

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA.

2019 FEB 22 P 1:52

WILLIAM W. BLEVINS
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SEALED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

INDICTMENT FOR VIOLATIONS OF
THE FEDERAL CONTROLLED SUBSTANCES ACT

UNITED STATES OF AMERICA

v.

RAFAEL MOLINA
GUSTAVO BALDERAS
MICHAEL GARZA

* CRIMINAL NO. **19-00038**
* SECTION: **SECT. 7 MAG. 3**
* VIOLATIONS: 21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(A)
* 21 U.S.C. § 841(b)(1)(B)
21 U.S.C. § 843(b)
* 21 U.S.C. § 846
18 U.S.C. § 2
*
*
*

The Grand Jury charges that:

COUNT 1

Beginning at a time unknown but at least by June 2018 and continuing to February 10, 2019, in the Eastern District of Louisiana and elsewhere, the defendants, **RAFAEL MOLINA**, **GUSTAVO BALDERAS**, and **MICHAEL GARZA**, did knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons known and unknown to the Grand Jury, to distribute and to possess with the intent to distribute five (5) kilograms or more of cocaine hydrochloride, a Schedule II drug controlled substance, and five hundred (500) grams

X **Fee** USD
Process _____
X **Dkt'd** _____
CtRmDep _____
Doc. No. _____

States Code, Section 846, that is, conspiracy to distribute and possess with intent to distribute a quantity of cocaine hydrochloride, a Schedule II drug controlled substance, and a quantity of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II drug controlled substance; all in violation of Title 21, United States Code, Section 843(b).

COUNT 5

On or about September 28, 2018, in the Eastern District of Louisiana, the defendant, **RAFAEL MOLINA**, did knowingly and intentionally distribute 500 grams or more of cocaine hydrochloride, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 6

On or about February 10, 2019, in the Eastern District of Louisiana, the defendants, **RAFAEL MOLINA, GUSTAVO BALDERAS, and MICHAEL GARZA**, did knowingly and intentionally possess with the intent to distribute 500 grams or more of cocaine hydrochloride, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) and Title 18 United States Code, Section 2.

NOTICE OF DRUG FORFEITURE

1. The allegations of Counts 1 through 6 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 1 through 6 of this Indictment, the defendants, **RAFAEL MOLINA, GUSTAVO BALDERAS, and MICHAEL GARZA**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly

as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Counts 1 through 6 of this Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendants:

- 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 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL

FOREPERSON

PETER G. STRASSER
UNITED STATES ATTORNEY



ANDRE JONES
Assistant United States Attorney
Louisiana Bar No. 23502

New Orleans, Louisiana
February 22, 2019