

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	No.	14 CR 591
)		
v.)	Violations:	Title 21, United States Code,
)		Sections 846 and 963; Title 18,
VENANCIO COVARRUBIAS,)		United States Code, Section
a/k/a "Benny,")		1956(h)

COUNT ONE

The SPECIAL JULY 2013 GRAND JURY charges:

Beginning in or about August 2013, and continuing until in or about September 2013, at Elgin, in the Northern District of Illinois, Eastern Division, and elsewhere,

VENANCIO COVARRUBIAS, a/k/a "Benny,"

defendant herein, did conspire with Individual A, Individual B, and with others known and unknown to the Grand Jury, to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1);

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

COUNT TWO

The SPECIAL JULY 2013 GRAND JURY further charges:

Beginning in or about August 2013, and continuing until in or about September 2013, at Elgin, in the Northern District of Illinois, and elsewhere,

VENANCIO COVARRUBIAS a/k/a “Benny,”

defendant herein, did conspire with Individual A, and with others known and unknown to the Grand Jury, to knowingly and intentionally import into the United States from a place outside of the United States, namely, Mexico, a controlled substance, namely 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 952(a) and 960(a)(1);

In violation of Title 21, United States Code, Section 963.

COUNT THREE

The SPECIAL JULY 2013 GRAND JURY further charges:

On or about September 24, 2013, at Elgin, in the Northern District of Illinois,

VENANCIO COVARRUBIAS a/k/a “Benny,”

defendant herein, did knowingly conduct a financial transaction affecting interstate and foreign commerce, namely, the transfer of approximately \$99,920 to Individual C, which involved the proceeds of a specified unlawful activity, that is the felonious buying and selling and otherwise dealing in a controlled substance, knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of said specified unlawful activity and that while conducting and attempting to conduct such financial transaction knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

COUNT FOUR

The SPECIAL JULY 2013 GRAND JURY further charges:

Beginning in or about August 2013, and continuing until at least in or about September 2013, at Elgin, in the Northern District of Illinois, Eastern Division, and elsewhere,

VENANCIO COVARRUBIAS a/k/a “Benny,”

defendant herein, did conspire with Individual A, Individual B, and with persons known and unknown to the Grand Jury, to commit offenses in violation of Title 18, United States Code, Section 1956, namely:

a. to knowingly conduct a financial transaction affecting interstate and foreign commerce, which transaction involved the proceeds of specified unlawful activity, namely felony violations of Title 21, United States Code, Sections 841, 846, 952, 959, 960 and 963, involving buying, selling, importation, and otherwise dealing in a controlled substance, knowing that the transaction was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, and that while conducting such financial transaction knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i);

b. to transport, transmit, and transfer a monetary instrument and funds involving the proceeds of specified unlawful activity, namely, felony violations of Title 21, United States Code, Sections 841, 846, 952, 959, 960 and 963, involving buying, selling, importation, and otherwise dealing in a controlled substance, from a place in the United States to or through a place outside the United States, knowing that the monetary instrument and funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and

knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i);

In violation of Title 18, United States Code, Section 1956(h).

FORFEITURE ALLEGATION ONE

The SPECIAL JULY 2013 GRAND JURY alleges:

1. The allegations of Counts One and Two of this Indictment are incorporated here for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2. As a result of his violations of Title 21, United States Code, Sections 846 and 963, as alleged in the foregoing Indictment,

VENANCIO COVARRUBIAS a/k/a “Benny,”

defendant herein, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853(a)(1) and (2): (1) any and all property constituting or derived from any proceeds he obtained, directly or indirectly, as a result of the violations; and (2) any and all of property used, or intended to be used, in any manner or part, to commit or facilitate the commission of the violations.

3. The interests of the defendant subject to forfeiture to the United States pursuant to Title 21, United States Code, Section 853, include, but are not limited to, approximately \$2,895,000.

4. If any of the forfeitable property described above, as a result of any act or omission by the defendant:

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

the United States of America shall be entitled to forfeiture of substitute property, under the provisions of Title 21, United States Code, Section 853(p).

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

FORFEITURE ALLEGATION TWO

The SPECIAL JULY 2013 GRAND JURY further alleges:

1. The allegations in Counts Three and Four of this indictment are incorporated here for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(1).

2. As a result of his violation of Title 18, United States Code, Section 1956, as alleged in Counts Three and Four of the foregoing Indictment,

VENANCIO COVARRUBIAS a/k/a “Benny,”

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all right, title and interest he may have in property, real or personal, involved in such offense, or any property traceable to such property.

3. The interests of the defendant subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 982(a)(1), include, but are not limited to, approximately \$315,245.

4. If any of the forfeitable property described above, as a result of any act or omission by defendant:

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

the United States of America shall be entitled to forfeiture of substitute property, under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1);

All pursuant to Title 18, United States Code, Section 982(a)(1).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY