

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- v. -

SUPERSEDING INDICTMENT

MANUEL GEOVANNY RODRIGUEZ-PEREZ,
a/k/a "Manuel Rodriguez,"
a/k/a "Andres Garcia,"
a/k/a "Manny,"
a/k/a "Shorty,"
a/k/a "El Monstro,"

S38 10 Cr. 905 (LTS)

Defendant.

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COUNT ONE

(Racketeering)

The Grand Jury Charges:

THE ENTERPRISE

1. At all times relevant to this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, was a member of a criminal organization (the "Rodriguez Organization," or the "Enterprise") whose members and associates engaged in, among other activities, narcotics trafficking, murder, attempted murder, money laundering, unlicensed money transmitting, and bank fraud. The Rodriguez Organization operated primarily in the Washington Heights and Inwood

neighborhoods of Upper Manhattan, in New York City, but also invested in property and laundered money in, among other places, New York, Florida, and the Dominican Republic.

2. The Rodriguez Organization, including its leadership, its membership, and its associates, constituted an "enterprise," as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact, although not a legal entity. The Enterprise constituted an ongoing organization whose members and associates functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise. At all times relevant to this Indictment, the Rodriguez Organization was engaged in, and its activities affected, interstate and foreign commerce.

3. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, was the leader of the Enterprise, and directed other members and associates of the Enterprise in carrying out unlawful and other activities in furtherance of the conduct of the Enterprise's affairs. RODRIGUEZ-PEREZ, and others known and unknown, participated in the operation and management of the Enterprise, and participated in unlawful and other activities in furtherance of the conduct of the Enterprise's affairs.

PURPOSES OF THE ENTERPRISE

4. The purposes of the Enterprise included, but were not limited to, the following:

a. Enriching the members and associates of the Enterprise through, among other things, the distribution and sale of narcotics, including marijuana.

b. Preserving and protecting the power, territory, and profits of the Enterprise through murder, attempted murder, other acts of violence, and threats of violence.

c. Promoting and enhancing the Enterprise and the activities of its members and associates.

d. Investing the proceeds of the Enterprise in, among other things, real estate in New York, Florida, and the Dominican Republic.

e. Laundering and illegally transmitting narcotics proceeds.

f. Committing bank fraud.

g. Tampering with witnesses and obstructing justice.

MEANS AND METHODS OF THE ENTERPRISE

5. Among the means and methods employed by the members and associates of the Rodriguez Organization in conducting and

participating in the conduct of the affairs of the Enterprise were the following:

a. Members and associates of the Enterprise committed, conspired, attempted, and threatened to commit acts of violence, including murder, to protect and expand the Enterprise's criminal operations, including the wholesale and retail distribution of marijuana.

b. Members and associates of the Enterprise used threats of violence and physical violence, including murder and attempted murder, against various people involved in the illegal narcotics business in order to further the Enterprise's narcotics trafficking activities. Victims and potential victims included: (i) rival narcotics traffickers, (ii) competitors, (iii) individuals who stole narcotics proceeds from the Enterprise, and (iv) individuals believed by members of the Enterprise to have cooperated with law enforcement officials, and family members of those individuals.

c. Members and associates of the Enterprise operated a narcotics business that distributed large quantities of marijuana.

d. Members and associates of the Enterprise transported and transmitted narcotics proceeds from, among other

places, New York to, among other places, Florida and the Dominican Republic.

e. Members and associates of the Enterprise invested narcotics proceeds in real estate in New York, Florida, and the Dominican Republic.

f. Members and associates of the Enterprise made misrepresentations on applications for loans and mortgages for real estate and other property in New York and in Florida.

g. Members and associates of the Enterprise tampered with witnesses and obstructed justice, and conspired and attempted to do the same.

THE RACKETEERING VIOLATION

6. From at least in or about 1996, up to and including in or about 2013, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, being a person employed by and associated with the enterprise described above, to wit, the Rodriguez Organization, which was engaged in, and the activities of which affected, interstate and foreign commerce, knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, that is, through the commission of the following acts of racketeering:

THE PATTERN OF RACKETEERING ACTIVITY

7. The pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

Racketeering Act One:
Narcotics Trafficking Conspiracy

8. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following act, which constitutes the commission of Racketeering Act One:

9. From at least in or about 1996, up to and including in or about 2013, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States, in violation of Title 21, United States Code, Section 846.

10. It was a part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, would and did distribute

and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

11. The controlled substance that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, conspired to distribute and possess with the intent to distribute was 1,000 kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

Racketeering Act Two:
Conspiracy to Murder and Attempted Murder of Victim-1

12. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Two:

(A) Conspiracy to Murder Victim-1

13. From on or about July 16, 1996 until in or about 2010, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder an individual ("Victim-1"), in violation of New York Penal

Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Victim-1, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Victim-1.

Overt Act

a. In or about the late 1990s, at the direction of RODRIGUEZ-PEREZ, one or more co-conspirators not named as defendants herein attempted to locate and murder Victim-1 in the Miami, Florida area.

(B) Attempted Murder of Victim-1

14. From on or about July 16, 1996 until in or about 2010, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, intentionally and knowingly did attempt to murder and aid and abet the attempted murder of Victim-1 in violation of New York Penal Law Sections 125.25, 110.00, and 20.00, New York Criminal Procedure Law Section 20.20, and Florida Statutes Sections 782.04((1)(a)(1), 777.011, 777.04(1), 777.04(2), 777.04(3), in that, with the intent to cause the death of Victim-1, RODRIGUEZ hired individuals to locate and kill Victim-1 in, among other places, the vicinity of Miami, Florida.

Racketeering Act Three:
Conspiracy to Murder and Attempted Murder of Victim-2

15. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Three:

(A) Conspiracy to Murder Victim-2

16. From at least in or about 1996, up to and including on or about August 21, 1996, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Victim-2 in violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Victim-2, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Victim-2.

Overt Act

a. On or about August 21, 1996, at the direction of RODRIGUEZ-PEREZ, a co-conspirator not named as a defendant herein shot Victim-2 in the vicinity of 39 Post Avenue, New York, New York, but did not kill him.

(B) Attempted Murder of Victim-2

17. On or about August 21, 1996, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and known, intentionally and knowingly attempted to murder and aided and abetted the attempted murder of Victim-2 in the vicinity of 39 Post Avenue, New York, New York, in violation of New York Penal Law, Sections 125.25, 110.00, and 20.00, in that, with the intent to cause the death of Victim-2, RODRIGUEZ PEREZ, and others known and unknown, did engage in conduct that tended to effect the commission of such murder, and did aid and abet one another in attempting to engage in such conduct.

Racketeering Act Four:

Conspiracy to Murder and Attempted Murder of Victim-3 and Victim-4

18. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Four:

(A) Conspiracy to Murder Victim-3

19. From at least in or about 1996, up to and including on or about June 27, 1997, in the Southern District of New York, MANUEL

GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Victim-3 in violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Victim-3, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Victim-3.

Overt Act

a. On or about June 27, 1997, at the direction of RODRIGUEZ-PEREZ, a co-conspirator not named as a defendant herein shot Victim-3 in the vicinity of West 215th Street and Indian Road, New York, New York, but did not kill him.

(B) Attempted Murder of Victim-3

20. On or about June 27, 1997, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and known, intentionally and knowingly attempted to murder and aided and abetted the attempted murder of Victim-3 in the vicinity of West 215th Street and Indian Road, New York, New York, in violation of New York Penal Law, Sections 125.25, 110.00, and 20.00, in that, with the intent to cause the death of Victim-3, RODRIGUEZ PEREZ, and others known and unknown, did engage in conduct that tended to effect the commission of such murder,

and did aid and abet one another in attempting to engage in such conduct.

(C) Attempted Murder of Victim-4

21. On or about June 27, 1997, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and known, intentionally and knowingly attempted to murder and aided and abetted the attempted murder of Victim-4 in the vicinity of West 215th Street and Indian Road, New York, New York, in violation of New York Penal Law, Sections 125.25, 110.00, and 20.00, in that, with the intent to cause the death of Victim-3, RODRIGUEZ PEREZ, and others known and unknown, did engage in conduct that tended to effect the commission of such murder, and did aid and abet one another in attempting to engage in such conduct, which resulted in the shooting of Victim-4.

Racketeering Act Five:
Conspiracy to Murder and Murder of Francisco Perez,
a/k/a "Francisco Rodriguez," a/k/a "Frank Diaz,"
a/k/a "Francie," a/k/a "Francio"

22. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Five:

(A) Conspiracy to Murder Francisco Perez,
a/k/a "Francisco Rodriguez," a/k/a "Frank Diaz,"
a/k/a "Francie," a/k/a "Francio"

23. From in or about 1997, up through and including on or about October 26, 1997, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Francisco Perez, a/k/a "Francisco Rodriguez," a/k/a "Frank Diaz," a/k/a "Francie," a/k/a "Francio," in violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Perez, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Perez.

Overt Act

a. On or about October 26, 1997, at the direction of RODRIGUEZ-PEREZ, a co-conspirator not named as a defendant herein shot and killed Perez in the vicinity of 3845 10th Avenue, New York, New York.

(B) Murder of Francisco Perez,
a/k/a "Francisco Rodriguez," a/k/a "Frank Diaz,"
a/k/a "Francie," a/k/a "Francio"

24. On or about October 26, 1997, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty,"

a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Francisco Perez, a/k/a "Francisco Rodriguez," a/k/a "Frank Diaz," a/k/a "Francie," a/k/a "Francio," in the vicinity of 3845 10th Avenue, New York, New York, in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Perez, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that effected the commission of such murder, and did aid and abet one another in engaging in such conduct.

Racketeering Act Six:

Conspiracy to Murder and Attempted Murder of Victim-5

25. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Six:

(A) Conspiracy to Murder Victim-5

26. From at least in or about 1996, up to and including on or about January 3, 1998, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Victim-5 in

violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Victim-5, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Victim-5.

Overt Act

a. On or about January 3, 1998, at the direction of RODRIGUEZ-PEREZ, a co-conspirator not named as a defendant herein shot Victim-5 in the vicinity of 517 West 212th Street, New York, New York, but did not kill him.

(B) Attempted Murder of Victim-5

27. On or about January 3, 1998, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and known, intentionally and knowingly attempted to murder and aided and abetted the attempted murder of Victim-5 in the vicinity of 517 West 212th Street, New York, New York in violation of New York Penal Law, Sections 125.25, 110.00, and 20.00, in that, with the intent to cause the death of Victim-5, RODRIGUEZ PEREZ, and others known and unknown, did engage in conduct that tended to effect the commission of such murder, and did aid and abet one another in attempting to engage in such conduct.

Racketeering Act Seven:
Conspiracy to Murder and Murder of Antonio Kasse,
a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse,"
a/k/a "Rafael Alveraz," a/k/a "Toasty," a/k/a "Tony," and
Attempted Murder of Victim-6

28. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Seven:

(A) Conspiracy to Murder Antonio Kasse,
a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse,"
a/k/a "Rafael Alveraz," a/k/a "Toasty," a/k/a "Tony"

29. From in or about 1998, up through and including on or about December 13, 1998, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Antonio Kasse, a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse," a/k/a "Rafael Alveraz," a/k/a "Toasty," a/k/a "Tony," in violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Kasse, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Kasse.

Overt Act

a. On or about December 13, 1998, at the direction of RODRIGUEZ-PEREZ, a co-conspirator not named as a defendant herein shot and killed Kasse in the vicinity of 165 Nagle Avenue, New York, New York, during which shooting another individual, Victim-6, was also shot, but not killed.

(B) Murder of Antonio Kasse,
a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse,"
a/k/a "Rafael Alveraz," a/k/a "Toasty," a/k/a "Tony"

30. On or about December 13, 1998, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Antonio Kasse, a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse," a/k/a "Rafael Alveraz," a/k/a "Toasty," a/k/a "Tony," in the vicinity of 165 Nagle Avenue, New York, New York, in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Kasse, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that effected the commission of such murder, and did aid and abet one another in engaging in such conduct.

(C) Attempted Murder of Victim-6

31. On or about December 13, 1998, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel

Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly attempted to murder and aided and abetted the attempted murder of Victim-6 in the vicinity of 165 Nagle Avenue, New York, New York, in violation of New York Penal Law, Sections 125.25, 110.00, and 20.00, in that, with the intent to cause the death of Antonio Kasse, a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse," a/k/a "Rafael Alveraz," a/k/a "Toasty," a/k/a "Tony," RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that tended to effect the commission of such murder, and did aid and abet one another in attempting to engage in such conduct, which resulted in the shooting of Victim-6.

Racketeering Act Eight:
Conspiracy to Murder and Attempted Murder of Victim-7

32. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Eight:

(A) Conspiracy to Murder Victim-7

33. From in or about 1998, up through and including on or about January 18, 1999, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a

"Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Victim-7 in violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Victim-7, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Victim-7.

Overt Act

a. On or about January 18, 1999, at the direction of RODRIGUEZ-PEREZ, a co-conspirator not named as a defendant herein shot Victim-7 in the vicinity of Nagle Avenue and Dyckman Street, New York, New York.

(B) Attempted Murder of Victim-7

34. On or about January 18, 1999, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and known, intentionally and knowingly attempted to murder and aided and abetted the attempted murder of Victim-7 in the vicinity of Nagle Avenue and Dyckman Street, New York, New York, in violation of New York Penal Law, Sections 125.25, 110.00, and 20.00, in that, with the intent to cause the death of Victim-7, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that tended to effect the

commission of such murder, and did aid and abet one another in attempting to engage in such conduct.

Racketeering Act Nine:
Conspiracy to Murder and Murder of FNU LNU, a/k/a "Carlos Valentin,"
a/k/a "Campesino," a/k/a "Campi"

35. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Nine:

(A) Conspiracy to Murder FNU LNU, a/k/a "Carlos Valentin,"
a/k/a "Campesino," a/k/a "Campi"

36. In or about 2000, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder FNU LNU, a/k/a "Carlos Valentin," a/k/a "Campesino," a/k/a "Campi" ("Campi"), in violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Campi, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Campi.

Overt Act

a. In or about 2000, at the direction of RODRIGUEZ-PEREZ, a co-conspirator not named as a defendant herein ("CC-1") strangled Campi to death in the vicinity of Riverdale Park, in the Bronx, New York.

(B) Murder of FNU LNU, a/k/a "Carlos Valentin,"
a/k/a "Campesino," a/k/a "Campi"

37. In or about 2000, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of FNU LNU, a/k/a "Carlos Valentin," a/k/a "Campesino," a/k/a "Campi" ("Campi"), in the vicinity of Riverdale Park, in the Bronx, New York, in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Campi, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that effected the commission of such murder, and did aid and abet one another in engaging in such conduct.

Racketeering Act Ten:
Conspiracy to Murder and Murder of
Noel Herrera

38. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty,"

a/k/a "El Monstro," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Ten:

(A) Conspiracy to Murder Noel Herrera

39. From in or about 2000, up through and including on or about December 29, 2001, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Noel Herrera in violation of New York Penal Law, Sections 125.25 and 105.15, and New York Criminal Procedure Law Section 20.20, in that, with the intent to cause the death of Herrera, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Herrera.

Overt Act

a. On or about December 29, 2001, at the direction of RODRIGUEZ-PEREZ and of CC-1, a co-conspirator not named as a defendant herein shot and killed Herrera in the Dominican Republic.

(B) Murder of Noel Herrera

40. On or about December 29, 2001, in the Dominican Republic, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty,"

a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Noel Herrera in the Dominican Republic, in violation of New York Penal Law, Sections 125.25 and 20.00, and New York Criminal Procedure Law Section 20.20, in that, with the intent to cause the death of Herrera, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that effected the commission of such murder, and did aid and abet one another in engaging in such conduct.

Racketeering Act Eleven:

Conspiracy to Murder and Murder of Kelly Perez, a/k/a "Red"

41. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Eleven:

(A) Conspiracy to Murder Kelly Perez a/k/a "Red"

42. From in or about 2000, up through and including on or about September 16, 2002, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Kelly Perez, a/k/a "Red," in violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent

to cause the death of Perez, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Perez.

Overt Act

a. On or about September 16, 2002, at the direction of RODRIGUEZ-PEREZ, a co-conspirator not named as a defendant herein shot and killed Perez in the vicinity of 523 West 156th Street, New York, New York.

(B) Murder of Kelly Perez, a/k/a "Red"

43. On or about September 16, 2002, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Kelly Perez, a/k/a "Red," in the vicinity of 523 West 156th Street, New York, New York, in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Perez, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that effected the commission of such murder, and did aid and abet one another in engaging in such conduct.

Racketeering Act Twelve:
Conspiracy to Murder and Murder of Marino Molina

44. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Twelve:

(A) Conspiracy to Murder Marino Molina

45. From at least in or about 2002, up through and including on or about January 11, 2003, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Marino Molina, in violation of New York Penal Law, Sections 125.25 and 105.15, and New York Criminal Procedure Law Section 20.20, in that, with the intent to cause the death of Molina, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Molina.

Overt Act

a. On or about January 11, 2003, at the direction of RODRIGUEZ-PEREZ, a co-conspirator not named as a defendant herein shot and killed Molina in the Dominican Republic.

(B) Murder of Marino Molina

46. On or about January 11, 2003, in the Dominican Republic, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Marino Molina in the Dominican Republic, in violation of New York Penal Law, Sections 125.25 and 20.00, and New York Criminal Procedure Law 20.20, in that, with the intent to cause the death of Molina, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that effected the commission of such murder, and did aid and abet one another in engaging in such conduct.

Racketeering Act Thirteen:
Conspiracy to Murder and Murder of Wilfredo Molina,
a/k/a "Willie"

47. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Thirteen:

(A) Conspiracy to Murder Wilfredo Molina, a/k/a "Willie"

48. From at least in or about 2004, up to and including on or about May 3, 2004, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel

Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Wilfredo Molina, a/k/a "Willie," in violation of New York Penal Law Sections 125.25, 110.00, and 20.00, New York Criminal Procedure Law Section 20.20, and New Jersey Statutes 2C:11-3 and 2C:2-6(b)(4) in that, with the intent to cause the death of Molina, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to purposely cause the death of Molina.

Overt Act

a. On or about May 3, 2004, at the direction of RODRIGUEZ-PEREZ and of a co-conspirator not named as a defendant herein ("CC-2"), two other co-conspirators not named as defendants herein ("CC-3" and "CC-4") shot and killed Molina in the vicinity of 264 West Forest Avenue, Englewood, New Jersey.

(B) Murder of Wilfredo Molina, a/k/a "Willie"

49. On or about May 3, 2004, in the District of New Jersey, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Wilfredo Molina, a/k/a "Willie," in violation of New York Penal Law Sections 125.25, 110.00, and 20.00, New York Criminal Procedure Law Section 20.20,

and New Jersey Statutes 2C:11-3 and 2C:2-6(c), in that, with the intent to cause the death of Molina, and at the direction of RODRIGUEZ-PEREZ and of CC-2, CC-3 and CC-4 shot and purposely caused the death of Molina in the vicinity of 264 West Forest Avenue, Englewood, New Jersey.

Racketeering Act Fourteen:
Conspiracy to Murder and Attempted Murder of
Victim-8

50. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Fourteen:

(A) Conspiracy to Murder Victim-8

51. From at least in or about 2005, up to and including on or about April 25, 2005, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Victim-8, in violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Victim-8, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Victim-8.

Overt Act

a. On or about April 25, 2005, at the direction of RODRIGUEZ-PEREZ and of CC-2, CC-4 shot Victim-8 in the vicinity of 1001 39th Street, Brooklyn, New York, but did not kill him.

(B) Attempted Murder of Victim-8

52. On or about April 25, 2005, in the Eastern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did attempt to murder and aid and abet the attempted murder of Victim-8 in the vicinity of 1001 39th Street, Brooklyn, New York, in violation of New York Penal Law Sections 125.25, 110.00, and 20.00, in that, with the intent to cause the death of Victim-8, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that tended to effect the commission of such murder, and did aid and abet one another in attempting to engage in such conduct.

Racketeering Act Fifteen:
Conspiracy to Murder and Murder of Manuel Rivas,
a/k/a "Tony el Mono"

53. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any

one of which alone constitutes the commission of Racketeering Act Fifteen:

(A) Conspiracy to Murder Manuel Rivas, a/k/a "Tony el Mono"

54. From at least in or about 2004, up through and including on or about October 29, 2005, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Manuel Rivas, a/k/a "Tony el Mono," in violation of New York Penal Law, Sections 125.25 and 105.15, and New York Criminal Procedure Law Section 20.20, in that, with the intent to cause the death of Rivas, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Rivas.

Overt Act

a. On or about October 29, 2005, at the direction of RODRIGUEZ-PEREZ and of CC-1, a co-conspirator not named as a defendant herein shot and killed Rivas in the Dominican Republic.

(B) Murder of Manuel Rivas, a/k/a "Tony el Mono"

55. On or about October 29, 2005, in the Dominican Republic, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and

knowingly did murder and aid and abet the murder of Manuel Rivas, a/k/a "Tony el Mono," in the Dominican Republic, in violation of New York Penal Law, Sections 125.25 and 20.00, and New York Criminal Procedure Law 20.20, in that, with the intent to cause the death of Rivas, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that effected the commission of such murder, and did aid and abet one another in engaging in such conduct.

Racketeering Act Sixteen:
Conspiracy to Murder and Murder of
Richard Cabrera, a/k/a "Bori"

56. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Sixteen:

(A) Conspiracy to Murder Richard Cabrera, a/k/a "Bori"

57. From at least in or about 2005, up to and including on or about January 16, 2006, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Richard Cabrera, a/k/a "Bori," in violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Cabrera,

RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Cabrera.

Overt Act

a. On or about January 16, 2006, at the direction of RODRIGUEZ-PEREZ and of CC-2, CC-3 shot and killed Cabrera in the vicinity of the Willis Avenue Bridge, in the Bronx, New York.

(B) Murder of Richard Cabrera, a/k/a "Bori"

58. On or about January 16, 2006, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Richard Cabrera, a/k/a "Bori," in the vicinity of the Willis Avenue Bridge, in the Bronx, New York, in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Cabrera, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that effected the commission of such murder, and did aid and abet one another in engaging in such conduct.

Racketeering Act Seventeen:
Conspiracy to Murder and Attempted Murder of
Victim-9

59. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown,

committed the following acts, any one of which alone constitutes the commission of Racketeering Act Seventeen:

(A) Conspiracy to Murder Victim-9

60. From in or about 2006, up through and including on or about December 30, 2006, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Victim-9, in violation of New York Penal Law, Sections 125.25 and 105.15, in that, with the intent to cause the death of Victim-9, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Victim-9.

Overt Act

a. On or about December 30, 2006, at the direction of RODRIGUEZ-PEREZ, and of CC-2, CC-3 shot at Victim-9 in the vicinity of 468 McDonald Avenue, Brooklyn, New York, but did not hit him.

(B) Attempted Murder of Victim-9

61. On or about December 30, 2006, in the Eastern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown,

intentionally and knowingly did attempt to murder and aid and abet the attempted murder of Victim-9 in the vicinity of 468 McDonald Avenue, Brooklyn, New York, in violation of New York Penal Law Sections 125.25, 110.00, and 20.00, in that, with the intent to cause the death of Victim-9, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that tended to effect the commission of such murder, and did aid and abet one another in attempting to engage in such conduct.

Racketeering Act Eighteen:
Conspiracy to Murder and Attempted Murder of Victim-10

62. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Eighteen:

(A) Conspiracy to Murder Victim-10

63. From at least in or about 2007, up to and including on or about July 15, 2008, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Victim-10 in violation of New York Penal Law, Sections 125.25 and 105.15, in that,

with the intent to cause the death of Victim-10, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Victim-10.

Overt Act

a. On or about July 15, 2008, at the direction of RODRIGUEZ-PEREZ, a co-conspirator not named as a defendant herein shot Victim-10 in the vicinity of 59 Nagle Avenue, New York, New York, but did not kill him.

(B) Attempted Murder of Victim-10

64. On or about July 15, 2008, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did attempt to murder and aid and abet the attempted murder of Victim-10 in the vicinity of 59 Nagle Avenue, New York, New York, in violation of New York Penal Law Sections 125.25, 110.00, and 20.00, in that, with the intent to cause the death of Victim-10, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that tended to effect the commission of such murder, and did aid and abet one another in attempting to engage in such conduct.

Racketeering Act Nineteen:
Conspiracy to Murder and Murder of Saturnino Delgado-Garcia

65. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Nineteen:

(A) Conspiracy to Murder Saturnino Delgado-Garcia

66. From in or about 2010, up through and including on or about May 1, 2011, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly conspired to murder Saturnino Delgado-Garcia in violation of New York Penal Law, Sections 125.25 and 105.15, and New York Criminal Procedure Law 20.20, in that, with the intent to cause the death of Delgado-Garcia, RODRIGUEZ-PEREZ and others known and unknown agreed together and with each other to cause the death of Delgado-Garcia.

Overt Act

a. On or about May 1, 2011, at the direction of RODRIGUEZ-PEREZ, CC-1 shot and killed Delgado-Garcia in the Dominican Republic.

(B) Murder of Saturnino Delgado-Garcia

67. On or about May 1, 2011, in the Dominican Republic, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Saturnino Delgado-Garcia in the Dominican Republic, in violation of New York Penal Law, Sections 125.25 and 20.00, and New York Criminal Procedure Law Section 20.20, in that, with the intent to cause the death of Delgado-Garcia, RODRIGUEZ-PEREZ, and others known and unknown, did engage in conduct that effected the commission of such murder, and did aid and abet one another in engaging in such conduct.

Racketeering Act Twenty:
Money Laundering Conspiracy and
Travel In Interstate Commerce In Aid Of Racketeering

68. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act Twenty:

(A) Money Laundering Conspiracy

69. From at least in or about 2002 up to and including in or about 2010, in the Southern District of New York, Southern District of Florida, and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ,

a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other, in violation of Title 18, United States Code, Section 1956(h), to violate Title 18, United States Code, Section 1956 (a) (1) (B) (i).

70. It was a part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, knowingly would and did conduct and attempt to conduct such financial transactions which in fact involved the proceeds of specified unlawful activity, to wit, narcotics trafficking, and knowing that such transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a) (1) (B) (i), all in violation of Title 18, United States Code, Section 1956(h).

(B) Travel in Interstate Commerce in Aid of Racketeering

71. From in or about 2007 through in or about 2008, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, knowingly did travel in interstate and foreign commerce, and did use and cause to be used facilities in interstate and foreign commerce, with the intent to distribute the proceeds of an unlawful activity, namely, narcotics trafficking, in violation of Title 21, United States Code, Sections 812, 841, and 846, and to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of unlawful activity, namely, money laundering and money laundering conspiracy, in violation of Title 18, United States Code, Section 1956, and thereafter did perform and attempt to perform an act, and aid and abet the performance of said act, to distribute the proceeds of said unlawful activities, and to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of said unlawful activities, to wit, RODRIGUEZ-PEREZ sent cash narcotics proceeds with couriers who traveled from New York to the Florida to deliver the proceeds to facilitate narcotics trafficking and money laundering, in violation of Title 18, United States Code, Sections 1952 and 2.

Racketeering Act Twenty-One:
Money Laundering Conspiracy

72. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following act, which constitutes the commission of Racketeering Act Twenty-One:

73. From at least in or about 2009 up to and including at least in or about 2011, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other, in violation of Title 18, United States Code, Section 1956(h), to violate Title 18, United States Code, Sections 1956 (a) (1) (B) (i) and 1957(a).

74. It was a part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, knowingly would and did conduct and attempt to conduct such financial transactions which in

fact involved the proceeds of specified unlawful activity, to wit, narcotics trafficking, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

75. It was a further part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, within the United States and involving United States persons, in an offense involving and affecting interstate and foreign commerce, knowingly would and did engage and attempt to engage in monetary transactions in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, to wit, narcotics trafficking, in violation of Title 18, United States Code, Section 1957(a), all in violation of Title 18, United States Code, Section 1956(h).

Racketeering Act Twenty-Two:
Money Laundering Conspiracy and Travel in Interstate
and Foreign Commerce in Aid of Racketeering

76. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following acts, any

one of which alone constitutes the commission of Racketeering Act
Twenty-Two:

(A) Money Laundering Conspiracy

77. From at least in or about 2007 through in or about 2012, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other, in violation of Title 18, United States Code, Section 1956(h), to violate Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 1956(a)(2)(B)(ii).

78. It was a part and object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, would and did transport, transmit, and transfer, and attempt to transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to or through a place outside the United States, to wit, from the United States to the Dominican Republic, 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 and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of the specific unlawful activity, to wit, narcotics trafficking, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

79. It was further a part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, would and did transport, transmit, and transfer, and attempt to transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to or through a place outside the United States, to wit, from the United States to the Dominican Republic, 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 and in part to avoid a transaction reporting requirement under State or Federal law, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(ii), all in violation of Title 18, United States Code, Section 1956(h).

(B) Travel in Interstate and Foreign Commerce in Aid of Racketeering

80. From at least in or about 2005 through in or about 2008, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, knowingly did travel in interstate and foreign commerce, and did use and cause to be used facilities in interstate and foreign commerce, with the intent to distribute the proceeds of an unlawful activity, namely, narcotics trafficking, in violation of Title 21, United States Code, Sections 812, 841, and 846, and to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of unlawful activity, namely, money laundering, in violation of Title 18, United States Code, Sections 1956 and 1957, and thereafter did perform and attempt to perform an act, and aid and abet the performance of said act, to distribute the proceeds of said unlawful activities, and to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of said unlawful activities, to wit, RODRIGUEZ-PEREZ sent cash narcotics proceeds with couriers who traveled from New York to the Dominican Republic to deliver the proceeds to CC-1 to facilitate money laundering, in violation of Title 18, United States Code, Sections 1952 and 2.

Racketeering Act Twenty-Three:
Obstruction of Justice

81. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, committed the following act, which constitutes the commission of Racketeering Act Twenty-Three:

82. In or about January 2011, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, did use physical force and the threat of physical force against a person, and did attempt to use force and the threat of physical force against a person, and did knowingly use intimidation, threats, and corrupt persuasion of another person, and did attempt to use intimidation, threats, and corrupt persuasion, with the intent to: influence, delay, and prevent the testimony of any person in an official proceeding; cause and induce any person to withhold testimony, and withhold a record, document, and other object from an official proceeding, and be absent from an official proceeding to which that person has been summoned by legal process; and hinder, delay, and prevent the communication to a law enforcement officer and a judge of the United States of information relating to the commission and possible commission of a Federal offense, to wit, RODRIGUEZ-PEREZ threatened a

co-conspirator not named in this Indictment ("CC-5") with violence if CC-5 cooperated with the investigation of RODRIGUEZ-PEREZ and of CC-1, in violation of Title 18, United States Code, Sections 1512(a)(2), 1512(a)(3)(C), 1512(b), and 2.

(Title 18, United States Code, Sections 1961 and 1962(c).)

COUNT TWO

(Racketeering Conspiracy)

The Grand Jury further charges:

83. Paragraphs 1 through 5 and 7 through 82 of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

84. From at least in or about 1996, up to and including in or about 2013, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, being persons employed by and associated with the Enterprise described in Paragraphs 1 through 5 of Count One of this Indictment, to wit, the Rodriguez Organization, knowingly combined, conspired, confederated, and agreed together and with each other to violate the racketeering laws of the United States, to wit, Section 1962(c) of Title 18, United States Code, that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of that Enterprise, which

was engaged in, and the activities of which affected, interstate and foreign commerce, through a pattern of racketeering activity, to wit, acts involving narcotics trafficking, which is chargeable under New York Penal Law Sections 20.00, 105.15, 110.00, 220.06, 220.31, and 220.39, and in violation of Title 21, United States Code, Sections 812, 841, 843, and 846; murder, which is chargeable under New York Penal Law Sections 20.00, 105.15, 110.00, and 125.25, and New York Criminal Procedure Law Section 20.20, New Jersey Statutes 2C:11-3, 2C:2-6(b)(4), and 2C:2-6(c), and Florida Statutes Sections 782.04((1)(a)(1), 777.011, 777.04(1), 777.04(2), 777.04(3); money laundering and money laundering conspiracy, in violation of Title 18, United States Code, Sections 1956 and 1957; travel in interstate and foreign commerce in aid of racketeering, in violation of Title 18, United States Code, Section 1952; and obstruction of justice, in violation of Title 18, United States Code, Section 1512. It was a part of the conspiracy that RODRIGUEZ-PEREZ agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the Enterprise.

Notice of Special Sentencing Factors

85. From at least in or about 1996, up to and including in or about 2010, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro,"

the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States, in violation of Title 21, United States Code, Section 846. It was a part and an object of the conspiracy that RODRIGUEZ and others known and unknown, would and did distribute and possess with the intent to distribute 1,000 kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

86. On or about October 26, 1997, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Francisco Perez, a/k/a "Francisco Rodriguez," a/k/a "Frank Diaz," a/k/a "Francie," a/k/a "Francio," in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Perez, RODRIGUEZ-PEREZ solicited a co-conspirator not named as a defendant herein to shoot and kill Perez in the vicinity of 3845 10th Avenue, New York, New York, and Perez was killed as a result.

87. On or about December 13, 1998, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty,"

a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Antonio Kasse, a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse," a/k/a "Rafael Alveraz," a/k/a "Toasty," a/k/a "Tony," in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Kasse, RODRIGUEZ-PEREZ solicited a co-conspirator not named as a defendant herein to shoot and kill Kasse in the vicinity of 165 Nagle Avenue, New York, New York, and Kasse was killed as a result.

88. In or about 2000, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of FNU LNU, a/k/a "Carlos Valentin," a/k/a "Campesino," a/k/a "Campi" ("Campi"), in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Campi, RODRIGUEZ-PEREZ directed CC-1 to strangle Campi to death in the vicinity of Riverdale Park, in the Bronx, New York, and Campi was killed as a result.

89. On or about December 29, 2001, in the Dominican Republic, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown,

intentionally and knowingly did murder and aid and abet the murder of Noel Herrera, in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Herrera, RODRIGUEZ-PEREZ solicited a co-conspirator not named as a defendant herein to shoot and kill Herrera in the Dominican Republic, and Herrera was killed as a result.

90. On or about September 16, 2002, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Kelly Perez, a/k/a "Red," in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Perez, RODRIGUEZ-PEREZ solicited a co-conspirator not named as a defendant herein to shoot and kill Perez in the vicinity of 523 West 156th Street, New York, New York, and Perez was killed as a result.

91. On or about January 11, 2003, in the Dominican Republic, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Marino Molina in the Dominican Republic, in violation of New York

Penal Law, Sections 125.25 and 20.00, and New York Criminal Procedure Law 20.20 in that, with the intent to cause the death of Molina, RODRIGUEZ-PEREZ solicited a co-conspirator not named as a defendant herein to shoot and kill Herrera in the Dominican Republic, and Herrera was killed as a result.

92. On or about May 3, 2004, in the District of New Jersey, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Wilfredo Molina, a/k/a "Willie," in violation of New York Penal Law, Sections 125.25, 20.00, New York Criminal Procedure Law 20.20, and New Jersey Statutes 2C:11-3 and 2C:2-6(c), in that, with the intent to cause the death of Molina, and at the direction of RODRIGUEZ-PEREZ and of CC-2, CC-3 and CC-4 shot and purposely caused the death of Molina in the vicinity of 264 West Forest Avenue, Englewood, New Jersey.

93. On or about October 29, 2005, in the Dominican Republic, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Manuel Rivas, a/k/a "Tony el Mono," in the Dominican Republic, in violation of New York Penal Law, Sections 125.25, 20.00, and New

York Criminal Procedure Law 20.20, in that, with the intent to cause the death of Rivas, RODRIGUEZ-PEREZ solicited a co-conspirator not named as a defendant herein to shoot and kill Rivas in the Dominican Republic, and Rivas was killed as a result.

94. On or about January 16, 2006, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Richard Cabrera, a/k/a "Bori," in violation of New York Penal Law, Sections 125.25 and 20.00, in that, with the intent to cause the death of Cabrera, RODRIGUEZ-PEREZ solicited CC-2 and CC-3 to shoot and kill Cabrera in the vicinity of the Willis Avenue Bridge, in the Bronx, New York, and Cabrera was killed as a result.

95. On or about May 1, 2011, in the Dominican Republic, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did murder and aid and abet the murder of Saturnino Delgado-Garcia in the Dominican Republic, in violation of New York Penal Law, Sections 125.25 and 20.00, and New York Criminal Procedure Law Section 20.20, in that, with the intent to cause the death of Delgado-Garcia, RODRIGUEZ-PEREZ solicited CC-1 to shoot and kill

Delgado-Garcia in the Dominican Republic, and Delgado-Garcia was killed as a result.

(Title 18, United States Code, Section 1962(d).)

COUNT THREE

(Narcotics Conspiracy)

The Grand Jury further charges:

96. From at least in or about 1992, up to and including in or about 2013, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

97. It was a part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

98. The controlled substance that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," conspired to distribute and possess with the intent to distribute was 1,000

kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

COUNT FOUR

(Murder of Francisco Perez, a/k/a "Francisco Rodriguez,"
a/k/a "Frank Diaz," a/k/a "Francie," a/k/a "Francio,"
in Aid of Racketeering Activity)

The Grand Jury further charges:

99. The Rodriguez Organization, as described in Paragraphs 1 through 5 of Count One of this Indictment, which are realleged and incorporated by reference as though fully set forth herein, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals engaged in, and the activities of which affected, interstate and foreign commerce. The Enterprise consisted of an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise.

100. At all times relevant to this Indictment, the Rodriguez Organization, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(a) and 1959(b)(1), that is, acts involving narcotics trafficking, which is chargeable under New York Penal Law

Sections 20.00, 105.15, 110.00, 220.06, 220.31, and 220.39, and in violation of Title 21, United States Code, Sections 812, 841, 843, and 846; murder, which is chargeable under New York Penal Law Sections 20.00, 105.15, 110.00, and 125.25, and New York Criminal Procedure Law Section 20.20, New Jersey Statutes 2C:11-3, 2C:2-6(b)(4), and 2C:2-6(c), and Florida Statutes Sections 782.04((1)(a)(1), 777.011, 777.04(1), 777.04(2), 777.04(3); money laundering and money laundering conspiracy, in violation of Title 18, United States Code, Sections 1956 and 1957; bank fraud, in violation of Title 18, United States Code, Section 1344; travel in interstate and foreign commerce in aid of racketeering, in violation of Title 18, United States Code, Section 1952; and obstruction of justice, in violation of Title 18, United States Code, Section 1512.

101. On or about October 26, 1997, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, an enterprise engaged in racketeering activity, as described above, knowingly did murder and aid and abet the murder of Francisco Perez,

a/k/a "Francisco Rodriguez," a/k/a "Frank Diaz," a/k/a "Francie,"
a/k/a "Francio," in violation of New York Penal Law Sections 125.25
and 20.00, and Perez was killed as a result.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT FIVE

(Murder of Francisco Perez, a/k/a "Francisco Rodriguez,"
a/k/a "Frank Diaz," a/k/a "Francie," a/k/a "Francio,"
While Engaged in a Narcotics Trafficking Offense)

The Grand Jury further charges:

102. On or about October 26, 1997, in the Southern District
of New York, while engaged in an offense punishable under Section
841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics
conspiracy charged in Count Three of this Indictment, MANUEL GEOVANNY
RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia,"
a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant,
and others known and unknown, intentionally and knowingly killed,
and counseled, commanded, induced, procured, and caused the
intentional killing of Francisco Perez, a/k/a "Francisco Rodriguez,"
a/k/a "Frank Diaz," a/k/a "Francie," a/k/a "Francio," in the vicinity
of 3845 10th Avenue, New York, New York, and Perez was killed as a
result.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT SIX

(Murder of Francisco Perez, a/k/a "Francisco Rodriguez,"
a/k/a "Frank Diaz," a/k/a "Francie," a/k/a "Francio,"
During and in Relation to a Drug Trafficking Crime)

The Grand Jury further charges:

103. On or about October 26, 1997, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Three of this Indictment, willfully and knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course thereof did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, RODRIGUEZ-PEREZ solicited a co-conspirator to shoot and kill Francisco Perez, a/k/a "Francisco Rodriguez," a/k/a "Frank Diaz," a/k/a "Francie," a/k/a "Francio," in the vicinity of 3845 10th Avenue, New York, New York, and Perez was killed as a result.

(Title 18, United States Code, Sections 924(j) and 2.)

COUNT SEVEN

(Murder of Antonio Kasse, a/k/a "Antonio Kasse Checo,"
a/k/a "Antonio Casse," a/k/a "Rafael Alvarez," a/k/a "Toasty,"
a/k/a "Tony," in Aid of Racketeering Activity)

The Grand Jury further charges:

104. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

105. On or about December 13, 1998, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, an enterprise engaged in racketeering activity, as described above, knowingly did murder and aid and abet the murder of Antonio Kasse, a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse," a/k/a "Rafael Alveraz," a/k/a "Toasty," a/k/a "Tony," in violation of New York Penal Law Sections 125.25 and 20.00, and Kasse was killed as a result.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT EIGHT

(Murder of Antonio Kasse, a/k/a "Antonio Kasse Checo,"
a/k/a "Antonio Casse," a/k/a "Rafael Alvarez," a/k/a "Toasty,"
a/k/a "Tony," While Engaged in a Narcotics Trafficking Offense)

The Grand Jury further charges:

106. On or about December 13, 1998, in the Southern District of New York, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics conspiracy charged in Count Three of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Antonio Kasse, a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse," a/k/a "Rafael Alveraz," a/k/a "Toasty," a/k/a "Tony," in the vicinity of 165 Nagle Avenue, New York, New York, and Kasse was killed as a result.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT NINE

(Murder of Antonio Kasse, a/k/a "Antonio Kasse Checo,"
a/k/a "Antonio Casse," a/k/a "Rafael Alvarez," a/k/a "Toasty,"
a/k/a "Tony," During and in Relation to a Drug Trafficking Crime)

The Grand Jury further charges:

107. On or about December 13, 1998, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Three of this Indictment, willfully and knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course thereof did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, RODRIGUEZ-PEREZ solicited a co-conspirator to shoot and kill Antonio Kasse, a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse," a/k/a "Rafael Alveraz," a/k/a "Toasty," a/k/a "Tony," in the vicinity of 165 Nagle Avenue, New York, New York, and Kasse was killed as a result.

(Title 18, United States Code, Sections 924(j) and 2.)

COUNT TEN

(Murder of FNU LNU, a/k/a "Carlos Valentin," a/k/a "Campesino,"
a/k/a "Campi," in Aid of Racketeering Activity)

The Grand Jury further charges:

108. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

109. In or about 2000, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, an enterprise engaged in racketeering activity, as described above, knowingly did murder and aid and abet the murder of FNU LNU, a/k/a "Carlos Valentin," a/k/a "Campesino," a/k/a "Campi" ("Campi"), in violation of New York Penal Law Sections 125.25 and 20.00, and Campi was killed as a result.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT ELEVEN

(Murder of FNU LNU, a/k/a "Carlos Valentin," a/k/a "Campesino," a/k/a "Campi," While Engaged in a Narcotics Trafficking Offense)

The Grand Jury further charges:

110. In or about 2000, in the Southern District of New York, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics conspiracy charged in Count Three of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of FNU LNU, a/k/a "Carlos Valentin," a/k/a "Campesino," a/k/a "Campi" ("Campi"), in the vicinity of Riverdale Park, Bronx, New York, and Campi was killed as a result.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT TWELVE

(Murder of Noel Herrera in Aid of Racketeering Activity)

The Grand Jury further charges:

111. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

112. On or about December 29, 2001, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, an enterprise engaged in racketeering activity, as described above, knowingly did murder and aid and abet the murder of Noel Herrera in violation of New York Penal Law Sections 125.25 and 20.00, and New York Criminal Procedure Law Section 20.20, and Herrera was killed as a result.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT THIRTEEN

(Murder of Noel Herrera
While Engaged in a Narcotics Trafficking Offense)

The Grand Jury further charges:

113. On or about December 29, 2001, in the Southern District of New York and elsewhere, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics conspiracy charged in Count Three of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel

Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Noel Herrera in the Dominican Republic, and Herrera was killed as a result.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT FOURTEEN

(Murder of Noel Herrera
During and in Relation to a Drug Trafficking Crime)

The Grand Jury further charges:

114. On or about December 29, 2001, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Three of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course thereof did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, RODRIGUEZ-PEREZ

solicited a co-conspirator to shoot and kill Noel Herrera in the Dominican Republic, and Herrera was killed as a result.

(Title 18, United States Code, Sections 924(j) and 2.)

COUNT FIFTEEN

(Murder of Kelly Perez, a/k/a "Red,"
in Aid of Racketeering Activity)

The Grand Jury further charges:

115. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

116. On or about September 16, 2002, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, an enterprise engaged in racketeering activity, as described above, knowingly did murder and aid and abet the murder of Kelly Perez, a/k/a "Red," in violation of New York Penal Law Sections 125.25 and 20.00, and Perez was killed as a result.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT SIXTEEN

(Murder of Kelly Perez, a/k/a "Red,"
While Engaged in a Narcotics Trafficking Offense)

The Grand Jury further charges:

117. On or about September 16, 2002, in the Southern District of New York, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics conspiracy charged in Count Three of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Kelly Perez, a/k/a "Red," in the vicinity of 523 West 156th Street, New York, New York, and Perez was killed as a result.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT SEVENTEEN

(Murder of Kelly Perez, a/k/a "Red,"
During and in Relation to a Drug Trafficking Crime)

The Grand Jury further charges:

118. On or about September 16, 2002, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty,"

a/k/a "El Monstro," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Three of this Indictment, willfully and knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course thereof did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, RODRIGUEZ-PEREZ solicited a co-conspirator to shoot and kill Kelly Perez, a/k/a "Red," in the vicinity of 523 West 156th Street, New York, New York, and Perez was killed as a result.

(Title 18, United States Code, Sections 924(j) and 2.)

COUNT EIGHTEEN

(Murder of Marino Molina in Aid of Racketeering Activity)

The Grand Jury further charges:

119. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

120. On or about January 11, 2003, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and

unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, an enterprise engaged in racketeering activity, as described above, knowingly did murder and aid and abet the murder of Marino Molina in violation of New York Penal Law Sections 125.25 and 20.00, and New York Criminal Procedure Law Section 20.20, and Molina was killed as a result.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT NINETEEN

**(Murder of Marino Molina
While Engaged in a Narcotics Trafficking Offense)**

The Grand Jury further charges:

121. On or about January 11, 2003, in the Southern District of New York and elsewhere, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics conspiracy charged in Count Three of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and

caused the intentional killing of Marino Molina in the Dominican Republic, and Molina was killed as a result.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT TWENTY

(Murder of Marino Molina
During and in Relation to a Drug Trafficking Crime)

The Grand Jury further charges:

122. On or about January 11, 2003, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Three of this Indictment, willfully and knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course thereof did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, RODRIGUEZ-PEREZ solicited a co-conspirator to shoot and kill Marino Molina in the Dominican Republic, and Molina was killed as a result.

(Title 18, United States Code, Sections 924(j) and 2.)

COUNT TWENTY-ONE

(Murder of Wilfredo Molina, a/k/a "Willie,"
in Aid of Racketeering Activity)

The Grand Jury further charges:

123. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

124. On or about May 3, 2004, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, an enterprise engaged in racketeering activity, as described above, knowingly did murder and aid and abet the murder of Wilfredo Molina, a/k/a "Willie," in violation of New York Penal Law Sections 125.25 and 20.00, New York Criminal Procedure Law Section 20.20, and New Jersey Statutes 2C:11-3 and 2C:2-6(c), and Molina was killed as a result.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT TWENTY-TWO

(Conspiracy to Commit Murder for Hire of
Wilfredo Molina, a/k/a "Willie")

The Grand Jury further charges:

125. From at least in or about 2003, up to and including on or about May 3, 2004, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to travel in and cause another to travel in interstate and foreign commerce, and to use and cause another to use a facility of interstate and foreign commerce, with intent that a murder be committed in violation of the laws of a state and the United States, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value, as those terms are defined in Title 18, United States Code, Section 1958(b), resulting in the death of Wilfredo Molina, a/k/a "Willie," to wit, RODRIGUEZ-PEREZ, CC-2, CC-3, and CC-4 conspired to travel in interstate and foreign commerce in connection with the murder of Molina in the vicinity of 264 West Forest Avenue, Englewood,

New Jersey, for which murder RODRIGUEZ-PEREZ agreed to pay CC-2, CC-3, and CC-4, and Molina was killed as a result.

(Title 18, United States Code, Section 1958.)

COUNT TWENTY-THREE

(Murder for Hire of Wilfredo Molina, a/k/a "Willie")

The Grand Jury further charges:

126. From at least in or about 2003, up to and including on or about May 3, 2004, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and known, willfully and knowingly traveled in, and caused another to travel in, interstate and foreign commerce, and used and caused another to use a facility of interstate and foreign commerce, with the intent that a murder be committed in violation of the laws of a state and the United States, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value, as those terms are defined in Title 18, United States Code, Section 1958(b), resulting in the death of Wilfredo Molina, a/k/a "Willie," and did aid and abet the same, to wit, CC-2, CC-3, and CC-4 traveled in interstate commerce in connection with the murder of Molina, in the vicinity of 264 West Forest Avenue, Englewood, New

Jersey, for which murder RODRIGUEZ-PEREZ agreed to pay CC-2, CC-3, and CC-4, and Molina was killed as a result.

(Title 18, United States Code, Sections 1958 and 2.)

COUNT TWENTY-FOUR

(Murder of Wilfredo Molina, a/k/a "Willie,"
While Engaged in a Narcotics Trafficking Offense)

The Grand Jury further charges:

127. On or about May 3, 2004, in the Southern District of New York and elsewhere, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics conspiracy charged in Count Three of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Wilfredo Molina, a/k/a "Willie," in the vicinity of 264 West Forest Avenue, Englewood, New Jersey, and Molina was killed as a result.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT TWENTY-FIVE

(Murder of Wilfredo Molina, a/k/a "Willie,"
During and in Relation to a Drug Trafficking Crime)

The Grand Jury further charges:

128. On or about May 3, 2004, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Three of this Indictment, willfully and knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course thereof did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, RODRIGUEZ-PEREZ solicited CC-2, CC-3, and CC-4 to shoot and kill Wilfredo Molina, a/k/a "Willie," in the vicinity of 264 West Forest Avenue, Englewood, New Jersey, and Molina was killed as a result. (Title 18, United States Code, Sections 924(j) and 2.)

COUNT TWENTY-SIX

(Murder of Manuel Rivas, a/k/a "Tony el Mono,"
in Aid of Racketeering Activity)

The Grand Jury further charges:

129. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

130. On or about October 29, 2005, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, an enterprise engaged in racketeering activity, as described above, did murder and aid and abet the murder of Manuel Rivas, a/k/a "Tony el Mono," in violation of New York Penal Law Sections 125.25 and 20.00, and New York Criminal Procedure Law Section 20.20, and Rivas was killed as a result.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT TWENTY-SEVEN

(Murder of Manuel Rivas, a/k/a "Tony el Mono,"
While Engaged in a Narcotics Trafficking Offense)

The Grand Jury further charges:

131. On or about September 16, 2002, in the Southern District of New York and elsewhere, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics conspiracy charged in Count Three of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Manuel Rivas, a/k/a "Tony el Mono," in the Dominican Republic, and Rivas was killed as a result.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT TWENTY-EIGHT

(Murder of Manuel Rivas, a/k/a "Tony el Mono,"
During and in Relation to a Drug Trafficking Crime)

The Grand Jury further charges:

132. On or about October 29, 2005, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a

"Shorty," a/k/a "El Monstro," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Three of this Indictment, willfully and knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course thereof did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, RODRIGUEZ-PEREZ solicited a co-conspirator not named as a defendant herein to shoot and kill Manuel Rivas, a/k/a "Tony el Mono," in the Dominican Republic, and Rivas was killed as a result.

(Title 18, United States Code, Sections 924(j) and 2.)

COUNT TWENTY-NINE

(Murder of Richard Cabrera, a/k/a "Bori,"
in Aid of Racketeering Activity)

The Grand Jury further charges:

133. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

134. On or about January 16, 2006, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty,"

a/k/a "El Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, an enterprise engaged in racketeering activity, as described above, knowingly did murder and aid and abet the murder of Richard Cabrera, a/k/a "Bori," in violation of New York Penal Law Sections 125.25 and 20.00, and Cabrera was killed as a result.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT THIRTY

(Conspiracy to Commit Murder for Hire of
Richard Cabrera, a/k/a "Bori")

The Grand Jury further charges:

135. From at least in or about 2005, up to and including on or about January 16, 2006, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to travel in and cause another to travel in interstate and foreign commerce, and did use and cause another to use a facility of interstate and foreign commerce, with

intent that a murder be committed in violation of the laws of a state and the United States, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value, as those terms are defined in Title 18, United States Code, Section 1958(b), resulting in the death of Richard Cabrera, a/k/a "Bori," to wit, RODRIGUEZ-PEREZ, CC-2, and CC-3 agreed that CC-3 would travel in interstate and foreign commerce in connection with the murder of Cabrera in the vicinity of the Willis Avenue Bridge, Bronx, New York, for which murder RODRIGUEZ-PEREZ agreed to pay CC-2 and CC-3, and Cabrera was killed as a result.

(Title 18, United States Code, Section 1958.)

COUNT THIRTY-ONE

(Murder for Hire of Richard Cabrera, a/k/a "Bori")

The Grand Jury further charges:

136. From at least in or about 2005, up to and including on or about January 16, 2006, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, willfully and knowingly traveled in, and caused another to travel in, interstate and foreign commerce, and used and caused another to use any facility of interstate and foreign commerce, with the intent that a murder be committed in violation of the laws of a state and the United States, as

consideration for the receipt of, and as consideration for a promise and agreement to pay, something of pecuniary value, as those terms are defined in Title 18, United States Code, Section 1958(b), resulting in the death of Richard Cabrera, a/k/a "Bori," and did aid and abet the same, to wit, CC-3 traveled in interstate and foreign commerce in connection with the murder of Cabrera, in the vicinity of the Willis Avenue Bridge, Bronx, New York, for which murder RODRIGUEZ-PEREZ agreed to pay CC-2 and CC-3, and Cabrera was killed as a result.

(Title 18, United States Code, Sections 1958 and 2.)

COUNT THIRTY-TWO

(Murder of Richard Cabrera, a/k/a "Bori,"
While Engaged in a Narcotics Trafficking Offense)

The Grand Jury further charges:

137. On or about January 16, 2006, in the Southern District of New York, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics conspiracy charged in Count Three of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Richard Cabrera, a/k/a "Bori," in the vicinity

of the Willis Avenue Bridge, Bronx, New York, and Cabrera was killed as a result.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT THIRTY-THREE

(Murder of Richard Cabrera, a/k/a "Bori,"
During and in Relation to a Drug Trafficking Crime)

The Grand Jury further charges:

138. On or about January 16, 2006, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Three of this Indictment, willfully and knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course thereof did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, RODRIGUEZ-PEREZ solicited CC-3 to shoot and kill Richard Cabrera, a/k/a "Bori," in the vicinity of the Willis Avenue Bridge, Bronx, New York, and Cabrera was killed as a result.

(Title 18, United States Code, Sections 924(j) and 2.)

COUNT THIRTY-FOUR

(Conspiracy to Murder Victim-10 in Aid of Racketeering Activity)

The Grand Jury further charges:

139. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein. From in or about 2007, up to and including on or about July 15, 2008, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, knowingly conspired to murder Victim-10 in violation of New York Penal Law, Sections 20.00, 105.15, and 125.25.

(Title 18, United States Code, Sections 1959(a)(5) and 2.)

COUNT THIRTY-FIVE

(Attempt to Murder Victim-10 in Aid of Racketeering Activity)

The Grand Jury further charges:

140. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

141. On or about July 15, 2008, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "el Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, knowingly attempted to murder an individual, to wit, at the direction of RODRIGUEZ-PEREZ, a co-conspirator shot, but did not kill, Victim-10 in the vicinity of 59 Nagle Avenue, New York, New York, in violation of New York Penal Law, Sections 20.00, 110.00, and 125.25.

(Title 18, United States Code, Section 1959(a)(5) and 2.)

COUNT THIRTY-SIX

(Assault of Victim-10 in Aid of Racketeering Activity)

The Grand Jury further charges:

142. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

143. On or about July 15, 2008, in the Southern District of New York, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty,"

a/k/a "el Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, knowingly assaulted an individual with a dangerous weapon, and aided and abetted the same, to wit, at the direction of RODRIGUEZ-PEREZ, a co-conspirator shot, but did not kill, Victim-10 in the vicinity of 59 Nagle Avenue, New York, New York, in violation of New York Penal Law, Sections 20.00, 120.05, and 120.10.

(Title 18, United States Code, Sections 1959(a)(3) and 2.)

COUNT THIRTY-SEVEN

(Murder of Saturnino Delgado-Garcia in Aid of Racketeering Activity)

The Grand Jury further charges:

144. Paragraphs 1 through 5 and 99 through 100 are realleged and incorporated by reference as though fully set forth herein.

145. On or about May 1, 2011, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from

the Rodriguez Organization, and for the purpose of gaining entrance to and maintaining and increasing position in the Rodriguez Organization, an enterprise engaged in racketeering activity, as described above, knowingly did murder and aid and abet the murder of Saturnino Delgado-Garcia in violation of New York Penal Law Sections 125.25 and 20.00, and New York Criminal Procedure Law Section 20.20, and Delgado-Garcia was killed as a result.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT THIRTY-EIGHT

**(Murder of Saturnino Delgado-Garcia
While Engaged in a Narcotics Trafficking Offense)**

The Grand Jury further charges:

146. On or about May 1, 2011, in the Southern District of New York and elsewhere, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics conspiracy charged in Count Three of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Saturnino Delgado-Garcia in the Dominican Republic, and Delgado-Garcia was killed as a result.

(Title 21, United States Code, Section 848(e)(1)(A);
and Title 18, United States Code, Section 2.)

COUNT THIRTY-NINE

(Murder of Saturnino Delgado-Garcia
During and in Relation to a Drug Trafficking Crime)

The Grand Jury further charges:

147. On or about May 1, 2011, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Three of this Indictment, willfully and knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course thereof did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, RODRIGUEZ-PEREZ solicited CC-1 to murder Saturnino Delgado-Garcia in the Dominican Republic, and Delgado-Garcia was killed as a result.

(Title 18, United States Code, Sections 924(j) and 2.)

COUNT FORTY

(Conspiracy to Murder Saturnino Delgado-Garcia
Within the Jurisdiction of the United States)

The Grand Jury further charges:

148. From in or about 2010 up to and including on or about May 1, 2011, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, together with others known and unknown, unlawfully, willfully, and knowingly combined, conspired, confederated, and agreed together and with each other to commit murder, as defined in Title 18, United States Code, Section 1111(a), within the special maritime and territorial jurisdiction of the United States, to wit, from the Metropolitan Correction Center, 150 Park Row, New York, New York, RODRIGUEZ-PEREZ agreed with CC-1, through intermediaries, to murder Saturnino Delgado-Garcia in the Dominican Republic, and Delgado-Garcia was killed as a result.

Overt Act

149. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt act, among others, were committed in the Southern District of New York and elsewhere:

a. In or about early 2011, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia,"

a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, instructed a co-conspirator not named as a defendant herein to tell CC-1, in code, to commit murder.

(Title 18, United States Code, Sections 1111 and 1117.)

COUNT FORTY-ONE

(Murder of Saturnino Delgado-Garcia
Within the Jurisdiction of the United States)

The Grand Jury further charges:

150. From in or about 2010 up to and including on or about May 1, 2011, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, within the special maritime and territorial jurisdiction of the United States, knowingly did commit murder, and did aid and abet the commission of murder, as defined in Title 18, United States Code, Section 1111(a), to wit, from the Metropolitan Correction Center, 150 Park Row, New York, New York, RODRIGUEZ-PEREZ directed CC-1, through intermediaries, to murder Saturnino Delgado-Garcia in the Dominican Republic, and Delgado-Garcia was killed as a result.

(Title 18, United States Code, Sections 1111 and 2.)

COUNT FORTY-TWO

(Money Laundering Conspiracy)

The Grand Jury further charges:

151. From in or about 2002 through in or about 2010, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate Title 18, United States Code, Section 1956 (a) (1) (B) (i).

152. It was a part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, knowingly would and did conduct and attempt to conduct such financial transactions which in fact involved the proceeds of specified unlawful activity, to wit, narcotics trafficking, knowing that such transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of

specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

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

COUNT FORTY-THREE

(Money Laundering Conspiracy)

The Grand Jury further charges:

153. From at least in or about 2009, up to and including at least in or about 2011, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 1957(a).

154. It was a part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, willfully and knowingly would and did conduct and attempt to conduct such financial transactions which in fact involved the proceeds of specified

unlawful activity, to wit, narcotics trafficking, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

155. It was further a part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, within the United States and involving United States persons, in an offense involving and affecting interstate and foreign commerce, knowingly would and did engage and attempt to engage in monetary transactions in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, to wit, narcotics trafficking, in violation of Title 18, United States Code, Section 1957(a).

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

COUNT FORTY-FOUR

(Money Laundering Conspiracy)

The Grand Jury further charges:

156. From at least in or about 2007 through in or about 2012, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres

Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 1956(a)(2)(B)(ii).

157. It was a part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, transported, transmitted, and transferred, and attempted to transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to or through a place outside the United States, to wit, from the United States to the Dominican Republic, 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 and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of the specific unlawful activity, to wit, narcotics trafficking, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

158. It was further a part and an object of the conspiracy that MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez,"

a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, transported, transmitted, and transferred, and attempted to transport, transmit, and transfer, a monetary instrument and funds from a place in the United States to or through a place outside the United States, to wit, from the United States to the Dominican Republic, 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 and in part to avoid a transaction reporting requirement under State or Federal law, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(ii).

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

COUNT FORTY-FIVE

(Travel in Interstate and Foreign Commerce in Aid of Racketeering)

The Grand Jury further charges:

159. From at least in or about 2005 up to and including in or about 2010, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, and others known and unknown, knowingly did travel in interstate and foreign commerce, and did use and cause to be used

facilities in interstate and foreign commerce, with the intent to distribute the proceeds of an unlawful activity, namely, narcotics trafficking, in violation of Title 21, United States Code, Sections 812, 841, and 846, and to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of unlawful activity, namely, money laundering, in violation of Title 18, United States Code, Sections 1956 and 1957, and narcotics trafficking, in violation of Title 21, United States Code, Sections 812, 841, and 846, and thereafter did perform and attempt to perform an act, and aid and abet the performance of said act, to distribute the proceeds of said unlawful activities, and to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of said unlawful activities, to wit, RODRIGUEZ-PEREZ sent cash narcotics proceeds with couriers who traveled from New York to the Dominican Republic, Florida, and California to deliver the proceeds to facilitate narcotics trafficking and money laundering.

(Title 18, United States Code, Sections 1952 and 2.)

COUNT FORTY-SIX

(Obstruction of Justice)

160. In or about January 2011, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a

"Shorty," a/k/a "El Monstro," the defendant, did use physical force and the threat of physical force against a person, and did attempt to use force and the threat of physical force against a person, and did knowingly use intimidation, threats, and corrupt persuasion of another person, and did attempt to use intimidation, threats, and corrupt persuasion, with the intent to: influence, delay, and prevent the testimony of a person in an official proceeding; cause and induce a person to withhold testimony, and withhold a record, document, and other object from an official proceeding, and be absent from an official proceeding to which that person has been summoned by legal process; and hinder, delay, and prevent the communication to a law enforcement officer and a judge of the United States of information relating to the commission and possible commission of a Federal offense, to wit, RODRIGUEZ-PEREZ threatened CC-5 with violence if CC-5 cooperated with the investigation of RODRIGUEZ-PEREZ.

(Title 18, United States Code, Sections 1512(a)(2),
1512(a)(3)(C), 1512(b), and 2.)

COUNT FORTY-SEVEN

(False Statement)

The Grand Jury further charges:

161. From in or about December 2009, up to and including in or about 2010, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a

"Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, knowingly and willfully did falsify, conceal, and cover up by trick, scheme, and device a material fact and did make materially false, fictitious, and fraudulent statements and representations, and did use a false writing and document knowing the same to contain materially false, fictitious, and fraudulent statements and entries, to wit, RODRIGUEZ-PEREZ submitted, and caused co-conspirators not charged in this Indictment ("CC-6" and "CC-7") to submit, false sworn documents to U.S. Customs and Border Protection officials falsely claiming that funds seized from RODRIGUEZ-PEREZ on or about December 3, 2009, belonged to a restaurant owned by CC-6 and CC-7.

(Title 18, United States Code, Sections 1001 and 2.)

COUNT FORTY-EIGHT

**(Use, Carrying, and Possession of Firearms
During and in Relation to and in Furtherance of Racketeering)**

The Grand Jury further charges:

162. From at least in or about 1996, up to and including in or about May 2011, in the Southern District of New York and elsewhere, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, during and in relation to a crime

of violence for which he may be prosecuted in a court of the United States, namely, the racketeering enterprise charged in Count One of this Indictment and the racketeering conspiracy charged in Count Two of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crimes, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, some of which were discharged.

(Title 18, United States Code, Sections
924(c) (1) (A) (iii), and 2.)

SPECIAL FINDINGS

163. Counts Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Nineteen, Twenty, Twenty-One, Twenty-Two, Twenty-Three, Twenty-Four, Twenty-Five, Twenty-Six, Twenty-Seven, Twenty-Eight, Twenty-Nine, Thirty, Thirty-One, Thirty-Two, Thirty-Three, Thirty-Seven, Thirty-Eight, Thirty-Nine, and Forty-One of this Indictment are re-alleged and incorporated by reference as though fully set forth herein. As to those Counts, the factors set forth in the next paragraphs apply as described:

a. Counts Four, Five, and Six, alleging the murder of Francisco Perez, a/k/a "Francisco Rodriguez," a/k/a "Frank Diaz," a/k/a "Francie," a/k/a "Francio," in aid of racketeering (Count Four), while engaging in an offense punishable under Title 21, United

States Code, Section 841(b)(1)(A) (Count Five), and during and in relation to a drug trafficking crime (Count Six);

b. Counts Seven, Eight, and Nine, alleging the murder of Antonio Kasse, a/k/a "Antonio Kasse Checo," a/k/a "Antonio Casse," a/k/a "Rafael Alveraz," a/k/a "Toasty, a/k/a "Tony," in aid of racketeering (Count Seven), while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A) (Count Eight), and during and in relation to a drug trafficking crime (Count Nine);

c. Counts Ten and Eleven, alleging the murder of FNU LNU, a/k/a "Carlos Valentin," a/k/a "Campesino," a/k/a "Campi," in aid of racketeering (Count Ten), and while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A) (Count Eleven);

d. Counts Twelve, Thirteen, and Fourteen, alleging the murder of Noel Herrera, in aid of racketeering (Count Twelve), while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A) (Count Thirteen), and during and in relation to a drug trafficking crime (Count Fourteen);

e. Counts Fifteen, Sixteen, and Seventeen, alleging the murder of Kelly Perez, a/k/a "Red," in aid of racketeering (Count Fifteen), while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A)

(Count Sixteen), and during and in relation to a drug trafficking crime (Count Seventeen);

f. Counts Eighteen, Nineteen, and Twenty, alleging the murder of Marino Molina in aid of racketeering (Count Eighteen), while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A) (Count Nineteen), and during and in relation to a drug trafficking crime (Count Twenty);

g. Counts Twenty-One, Twenty-Two, Twenty-Three, Twenty-Four, and Twenty-Five alleging the murder of Wilfredo Molina, a/k/a "Willie," in aid of racketeering (Count Twenty-One), for hire (Counts Twenty-Two and Twenty-Three), while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A) (Count Twenty-Four), and during and in relation to a drug trafficking crime (Count Twenty-Five);

h. Counts Twenty-Six, Twenty-Seven, and Twenty-Eight alleging the murder of Manuel Rivas, a/k/a "Tony el Mono," in aid of racketeering (Count Twenty-Six), while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A) (Count Twenty-Seven), and during and in relation to a drug trafficking crime (Count Twenty-Eight);

i. Counts Twenty-Nine, Thirty, Thirty-One, Thirty-Two, and Thirty-Three, alleging the murder of Richard Cabrera, a/k/a "Bori," in aid of racketeering (Count Twenty-Nine),

for hire (Counts Thirty and Thirty-One), while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A) (Count Thirty-Two), and during and in relation to a drug trafficking crime (Count Thirty-Three); and

j. Counts Thirty-Seven, Thirty-Eight, Thirty-Nine, and Forty-One, alleging the murder of Saturnino Delgado-Garcia in aid of racketeering (Count Thirty-Seven), while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A) (Count Thirty-Eight), during and in relation to a drug trafficking crime (Count Thirty-Nine), and within the jurisdiction of the United States (Count Forty-One).

164. As to the Counts described in Paragraph 163, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant:

a. was 18 years of age or older at the time of each of the offenses;

b. intentionally killed "Carlos Valentin" (Title 18, United States Code, Section 3591(a)(2)(A));

c. intentionally participated in acts, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and Francisco Perez,

Antonio Kasse, "Carlos Valentin," Noel Herrera, Kelly Perez, Marino Molina, Wilfredo Molina, Manuel Rivas, Richard Cabrera, and Saturnino Delgado-Garcia died as a direct result of the acts (Title 18, United States Code, Section 3591(a)(2)(C));

d. created a grave risk of death to one or more persons in addition to the victim of the offenses which resulted in the deaths of Francisco Perez, Antonio Kasse, and Saturnino Delgado-Garcia (Title 18, United States Code, Section 3592(c)(5));

e. committed the offenses that resulted in the death of "Carlos Valentin" in an especially heinous, cruel, or depraved manner in that it involved torture or serious physical abuse to the victim (Title 18, United States Code, Section 3592(c)(6));

f. procured the commission of the offenses which resulted in the deaths of Francisco Perez, Antonio Kasse, Noel Herrera, Kelly Perez, Marino Molina, Wilfredo Molina, Manuel Rivas, and Richard Cabrera by payment, or promise of payment, of anything of pecuniary value (Title 18, United States Code, Section 3592(c)(7));

g. committed the offenses after substantial planning and premeditation to cause the deaths of Francisco Perez, Antonio Kasse, "Carlos Valentin," Noel Herrera, Kelly Perez, Marino Molina, Wilfredo Molina, Manuel Rivas, Richard Cabrera, and

Saturnino Delgado-Garcia (Title 18, United States Code, Section 3592(c)(9));

h. committed the offenses which resulted in the deaths of Francisco Perez, Antonio Kasse, "Carlos Valentin," Noel Herrera, Kelly Perez, Marino Molina, Wilfredo Molina, Manuel Rivas, Richard Cabrera, and Saturnino Delgado-Garcia in the course of engaging in a continuing criminal enterprise in violation of section 408(c) of the Controlled Substances Act (21 U.S.C. § 848(c)), and that violation involved the distribution of drugs to persons under the age of 21 in violation of section 418 of that Act (21 U.S.C. § 859) (Title 18, United States Code, Sections 3591(b)(1) and 3592(c)(13));

i. committed the offenses which resulted in the deaths of Manuel Rivas and Saturnino Delgado-Garcia, as a principal administrator, organizer, or leader of a continuing criminal enterprise and, in order to obstruct the investigation or prosecution of the enterprise or an offense involved in the enterprise, knowingly directed, advised, authorized, and assisted another to kill a member of the family and household of a witness (Title 18, United States Code, Section 3591(b)(2)); and

j. committed the offenses which resulted in the deaths of Francisco Perez, Antonio Kasse, Noel Herrera, Kelly Perez, Marino Molina, Wilfredo Molina, Manuel Rivas, Richard Cabrera, and

Saturnino Delgado-Garcia, and in furtherance of a continuing criminal enterprise of which the offense was a part, used a firearm or knowingly directed, advised, authorized, or assisted another to use a firearm to threaten, intimidate, assault, and injure a person (Title 18, United States Code, Section 3592(d)(4)).

FORFEITURE ALLEGATION

(Counts One and Two: RICO Offenses)

165. The allegations contained in Counts One and Two of this Indictment are hereby repeated, realleged, and incorporated by reference herein as though fully set forth at length for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 1963. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given to the defendant that the United States will seek forfeiture as part of any sentence in accordance with Title 18, United States Code, Section 1963 in the event of conviction under Counts One and/or Two of this Indictment.

166. MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant:

a. has acquired and maintained interests in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1);

b. has an interest in, security of, claim against, and property and contractual rights which afford a source of influence over the enterprise named and described herein which each defendant established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962, which interests, securities, claims, and rights are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(2); and/or

c. has property constituting and derived from proceeds obtained, directly and indirectly, from the aforesaid racketeering activity, in violation of Title 18, United States Code, Section 1962, which property is subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(3). The interests of the defendant subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a) include, but are not limited to: (i) at least \$25 million, which constitutes the approximate amount of gross proceeds received by the defendant derived from racketeering activities as alleged in Counts One and Two of this Indictment, and (ii) the following specific properties:

i. all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures,

attachments and easements, located at 62 East 131 Street, New York,
New York, 10037;

ii. all that lot or parcel of land, together
with its buildings, appurtenances, improvements, fixtures,
attachments and easements, located at 5051-5055 Broadway, New York,
New York, 10034;

iii. all that lot or parcel of land, together
with its buildings, appurtenances, improvements, fixtures,
attachments and easements, located at 1830 South Ocean Drive, #2302
Hallandale Beach, Florida, 33009;

iv. all that lot or parcel of land, together
with its buildings, appurtenances, improvements, fixtures,
attachments and easements, located at 8100 Geneva Court, Apartment
239, Doral, Florida 33166;

v. all that lot or parcel of land, together
with its buildings, appurtenances, improvements, fixtures,
attachments and easements, located at 220 Northwest 129th Avenue,
Miami, Florida 33182;

vi. all that lot or parcel of land, together
with its buildings, appurtenances, improvements, fixtures,
attachments and easements, located at 10045 Bay State Drive, Port
Charlotte, Florida 33981;

vii. all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 2457 McKaig Street, Port Charlotte, Florida 33953;

viii. all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 8217 Portal Street, Port Charlotte, Florida 33981;

ix. all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 2373 Drennon Street, Port Charlotte, Florida 33953;

x. all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at Property No. 086400440447, Title No. 78 35, Parcel No. 18, Lot No. SS, Block No. SM, District. Cast 12, Address - Sector - La Vereda, Province La Vega, Republica Dominicana;

xi. all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at Property No. 086400440048, Title No. 78-35, Parcel No. 18, Lot No. SS, Block No. SM, District.

Cast 12, Address -Sector - La Vereda, Province La Vega, Republica Dominicana;

xii. all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at Property No. 086400439988, Title No. 78-35, Parcel No. 18, Lot No. SS, Block No. SM, District. Cast 12, Address -Sector - La Vereda, Province La Vega, Republica Dominicana;

xiii. all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at Property No. 086400473523, Title No. 0300005811, Parcel No. 15, Lot No. SN, Block No. SN, District. Cast 12, Address - Sector - Rio Verde arriba, Province La Vega, Republica Dominicana;

xiv. all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at Property No. 056400434739, Title No. 0300003667, Parcel No. 18, Lot No. SS, Block No. SM, District. Cast 12, Address - Sector - Catupu, Province La Vega, Republica Dominicana;

xv. all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at Property No. 076400234742,

Title No. 163, Parcel No. 19, Lot No. SN, Block No. SN, District.
~~Cast 12, Address - Sector - Rio Verde arriba, Provence La Vega,~~
Republica Dominicana;

xvi. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 33, DC 125, La Vega, Provence La Vega, Republica Dominicana;

xvii. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 19, DC 12, Sublots a & b, La Vega, Provence La Vega, Republica Dominicana;

xviii. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 133-A, DC 29, La Vega, Provence La Vega, Republica Dominicana;

xix. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as the property Assigned Cadastral Designation 313336392459, La Vega, Provence La Vega, Republica Dominicana;

xx. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures,

attachments and easements, known and described as Lot 57, DC 4, La Vega, Province La Vega, Republica Dominicana;

xxi. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 58, DC 4, La Vega, Province La Vega, Republica Dominicana;

xxii. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 84, DC4, La Vega, Province La Vega, Republica Dominicana;

xxiii. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 85, DC 4, La Vega, Province La Vega, Republica Dominicana;

xxiv. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 72-A-14, DC 3, Condominium Torre Imperial House, Apt. 10, Santo Domingo, Republica Dominicana;

xxv. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as the property Assigned Cadastral Designation 400401882578, A-9 Calle Paseo de los

Locutores, No.47, Sector Evaristo, Morales Distrito Nacional Santo Domingo, Republica Dominicana;

xxvi. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Licenciado Malaquias Gil No. 8 Serralles Sector, Santo Domingo, Republica Dominicana;

xxvii. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 1, DC 12, La Vega, Provence La Vega, Republica Dominicana;

xxviii. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 94, B-1 ,DC 3, La Vega, Provence La Vega, Republica Dominicana;

xxix. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 163, DC 3, La Vega, Provence La Vega, Republica Dominicana;

xxx. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 93, DC 3, La Vega, Provence La Vega, Republica Dominicana;

xxxi. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as the property assigned Cadastral Designation 313390450783 DC 3, La Vega, Provence La Vega, Republica Dominicana;

xxxii. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 18, DC 12 (Cadastral Designation 313367085922), La Vega, Provence La Vega, Republica Dominicana;

xxxiii. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Seccion Arroyo Hondo Arriba Manga Larga (Cadastral Designation 313358732559), La Vega, Provence La Vega, Republica Dominicana;

xxxiv. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 15, DC 12, La Vega, Provence La Vega, Republica Dominicana;

xxxv. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, known and described as Lot 30, DC 125, La Vega, Provence La Vega, Republica Dominicana

xxxvi. approximately \$25,000 in United States
currency seized on or about December 3, 2009, from MANUEL RODRIGUEZ
in New York, New York;

xxxvii. approximately \$105,156 in United States
currency seized on or about October 15, 2010, from 5400 Fieldston
Road, Apartment 31E, Bronx, New York 10471;

xxxviii. approximately \$12,000 in United States
currency seized on or about October 15, 2010, from 3206 Fairfield
Avenue, Apartment 3B, Bronx, New York 10463;

xxxix. approximately \$2,404 in United States
currency, 6 pieces of jewelry, a monogrammed Louis Vuitton shoulder
bag, and 3 rifles seized on or about October 15, 2010, from MANUEL
GEOVANNY RODRIGUEZ-PEREZ at 3 Brookridge Road, Unit 3, New Rochelle,
New York 10804;

xl. approximately \$60,001 in United States
currency and ten pieces of gold jewelry seized on or about October
21, 2010, from safe deposit box number 90061-100-1941, registered
to Belkis Rodriguez and Maria Rodriguez, at Banco Popular, 2852
Broadway, New York, New York 11207;

xli. approximately \$54,790 in United States
currency and twenty pieces of gold jewelry seized on or about October
21, 2010, from safe deposit box number 90061-100-1963, registered

to Estela D. Rodriguez and Maria Rodriguez, at Banco Popular, 2852 Broadway, New York, New York 11207; and

xlii. approximately \$298,109 in United States currency seized on or about October 15, 2010, from 220 Northwest 129th Avenue, Miami, Florida 33182.

Substitute Assets Provision

167. If any of the property described in Paragraph 166 above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1963.)

FORFEITURE ALLEGATION

(Count Three: Narcotics Conspiracy)

168. As a result of committing the controlled substance offense alleged in Count Three of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, all property constituting and derived from any proceeds the defendant obtained, directly and indirectly, as the result of the offense, and any property used and intended to be used in any manner and part to commit and to facilitate the commission of the offense alleged in Count Three, including, but not limited to, (i) a sum in United States currency representing the amount of all proceeds obtained as a result of the controlled substance offense alleged in Count Three of the Indictment; and (ii) the properties identified in Paragraph 166 of this Indictment.

Substitute Assets Provision

169. If any of the property described in Paragraph 168 above as being subject to forfeiture, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

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 subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

FORFEITURE ALLEGATION

(Counts Forty-Two, Forty-Three, and Forty-Four: Money Laundering Conspiracies)

170. As a result of committing the offenses of conspiracy to launder money, as alleged in Counts Forty-Two, Forty-Three, and Forty-Four of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1)(A), all property, real and personal, involved in the offense and all property traceable to such property, including, but

not limited to, the properties identified in Paragraph 166 of this Indictment.

Substitute Assets Provision

171. If any of the property described in Paragraph 170 above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982.)

FORFEITURE ALLEGATION

(Count Forty-Five:
Travel in Interstate and Foreign Commerce in Aid of Racketeering)

172. As a result of committing the offense of interstate travel in aid of racketeering, as alleged in Count Forty-Five of this Indictment, MANUEL GEOVANNY RODRIGUEZ-PEREZ, a/k/a "Manuel Rodriguez," a/k/a "Andres Garcia," a/k/a "Manny," a/k/a "Shorty," a/k/a "El Monstro," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, constituting or derived from proceeds traceable to the commission of the offense.

Substitute Assets Provision

173. If any of the property described in Paragraph 172 above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 subdivided without difficulty;~~

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982.)


FOREPERSON


PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MANUEL GEOVANNY RODRIGUEZ-PEREZ,
a/k/a "Manuel Rodriguez," a/k/a "Andres
Garcia," a/k/a "Manny," a/k/a "Shorty,"
a/k/a "El Monstro,"

Defendant.

SUPERSEDING INDICTMENT

S38 10 Cr. 905 (LTS)

(18 U.S.C. §§ 2, 924(c), 924(j), 1001,
1111, 1117, 1512, 1952, 1956, 1957,
1958, 1959, 1961, 1962;
and 21 U.S.C. §§ 846, 848(e).)

PREET BHARARA

United States Attorney.

A TRUE BILL

