

UNITED STATES DISTRICT COURT
for the
Eastern District of California

United States of America)
v.)
(1) Omar Alberto Navarro, (2) David Delgado Gonzalez, (3)) Case No. 5:21-mj-00011-JLT
Amayrani Jared Arreguin, (4) Lizette Mendez,)
(5) [REDACTED] (6) Mayra Guadalupe Galvan, (7) Miguel Angel)
Martinez, (8) Randal Jason Newell, (9) [REDACTED] (10))
James Scott Gordon, and (11) Daniel Armendariz Mercado,)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 2020 - March 2021 in the county of Kern in the
Eastern District of California, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
As to Defendants #1 - #9: 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 846	Conspiracy to distribute and possess with intent to distribute at least 500 grams of a mixture and substance containing a detectable amount of methamphetamine and 50 grams of actual methamphetamine
As to Defendants #10 - #11: 21 U.S.C. §§ 841(a)(1), (b)(1)(A)	Possession with intent to distribute at least 500 grams of a mixture and substance containing a detectable amount of methamphetamine and 50 grams of actual methamphetamine

This criminal complaint is based on these facts:

See affidavit of HSI Agent Cliff Turon Larde, attached hereo and incorporated herein.

Continued on the attached sheet.

Cliff.TurtonLarde Digitally signed by Cliff.TurtonLarde
Date: 2021.03.15 09:44:02 -07'00'

Complainant's signature

Cliff Turton Larde, HSI Special Agent

Printed name and title

Attested to me by the applicant in accordance with
the requirements of Fed. R. Crim. P. 4.1 by
Telephone and email.

Date: March 15, 2021



Judge's signature

City and state: Bakersfield, CA

Hon. U.S. Magistrate Judge Jennifer L. Thurston

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT FOR ARREST WARRANTS

I, Cliff Turton Larde, Special Agent, Homeland Security Investigations (HSI), being duly sworn, state:

AFFIANT’S TRAINING AND EXPERIENCE

1. I am an investigator or law enforcement officer of the United States within the meaning of Title 18, United States Code, § 2510(7), empowered to conduct investigations of, and to make arrests for, the offenses enumerated in Title 18, United States Code, § 2516.

2. I am a Special Agent (“SA”) with the United States Department of Homeland Security (“DHS”), Homeland Security Investigations (“HSI” the “Investigating Agency”). Prior to working for HSI, I was employed by Immigration and Customs Enforcement (“ICE”), Enforcement and Removal Operations (“ERO”) as a Deportation Officer in San Jose, California from January 2018 to March 2019. Prior to working for ERO, I was employed by the United States Border Patrol (“USBP”) as a Border Patrol Agent in Nogales, Arizona from December 2010 to December 2017. I have been employed as a SA with HSI since March 2019. During my tenure with HSI, I have completed the Criminal Investigator Training Program (“CITP”), and Homeland Security Investigations Special Agent Training (“HSI-SAT”) at the Federal Law Enforcement Training Center (“FLETC”) in Glynco, GA. Through my training, I have learned of HSI’s criminal investigative authority, as well as investigative techniques. HSI is responsible for enforcing federal criminal statutes prohibiting, among other things, the distribution of and possession with intent to distribute drugs, in violation of Title 21 of the United States Code. I have executed search warrants to seize evidence of violations of federal and state law, as well as arrest warrants to apprehend individuals who have committed such violations.

3. During my tenure in law enforcement, I have experience and received training in identifying illegal drugs, learned common trends and concealment methods of narcotics traffickers, physical indicators of narcotics trafficking, and identification of human behavioral indicators of narcotics traffickers. I have also conducted and participated in numerous narcotics-related investigations and arrests, and those investigations or arrests involved unlawful

importation, transportation, possession, or distribution of controlled substances, as well as investigations involving narcotics conspiracies, laundering of narcotics proceeds and monetary instruments derived from narcotics activities, and conducting of monetary transactions involving the proceeds of specified unlawful activities.

4. In addition, during my tenure in law enforcement, I have worked with federal, international, state, and local law enforcement agencies, including the U.S. Customs and Border Protection (CBP), Drug Enforcement Agency (DEA), Federal Bureau of Investigation (FBI), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), Bakersfield Parole (BP), United State Postal Service (USPS), Bakersfield Police Department (BPD), Kern County Sheriff's Office (KCSO), Kern County Probation Department (Kern Probation), and California Highway Patrol (CHP). Working with these different agencies has allowed me to learn from law enforcement officers with a wide range of experiences in drug investigations and other types of criminal activities.

5. Through my training, experience, and conversations with other law enforcement officers, I am familiar with the identification of various controlled substances. I am also familiar with various methods used by individuals to obtain, possess, transport, and/or sell controlled substances. I am also familiar with modus operandi as it pertains to the illegitimate use of such proceeds in violation of federal law. These methods include the use of telephones, cellular telephones, wireless communication technology, counter surveillance, elaborately planned smuggling schemes tied to legitimate businesses, false or fictitious identities, and the use of coded or vague communications in age format in an attempt to thwart law enforcement. I have also interviewed drug dealers, users, and confidential sources and have discussed with them the lifestyle, appearances, and habits and methods of drug dealers and users.

PURPOSE OF AFFIDAVIT

6. This affidavit is intended to show that there is sufficient probable cause for the requested complaints and arrest warrants and does not purport to set forth all my knowledge of the investigation of this matter.

7. This affidavit is submitted in support of a request that a complaint and arrest warrant be issued for (1) Omar Alberto NAVARRO (YOB: 1983) (NAVARRO); (2) David Delgado GONZALEZ (YOB: 1983) (GONZALEZ); (3) Amayrani Jared ARREGUIN (YOB: 1996) (ARREGUIN); (4) Lizette MENDEZ (YOB: 1989) (MENDEZ); [REDACTED] (6) Mayra Guadalupe GALVAN (YOB: 1989) (GALVAN); (7) Miguel Angel MARTINEZ (YOB: 1992) (MARTINEZ); (8) Randal Jason NEWELL (YOB: 1979) (NEWELL); and [REDACTED] [REDACTED] charging them with conspiracy to distribute and possess with the intent to distribute at least 500 grams of a mixture and substance containing a detectable amount of methamphetamine and 50 grams of actual methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(A); and (10) James Scott GORDON (YOB: 1975) (GORDON) and (11) Daniel Roberto Armendariz MERCADO (YOB: 1979) (MERCADO), charging them with possession with the intent to distribute at least 500 grams of a mixture and substance containing a detectable amount of methamphetamine and 50 grams of actual methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A).

BASIS FOR FACTS CONTAINED IN THIS AFFIDAVIT

8. I am familiar with the facts and circumstances described herein and make this affidavit based upon personal knowledge derived from my participation in this investigation and upon information I believe to be reliable from the following sources:

- a. My training and experience investigating narcotics traffickers, which includes my discussions with more experienced narcotics investigators;
- b. Oral and written reports about this investigation and other investigations, which I have received from other members of the Homeland Security Investigations (HSI), the Federal Bureau of Investigation (FBI), Bureau of Alcohol, Tobacco, Firearm, and Explosives (ATF), Drug Enforcement Administration (DEA), Bakersfield Police Department (BPD), Kern County Sheriff's Office (KCSO), Shafter Police Department (SPD), Bakersfield Parole Agents (BP), Fresno Police

Department (FPD) and Kern County Probation Department (Kern Probation), as well as other federal agents and state law enforcement agencies;

- c. Physical surveillance conducted by HSI, BPD, KCSO and other law enforcement agencies in this and other investigations, which have been reported to me either directly or indirectly;
- d. Intercepted communications made pursuant to court orders;
- e. Confidential source statements;
- f. Witness statements;
- g. Law enforcement databases; and
- h. Evidence gained through other investigative methods.

9. Except as otherwise noted, when I assert that a statement was made, the information was provided by another Federal Agent, a KCSO Deputy, another law enforcement officer, or a source of information (who may have had either direct or hearsay knowledge of the statement), with whom I have spoken or whose reports or statements I have reviewed. Likewise, information resulting from surveillance, except where otherwise indicated, does not necessarily set forth my own observations but rather has been provided directly or indirectly by other law enforcement officers who conducted such surveillance.

10. This affidavit is being submitted for the limited purpose of seeking authorization for the above-referenced complaints, arrest warrants and search warrants. Therefore, I have not set forth every fact learned during this investigation. Facts not set forth herein are not relied upon in reaching my conclusion that an order should be issued.

INTRODUCTION AND SUMMARY OF INVESTIGATION

11. Omar Alberto NAVARRO came to law enforcement's attention as early as March 2020 when he was observed illegally sourcing firearms to an associate who subsequently sold the firearms to a confidential informant. Thereafter, through a variety of investigative techniques, including ultimately court-authorized electronic surveillance of NAVARRO's cellular telephone pursuant to a Title III wiretap (Case No. 1:20-sw-00498-DAD), law enforcement discovered that

NAVARRO operated a wide-ranging drug trafficking organization (the NAVARRO DTO). Through that investigation, law enforcement agencies led by the Department of Homeland Security – Homeland Security Investigations (HSI) and the Kern County High Intensity Drug Trafficking Area Task Force (KC-HIDTA) identified at least nine Kern County residents who are responsible for planning and undertaking to smuggle hundreds of pounds of methamphetamine and fentanyl from Mexico into the United States, ultimately destined for the Eastern District of California. In particular, between September 2020 and December 2020, law enforcement seized at the United States/Mexico border more than 380 pounds of methamphetamine and eight pounds of fentanyl that NAVARRO and his coconspirators attempted to smuggle into the United States. Moreover, the investigation identified two additional people charged herein who purchased large quantities of narcotics from the NAVARRO DTO with the intention of distributing those narcotics to other purchasers.

12. The eleven people identified herein who are the subject of the requested arrest warrants for their criminal activities relating to the NAVARRO DTO, and a non-exhaustive summary of their individual activities, are as follows:

- a. Omar Alberto NAVARRO – coordinated with members of a Mexican drug cartel to obtain and smuggle methamphetamine and fentanyl from Mexico into the Eastern District of California for sale to others;
- b. David Delgado GONZALEZ –sold narcotics and collected money for the NAVARRO DTO;
- c. Amayrani Jared ARREGUIN – acquired load vehicles, recruited load drivers, and travelled with NAVARRO to Mexico to assist in the NAVARRO DTO’s trafficking activities;



- e. Lizette MENDEZ – attempted to smuggle 132 pounds of methamphetamine and 8.69 pounds of fentanyl across the United States/Mexico border for the NAVARRO DTO;
- f. Mayra GALVAN – attempted to smuggle 119 pounds of methamphetamine across the United States/Mexico border for the NAVARRO DTO;
- h. Randall Jason NEWELL – attempted to smuggle 91 pounds of methamphetamine across the United States/Mexico border for the NAVARRO DTO;
- i. Miguel Angel MARTINEZ Jr. – attempted to transport 18 pounds of methamphetamine from the Eastern District of California to Texas for the NAVARRO DTO;
- j. James Scott GORDON – purchased six pounds of methamphetamine from the NAVARRO DTO to sell to other customers; and
- k. Daniel Roberto Armendariz MERCADO – purchased two pounds of methamphetamine from the NAVARRO DTO to sell to other customers.

STATEMENT OF PROBABLE CAUSE

A. LIZETTE MENDEZ AND MAYRA GALVAN ATTEMPT TO SMUGGLE A COMBINED TOTAL OF APPROXIMATELY 250 POUNDS OF METHAMPHETAMINE ACROSS THE MEXICAN BORDER INTO THE EASTERN DISTRICT OF CALIFORNIA AT NAVARRO’S BEHEST

13. On October 5, 2020, a confidential informant provided detailed information on how NAVARRO orchestrates the importation of narcotics into the United States. According to the informant, Lizette MENDEZ recruited drivers to smuggle methamphetamine across the border. Once the driver had been recruited, another person conducted a background check to make sure the recruited driver does not have any pending criminal charges which may become an issue at the border. The driver is offered thousands of dollars to smuggle drugs from Mexico into the United States and promised the services of a lawyer if the driver gets arrested for

attempting to smuggle in narcotics. According to the informant, following the driver recruitment, NAVARRO and his co-conspirators (e.g., MENDEZ or GONZALEZ) will drive down to Tijuana, Mexico, with one or more drug “mules” in different vehicles. The coconspirators travel to Tijuana where the members of a Mexican drug cartel are located. After loading the vehicle with drugs in Mexico, NAVARRO and his coconspirator will ride together in one vehicle as they follow the “load” vehicle containing a large amount of methamphetamine. Both vehicles will travel either in tandem or close by so that NAVARRO can maintain visual on the “load” vehicle.

14. Records of Customs and Border Protection (CBP) confirm that NAVARRO and MENDEZ (a Delano resident) have a relationship, as they crossed together into the United States from Mexico at San Ysidro Port of Entry while travelling in NAVARRO’s white Navigator together on September 7, 2020. Two weeks later (September 21), NAVARRO (driving with GONZALEZ) and MENDEZ again crossed into the United States from Mexico at the San Ysidro Port of Entry.

15. That same day (September 21, 2020), Mayra GALVAN (like MENDEZ, a Delano resident) was arrested at the San Ysidro Port of Entry when the vehicle she was driving across the border was found to harbor approximately 105 packages in the rear quarter panels, rear bumper and gas tank, all containing a white crystalline substance consistent with methamphetamine, at least one of which field tested positive for methamphetamine, weighing a total of approximately 54 kilograms (119 pounds). At the time, GALVAN told CBP officers she was travelling to Delano. While in custody that day, GALVAN used her cellular telephone multiple times to attempt to contact a person identified in the telephone as “LIZ” with a telephone number (661-372-8494) that law enforcement databases reflect is used by MENDEZ.

16. The following day (September 22, 2020), pursuant to a federal search warrant obtained in the Southern District of California, law enforcement examined GALVAN’s cellular telephone and discovered that GALVAN had communicated with “LIZ” (MENDEZ) the prior day while GALVAN was in the border vehicle lane seeking to enter the United States. In text

messages to GALVAN, “LIZ” provided guidance to GALVAN on how GALVAN should behave at the checkpoint and where to go after she passes the checkpoint.

17. In particular, on September 21, 2020, “LIZ” texted GALVAN and stated, “are you good.” GALVAN replied, “I’m in line” (believed to be in line at the San Ysidro Port of Entry (“POE”) awaiting to make entry into the United States from Mexico.) MENDEZ replied, “Really how much longer.” GALVAN replied, “Isk honestly” MENDEZ replied, “Like how many cars in front of u.” MENDEZ continued, “I’m at the gas station,” indicating that MENDEZ had already made entry into the United States from Mexico through the POE and was waiting for GALVAN to successfully make it across the POE with the vehicle concealing narcotics. GALVAN replied, “Maybe like 20 or so idk still a lot.” MENDEZ replied, “It’ll go fast rn.” GALVAN replied, “I hope.”

18. MENDEZ requested GALAVAN send her a picture of her current location, “Take a pic of where u at.” GALVAN sent MENDEZ a picture of what appears to be the vehicle lanes at the San Ysidro POE. GALVAN elaborated on her exact location, by telling MENDEZ that “I’m like by the big tv to the left.” MENDEZ replied, “Oh ok.” GALAVAN asked MENDEZ her exact location, in an apparent attempt to meet after she made it across the border with the narcotics successfully. “What gas station.” MENDEZ replied that she was at “The shell....the very first exit...stay on the right lane....Where it says San Ysidro...Text me when as soon as the let u pass...I’ll send ya the location.” GALVAN acknowledge, “Ok.”

19. MENDEZ appeared to keep asking for frequent updates from GALVAN: “Is it going by faster.” GALVAN appeared to be getting nervous and texted MENDEZ stating, “they have dogs everywhere.” MENDEZ reassured GALVAN that, “You’re good.... Just don’t be nervous when you talk to them you’re good.” GALVAN acknowledged “Ok.” Based on my training and experience and knowledge of this investigation I believe MENDEZ along with GALVAN were conspiring to smuggle large amounts of narcotics concealed in both their vehicles across the United States/Mexico Border. Based on the substance of the conversation

between MENDEZ and GALVAN, it appeared that MENDEZ was coaching GALVAN on how to act to ensure she made it across the POE successfully.

20. On November 9, 2020, MENDEZ and Sandra Soto sought admission into the United States at the San Ysidro Port of Entry in a vehicle driven by MENDEZ. During an inspection of MENDEZ's vehicle at the border checkpoint, CBP officers searched the trunk and found packages taped to the passenger rear quarter panel. Further inspection ultimately revealed a total of 120 packages secreted in MENDEZ's vehicle, consisting of approximately 60 kilograms (132 pounds) of suspected methamphetamine, and two packages containing approximately three kilograms (more than eight pounds) of suspected fentanyl.

21. Subsequent interceptions of NAVARRO's telephone corroborate that MENDEZ had attempted to transport narcotics across the border at NAVARRO's behest. On December 18, 2020, intercepts of NAVARRO's telephone revealed that NAVARRO called "Liz" (believed to be Lizette MENDEZ) and stated, "My lawyer already told me. That's it, I'm gonna do time." MENDEZ replied, "It went to shit for both of us, you know?"

22. In an apparent reference to MENDEZ's pending case in the Southern District of California for importation of methamphetamine that resulted from the September 21 seizure (discussed above), NAVARRO asked, "What did they tell you?" MENDEZ replied, "the first one, well, to give the same, that I didn't know anything ... But the second one ... the only way that they could get me off the ten-year minimum, was kind of like ... like to say that I knew something." MENDEZ continued, "So, what I'm going to say is that, that I found someone over there ... and that he, and he fucking tricked me into bringing fucking knives for ... for a rooster fight."

23. NAVARRO replied, "don't fucking call me no more, dude. If you're gonna think you're gonna pin this bullshit on me." MENDEZ stated that her next court date was January 12¹

¹ According to the docket of the case filed against her in the Southern District of California, MENDEZ's arraignment/preliminary hearing initially was scheduled for January 12, 2021. *United States v. Mendez*, Case No. 3:21-cr-0370, ECF No. 17.

and confirmed to NAVARRO, “I’m not going to turn you over ... You never have to worry ... your name has never been mentioned.” NAVARRO replied, “Why do you keep saying that I don’t gotta worry about ... turn me over if I didn’t do shit ... Is someone telling you to fucking call me try to set me up?” Immediately following the call, MENDEZ sent a series of text messages to NAVARRO in which she stated, “I’ve never mentioned your name,” and “We’re limited [sic] to what we say on the phone but I got u.”

B. NAVARRO AND GONZALEZ SELL SIX POUNDS OF METHAMPHETAMINE TO JAMES SCOTT GORDON IN THE EASTERN DISTRICT OF CALIFORNIA IN OCTOBER 2020

24. On October 29, 2020, a confidential informant reported that an unknown male subject, later identified as James Scott GORDON, was coming from Ukiah, CA, to Bakersfield to purchase six pounds of methamphetamine. The informant reported that GORDON expressed to him interest in purchasing six pounds and the informant facilitated the transaction through NAVARRO.

25. Based on this information, law enforcement officers established surveillance near the location of the anticipated transaction. On that same day, the informant engaged in a communication with NAVARRO via Snapchat that was monitored and video recorded by law enforcement. The informant began the communication by stating that the buyer was coming to get a “6 pack of beer.” NAVARRO replied that the informant should meet him at Union and Pacheco. NAVARRO told the informant that “Spider” (a known alias for David Delgado GONZALEZ) would bring the six pounds and that next time, the price for the buyer would be “22” (\$2,200). (I have reviewed law enforcement’s video recording of the Snapchat exchange).

26. Approximately two hours later, the informant met with GORDON in Bakersfield, and the two drove to the Fastrip Gas Station located at 4901 S. Union Avenue, where they met GONZALEZ. Law enforcement obtained an audio and video recording of the meeting through the informant’s use of a body recorder. The informant met GORDON, and during their conversation, GORDON mentioned “14 pounds” and that he had gotten “five to seven a week” (suggesting he distributes a substantial amount of methamphetamine regularly). The informant

introduced GORDON to GONZALEZ and GONZALEZ asked GORDON how much money he had. GORDON gave \$6,200 to GONZALEZ, and after counting the money, GONZALEZ retrieved a black Nike bag from his car and gave it to GORDON, completing the transaction. GORDON also discussed a future transaction with the informant, including ten pounds for \$19,000 within the next week.

27. Approximately four hours after the transaction, a Fresno County Sheriff's deputy observed the vehicle GORDON drove to the methamphetamine transaction weaving across lane dividers, and conducted a traffic stop for lane violations. GORDON was the passenger and claimed to have rented the vehicle. The deputy instructed the female driver to exit the vehicle to process her documents and asked questions regarding their travel. The deputy observed the driver was increasingly anxious and provided a slightly different version of the travel story than GORDON later offered to the responding officers.

28. Due to both occupants seeming nervous and their inconsistencies of the details of their travel, the officers suspected criminality and instructed GORDON to exit the vehicle before conducting a K-9 search (which commenced approximately eight minutes after the initial traffic stop). The K-9 entered the vehicle through an open door and alerted on the odor of narcotics, and during the ensuing search of the vehicle, the deputy discovered approximately six pounds of methamphetamine in a black Nike bag in the back of the vehicle (similar in characteristics to the bag GONZALEZ gave to GORDON hours earlier).

29. GORDON was arrested, advised of *Miranda* warnings, and explained that the female passenger "doesn't know anything about this." GORDON went on to explain that he travelled to a gas station in Bakersfield and met with a person of Mexican origin to purchase six pounds of methamphetamine for \$13,200, consistent with arrangements he made with the seller prior to travelling. GORDON explained that a third person arrived during the meeting to deliver the narcotics (an apparent reference to GONZALEZ). GORDON said that he planned to sell the methamphetamine to other people, and that he knew he was "going away for a long time."

30. After distributing methamphetamine to GORDON on October 29, 2020, GONZALEZ continued assisting NAVARRO in furtherance of his drug trafficking activities. For instance, telephone intercepts of NAVARRO's telephone on December 8, 2020, revealed that NAVARRO called GONZALEZ and stated, "I need two from, uh, El Viejon" (suspected reference to one of GONZALEZ and NAVARRO's Mexican cartel associates). GONZALEZ replied, "Okay." NAVARRO stated, "I'll pick them up like in, uh ... I wanna say like about 45 minutes." GONZALEZ confirmed, "Alright."

31. Approximately one hour later, NAVARRO called GONZALEZ and referred to him as "Spider," a known moniker for GONZALEZ. NAVARRO asked, "Where are you," and GONZALEZ replied, "I came to pick up your stuff." Later, NAVARRO stated, "Just get me two," and GONZALEZ confirmed, "Okay." NAVARRO stated, "Where do we meet," and GONZALEZ responded, "La Cazuela ... Las Cazuelitas ... On Fairview." The parties then confirmed that they would meet in 45 minutes. Based on my training, experience and knowledge of this investigation, I believe that NAVARRO's mention that he would "need two" from a known narcotics trafficker (El Viejon), and GONZALEZ's confirmation that he "came to pick up [NAVARRO's] stuff" and scheduled thereafter to meet NAVARRO reflects that GONZALEZ obtained and gave to NAVARRO two units of methamphetamine for NAVARRO's distribution to others.

C. NAVARRO SELLS TWO POUNDS OF METHAMPHETAMINE TO A CUSTOMER IN THE EASTERN DISTRICT OF CALIFORNIA AND STRATEGIZES ESTABLISHING A DRUG DISTRIBUTION NETWORK IN TEXAS IN NOVEMBER 2020

32. On November 5, 2020, in a monitored and recorded communication, a confidential informant sent a text message to NAVARRO in an effort to negotiate a methamphetamine transaction. During this exchange, the informant told NAVARRO that a new customer wanted to purchase one unit of methamphetamine ("They need one."). NAVARRO asked the informant to provide a meet location ("Where?"). The informant replied that he/she would check ("Let me ask where [the customer] wants to meet."). The informant then added that

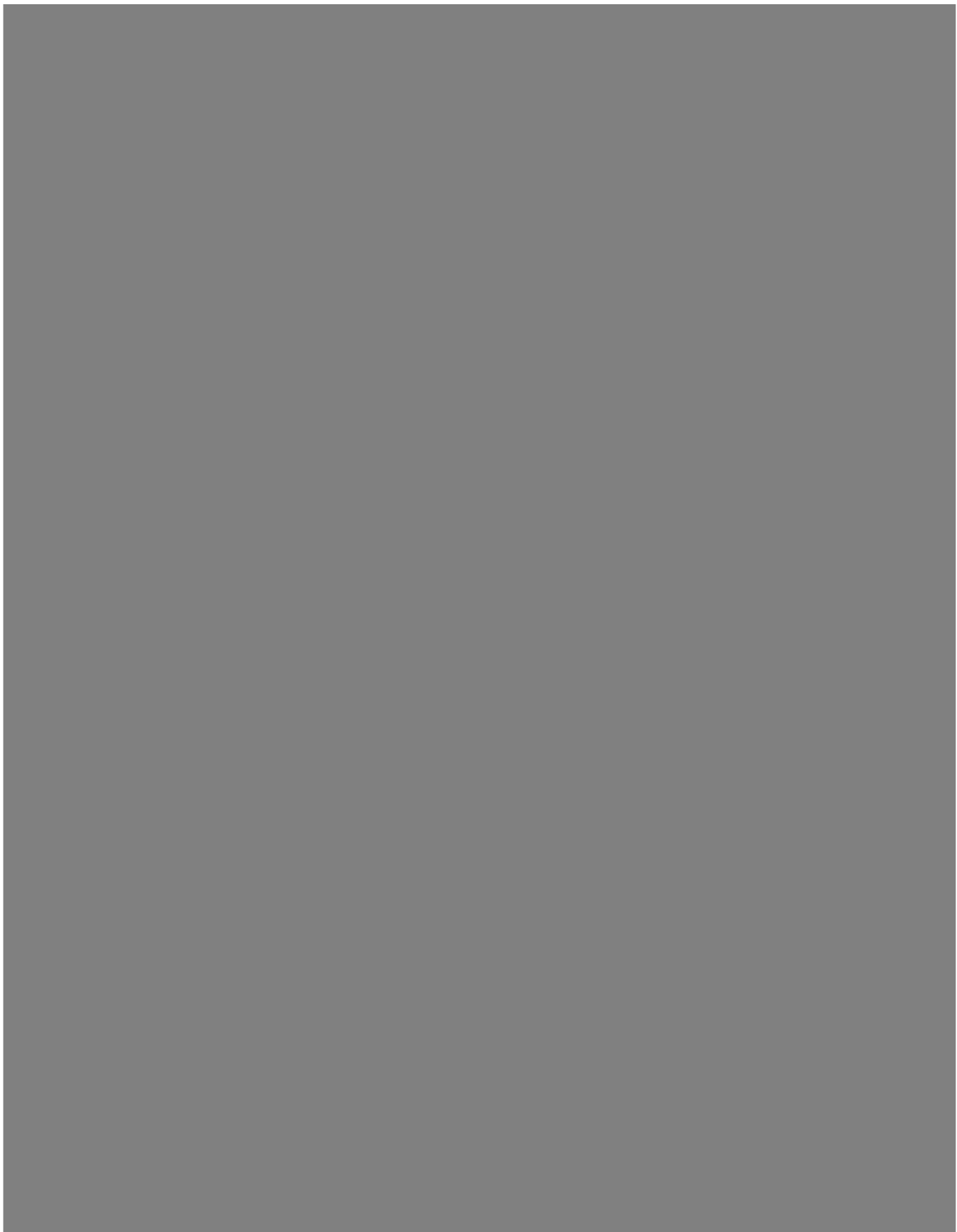
the customer was available the following day and now wanted to purchase two units of methamphetamine and also to discuss future business arrangements (“Hey buddy, I need you tomorrow, my cousin is coming with a trip from Texas, [the customer] wants to take two, but [the customer] wants to talk business.”). NAVARRO agreed to the arrangement (“Okay, we’re set.”).

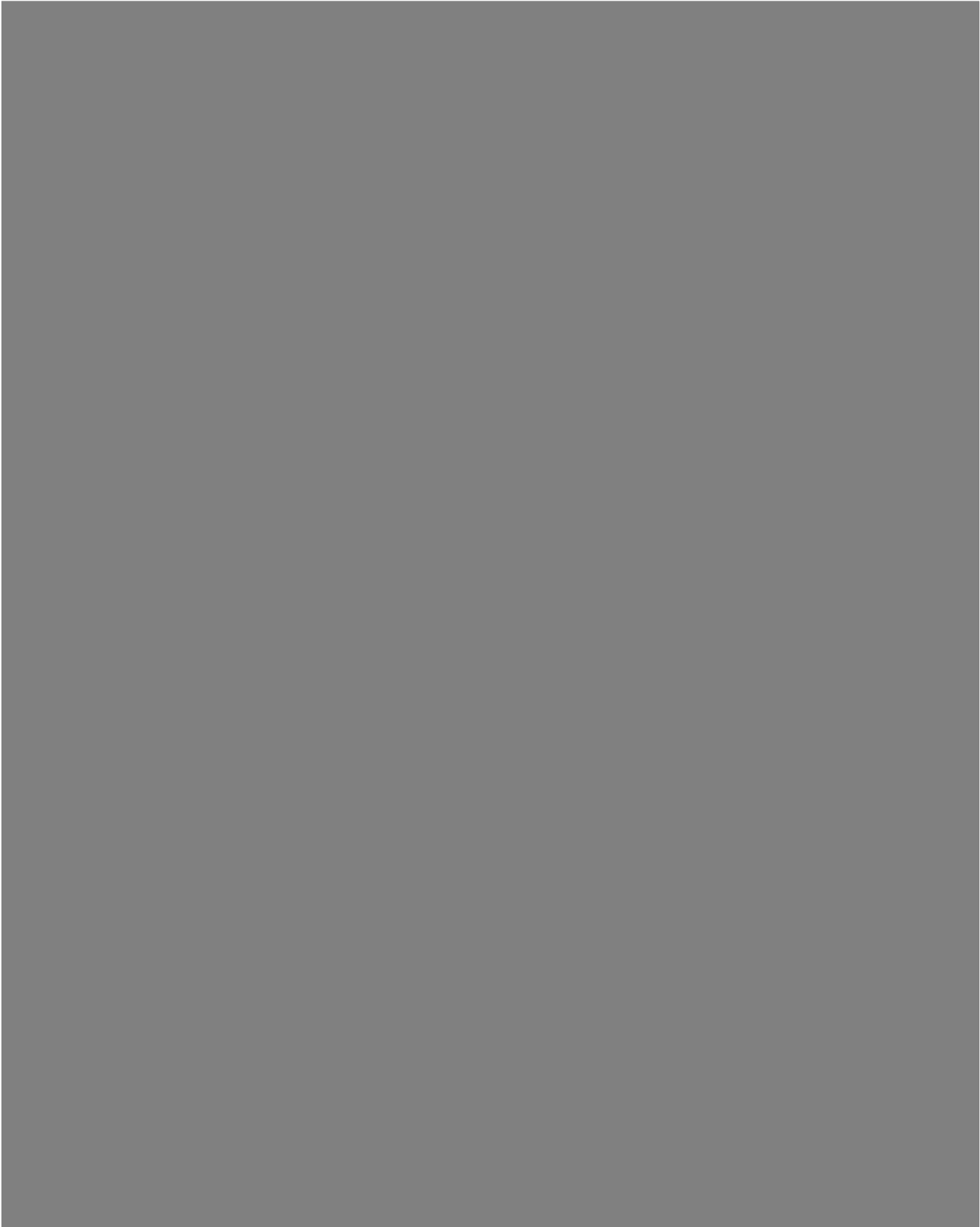
33. Law enforcement established surveillance at the meet location in the vicinity of 234 East Fairview Road, Bakersfield. Shortly after the informant and customer arrived at this location, NAVARRO arrived in a white Lincoln Navigator (a vehicle law enforcement had observed NAVARRO driving on prior occasions). The informant and the customer entered the Navigator and NAVARRO asked the customer where he intended to sell the methamphetamine (“Where are you taking them?”). The customer indicated that his intended market was in Texas, and NAVARRO responded by asking what the price per pound in that location would be (“How much are they over there?”). The customer replied “\$4,900” and NAVARRO then offered to sell methamphetamine to the customer for \$3,500 per pound, adding that he would have it delivered to Texas and that the customer could become his representative in the area (“What if I put it over there for you and you give me three and half? You will be my office over there. I will get it over there for you.”). The customer expressed interest (“That sounds interesting.”).

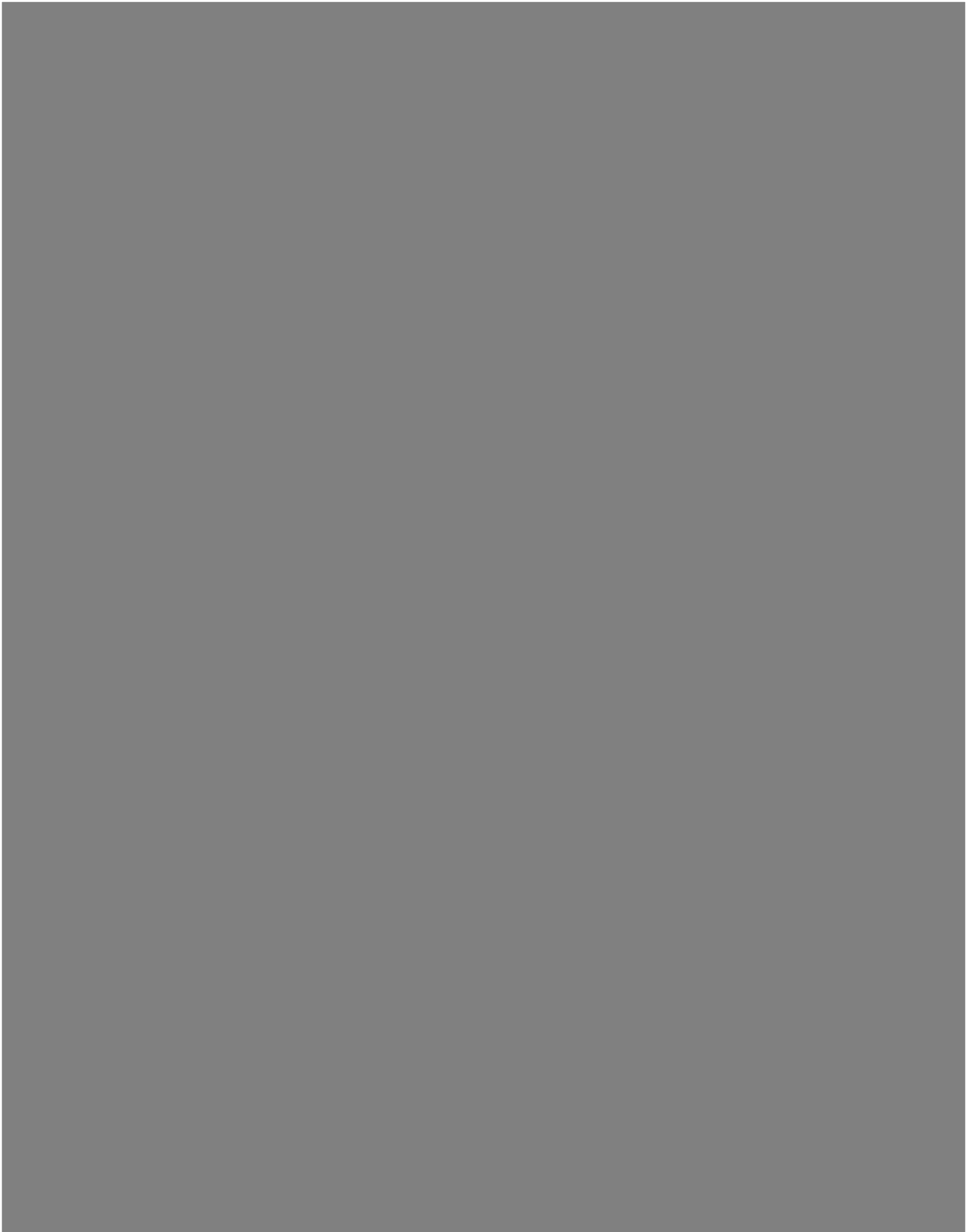
34. NAVARRO then explained that this arrangement would alleviate the customer from having to travel to California again, and that he could initially deliver twenty pounds for \$3,500 each (“You wouldn’t have to come over here anymore at all. Rest assured. I will start off by dropping off twenty. You give me three and half to begin with for each one, and I assure you that none will be lost. All you have to do is show up to pick them up.”). The customer asked how long it would take for the initial shipment to arrive in Texas (“How long will it take to get there? For you to get them over to me?”). NAVARRO replied that he could deliver the drugs the following week (“[W]ell if you place an order right now, I will set aside twenty pounds from the trip that we are bringing next week.”).

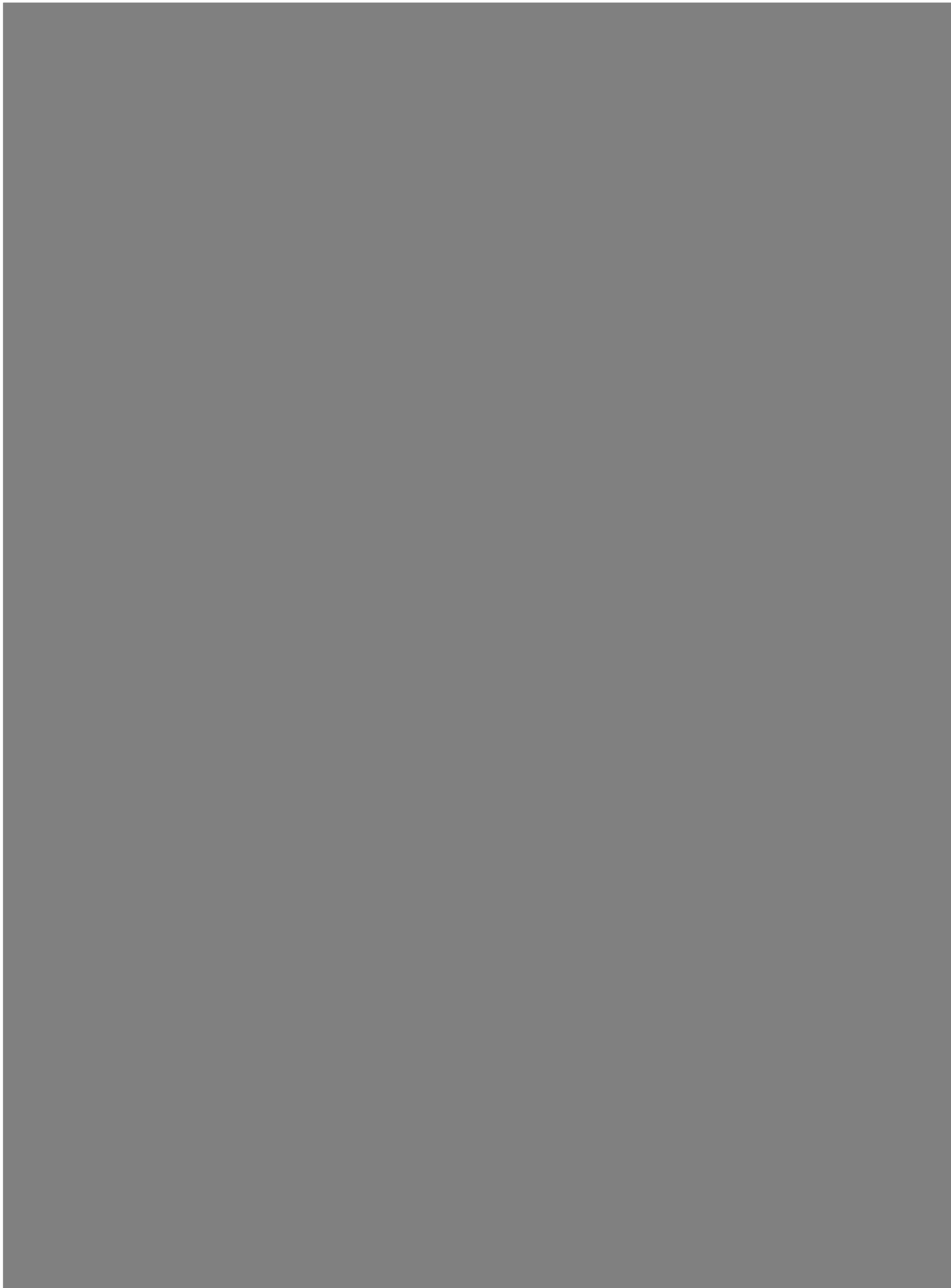
35. NAVARRO also explained that his associates in Mexico would want to ensure that the customer was trustworthy (“These dudes are going to ask. They will want to see your ID. They’re people from the South. They’ll want to ensure that you are okay.”). NAVARRO then added that he and associates had 200 pounds of methamphetamine stored at a stash house, but that it would be gone quickly (“Here we have a house with fucking 200, but it won’t even last two days.”). NAVARRO also added that his DTO maintained stash houses in major cities throughout the United States (“[T]hey have security houses all over. In each major state there is one. In each major city.”). The customer and NAVARRO continued discussing these arrangements until the meeting ended, at which point NAVARRO provided approximately two pounds of methamphetamine to the customer in exchange for \$4,000.













1. Arreguin Assists Navarro in Purchasing Vehicle and Coordinating with




52. On December 5, 2020 (a Saturday), intercepts of NAVARRO's telephone revealed NAVARRO speaking with an associate identified as Amayrani Jared ARREGUIN² about finding drivers for vehicles and about how an unidentified female did not want to drive a particular truck. ARREGUIN told NAVARRO she would let him know if she found someone else. Approximately 15 minutes later, NAVARRO called ARREGUIN back and stated that it

² The party to whom NAVARRO spoke used telephone number (661) 903-4652. On December 9, 2020, ARREGUIN was the passenger in a vehicle that was the subject of a traffic stop and provided this same telephone number to the responding Bakersfield Police Department officer.

was “all set,” a suspected reference to an upcoming trip to Mexico. ARREGUIN confirmed that she would have “the two” (suspected drivers) by the following week. When NAVARRO asked ARREGUIN whether she was sure, ARREGUIN stated that it would be her (ARREGUIN) and “Yvette” (presumably, to drive the load vehicles).

53. Several days later, on December 8, NAVARRO called Guadalupe Lopez and stated, “I’m gonna take off to Mex (Mexico) again, uh, tomorrow ... Look, even though I’m gonna be busy sending shit up ‘cause I’m gonna go big, like, big like I used to by myself.” Based on my training, experience and knowledge of this investigation, I believe NAVARRO’s reference to “busy sending shit up” and “I’m gonna go big” in the context of a conversation about travelling to Mexico refers to NAVARRO’s intent to transport a large amount of narcotics from Mexico into the Eastern District of California.

54. Approximately 15 minutes after his call with Lopez, NAVARRO called ARREGUIN to further discuss load vehicles. NAVARRO stated, “I need you guys to get a Tahoe ... with about 28 gallons ... one that has between 26 gallons and 30 gallons of, of gas ... that fit.” ARREGUIN then seemingly rehearsed the story she would tell if she were confronted at the border checkpoint, telling NAVARRO, “Well, I also have a story. I took it [the vehicle] to ... I’m going to say that ... If something happens, well, that I took it to have a tire fixed and that I don’t know what happened.” NAVARRO told ARREGUIN that “Spider” (a moniker for GONZALEZ) was caught crossing a gun and told NAVARRO that they (border officers) are letting everyone go.



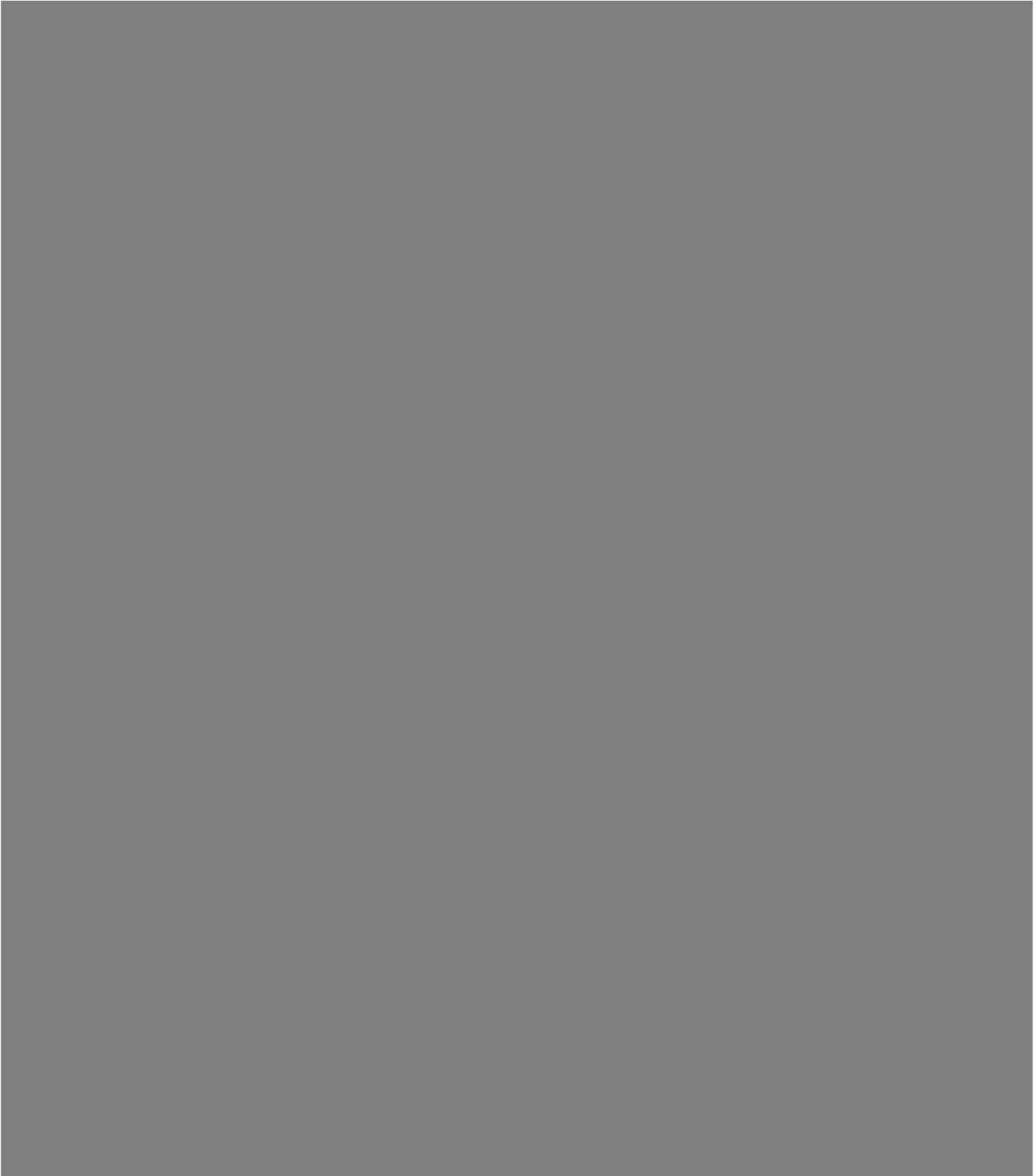
Mexico) would not find out that they were “doing this shit outside.” NAVARRO stated, “Basically, Nani, I’m starting my own little fucking cartel here.” NAVARRO elaborated that Mexicali would be his and NAVARRO would start working. NAVARRO told ARREGUIN the

car would be “loaded” (presumed to be with drugs), as usual, on Friday or Saturday, and would return Sunday.

56. On December 11, 2020, law enforcement observed a tan Chevrolet van parked at ARREGUIN’s residence in Bakersfield (606 Columbus Street). Later that same day, law enforcement observed NAVARRO driving his white Lincoln Navigator and traveling in tandem with the same van. Surveillance units observed a male matching the physical descriptors of Miguel Angel MARTINEZ driving the tan Chevrolet van. At one point, law enforcement observed NAVARRO attaching a California license plate to the rear of the van which read “8TWX101,” which is a license plate registered to ARREGUIN. Based on my training, experience and knowledge of this investigation, I am aware that drug traffickers on occasion will use legitimate forms of identification on their load vehicles to hide the fact that the vehicles are not registered.

57. On December 12 (Saturday), ARREGUIN called NAVARRO and NAVARRO confirmed that he and the vehicle were in Mexicali. ARREGUIN asked whether they could





F. NAVARRO AND MARTINEZ ATTEMPT TO TRANSPORT 18 POUNDS OF METHAMPHETAMINE FROM THE EASTERN DISTRICT OF CALIFORNIA TO TEXAS IN DECEMBER 2020

64. Interceptions of NAVARRO's telephone calls revealed that a person later identified as Miguel Angel MARTINEZ worked with NAVVARO to import controlled substances from Mexico and transport them within the Eastern District of California. For instance, MARTINEZ accompanied NAVARRO on his trip to Mexico over the weekend of

December 11-13, 2020, during which NAVARRO orchestrated with ARREGUIN and



65. In particular, interceptions of NAVARRO's telephone revealed that during the late evening on December 11, 2020, NAVARRO contacted MARTINEZ and stated, "Migs (presumed short for 'Miguel'), wait up let me find a hotel, did you already cross?" (presumed reference to crossing the Mexican border). MARTINEZ replied, "No, I'm right here ... you see the lights already, I'm going to make the line" (presumed reference to crossing the border). NAVARRO told MARTINEZ that he would send him the address to a Holiday Inn.

66. Two weeks later, on December 27, 2020, NAVARRO coordinated with MARTINEZ to transport methamphetamine. At approximately 10:00am, NAVARRO called MARTINEZ and explained he was outside his house and had come over "to pick up the white truck We're gonna start prepping it. For tonight." NAVARRO indicated the truck was going to be "prepped" in Arvin, and told MARTINEZ, "once Junior calls me it'll be ready to go ... We're gonna have the white truck. So once it's ready to rock and roll ... I'll give you a call to head out." MARTINEZ replied, "Just call me whenever you're ready and let's, and let's do this."



Later that afternoon, at approximately 5:00pm, NAVARRO called MARTINEZ and stated, "I'm outside, buddy. Come on over."

68. At approximately 7:20pm on December 27, 2020, a Kern County Sheriffs deputy conducted a traffic stop on the same white GMC truck as it travelled southbound on Interstate 5 in the vicinity of Frazier Mountain Park Road due to the vehicle having a cracked windshield on

the passenger and driver sides. MARTINEZ was the driver and explained he was travelling to Texas, but deputies did not observe any luggage in the vehicle. Although MARTINEZ provided a driver's license, deputies were unable to locate a record for him upon contacting dispatch, and when asked about the discrepancy, MARTINEZ explained another person had been issued his same social security number. MARTINEZ explained that the truck was his cousin's, 'Junior Navarro.' Around this time, intercepts of NAVARRO's telephone revealed that MARTINEZ called NAVARRO and stated that the Sheriff wanted to know whether the truck belonged to his company. A deputy asked whether the address on the registration was NAVARRO's current address, and NAVARRO provided his current address.

69. While deputies attempted to resolve the issue of MARTINEZ's license, the on-scene K-9 handler asked MARTINEZ and MARTINEZ consented to a search of his vehicle with the K-9. The K-9 alerted on the truck bed's utility box, inside of which officers ultimately discovered an external gas tank with a visible hole in it, prompting the K-9 handler to observe that the tank appeared tampered with. Further inspection revealed the welds of the external gas tank had been broken off and the tank had a large hole where the K-9 officer observed his canine repeatedly had altered.

70. MARTINEZ was placed in handcuffs and detained, and further inspection revealed visible manipulation of the tank which permitted rocking of it and exposure of a void. Law enforcement authored a state search warrant based principally on the K-9's alert on the toolbox where further inspection revealed physical manipulation of the external fuel tank that would have rendered it inoperable. The subsequent search of the truck pursuant to the state search warrant revealed 17 secreted packages in the altered external fuel tank containing approximately 18 pounds of methamphetamine.

71. Shortly afterwards, intercepts revealed NAVARRO called Guadalupe Lopez and stated while sobbing, "I think I'm fucked." Still sobbing, NAVARRO stated he was in Castaic and reported that "they pulled over Migs" [an apparent reference to Miguel MARTINEZ] in the truck. NAVARRO bemoaned that he was going to prison, stating, "He (MARTINEZ) knows

what he signed up for. Now I feel like a fucking traitor.” Guadalupe asked NAVARRO his location, and NAVARRO replied, “I’m coming down the grapevine to see if I see Migs.” Minutes later, MARTINEZ called NAVARRO and stated, “Hey, I think it’s going to go to shit, dude.”

G. NAVARRO DISTRIBUTES TWO POUNDS OF METHAMPHETAMINE TO MERCADO IN THE EASTERN DISTRICT OF CALIFORNIA IN DECEMBER 2020

72. On December 31, 2020, at approximately 10:00am, law enforcement officers began to intercept text messages between NAVARRO and Daniel MERCADO involving what law enforcement believed to be negotiations for a sale of narcotics. MERCADO texted NAVARRO and asked, “How much are you selling ‘tamales’ for right now?” NAVARRO replied back, “16 (\$1,600), dude, but I’m not doing anything today. I’m going to be with my family.” MERCADO texted NAVARRO and said, “That’s fine, I will call you tomorrow.” NAVARRO texted MERCADO and asked, “How many, dude?”, “To have them ready,” and later, “Or we can do it right now if you want.” MERCADO responded, “I wanted 3 today.” NAVARRO texted back and said, “Okay, give me 10 minute and I will tell you when.” A short time after, NAVARRO texted MERCADO and asked, “Can you do it in 30 minutes?” MERCADO replied and said, “That’s fine, where?” NAVARRO said, “Stone Creek Park.” Around 10:45am, both parties agreed to meet at this location.

73. At approximately 11:30am, law enforcement physically observed NAVARRO in a white Lincoln Navigator parked at Stone Creek Park near the intersection of Whitegate Avenue and Akers Road, Bakersfield. A man was observed exiting a vehicle registered to Daniel MERCADO (later identified as MERCADO) at 2150 Kentucky Street, Apartment A, and approached NAVARRO’s vehicle. MERCADO reached into NAVARRO’s vehicle and took a white plastic bag, returned to his vehicle, and drove to 2150 Kentucky Street, Bakersfield (the same address listed as MERCADO’s on his vehicle registration).

74. Law enforcement observed MERCADO enter Apartment A and shortly afterwards depart in his vehicle. Thereafter, MERCADO was detained by law enforcement at a

car wash and Kern County Sheriffs deputies obtained state search warrants for MERCADO, his vehicle and his residence.

75. In MERCADO's residence, officers discovered approximately two pounds of methamphetamine in a living room dresser and a loaded firearm in a bedroom that also had a safe containing \$1,000 and pay owe sheets. MERCADO's mother was interviewed by law enforcement and disclaimed knowledge of both the drugs and firearm, but did acknowledge that MERCADO stayed at the house occasionally. Given the sequence of events set forth above, including the telephone intercepts relating to and the subsequent meeting between NAVARRO and MERCADO, and law enforcement's observation of MERCADO after the meeting travelling directly to his residence, and discovery at the residence of methamphetamine, pay/owe sheets and cash, I believe the methamphetamine seized there was the same methamphetamine that MERCADO met NAVARRO to purchase at Stone Creek Park.

H. NAVARRO AND NEWELL ATTEMPT TO SMUGGLE APPROXIMATELY 91 POUNDS OF METHAMPHETAMINE FROM MEXICO INTO THE EASTERN DISTRICT OF CALIFORNIA IN DECEMBER 2020

76. Beginning on December 5, 2020, intercepts of NAVARRO's telephone indicated that he was planning to arrange for a Bakersfield-based driver to travel with him to Mexico to import into the United States a large quantity of narcotics. As set forth below, law enforcement ultimately identified NAVARRO's load driver as Randal NEWELL.

77. On December 5, 2020, ARREGUIN called NAVARRO and discussed her difficulty in finding "another girl," likely to drive a narcotics-laden vehicle for NAVARRO. ARREGUIN indicated part of the difficulty in finding a driver was that "Sara is saying that we haven't paid her." ARREGUIN elaborated that Sara had just "sent me a message. She's like, 'When am I getting paid?' I was like, 'I don't know, like, I haven't got paid either.'" ARREGUIN continued to explain that Sara asked, "'when do I get paid?' She's like, 'Because I heard that this Omar [NAVARRO's first name] ... paid.'" The two then discussed apparent plans to caravan vehicles over the weekend, with ARREGUIN commenting, "I don't know if it's fucking bad energy that Sarah has because, look, the truck ... nobody wants to take the truck."

78. In subsequent phone calls, NAVARRO communicated with a third party and later confirmed to ARREGUIN that a male driver would be leaving the following morning (December 6). In particular, on December 5, 2020, NAVARRO contacted a caller using telephone number (661) 567-7383, and asked, “Is the guy going to go or not?” The user of x7383 responded, “Yhea, but he said ... Can he leave in the morning?” A subsequent review of NEWELL’s cellular telephone seized upon his later arrest (discussed below) and searched pursuant to a federal search warrant revealed that NEWELL had communicated with the user of the same x7383 telephone – who was saved in NEWELL’s contact list as “Ivan Barber” – on the same date as NAVARRO had communicated with the x7383 user (December 5). During that text exchange, Barber informed NEWELL, “I’m home.” NEWELL replied, “Be there in 5 mins. ... Let me know details later! I have my kids tonight until tomorrow.” Later, NEWELL texted Barber, “Kids ended up not wanting to come stay the night with me Too late to head out that way tonight huh?” Later, Barber texted NEWELL, “Rosarito Beach Hotel, “ and NEWELL texted Barber, “51 minutes to the border,” and later, “Keep an eye on me so you can tell your boy when I get there. Still good here bro any updates?” Barber replied, “They are working on it. Get a room. They are loading the truck.”

79. NEWELL later sent an image of his California driver’s license to Barber. Based on my training, experience and knowledge of this investigation, I know that load drivers often provide their recruiter with a picture of their identification so that the drug trafficking organization may pursue recourse in the event the load driver absconds with the narcotics load. Consistent with an informant’s earlier reporting (discussed above), this is also done in order to run a background check on the load driver in order to ensure they don’t have a criminal record or anything else that might cause them to get flagged/stopped when crossing the United States/Mexico border.

80. On December 6, 2020, intercepts of NAVARRO’s telephone indicated that both he and DELGADO were in Mexico (Rosarito). NAVARRO told DELGADO, “the car is going to arrive today,” and specifically stated that “the guy will arrive, the driver, like ‘til in like four

hours, five hours,” in an apparent reference to the load vehicle that he and ARREGUIN discussed the day prior. NAVARRO elaborated, “once the car arrives ... I’m going to take it to the gas station, and have Viejo ... Know what I mean ... and I just pick up the car and bring it to the hotel for him, and tomorrow, by tomorrow it should be clean, buddy. Know what I mean?”



82. Just after midnight on December 7, 2020, NEWELL was stopped at the San Ysidro Port of Entry crossing from Mexico into the United States driving the same 2005 Ford truck registered to Sara Guzman (discussed above). NEWELL told CBP officers at the checkpoint that he was driving his girlfriend “Sara’s” vehicle home to Bakersfield. The CBP officer noticed the odor of gasoline and tapped on the vehicle’s gas tank, which sounded solid. During a secondary inspection, CBP officers located 80 packages containing approximately 41.5 kilograms of presumed methamphetamine (after one of the packages tested positive for methamphetamine) secreted in the vehicle’s gas tank, the rear compartment wall, and the driver- and passenger-side exterior frame pillars.



because the job went to shit over here. It went down ... they don't just put it in the tank here, they put it all over" (a suspected reference to the fact that NEWELL's vehicle had narcotics loaded in other locations besides the gas tank).

84. Shortly after his telephone call with Viejon, NAVARRO spoke to DELGADO and told him, "the dude, I think they got the dude ... he's not there. He got caught." Later on December 7, 2020, ARREGUIN called NAVARRO and asked whether "the guy did get caught." NAVARRO replied, "Well, uh, I think so. Because the dude has not, not appeared, dude. It seems like he did get caught." ARREGUIN responded, "Doesn't it seem... strange that the other one got caught and that she was released right away." NAVARRO asked, "Which one?" ARREGUIN stated, "L" (suspected reference to Lizette MENDEZ).

85. During the evening on December 7, 2020, NAVARRO spoke to "Pelon" about his recent trip to Mexico and likely about the NEWELL seizure. NAVARRO stated, "I just came back from ... from the south there. Bad. We fucking lost everything ... The fucking truck went down." Pelon asked, "And the girl?" NAVARRO responded, "no this time it was a guy ... They haven't released the guy. The dude must've confessed."

CONCLUSION

86. Based on my training, experience, and the information contained within this affidavit, I believe that probable cause exists to find (1) Omar Alberto NAVARRO; (2) David Delgado GONZALEZ; (3) Amayrani Jared ARREGUIN; (4) Lizette MENDEZ; [REDACTED] (6) Mayra Guadalupe GALVAN; (7) Miguel Angel MARTINEZ; (8) Randal Jason NEWELL; and ([REDACTED]) conspired with others, known and unknown, to distribute and possess with the intent to distribute at least 500 grams of a mixture and substance containing a detectable amount of methamphetamine and 50 grams of actual methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 846, 841(a)(1), (b)(1)(A), and that (10) James Scott GORDON and (11) Daniel Roberto Armendariz MERCADO possessed with the intent to distribute at least 500 grams of a mixture and substance containing a detectable amount of methamphetamine and 50 grams of

actual methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1). Additional information attached as Exhibit 1 and incorporated herein is filed under seal separately.

Respectfully submitted,

Cliff.TurtonLarde Digitally signed by
Cliff.TurtonLarde
Date: 2021.03.15 10:10:26 -07'00'

Cliff Turton Larde
Special Agent
Homeland Security Investigations

Affidavit submitted by email/pdf and attested to me as true and accurate by telephone consistent with Fed.R.Crim.P 4(d) and 4.1 this 15th day of March, 2021.



Hon. Jennifer L. Thurston
Chief U.S. Magistrate Judge, Eastern District of California

Reviewed and approved as to form:

/s/ Christopher D. Baker
Christopher D. Baker
Assistant U.S. Attorney