
*United States District Court
District of New Jersey*

UNITED STATES OF AMERICA : HON. MARK FALK
v. : **CRIMINAL COMPLAINT**
JULIO MARTINEZ, Jr., : Magistrate No. 12-3737
: Filed Under Seal

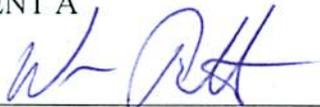
I, B. Warren Pettus, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. From at least as early as in and around September 2012 through on or about November 30, 2012, in Union County, in the District of New Jersey and elsewhere,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

knowingly and intentionally conspire and agree with others to distribute and possess with intent to distribute 5 kilograms 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)(A), 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



B. Warren Pettus
Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

December ⁹7, 2012 _____ at Newark, New Jersey _____
Date _____ City and State _____
Honorable Mark Falk _____
United States Magistrate Judge _____ Signature of Judicial Officer _____

ATTACHMENT A

I, B. Warren Pettus, 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 Defendant JULIO MARTINEZ, Jr (hereinafter “MARTINEZ”), as one of the distributors of cocaine on behalf of the DTO.

4. Subsequent physical surveillance and judicially-authorized electronic surveillance in New Jersey led law enforcement to identify MARTINEZ 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 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 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, the 2nd Duro Facility and the 2nd Panta Facility, demonstrate that MARTINEZ is involved in the conspiracy to traffic cocaine in and around the 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.

7. On September 19, 2012, in a call intercepted over the 1st Duro Facility, El Duro advised MARTINEZ that El Duro received “100 from Panta” at “46” and that “it is good” (El Duro was telling MARTINEZ that he had received 100 grams of cocaine from Panta and it was of high quality). MARTINEZ stated that it was “very dry in Puerto Rico” and El Duro replied that “whatever comes this way falls down” (MARTINEZ and El Duro were referencing problems with parcels of narcotics being intercepted by law enforcement or corrupt postal employees). MARTINEZ replied that he would “call Panta now” because he needed “at least 200” (MARTINEZ was saying that he would call Panta to obtain at least 200 grams of cocaine).

8. On September 19, 2012, in another call intercepted over the 1st Duro Facility, El Duro and MARTINEZ discussed dividing “300” between the two of them because MARTINEZ’s “guy” had not “picked up” (MARTINEZ and El Duro were going to split 300 grams of cocaine because MARTINEZ could not reach another supplier). MARTINEZ also stated that he called “down there” (Puerto Rico) “for four” (four kilograms of cocaine) and that “they wanted 25 or 26 for each” (\$25-26,000 for each kilogram of cocaine).

9. On October 1, 2012, in a call intercepted over the 1st Duro Facility, MARTINEZ advised El Duro that he had “500 that will be arriving this week” and that he spoke with another individual who would sell “kilos for 35” (MARTINEZ was telling El Duro that he had 500 grams of cocaine being delivered that week, and was negotiating the purchase of additional kilogram quantities of cocaine).

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

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

10. On October 19, 2012, in a call intercepted over the 1st Duro Facility, MARTINEZ instructed El Duro to have a supplier “put one away” for him because MARTINEZ would buy “one whole one” (MARTINEZ was telling El Duro to have the supplier hold one kilogram for him to purchase and distribute).

11. On November 9, 2012, in a call intercepted over the 2nd Duro Facility, El Duro advised MARTINEZ that he was “in Allentown trying to get that” (El Duro was advising MARTINEZ that he was in Allentown, Pennsylvania attempting to recover two parcels containing a total of 2 kilograms of cocaine that unbeknownst to him had been intercepted by law enforcement). MARTINEZ told El Duro to “call as soon as [El Duro had the cocaine],” and El Duro replied that he would need MARTINEZ’s assistance in “getting rid of that shit” (El Duro was telling MARTINEZ that he would need his assistance distributing the cocaine).

12. On November 26, 2012, in a call intercepted over the 2nd Duro Facility, MARTINEZ advised El Duro that he had “500” and needed to sell it “before Saturday” because he had to “pay the man by then” (MARTINEZ was advising El Duro that he had 500 grams of cocaine that he had to sell in order to pay his supplier).

III. Seizure of 1.5 kilograms of Cocaine on November 27, 2012

13. On November 27, 2012, law enforcement executed a search warrant on MARTINEZ’s residence Elizabeth, New Jersey, and discovered approximately 1.5 kilograms of a substance that field tested positive for the presence of cocaine, a press used to process and package cocaine, and a loaded handgun. Afterward, MARTINEZ advised law enforcement, in sum and substance, that the items belonged to him.