

*United States District Court
District of New Jersey*

UNITED STATES OF AMERICA : HON. MARK FALK
v. : CRIMINAL COMPLAINT
HECTOR ESPINOZA : Magistrate No. 12-3752
a/k/a "Will" :
a/k/a "Alectus Odamu" : Filed Under Seal

I, Jordan Benson, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. From at least as early as in and around September 2012 through on or about November 30, 2012, in Union County, in the District of New Jersey and elsewhere, defendant HECTOR ESPINOZA did:

knowingly and intentionally conspire and agree with 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, and 100 grams or more of a mixture or substance containing a detectable amount of heroin, 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.

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 A



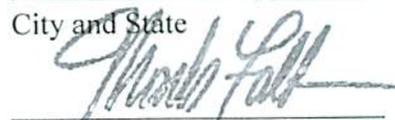
Jordan Benson
Special Agent
Federal Bureau of Investigation

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

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 childrens' 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 Defendant HECTOR ESPINOZA (hereinafter "ESPINOZA") as one of the individuals distributing cocaine and heroin in the New Jersey area on behalf of the DTO.

4. Subsequent physical surveillance and judicially-authorized electronic surveillance led law enforcement to identify ESPINOZA operating in and around the Elizabeth, New Jersey area.

II. Intercepted Communications

5. 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 Negron, 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 ESPINOZA, 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

6. Conversations intercepted over the 1st Duro Facility and the 2nd Duro Facility demonstrate that ESPINOZA is involved in the conspiracy to traffic cocaine and heroin. 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.

7. On September 21, 2012, in a call intercepted over the 1st Duro Facility, El Duro and ESPINOZA discussed purchasing cocaine and how much they had in their possession at that time. ESPINOZA agreed to provide El Duro with a quantity of cocaine he had in order for El Duro to complete an upcoming deal. El Duro and ESPINOZA then discussed having "800 of the bad ones" (800 grams of processed cocaine).

A. September 24, 2012 Controlled Purchase of 550 Grams of Cocaine

8. Between January 2011 and November 2012, a confidential source with a history of reliability and credibility (the "CS"), working at the direction of the FBI, negotiated several purchases of narcotics from the DTO.

9. On September 23-24, 2012, the CS, working at the direction of the FBI, negotiated the purchase of approximately 550 grams of cocaine from El Duro. After the transfer of a quantity of narcotics from one of El Duro's runners to the CS, El Duro called the CS over the 1st Duro Facility and explained that he believed the CS was purchasing only "250" (grams of cocaine). El Duro stated that after receiving the proceeds of the transaction, he realized that the CS had paid for a greater quantity of narcotics. The CS explained that he intended to purchase "550" (grams of cocaine) and El Duro said he would call his associates to obtain the remaining 300 grams for the CS.

10. Thereafter, in a call intercepted over the 1st Duro Facility, El Duro advised ESPINOZA that he needed "100 of what you have" and that he would give ESPINOZA more later in the evening (El Duro was telling ESPINOZA to provide him with 100 grams of cocaine so he could use it to assist in making up the difference in the amount owed to the CS). ESPINOZA told El Duro to "come get it"

11. Following this discussion, El Duro met with the CS and provided the remaining 300 grams of cocaine.

² Panta is an associate of El Duro's, involved in distributing narcotics in Northern New Jersey and elsewhere.

B. The November 12, 2012 Controlled Purchase of 100 Grams of Cocaine

12. On November 12, 2012, while under audio and video surveillance, the CS, working at the direction of the FBI, negotiated the purchase of approximately 100 grams of cocaine from ESPINOZA. The purchase was consummated at ESPINOZA's residence in

C. Additional Calls

13. On November 13, 2012, in a call intercepted over the 2nd Duro Facility, El Duro and ESPINOZA discussed the sale of 700 grams of heroin. ESPINOZA told El Duro that "the other people took a little bit, but didn't want it like that... if everything would have been done right that would have been gone" (ESPINOZA was telling El Duro about a customer's dissatisfaction with the product). ESPINOZA then stated that "the [customers] that came yesterday said they want 700, but not like that" (ESPINOZA was telling El Duro that the customers wanted the heroin to be processed in a certain fashion) and that El Duro had to "work it good, so it can come out good so it doesn't smell." ESPINOZA then told El Duro to "work on that" so they could "make money" (ESPINOZA was instructing El Duro to work on processing the heroin so they could make money selling it).