

**FILED**

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

**SEALED  
BY COURT ORDER**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MELINDA HAAG (CABN 132612)  
United States Attorney

UNITED STATES OF AMERICA

**CR** No. **14** **120** **CRB**

v.

- (1) EDUARDO ALVAREZ,  
a/k/a "Clumsy,"
  - (2) ELIAS CHAVEZ,  
a/k/a "Kiko,"
  - (3) LUIS CID-SALINAS,  
a/k/a "Lonely,"
  - (4) IGNACIO CRUZ,  
a/k/a "Nacho,"
  - (5) JUAN CARLOS GARCIA-GOMEZ,  
a/k/a "Lil Ghost,"
  - (6) JAIRO HERNANDEZ,  
a/k/a "Joker,"
  - (7) ORLANDO CARLOS HERNANDEZ,  
a/k/a "Chisto,"
  - (8) JUSEF NATHAN,  
a/k/a "Boo,"
  - (9) ROGELIO REAL,  
a/k/a "Payaso,"
  - (10) MARIO SERRANO,  
a/k/a "Caballo,"
  - (11) ALBERTO TORRES,  
a/k/a "Taz,"
  - (12) CARLOS VASQUEZ,  
a/k/a "Malo,"
  - (13) WESTON VENEGAS,  
a/k/a "Cartoon," and
  - (14) MICHAEL VIERA,  
a/k/a "Lil Rocks," a/k/a "Rocks,"
- Defendants.

**VIOLATIONS:** Title 18, United States Code, Section 1962(d) – Racketeering Conspiracy; Title 18, United States Code, Section 1959(a)(1) – Murder in Aid of Racketeering; Title 18, United States Code, Section 1959(a)(5) – Conspiracy to Commit Murder in Aid of Racketeering/Attempted Murder in Aid of Racketeering; Title 18, United States Code, Section 1959(a)(6) – Conspiracy to Commit Assault with a Dangerous Weapon in Aid of Racketeering; Title 18, United States Code, Section 1959(a)(3) – Assault with a Dangerous Weapon in Aid of Racketeering; Title 18, United States Code, Section 924(c) – Use/Possession of Firearm in Furtherance of Crime of Violence; Title 18, United States Code, Section 924(j)(1) – Use of Firearm Causing Murder; Title 18, United States Code, Section 2 – Aiding & Abetting

SAN FRANCISCO VENUE

**UNDER SEAL**

1 INDICTMENT

2 The Grand Jury charges:

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

4 Introduction

5 At all times relevant to this Indictment:

6 1. The 19th Street Sureños is a predominantly Hispanic street gang that claims the area  
7 centered around 19th Street and Mission Street in the Mission District of San Francisco as its territory or  
8 “turf.” The claimed turf includes the area bounded by 19th Street to the south, 16th Street to the north,  
9 Folsom Street to the east, and Dolores Street to the west. The claimed turf also includes Dolores Park  
10 and Franklin Square Park (also known as Bryant Park). Among other things, the gang’s members  
11 engage in the sale of narcotics, robberies, and other violent crimes, including murder. In the  
12 commission of these crimes, and for defense, 19th Street Sureños gang members use guns and knives.  
13 The gang seeks to maintain control of drug distribution in its turf.

14 2. Members of the 19th Street Sureños were closely affiliated with members of the 16th  
15 Street Sureños gang, who claim the area centered around 16th Street and Mission Street as their  
16 territory. Thus, the gangs claim adjoining turf, and members of the one gang can generally operate  
17 freely in the turf of the other. Like the members of the 19th Street Sureños gang, the members of the  
18 16th Street Sureños gang use guns and knives in the commission of crimes and for defense. Some  
19 members of one gang have close relatives in the other. In general terms, the 16th Street Sureños are a  
20 younger version of the 19th Street Sureños gang. Members of these two gangs commit crimes together,  
21 coordinate activities, and engage in violence together to defend their collective territory against rival  
22 gangs. The two gangs essentially function as a single, unified association-in-fact.

23 3. As its name declares, the 19th Street Sureños is a Sureño street gang. Although most  
24 19th Street Sureños gang members were born in San Francisco, Sureño gang members generally have  
25 roots in Southern California or Latin America, and they recognize the primacy of the Mexican Mafia  
26 prison gang. They also claim the color blue and the number 13, the number 13 being a reference to the  
27 thirteenth letter of the alphabet (“M”), which is a symbol of the Mexican Mafia. In addition, Sureño  
28 gang members utilize phrases such as “Southside” and “Sur” in their graffiti and tattoos as an expression

1 of their gang affiliation.

2 4. In the San Francisco area, the principal rivals to the 19th Street Sureños are the various  
3 Norteño gangs. Norteños generally have roots in Northern California, tend to be more racially and  
4 ethnically diverse than Sureños, and recognize the primacy of the Nuestra Familia prison gang. They  
5 also claim the color red and the number 14, the number 14 being a reference to the fourteenth letter of  
6 the alphabet ("N"), which is a symbol of Nuestra Familia. Norteño gang members also utilize phrases  
7 such as "Northside" or "Norte" and the image of the Huelga Bird in their graffiti and tattoos as an  
8 expression of their gang affiliation.

9 5. The 19th Street Sureños have been, and continue to be, engaged in violence against  
10 Norteños; similarly, Norteños engage in violence against Sureños. Indeed, one of the rules common to  
11 both Sureño and Norteño gangs is that members of each side must attack members of the other side.  
12 The more brazen the attack, the greater the respect that is given to the attacker by fellow gang members.  
13 As a result, many innocent bystanders have been injured and even killed simply for being in the wrong  
14 place at the wrong time during a gang attack, for being in the physical presence of a gang member, or for  
15 being mistaken for a rival gang member based, for instance, on the mere color of their apparel.

16 6. In addition to warring with Norteños, the 19th Street Sureños also use violence against  
17 each other to enforce the gang's rules. These rules include, among others, a prohibition against  
18 cooperating with law enforcement in the investigation and prosecution of any criminal case, especially  
19 criminal cases involving fellow gang members. Depending on the severity of the violation, the  
20 punishment can be death.

21 7. Almost all of the 19th Street Sureños gang members have one or more tattoos that reflect  
22 gang affiliation. These tattoos include words and symbols that refer to the 19th Street gang name, such  
23 as "19th Streeter," "X9," "XIX," or "CONS" (for "Crazy One Nine Soldier/Sureño"), or a reference to  
24 being a member of the Sureño gang, such as "13," "SUR," "X3," or the Mayan symbol for the number  
25 thirteen, which is depicted by two horizontal and parallel black bars with three horizontal black dots on  
26 top.

27 8. In order to join the 19th Street Sureños, members are required to undergo an initiation  
28 process, often referred to as being "jumped in" to the gang. During this initiation, members of the 19th

1 Street Sureños beat the new member, usually until a gang member finishes counting to thirteen, or,  
2 sometimes, to nineteen, out loud.

3 9. Members of the 19th Street Sureños are expected to protect the name, reputation, and  
4 status of the gang from rival gang members and other persons. 19th Street Sureños gang members  
5 require that all individuals show respect and deference to the gang and its membership. To protect the  
6 gang and to enhance its reputation, 19th Street Sureños gang members are expected to use any means  
7 necessary to force respect from those who show disrespect, including acts of intimidation and violence.

8 10. Members of the 19th Street Sureños engage in criminal activity, including murder,  
9 attempted murder, narcotics distribution, assault, robbery, and obstructing justice by threatening and  
10 intimidating fellow gang members and others whom they believe to be cooperating with law  
11 enforcement. 19th Street Sureños gang members are required to commit acts of violence to maintain  
12 membership and discipline within the gang, including violence against rival gang members or those they  
13 perceive to be rival gang members, as well as 19th Street Sureños gang members and associates who  
14 violate the gang's rules. As a result of the 19th Street Sureños' use of violence, innocent persons are  
15 sometimes injured or killed. Participation in criminal activity by a 19th Street Sureños gang member,  
16 particularly violent acts directed at rival gang members or as ordered by the gang leadership, increases  
17 the level of respect accorded that member, resulting in that member's maintaining or increasing his  
18 position in the gang, and possibly resulting in recognition as a leader.

19 11. The leaders of the 19th Street Sureños gang are called "shot callers" or "La Palabra," that  
20 is, "the Word." Above the "shot callers" are higher ranking leaders, often referred to as the "big  
21 homies," some of whom are incarcerated, who convey their orders through, among other means, the use  
22 of telephones that are brought into prisons. The leaders of the 19th Street Sureños resolve disputes  
23 between gang members, address organizational issues, and participate in significant gang decisions, such  
24 as whether to authorize the killing of 19th Street Sureños gang members, associates, and other  
25 individuals suspected of cooperating with law enforcement or otherwise breaking 19th Street Sureños  
26 gang rules.

27 12. 19th Street Sureños gang members communicate about gang activities with other 19th  
28 Street Sureños and 16th Street Sureños gang members in San Francisco and elsewhere using mobile

1 telephones, telephone text messages, notes or "kites," and other modes of communication.

2 The Racketeering Enterprise

3 13. The 19th Street Sureños, including its leadership, members, and associates, such as the  
4 members of the 16th Street Sureños, in the Northern District of California and elsewhere, constitute an  
5 "enterprise" as defined in Title 18, United States Code, Section 1961(4), that is, a group of individuals  
6 associated in fact. The enterprise constitutes an ongoing organization whose members function as a  
7 continuing unit for a common purpose of achieving the objectives of the enterprise. The enterprise is  
8 engaged in, and its activities affect, interstate and foreign commerce.

9 Purposes of the Enterprise

10 14. The purposes of the 19th Street Sureños enterprise include the following:

- 11 a. Preserving and protecting the power, territory, reputation, and profits of the  
12 enterprise through the use of intimidation, violence, threats of violence, assaults, and murder;
- 13 b. Promoting and enhancing the enterprise and the activities of its members and  
14 associates through criminal acts, including, but not limited to, murder, attempted murder, narcotics  
15 trafficking, robbery, and other criminal activities;
- 16 c. Keeping victims, potential victims, and community members in fear of the  
17 enterprise and its members and associates through violence and threats of violence;
- 18 d. Providing financial support and information to 19th Street Sureños gang members  
19 and associates, including those members and associates who are incarcerated; and
- 20 e. Providing assistance to other 19th Street Sureños gang members and associates  
21 who have committed crimes for and on behalf of the gang, in order to hinder, obstruct, and prevent law  
22 enforcement officers from identifying the offenders, apprehending the offenders, and successfully  
23 prosecuting and punishing the offenders.

24 The Racketeering Conspiracy

25 15. Beginning on a date unknown to the Grand Jury but since at least the early 1990s and  
26 continuing until up through and including the present, in the Northern District of California and

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28 //

1 elsewhere, the defendants,

2 (1) EDUARDO ALVAREZ, a/k/a "Clumsy,"

3 (2) ELIAS CHAVEZ, a/k/a "Kiko,"

4 (3) LUIS CID-SALINAS, a/k/a "Lonely,"

5 (4) IGNACIO CRUZ, a/k/a "Nacho,"

6 (5) JUAN CARLOS GARCIA-GOMEZ, a/k/a "Lil Ghost,"

7 (6) JAIRO HERNANDEZ, a/k/a "Joker,"

8 (7) ORLANDO CARLOS HERNANDEZ, a/k/a "Chisto,"

9 (8) JUSEF NATHAN, a/k/a "Boo,"

10 (9) ROGELIO REAL, a/k/a "Payaso,"

11 (10) MARIO SERRANO, a/k/a "Caballo,"

12 (11) ALBERTO TORRES, a/k/a "Taz,"

13 (12) CARLOS VASQUEZ, a/k/a "Malo,"

14 (13) WESTON VENEGAS, a/k/a "Cartoon," and

15 (14) MICHAEL VIERA, a/k/a "Lil Rocks," a/k/a "Rocks,"

16 together with others known and unknown, each being a person employed by and associated with the  
17 19th Street Sureños, an enterprise engaged in, and the activities of which affect, interstate and foreign  
18 commerce, unlawfully, knowingly, and intentionally did conspire to violate Title 18, United States  
19 Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the  
20 affairs of the 19th Street Sureños enterprise through a pattern of racketeering activity, as defined in Title  
21 18, United States Code, Sections 1961(1) and (5), which pattern of racketeering activity consisted of:

- 22 a. multiple acts and threats involving murder, in violation of California Penal Code  
23 Sections 187, 188, 189, 182, 21a, 664, 653f, and 422; and robbery, in violation of  
24 California Penal Code Sections 211, 212, 212.5, 213, 182, 21a, 664, 653f, and  
25 422;
- 26 b. multiple acts involving dealing in controlled substances, in violation of Title 21,  
27 United States Code, Sections 841(a)(1) and 846; and
- 28 c. multiple acts indictable under Title 18, United States Code, Sections 1512

1 (relating to tampering with a witness, a victim, or an informant) and 1503  
2 (relating to obstruction of justice).

3 16. It was part of the conspiracy that each defendant agreed that a conspirator would commit  
4 at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

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

6 COUNT TWO: (18 U.S.C. § 1959(a)(5) – Conspiracy to Commit Murder in Aid of  
7 Racketeering)

8 At all times relevant to this Indictment:

9 17. Paragraphs 1 through 14 are realleged and incorporated by reference as though fully set  
10 forth herein.

11 18. 19th Street Sureños gang members, leaders, and associates, including members of the  
12 16th Street Sureños, constituted an enterprise as defined in Title 18, United States Code, Section  
13 1959(b)(2), that is, a group of individuals associated in fact that engages in, and the activities of which  
14 affect, interstate and foreign commerce. The enterprise constitutes an ongoing organization whose  
15 members function as a continuing unit for a common purpose of achieving the objectives of the  
16 enterprise.

17 19. 19th Street Sureños, the above-described enterprise, through its members and associates,  
18 engaged in racketeering activity, as defined in Title 18, United States Code, Sections 1959(b)(1) and  
19 1961(1), namely: multiple acts and threats involving murder, in violation of California Penal Code  
20 Sections 187, 188, 189, 182, 21a, 664, 653f, and 422; and multiple acts and threats involving robbery, in  
21 violation of California Penal Code Sections 211, 212, 212.5, 213, 182, 21a, 664, 653f, and 422; multiple  
22 acts involving dealing in controlled substances, in violation of Title 21, United States Code, Sections  
23 841(a)(1) and 846; and multiple acts indictable under Title 18, United States Code, Sections 1512  
24 (relating to tampering with a witness, a victim, or an informant) and 1503 (relating to obstruction of  
25 justice).

26 20. Beginning on a date unknown to the Grand Jury but since at least the early 1990s and  
27 continuing until up through and including the present, in the Northern District of California and  
28 elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in the 19th

1 Street Sureños, an enterprise engaged in racketeering activity, the defendants,

2 (1) EDUARDO ALVAREZ, a/k/a "Clumsy,"

3 (2) ELIAS CHAVEZ, a/k/a "Kiko,"

4 (3) LUIS CID-SALINAS, a/k/a "Lonely,"

5 (4) IGNACIO CRUZ, a/k/a "Nacho,"

6 (5) JUAN CARLOS GARCIA-GOMEZ, a/k/a "Lil Ghost,"

7 (6) JAIRO HERNANDEZ, a/k/a "Joker,"

8 (7) ORLANDO CARLOS HERNANDEZ, a/k/a, "Chisto,"

9 (8) JUSEF NATHAN, a/k/a "Boo,"

10 (9) ROGÉLIO REAL, a/k/a "Payaso,"

11 (10) MARIO SERRANO, a/k/a "Caballo,"

12 (11) ALBERTO TORRES, a/k/a "Taz,"

13 (12) CARLOS VASQUEZ, a/k/a "Malo,"

14 (13) WESTON VENEGAS, a/k/a "Cartoon," and

15 (14) MICHAEL VIERA, a/k/a "Lil Rocks," a/k/a "Rocks,"

16 together with others known and unknown, unlawfully, knowingly, and intentionally did combine,

17 conspire, confederate, and agree together and with each other to commit murder, in violation of

18 California Penal Code Sections 187, 188, 189, and 182, to wit, the defendants agreed together and with

19 each other to kill actual and suspected Norteños, actual and suspected members of other gangs,

20 individuals who defied the will of the 19th Street Sureños, and individuals suspected of cooperating with

21 law enforcement.

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

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

25 At all times relevant to this Indictment:

26 21. Paragraphs 1 through 14 and 18 through 19 are realleged and incorporated by reference  
27 as though fully set forth herein.

28 22. Beginning on a date unknown to the Grand Jury but since at least the early 1990s and

INDICTMENT

1 continuing until up through and including the present, in the Northern District of California and  
2 elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in the 19th  
3 Street Sureños, an enterprise engaged in racketeering activity, the defendants,

4 (1) EDUARDO ALVAREZ, a/k/a "Clumsy,"

5 (2) ELIAS CHAVEZ, a/k/a "Kiko,"

6 (3) LUIS CID-SALINAS, a/k/a "Lonely,"

7 (4) IGNACIO CRUZ, a/k/a "Nacho,"

8 (5) JUAN CARLOS GARCIA-GOMEZ, a/k/a "Lil Ghost,"

9 (6) JAIRO HERNANDEZ, a/k/a "Joker,"

10 (7) ORLANDO CARLOS HERNANDEZ, a/k/a "Chisto,"

11 (8) JUSEF NATHAN, a/k/a "Boo,"

12 (9) ROGELIO REAL, a/k/a "Payaso,"

13 (10) MARIO SERRANO, a/k/a "Caballo,"

14 (11) ALBERTO TORRES, a/k/a "Taz,"

15 (12) CARLOS VASQUEZ, a/k/a "Malo,"

16 (13) WESTON VENEGAS, a/k/a "Cartoon," and

17 (14) MICHAEL VIERA, a/k/a "Lil Rocks," a/k/a "Rocks,"

18 together with others known and unknown, unlawfully, knowingly, and intentionally did combine,  
19 conspire, confederate, and agree together and with each other to commit assault with a dangerous  
20 weapon, in violation of California Penal Code Sections 245(a)(1) and 182, to wit, the defendants agreed  
21 together and with each other to assault with firearms, knives, and other dangerous weapons actual and  
22 suspected Norteños, actual and suspected members of other gangs, individuals who defied the will of  
23 19th Street Sureños, and individuals suspected of cooperating with law enforcement.

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

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INDICTMENT

1 COUNT FOUR: (18 U.S.C. §§ 924(c)(1)(A) and 2 – Using and Carrying a Firearm During and in  
2 Relation to a Crime of Violence and Possessing a Firearm in Furtherance of a  
3 Crime of Violence)

4 23. Beginning on a date unknown to the Grand Jury but since at least the early 1990s and  
5 continuing until up through and including the present, in the Northern District of California and  
6 elsewhere, the defendants,

7 EDUARDO ALVAREZ, a/k/a “Clumsy,”

8 LUIS CID-SALINAS, a/k/a “Lonely,”

9 JUAN CARLOS GARCIA-GOMEZ, a/k/a “Lil Ghost,”

10 ORLANDO CARLOS HERNANDEZ, a/k/a “Chisto,”

11 JUSEF NATHAN, a/k/a “Boo,”

12 ROGELIO REAL, a/k/a “Payaso,”

13 MARIO SERRANO, a/k/a “Caballo,”

14 ALBERTO TORRES, a/k/a “Taz,”

15 WESTON VENEGAS, a/k/a “Cartoon,” and

16 MICHAEL VIERA, a/k/a “Lil Rocks,” a/k/a “Rocks,”

17 together with others known and unknown, unlawfully, and knowingly did use, carry, brandish, and  
18 discharge a firearm during and in relation to a crime of violence for which they may be prosecuted in a  
19 court of the United States, namely, the racketeering conspiracy charged in Count One of this Indictment,  
20 the conspiracy to commit murder in aid of racketeering charged in Count Two of this Indictment, and  
21 the conspiracy to commit assault with a dangerous weapon in aid of racketeering charged in Count  
22 Three of this Indictment, and did possess, brandish, and discharge a firearm in furtherance of the  
23 offenses charged in Counts One, Two, and Three of this Indictment, to wit, the defendants possessed,  
24 used, and had available for their use a variety of firearms to further the goals and activities of the 19th  
25 Street Sureños.

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

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INDICTMENT

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

2 24. Paragraphs 1 through 14 and 18 through 19 are realleged and incorporated by reference  
3 as though fully set forth herein.

4 25. On or about August 30, 2011, in the Northern District of California, for the purpose of  
5 gaining entrance to, and increasing and maintaining position in, the 19th Street Sureños, an enterprise  
6 engaged in racketeering, the defendants,

7 JAIRO HERNANDEZ, a/k/a “Joker,” and

8 CARLOS VASQUEZ, a/k/a “Malo,”

9 together with others known and unknown, unlawfully, knowingly, and intentionally did murder  
10 Victim-1, in violation of California Penal Code Sections 187, 188, 189, and 31.

11 All in violation of Title 18, United States Code, Sections 1959(a)(1) and 2.

12 COUNT SIX: (18 U.S.C. §§ 924(c)(1)(A) and 2 – Using and Carrying a Firearm During and in  
13 Relation to a Crime of Violence and Possessing a Firearm in Furtherance of a  
14 Crime of Violence)

15 26. On or about August 30, 2011, in the Northern District of California, the defendants,

16 JAIRO HERNANDEZ, a/k/a “Joker,” and

17 CARLOS VASQUEZ, a/k/a “Malo,”

18 together with others known and unknown, unlawfully and knowingly did use, carry, and discharge a  
19 firearm at Victim-1 during and in relation to a crime of violence for which they may be prosecuted in a  
20 court of the United States, namely, the racketeering conspiracy charged in Count One, the conspiracy to  
21 commit murder in aid of racketeering charged in Count Two, the conspiracy to commit assault with a  
22 dangerous weapon in aid of racketeering charged in Count Three, and the murder in aid of racketeering  
23 of Victim-1 charged in Count Five, and did possess, brandish, and discharge a firearm in furtherance of  
24 the offenses charged in Counts One, Two, Three, and Five of this Indictment.

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

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1 COUNT SEVEN: (18 U.S.C. §§ 924(j)(1) and 2 – Use of a Firearm Causing Murder)

2 27. On or about August 30, 2011, in the Northern District of California, the defendants,

3 JAIRO HERNANDEZ, a/k/a “Joker,” and

4 CARLOS VASQUEZ, a/k/a “Malo,”

5 together with others known and unknown, unlawfully and knowingly during and in relation to a crime of  
6 violence for which they may be prosecuted in a court of the United States, namely, the murder in aid of  
7 racketeering of Victim-1 charged in Count Five of this Indictment, did use and carry a firearm, and in  
8 furtherance of such crime, did possess a firearm, and in the course of that crime, did cause the death of a  
9 person through the use of a firearm, which killing was murder as defined in Title 18, United States  
10 Code, Section 1111(a).

11 All in violation of Title 18, United States Code, Sections 924(j)(1) and 2.

12 COUNT EIGHT: (18 U.S.C. §§ 1959(a)(3) and 2 – Assault with a Dangerous Weapon in Aid of  
13 Racketeering of Victim-2)

14 28. Paragraphs 1 through 14 and 18 through 19 are realleged and incorporated by reference  
15 as though fully set forth herein.

16 29. On or about May 31, 2013, in the Northern District of California, for the purpose of  
17 gaining entrance to, and maintaining and increasing position in, the 19th Street Sureños, an enterprise  
18 engaged in racketeering activity, the defendants,

19 JUAN CARLOS GARCIA-GOMEZ, a/k/a “Lil Ghost,”

20 ROGELIO REAL, a/k/a “Payaso,”

21 ALBERTO TORRES, a/k/a “Taz,” and

22 MICHAEL VIERA, a/k/a “Lil Rocks,” a/k/a “Rocks,”

23 together with others known and unknown, unlawfully and knowingly did commit assault with a  
24 dangerous weapon, in violation of California Penal Code Sections 245(a)(1) and 31, to wit, the  
25 defendants assaulted with a knife and screwdriver a suspected rival gang member, that is, Victim-2.

26 All in violation of Title 18, United States Code, Sections 1959(a)(3) and 2.

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INDICTMENT

1 COUNT NINE: (18 U.S.C. §§ 1959(a)(3) and 2 – Assault with a Dangerous Weapon in Aid of  
2 Racketeering of Victim-3)

3 30. Paragraphs 1 through 14 and 18 through 19 are realleged and incorporated by reference  
4 as though fully set forth herein.

5 31. On or about May 31, 2013, in the Northern District of California, for the purpose of  
6 gaining entrance into, and maintaining and increasing position in, the 19th Street Sureños, an enterprise  
7 engaged in racketeering activity, the defendants,

8 JUAN CARLOS GARCIA-GOMEZ, a/k/a “Lil Ghost,”

9 ROGELIO REAL, a/k/a “Payaso,”

10 ALBERTO TORRES, a/k/a “Taz,” and

11 MICHAEL VIERA, a/k/a “Lil Rocks,” a/k/a “Rocks,”

12 together with others known and unknown, unlawfully and knowingly did commit assault  
13 with a dangerous weapon, in violation of California Penal Code Sections 245(a)(1) and 31, to wit, the  
14 defendants assaulted with a knife and screwdriver a suspected rival gang member, that is, Victim-3.

15 All in violation of Title 18, United States Code, Sections 1959(a)(3) and 2.

16 COUNT TEN: (18 U.S.C. §§ 1959(a)(3) and 2 – Assault with a Dangerous Weapon in Aid of  
17 Racketeering of Victim-4)

18 32. Paragraphs 1 through 14 and 18 through 19 are realleged and incorporated by reference  
19 as though fully set forth herein.

20 33. On or about September 1, 2013, in the Northern District of California, for the purpose of  
21 gaining entrance to, and maintaining and increasing position in, the 19th Street Sureños, an  
22 enterprise engaged in racketeering activity, the defendant,

23 EDUARDO ALVAREZ, a/k/a “Clumsy,”

24 together with others known and unknown, unlawfully and knowingly did commit assault with a  
25 dangerous weapon, in violation of California Penal Code Sections 245(a)(1) and 31, to wit, the  
26 defendant assaulted with a knife a suspected rival gang member, that is, Victim-4.

27 All in violation of Title 18, United States Code, Sections 1959(a)(3) and 2.

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INDICTMENT

1 COUNT ELEVEN: (18 U.S.C. §§ 1959(a)(3) and 2 – Assault with a Dangerous Weapon in Aid of  
2 Racketeering of Victim-5)

3 34. Paragraphs 1 through 14 and 18 through 19 are realleged and incorporated by reference  
4 as though fully set forth herein.

5 35. On or about September 8, 2013, in the Northern District of California, for the purpose of  
6 gaining entrance to, and maintaining and increasing position in, the 19th Street Sureños, an enterprise  
7 engaged in racketeering activity, the defendant,

8 EDUARDO ALVAREZ, a/k/a “Clumsy,”

9 together with others known and unknown, unlawfully and knowingly did commit assault with a  
10 dangerous weapon, in violation of California Penal Code Sections 245(a)(1) and 31, to wit, the  
11 defendant assaulted with a knife a suspected rival gang member, that is, Victim-5.

12 All in violation of Title 18, United States Code, Sections 1959(a)(3) and 2.

13 COUNT TWELVE: (18 U.S.C. §§ 1959(a)(5) – Attempted Murder in Aid of Racketeering of  
14 Victim-6)

15 36. Paragraphs 1 through 14 and 18 through 19 are realleged and incorporated by reference  
16 as though fully set forth herein.

17 37. On or about January 4, 2014, in the Northern District of California, for the purpose of  
18 gaining entrance to, and maintaining and increasing position in, the 19th Street Sureños, an enterprise  
19 engaged in racketeering activity, the defendants,

20 ELIAS CHAVEZ, a/k/a “Kiko,” and

21 IGNACIO CRUZ, a/k/a “Nacho,”

22 together with others known and unknown, unlawfully, knowingly, and intentionally did attempt to  
23 commit murder, in violation of California Penal Code Sections 187, 188, 189, 31, 21a, and 664, to wit,  
24 the defendants attempted to kill a suspected rival gang member, that is, Victim-6.

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

26 COUNT THIRTEEN: (18 U.S.C. §§ 1959(a)(5) – Attempted Murder in Aid of Racketeering of  
27 Victim-7)

28 38. Paragraphs 1 through 14 and 18 through 19 are realleged and incorporated by reference

1 as though fully set forth herein.

2 39. On or about January 4, 2014, in the Northern District of California, for the purpose of  
3 gaining entrance to, and maintaining and increasing position in, the 19th Street Sureños, an enterprise  
4 engaged in racketeering activity, the defendants,

5 ELIAS CHAVEZ, a/k/a "Kiko," and

6 IGNACIO CRUZ, a/k/a "Nacho,"

7 together with others known and unknown, unlawfully, knowingly, and intentionally did attempt to  
8 commit murder, in violation of California Penal Code Sections 187, 188, 189, 31, 21a, and 664, to wit,  
9 the defendants attempted to kill a suspected rival gang member, that is, Victim-7.

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

11 COUNT FOURTEEN: (18 U.S.C. §§ 1959(a)(5) – Attempted Murder in Aid of Racketeering of  
12 Victim-8)

13 40. Paragraphs 1 through 14 and 18 through 19 are realleged and incorporated by reference  
14 as though fully set forth herein.

15 41. On or about January 4, 2014, in the Northern District of California, for the purpose of  
16 gaining entrance to, and maintaining and increasing position in, the 19th Street Sureños, an enterprise  
17 engaged in racketeering activity, the defendants,

18 ELIAS CHAVEZ, a/k/a "Kiko," and

19 IGNACIO CRUZ, a/k/a "Nacho,"

20 together with others known and unknown, unlawfully, knowingly, and intentionally did attempt to  
21 commit murder, in violation of California Penal Code Sections 187, 188, 189, 31, 21a, and 664, to wit,  
22 the defendants attempted to kill a suspected rival gang member, that is, Victim-8.

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

24 COUNT FIFTEEN: (18 U.S.C. §§ 1959(a)(5) – Attempted Murder in Aid of Racketeering of  
25 Victim-9)

26 42. Paragraphs 1 through 14 and 18 through 19 are realleged and incorporated by reference  
27 as though fully set forth herein.

28 43. On or about January 4, 2014, in the Northern District of California, for the purpose of

1 gaining entrance to, and maintaining and increasing position in, the 19th Street Sureños, an enterprise  
2 engaged in racketeering activity, the defendants,

3 ELIAS CHAVEZ, a/k/a "Kiko," and

4 IGNACIO CRUZ, a/k/a "Nacho,"

5 together with others known and unknown, unlawfully, knowingly, and intentionally did attempt to  
6 commit murder, in violation of California Penal Code Sections 187, 188, 189, 31, 21a, and 664, to wit,  
7 the defendants attempted to kill a suspected rival gang member, that is, Victim-9.

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

9 COUNT SIXTEEN: (18 U.S.C. §§ 924(c)(1)(A) and 2 –Using and Carrying a Firearm During and in  
10 Relation to a Crime of Violence and Possessing a Firearm in Furtherance of a  
11 Crime of Violence)

12 44. On or about January 4, 2014, in the Northern District of California, the defendants,

13 ELIAS CHAVEZ, a/k/a "Kiko," and

14 IGNACIO CRUZ, a/k/a "Nacho,"

15 together with others known and unknown, unlawfully and knowingly did use, carry, brandish, and  
16 discharge a firearm during and in relation to a crime of violence for which they may be prosecuted in a  
17 court of the United States, namely, the racketeering conspiracy charged in Count One, the conspiracy to  
18 commit murder in aid of racketeering charged in Count Two, the conspiracy to commit assault with a  
19 dangerous weapon in aid of racketeering charged in Count Three, and the attempted murders in aid of  
20 racketeering of Victim-6, Victim-7, Victim-8, and Victim-9, charged in Counts Twelve, Thirteen,  
21 Fourteen, and Fifteen, respectively, of this Indictment, and did possess, brandish, and discharge a  
22 firearm in furtherance of the offenses charged in Counts One, Two, Three, Twelve, Thirteen, Fourteen,  
23 and Fifteen of this Indictment.

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

25 NOTICE OF SPECIAL SENTENCING FACTORS FOR COUNT ONE

26 Number 1: Conspiracy to Commit Murder

27 45. Beginning on a date unknown to the Grand Jury but since at least the early 1990s and  
28 continuing until up through and including the present, in the Northern District of California and

INDICTMENT

1 elsewhere, the defendants,

2 (1) EDUARDO ALVAREZ, a/k/a "Clumsy,"

3 (2) ELIAS CHAVEZ, a/k/a "Kiko,"

4 (3) LUIS CID-SALINAS, a/k/a "Lonely,"

5 (4) IGNACIO CRUZ, a/k/a "Nacho,"

6 (5) JUAN CARLOS GARCIA-GOMEZ, a/k/a "Lil Ghost,"

7 (6) JAIRO HERNANDEZ, a/k/a "Joker,"

8 (7) ORLANDO CARLOS HERNANDEZ, a/k/a "Chisto,"

9 (8) JUSEF NATHAN, a/k/a "Boo,"

10 (9) ROGELIO REAL, a/k/a "Payaso,"

11 (10) MARIO SERRANO, a/k/a "Caballo,"

12 (11) ALBERTO TORRES, a/k/a "Taz,"

13 (12) CARLOS VASQUEZ, a/k/a "Malo,"

14 (13) WESTON VENEGAS, a/k/a "Cartoon," and

15 (14) MICHAEL VIERA, a/k/a "Lil Rocks," a/k/a "Rocks,"

16 together with others known and unknown, unlawfully, knowingly, and intentionally did conspire to  
17 commit murder, in violation of California Penal Code Sections 187, 188, 189, and 182, to wit, the  
18 defendants agreed together and with each other to kill, with malice aforethought, actual and suspected  
19 members of rival gangs, individuals suspected of cooperating with law enforcement, and individuals  
20 who defied the will of the 19th Street Sureños.

21 Number 2: Murder of Victim-1

22 46. On or about August 30, 2011, in the Northern District of California, the defendants,

23 JAIRO HERNANDEZ, a/k/a "Joker," and

24 CARLOS VASQUEZ, a/k/a "Malo,"

25 unlawfully, knowingly, and intentionally did kill, with malice aforethought, Victim-1, in violation of  
26 California Penal Code Sections 187, 188, 189, and 31.

27 Number 3: Attempted First Degree Murder of Victim-6

28 47. On or about January 4, 2014, in the Northern District of California, the defendants,

1 ELIAS CHAVEZ, a/k/a "Kiko," and

2 IGNACIO CRUZ, a/k/a "Nacho,"

3 unlawfully, knowingly, and intentionally, and with deliberation and premeditation, did attempt to kill,  
4 with malice aforethought, Victim-6, in violation of California Penal Code Sections 187, 188, 189, 21a,  
5 and 664.

6 Number 4: Attempted First Degree Murder of Victim-7

7 48. On or about January 4, 2014, in the Northern District of California, the defendants,

8 ELIAS CHAVEZ, a/k/a "Kiko," and

9 IGNACIO CRUZ, a/k/a "Nacho,"

10 unlawfully, knowingly, and intentionally, and with deliberation and premeditation, did attempt to kill,  
11 with malice aforethought, Victim-7, in violation of California Penal Code Sections 187, 188, 189, 21a,  
12 and 664.

13 Number 5: Attempted First Degree Murder of Victim-8

14 49. On or about January 4, 2014, in the Northern District of California, the defendants,

15 ELIAS CHAVEZ, a/k/a "Kiko," and

16 IGNACIO CRUZ, a/k/a "Nacho,"

17 unlawfully, knowingly, and intentionally, and with deliberation and premeditation, did attempt to kill,  
18 with malice aforethought, Victim-8, in violation of California Penal Code Sections 187, 188, 189, 21a,  
19 and 664.

20 Number 6: Attempted First Degree Murder of Victim-9

21 50. On or about January 4, 2014, in the Northern District of California, the defendants,

22 ELIAS CHAVEZ, a/k/a "Kiko," and

23 IGNACIO CRUZ, a/k/a "Nacho,"

24 unlawfully, knowingly, and intentionally, and with deliberation and premeditation, did attempt to kill,  
25 with malice aforethought, Victim-9, in violation of California Penal Code Sections 187, 188, 189, 21a,  
26 and 664.

27 NOTICE OF SPECIAL FINDINGS AS TO DEFENDANT CARLOS VASQUEZ

28 51. The allegations set forth in Counts Five and Seven of this Indictment are hereby realleged

INDICTMENT

1 as if fully set forth herein and incorporated by reference.

2 52. As to Counts Five and Seven of this Indictment, the defendant, CARLOS VASQUEZ:

- 3 (1) was 18 years of age or older at the time of the offense (Title 18, United States  
4 Code, Section 3591(a));
- 5 (2) intentionally killed the victim (Title 18, United States Code, Section  
6 3591(a)(2)(A));
- 7 (3) intentionally inflicted serious bodily injury that resulted in the death of the victim  
8 (Title 18, United States Code, Section 3591(a)(2)(B));
- 9 (4) intentionally participated in an act, contemplating that the life of a person would  
10 be taken and intending that lethal force would be used in connection with a  
11 person, other than one of the participants in the offense, and the victim died as a  
12 direct result of the act (Title 18, United States Code, Section 3591(a)(2)(C)); and
- 13 (5) intentionally and specifically engaged in an act of violence, knowing that the act  
14 created a grave risk of death to a person, other than one of the participants in the  
15 offense, such that participation in the act constituted a reckless disregard for  
16 human life and the victim died as a direct result of the act (Title 18, United States  
17 Code, Section 3591(a)(2)(D)); and
- 18 (6) in committing the offenses described in Counts Five and Seven of this Indictment,  
19 the defendant acted after substantial planning and premeditation to cause the  
20 death of a person (Title 18, United States Code, Section 3592(c)(9)).

21 NOTICE OF SPECIAL FINDINGS AS TO DEFENDANT JAIRO HERNANDEZ

22 53. The allegations set forth in Counts Five and Seven of this Indictment are hereby realleged  
23 as if fully set forth herein and incorporated by reference.

24 54. As to Counts Five and Seven of this Indictment, the defendant, JAIRO HERNANDEZ:

- 25 (1) was 18 years of age or older at the time of the offense (Title 18, United States  
26 Code, Section 3591(a));
- 27 (2) intentionally killed the victim (Title 18, United States Code, Section  
28 3591(a)(2)(A));

- 1 (3) intentionally inflicted serious bodily injury that resulted in the death of the victim  
2 (Title 18, United States Code, Section 3591(a)(2)(B));
- 3 (4) intentionally participated in an act, contemplating that the life of a person would  
4 be taken and intending that lethal force would be used in connection with a  
5 person, other than one of the participants in the offense, and the victim died as a  
6 direct result of the act (Title 18, United States Code, Section 3591(a)(2)(C)); and
- 7 (5) intentionally and specifically engaged in an act of violence, knowing that the act  
8 created a grave risk of death to a person, other than one of the participants in the  
9 offense, such that participation in the act constituted a reckless disregard for  
10 human life and the victim died as a direct result of the act (Title 18, United States  
11 Code, Section 3591(a)(2)(D)); and
- 12 (6) in committing the offenses described in Counts Five and Seven of this Indictment,  
13 the defendant acted after substantial planning and premeditation to cause the  
14 death of a person (Title 18, United States Code, Section 3592(c)(9)).
- 15

16 DATED:

A TRUE BILL

17 *March 6, 2014*

18 *Nancy J. Peterson*  
19 FOREPERSON

20 MELINDA HAAG  
21 United States Attorney

22 *J. Douglas Wilson*  
23 J. Douglas Wilson  
24 Chief, Criminal Division

25 (Approved as to form. *[Signature]*)  
26 AUSA Andrew M. Scoble  
27 AUSA N. Lee