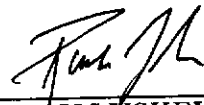
12 DATED: February 21 2013

A TRUE BILL

13 
 14 _____
 15 FOREPERSON

16 MELINDA HAAG
 17 United States Attorney

18 
 19 MIRANDA KANE *by [Handwritten Signature]*
 20 Chief, Criminal Division

21 (Approved as to form: 
 22 RANDY LUSKEY
 23 Assistant United States Attorney

24
 25
 26
 27
 28

United States District Court
Northern District of California

FILED
2013 FEB 21 P 1:29
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CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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. Please place this form on top of the Defendant Information Form.

~~SEAL~~

Case Name:

USA v. Dominguez, et al

Case Number:

CR 12-00834

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 _____

Is this a death-penalty-eligible RICO Act gang case?

Yes _____ No

Assigned AUSA (Lead Attorney):

Randy Luskey

Comments:

[Empty box for comments]

Date Submitted:

February 20, 2013

PRINT