

*United States District Court
District of New Jersey*

UNITED STATES OF AMERICA : HON. MARK FALK

v. : **CRIMINAL COMPLAINT**

WILLIAM CRESPO : Magistrate No. 12-3748
a/k/a "Negro," and
NELSON YORDAN : Filed Under Seal
a/k/a "Carlos,"
a/k/a "Angel Cuevas" :

I, Jordan Benson, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHMENT B



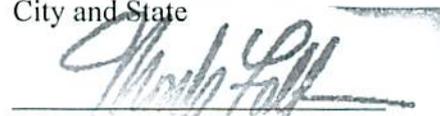
Jordan Benson
Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

December 7, 2012 at
Date

Newark, New Jersey
City and State

Honorable Mark Falk
United States Magistrate Judge


Signature of Judicial Officer

ATTACHMENT A

From at least as early as in and around July 2012 through on or about November 30, 2012, in Union County, in the District of New Jersey and elsewhere, defendants

WILLIAM CRESPO
a/k/a "Negro," and
NELSON YORDAN
a/k/a "Carlos,"
a/k/a "Angel Cuevas,"

did knowingly and intentionally conspire and agree with each other and others to distribute and possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), and

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

ATTACHMENT B

I, Jordan Benson, am a Special Agent with the Federal Bureau of Investigation ("FBI"). I am familiar with the facts set forth herein through my personal participation in the investigation and through oral and/or written reports from other federal agents and law enforcement officers. Where statements of others are related herein, they are related in substance and part. Since this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date and time, I am asserting that it took place on or about the date and time alleged.

I. Overview

1. Between on or about November 2011 and on or about November 30, 2012, law enforcement was involved in an investigation into a drug trafficking organization (DTO) operating in and around Elizabeth and Newark, New Jersey.

2. The DTO functioned, in part, by utilizing individuals operating in Puerto Rico and other locations to coordinate shipments of parcels containing kilogram quantities of cocaine and heroin through the U.S. mails to locations in Northern New Jersey, New York, Pennsylvania and Connecticut. Co-conspirators packaging the narcotics would conceal the narcotics in benign items such as candles and children's toys, and then ship the narcotics to those areas. Individuals in New Jersey would coordinate these shipments, process or "cut" the narcotics upon receipt of the parcels, and distribute the narcotics to locations in New Jersey, Pennsylvania, Connecticut, Maryland and other locations.

3. As the investigation progressed through, among other things, the use of confidential sources, physical surveillance and judicially-authorized electronic surveillance, law enforcement in New Jersey identified an individual operating in Puerto Rico, who was supplying cocaine to the DTO ("Co-Conspirator #1"); as well as WILLIAM CRESPO a/k/a "Negro" (hereinafter "CRESPO") as one of the distributors of cocaine on behalf of the DTO, operating in the Allentown, Pennsylvania area; and NELSON YORDAN a/k/a "Carlos" a/k/a "Angel Crespo" (hereinafter "YORDAN") as one of the distributors of cocaine on behalf of the DTO, operating in the Hartford, Connecticut area.

II. Intercepted Communications

4. On September 14, 2012, U.S. District Judge Claire C. Cecchi authorized the interception of wire communication to and from a cellular telephone facility utilized by Roberto Rentas Negrón, a/k/a "El Duro" (hereinafter "El Duro") ("the 1st Duro Facility").¹ On October 16, 2012, Judge Cecchi authorized the interception of wire and electronic communication to and from the 1st Duro Facility as well as a second cellular telephone facility utilized by El Duro (the "2nd Duro Facility"). On November 14, 2012, U.S. District Judge Kevin McNulty authorized the

¹ El Duro is an associate of the defendants, involved in distributing narcotics in Elizabeth, New Jersey and elsewhere.

interception of wire and electronic communication to and from a cellular telephone facility utilized by Antonio Vazquez a/k/a "Panta" (hereinafter "Panta")(the "2nd Panta Facility").²

5. Conversations intercepted over the 1st Duro Facility, the 2nd Duro Facility and the 2nd Panta Facility, demonstrate that Co-Conspirator #1, CRESPO and YORDAN are involved in the conspiracy to traffic cocaine in and around the Newark and Elizabeth, New Jersey area. In the following paragraphs, I have set forth excerpts of the recorded conversations and then provided an explanation of the conversation in parenthesis. Explanations in parentheses are based on my training and experience, and that of other agents and law enforcement officers with whom I have conferred regarding the facts and circumstances of this investigation. In addition, transcripts of the conversations are in draft form. As such, quoted passages of phone conversations referenced below are in sum and substance.

6. On September 18, 2012, in a call intercepted over the 1st El Duro Facility, YORDAN and El Duro discussed problems receiving a parcel containing narcotics in the mail. In particular, YORDAN advised that he was told that "the name was written wrong" and that "after five days, the package cannot be delivered." YORDAN advised El Duro that they should "put a cell phone inside a container" in order to catch whoever is "stealing" their packages. (YORDAN and El Duro were concerned because parcels containing narcotics did not arrive at their intended destinations).

7. On September 26, 2012, in a call intercepted over the 1st El Duro Facility, YORDAN and El Duro continued discussing parcels that had been lost in the mail. El Duro stated that he is not getting anything soon because "those people ran into trouble" (El Duro was discussing problems with his suppliers of narcotics). YORDAN suggested that El Duro make a business proposition to (Co-Conspirator #1) that El Duro could "buy 3" and Co-Conspirator #1 could provide an "additional 3" on credit (YORDAN was proposing that El Duro make a deal with Co-Conspirator #1 to send an additional 6 kilograms of cocaine through the mail in order to offset their losses due to the lost parcels).

8. On October 12, 2012, in a call intercepted over the 1st El Duro Facility, YORDAN and El Duro discussed doing business with Co-Conspirator #1 and another individual who had kilograms of cocaine available for "28 right now" (Co-Conspirator #1 could provide YORDAN and El Duro with kilograms of cocaine for \$28,000). YORDAN asked if El Duro was interested because "they have a guy who can package everything" (YORDAN was confirming that an associate of Co-Conspirator #1 could package the parcels and send them).

9. On October 15, 2012, in a call intercepted over the 1st El Duro Facility, CRESPO and El Duro discussed the purchase and sale of cocaine. CRESPO advised El Duro that he had "1500" (grams of cocaine) available for El Duro.

² Panta is an associate of the defendants, involved in distributing narcotics in Elizabeth, New Jersey and elsewhere.

10. On October 16, 2012 in a call number intercepted over the 1st Duro Facility, El Duro spoke to Co-Conspirator #1 and asked if they checked “that today” (Duro was asking about the status of a narcotics shipment). Co-Conspirator #1 replied “yes, they were getting rid of that.” (Co-Conspirator #1 was telling El Duro that he would be sending the narcotics). El Duro then stated “that will be ready today” (El Duro was discussing the narcotics shipment). El Duro asked “what is going on with the cousin,” and Co-Conspirator #1 responded that “the cousin told me that he was going to call me later... it appeared like he was going to make a dollar.” El Duro then told Co-Conspirator #1 to “bother him to see if that can happen” (El Duro was directing Co-Conspirator #1 to ask about the narcotics shipment).

11. On October 22, 2012 in a call number intercepted over the 1st Duro Facility, El Duro spoke to Co-Conspirator #1 and asked if “it's good,” and Co-Conspirator #1 told him “everything [Co-Conspirator #1 has] checked has been good but that [Co-Conspirator #1] hasn't sold any yet” (El Duro was asking Co-Conspirator #1 about a supply of narcotics and Co-Conspirator #1 was giving El Duro an update). El Duro and Co-Conspirator #1 then discussed how to process the narcotics. Co-Conspirator #1 said that “right now it's loose” and El Duro told him to “put about two inches worth in a sandwich bag and to press it into tablets by driving over it with a car” (El Duro was telling Co-Conspirator #1 how to press the narcotics into solid form).

A. November 8, 2012 Seizure of Parcels in Allentown, Pennsylvania and Waterbury, Connecticut

12. Between November 5, 2012 and November 8, 2012, in calls intercepted over the 1st and 2nd Duro Facilities, El Duro conferred with Co-Conspirator #1 regarding the shipment of parcels to Waterbury, Connecticut and Allentown, Pennsylvania containing a total of approximately 4 kilograms of cocaine.

13. In between calls to Co-Conspirator #1, in calls intercepted over the 1st and 2nd Duro Facilities, El Duro requested that CRESPO send him two addresses in Allentown, Pennsylvania, where Co-Conspirator #1 could direct parcels containing cocaine, and that YORDAN send him two addresses in Waterbury, Connecticut where Co-Conspirator #1 could direct parcels containing cocaine. CRESPO and YORDAN each provided two addresses to El Duro, which El Duro forwarded to Co-Conspirator #1.

14. Thereafter, in calls intercepted over the 1st and 2nd Duro Facilities, Co-Conspirator #1 forward tracking numbers for 4 parcels, each containing one kilogram of cocaine, to El Duro. El Duro forwarded two of the tracking numbers to CRESPO and two to YORDAN so they could track the parcels containing cocaine that were destined for their respective locations.

15. Afterward, law enforcement intercepted one of the parcels addressed to an address in Waterbury, Connecticut, which YORDAN had provided to El Duro, and El Duro had forwarded to Co-Conspirator #1. That parcel was found to contain approximately one kilogram of a substance that tested positive for the presence of cocaine.

16. Law enforcement also intercepted both of the parcels addressed to addresses in Allentown, Pennsylvania, which CRESPO had provided to El Duro and El Duro had forwarded to Co-Conspirator #1. Each of those parcels was found to contain approximately one kilogram of a substance that tested positive for the presence of cocaine.

17. Following the interception of the parcels, in calls intercepted over the 1st and 2nd El Duro Facilities, El Duro, conferred with Co-Conspirator #1, CRESPO and YORDAN about the missing parcels.

18. In addition to the narcotics noted above, law enforcement conducted controlled purchases and seized additional amounts of narcotics from co-conspirators in New Jersey during the course of the investigation.