

NEWS

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Six Defendants Convicted
in Large-Scale Jersey City Drug Operation

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NEWARK – A federal jury convicted six New Jersey men, including three brothers, who ran a cocaine distribution business that operated for almost six years in Jersey City, U.S. Attorney Christopher J. Christie and Hudson County Prosecutor Edward J. DeFazio announced.

At trial on an eight-count indictment, Benjamin Arzola, 40, Arsenio Arzola, 36, and Misael Arzola, 28, all of Jersey City, and Ruben Soto, 30, of Newark, Domingo Hernandez, 36, of Ledgewood, and Maximino Nieves, 34, of West Orange, were convicted of one count of conspiracy to distribute and to possess with the intent to distribute more than five kilograms of cocaine from October 1999 through June 2005.

A partial verdict came last Friday, during which all the defendants were found guilty on the main conspiracy charge, Count One of the Indictment. Other guilty verdicts were returned on Friday as well. The jury continued deliberating Monday on three other counts; however a mistrial on those counts was declared Monday after the jury declared it was deadlocked on those counts. On Tuesday, the jury decided two forfeiture counts in favor of the government.

Misael Arzola was convicted of one count of possession of a weapon in connection with the narcotics conspiracy. Domingo Hernandez was convicted of one count of unlawful possession of a firearm by a convicted felon. Arsenio Arzola was convicted of one count of possession of a firearm in connection with the narcotics conspiracy and one count of unlawful possession of a weapon by a convicted felon.

The jury did not reach a unanimous verdict on three additional counts, including an assault on a Special Agent of the Drug Enforcement Administration, possession of a weapon in connection with the assault, and possession of a weapon in connection with the narcotics conspiracy. In its discretion, the government has 30 days to commence further proceedings on the three remaining counts.

Because of his prior criminal record and his now-federal conviction for possession of a firearm in furtherance of drug trafficking, Arsenio Arzola faces at least a mandatory minimum sentence of 30 years in prison; due to his prior criminal history, Domingo Hernandez faces at least a mandatory minimum sentence of 20 years in prison. The remaining defendants each faces at least a mandatory minimum sentence of 10 years in prison and up to life imprisonment.

U.S. District Judge Susan D. Wigenton, before whom the case was tried, did not immediately schedule sentencings, but indicated they may occur in February. The defendants were immediately remanded and taken into custody following the verdicts.

Defendants Benjamin Arzola and Domingo Hernandez were also ordered to forfeit two

properties in Jersey City, with combined appraisal values of over \$600,000, that were used to facilitate the cocaine distribution network.

The case began with opening arguments and testimony on Sept. 17, 2007, and closing arguments were completed on Oct. 22, 2007.

The case was tried by Assistant U.S. Attorneys Dennis C. Carletta and David E. Malagold. The case was investigated by Special Agents of the Drug Enforcement Administration and law enforcement officials from the Hudson County Prosecutor's Office. The investigation included wiretaps, authorized by the Hudson County Superior Court, on nine cellular phones used by the organization to facilitate their narcotics distribution activities.

Trial testimony revealed that from beginning in late 1999 through June 2005, the organization was responsible for the trafficking of over \$1 million in cocaine on the streets of Jersey City. The evidence at trial showed that the organization used various homes and apartments throughout Jersey City as "stash houses" to store drugs, records and the tools of the drug organization, including kilogram presses, scales, mixing or "cutting" agents, wrappers and razor blades. Several of the organization's members used firearms to protect and further the goal of the drug conspiracy.

During the execution of numerous search warrants on June 30, 2005, law enforcement officials seized approximately \$160,000 in cash, over five kilograms of cocaine, numerous vehicles, and various drug tools and paraphernalia.

This case also involved the arrest and prosecution of approximately 30 additional members of the conspiracy in Hudson County Superior Court. Those cases were prosecuted by Assistant Prosecutor Leo Rinaldi of the Hudson County Prosecutor's Office.

Christie credited Special Agents of Drug Enforcement Administration, under the direction of Special Agent in Charge Gerard McAleer, and detectives of the Hudson County Prosecutor's Office and Assistant Prosecutor Gene Rubino, under the direction of Prosecutor Edward De Fazio, for their investigation and invaluable assistance during the investigation and trial.

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Defense Counsel:

Kevin Carlucci, Esq. (for Arsenio Arzola)

Anthony Iacullo, Esq. (for Benjamin Arzola)

Michael Koribanics, Esq. (for Misael Arzola)

Maria Noto, Esq. (for Domingo Hernandez)
Dennis Cipriano, Esq. (for Maximino Nieves)
Pasquale Giannetta, Esq. (for Ruben Soto)