

Exhibit A

ORIGINAL
FILED

DEC 13 2012

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____
DEPUTY CLERK

BENJAMIN B. WAGNER
United States Attorney
MICHAEL M. BECKWITH
PAUL A. HEMESATH
Assistant U.S. Attorneys
501 I Street, Suite 10-100
Sacramento, CA 95814
TEL: (916) 554-2700

SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

ALVARO RIOS-MADRID,
aka Raul Rios,
aka El Viejon,
aka Tio,

Defendant.

) CASE NO. 2:12-CR-0439 KJM
)
) VIOLATION: 21 U.S.C. §§ 846 and
) 841(a)(1) - Conspiracy to
) Distribute Cocaine; 21 U.S.C. §
) 843(b) - Use of a Communication
) Facility to Facilitate a Drug
) Trafficking Offense (2 Counts);
) 21 U.S.C. 853(a) - Criminal
) Forfeiture
)
)
)

I N D I C T M E N T

COUNT ONE: [21 U.S.C. §§ 846 and 841(a)(1) - Conspiracy to
Distribute Cocaine]

The Grand Jury charges: T H A T

ALVARO RIOS-MADRID,
aka Raul Rios,
aka El Viejon,
aka Tio,

defendant herein, beginning on a date unknown to the Grand Jury,
but no later than on or about May 25, 2008, and continuing to on or
about February 11, 2011, in the State and Eastern District of
California, and elsewhere, did conspire with persons both known and

1 unknown to the Grand Jury to knowingly and intentionally distribute
2 at least five kilograms of a mixture and substance containing a
3 detectable amount of cocaine, a Schedule II controlled substance, in
4 violation of Title 21, United States Code, Sections 846 and
5 841(a)(1).

6 COUNT TWO: [21 U.S.C. § 843(b) - Use of a Communication Facility
7 to Facilitate a Drug Trafficking Offense]

8 The Grand Jury further charges: T H A T

9 ALVARO RIOS-MADRID,
10 aka Raul Rios,
11 aka El Viejon,
12 aka Tio,

13 defendant herein, on or about February 7, 2011 (Call #1040), in the
14 State and Eastern District of California, and elsewhere, did
15 knowingly and intentionally use a communication facility in
16 committing, causing, and facilitating the commission of the felony
17 conspiracy charged in count one, in violation of Title 21, United
18 States Code, Section 843(b).

19 COUNT THREE: [21 U.S.C. § 843(b) - Use of a Communication Facility
20 to Facilitate a Drug Trafficking Offense]

21 The Grand Jury further charges: T H A T

22 ALVARO RIOS-MADRID,
23 aka Raul Rios,
24 aka El Viejon,
25 aka Tio,

26 defendant herein, on or about February 7, 2011 (Call #1042), in the
27 State and Eastern District of California, and elsewhere, did
28 knowingly and intentionally use a communication facility in
committing, causing, and facilitating the commission of the felony

///

1 conspiracy charged in count one, in violation of Title 21, United
2 States Code, Section 843(b).

3 FORFEITURE ALLEGATION: [21 U.S.C. § 853(a) - Criminal Forfeiture]

4 Upon conviction of one or more of the controlled substance
5 offenses alleged in Counts One, Two, or Three of this indictment, the
6 defendant charged therein shall forfeit to the United States,
7 pursuant to 21 U.S.C. § 853(a), any property constituting or derived
8 from proceeds obtained, either directly or indirectly, as a result of
9 said violations, and any property used, or intended to be used, in
10 any manner or part, to commit, or to facilitate the commission of
11 said violations.

12 If any property subject to forfeiture as a result of the
13 offenses alleged in Counts One through Three of this indictment:

- 14 (1) cannot be located upon the exercise of due diligence;
15 (2) has been transferred or sold to, or deposited with, a
16 third person;
17 (3) has been placed beyond the jurisdiction of the Court;
18 (4) has been substantially diminished in value; or
19 (5) has been commingled with other property which cannot be
subdivided without difficulty;

20 it is the intent of the United States, pursuant to 21 U.S.C. § 853(p),
21 to seek forfeiture of any other property of said defendants up to the
22 value of the property subject to forfeiture.

23 A TRUE BILL

24 *KUSAO has*
25 *original*
FOREPERSON

26
27 *Benjamin B. Wagner*
28 BENJAMIN B. WAGNER
United States Attorney