



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MEF/PGS
F. #2025R00160/2026R00426

*610 Federal Plaza
Central Islip, New York 11722*

August 3, 2026

By Email and ECF

The Honorable Gary R. Brown
United States District Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

The Honorable Anne Y. Shields
United States Magistrate Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: United States v. Chavez-Garay and Diaz-Gamez
Criminal Docket No. 25-209 (S-1) (GRB)

Dear Judges Brown and Shields:

On July 30, 2026, a grand jury sitting in this district returned a second superseding indictment (the "Superseding Indictment"), captioned above, charging Edwin Chavez-Garay, also known as "Spooky" and "Cruger," and Jairo Diaz-Gamez, also known as "Cameleon" and "Anonimo," members of the La Mara Salvatrucha, also known as the MS-13, a transnational criminal organization (hereinafter, the "MS-13"), with racketeering ("RICO"), racketeering conspiracy ("RICO Conspiracy"), and violent crimes in aid of racketeering ("VICAR"), pursuant to 18 U.S.C. §§ 1962(c), 1962(d) and 1959(a). On July 10, 2026, Chavez-Garay was charged by complaint, in this district, with VICAR murder conspiracy, in violation of 18 U.S.C. §§ 1959(a)(5) and 2, and he has been detained since that date. See 26-MJ-139 (SIL). On May 12, 2026, Diaz-Gamez was charged by complaint with illegally reentering the United States, in violation of 8 U.S.C. § 1326(a), and on June 9, 2026, a grand jury returned an indictment related to the same charge. See 26-MJ-36 (JMW); 26-CR-167 (GRB). Diaz-Gamez has also been detained since his initial arrest.

Chaves-Garay and Diaz-Gamez are scheduled to be arraigned on the Superseding Indictment before Judge Shields on August 4, 2026. For the reasons set forth below, the government respectfully requests that the Court enter permanent orders of detention for both Chaves-Garay and Diaz-Gamez.

I. Summary of Charges

The Superseding Indictment charges Chavez-Garay and Diaz-Gamez, both members of the Vegas Locos Salvatruchas (“Vegas”) clique, with racketeering and VICAR offenses in connection with the following violent criminal activity: a conspiracy to murder and the February 19, 2016 murder of Miguel Garcia-Moran, a conspiracy to murder and the August 19, 2023 murder of Carlos Lemus Interiano, also known as “Extrano,” a conspiracy to murder Carlos Lopez-Lopez, also known as “Impaciente,” and a conspiracy to distribute marijuana and cocaine on behalf of the Vegas clique.

As alleged in the Superseding Indictment, Chavez-Garay and Diaz-Gamez participated in the murder of Garcia-Moran, an innocent 15-year-old boy, who the defendants believed was a member of a rival gang. On February 19, 2016, the defendants lured Garcia-Moran to a wooded area in Brentwood, behind 80 Emjay Boulevard, where they beat him to death with metal rods. On September 21, 2016, members of the FBI and the SCPD, who were looking for evidence in connection with the April 29, 2016 murder of Oscar Acosta, whose body had been recently recovered in the same area, located skeletal remains, which were later identified as those of Garcia-Moran.

Years later, Chavez-Garay and Diaz-Gamez, who continued to rise in rank in the Vegas clique, lured Lemus Interiano, a resident of Huntington, New York, to Maryland so that he could be killed. Lemus Interiano, a member of the Vegas clique, had fallen out of favor with the gang, and was targeted for death by not only the Vegas clique but also co-defendant Gervin Barrera-Perez, also known as “Cazador,” “Chapin” and “Trece,” a member of the Huntington clique.¹ On August 19, 2023, Chavez-Garay and Diaz-Gamez drove Lemus Interiano to Maryland, where he was shot and killed in a wooded area. In February 2025, law enforcement in Maryland, while searching for another dead body, recovered Lemus Interiano’s humorous bone at Piscataway Stream Valley Park in Fort Washington, Maryland. A subsequent search and excavation led to the discovery of additional evidence, including more human remains, clothing and a bullet.

And between the end of 2023 and March 2025, Chavez-Garay and Diaz-Gamez participated in the conspiracy to murder Carlos Lopez-Lopez, who, on March 3, 2025, was eventually stabbed to death and drowned after being attacked on the beach in Blue Point, New York. Prior to the murder, Chavez-Garay and Diaz-Gamez helped dig a grave for Lopez-Lopez in a wooded area in Suffolk County, and drove to Lopez-Lopez’s house, armed, with the intention of luring him out so he could be shot. Lopez-Lopez, a former member of the MS-13, was targeted because the MS-13 members believed that he was cooperating with law enforcement, and three defendants in this case have already been charged with committing that murder.

¹ Barrera-Perez was previously charged with racketeering and VICAR offenses, including in relation to the conspiracy to murder Lopez-Lopez, and he is now also charged with the conspiracy to murder Lemus Interiano. He is already detained pending trial in this case.

Because the defendants are charged with, inter alia, murder in aid of racketeering, in violation of 18 U.S.C. § 1959(a)(1), they face mandatory life in prison, or the possibility of the death penalty, if convicted at trial. For their racketeering conduct, the defendants face up to life imprisonment.

II. Detention is Warranted

Under the Bail Reform Act, Title 18, United States Code, Sections 3141 et seq., federal courts are empowered to order a defendant's detention pending trial upon a determination that the defendant is either a danger to the community or a risk of flight. See 18 U.S.C. § 3142(e)(1) ("no condition or combination of conditions would reasonably assure the appearance of the person as required and the safety of any other person and the community"). The Bail Reform Act lists four factors to be considered in the detention analysis: (1) the nature and circumstances of the crimes charged; (2) the history and characteristics of the defendant; (3) the seriousness of the danger posed by the defendant's release; and (4) the evidence of the defendant's guilt. 18 U.S.C. § 3142(g). These factors all warrant detention of the defendants.

The serious nature and circumstances of the offenses charged is self-evident. The brutality and complete disregard for human life, outlined above, demonstrates the bloodlust that is a hallmark of the MS-13, and its members' commitment to murder and mayhem. Garcia-Moran was just 15 years-old at the time of his death, and he was completely defenseless when the defendants lured him into the woods to kill him, all so that they could attain a higher rank in the MS-13 gang. And although Chavez-Garay and Diaz-Gamez were both juveniles at the time, they maintained their membership in the gang, rising in status and continuing to engage in senseless acts of violence as adults. Indeed, Diaz-Gamez was deported, returned to the United States without permission, and reunited with his compatriots. Both defendants dealt drugs, traveled back and forth to Maryland, and served as dedicated members of the gang until their recent arrests. And in the interim, they committed another murder together in 2023, driving Lemus-Interiano from New York to Maryland with the sole purpose of killing him, because he had violated the rules of the gang. If that was not enough, they joined in the conspiracy to kill Carlos Lopez-Lopez and made at least one attempt on his life.

Both defendants are long-standing members of the MS-13, a transnational criminal enterprise comprised primarily of immigrants from Central America, with members located throughout Long Island and Queens, New York, as well as across the United States and in Central America. Moreover, Diaz-Gamez rose to the level of "second word" in the Vegas clique, playing a supervisory role for members in New York and Maryland. The defendants' membership in the MS-13 and their knowing participation in these and other crimes will be demonstrated by overwhelming evidence, including, without limitation, social media records, phone communications, photos and witness testimony.

The defendants' membership in the MS-13 is an aggravating factor with respect to the first three factors of § 3142(g), because it makes the nature of the crimes and the defendants' characteristics more serious, and it elevates the danger the defendants would pose to others if they were released. Members and associates of the MS-13 have engaged in numerous acts of violence in this district, and others, including murders, attempted murders, robberies, assaults, witness tampering, and witness retaliation. Specifically, over the past several years, investigations by federal law enforcement, including the FBI and HSI, have established that the

MS-13 is responsible for countless shootings, stabbings, machete attacks, and violent beatings, levied against rival gang members, or those believed to be rival gang members, including the Bloods, the Latin Kings, Salvadorans With Pride and the 18th Street gang. Additionally, as demonstrated by the offense conduct here, the MS-13 also directs violence against its own members who violate the gang's rules by, among other things, cooperating with law enforcement, as well as their family members and people associated with them, even when they are innocent.

Furthermore, Chavez-Garay is a citizen of El Salvador and Diaz-Gamez is a citizen of Honduras. Chavez-Garay was administratively arrested for immigration violations in August 2025, but then released on a bond later that year while his case was pending. Diaz-Gamez was deported in 2018, but then returned several years later, and was first arrested in Suffolk County in 2022. Thus, their prior conduct and the fact that they will almost certainly face removal from this country if convicted of any of the charges in this case, further heightens their risk of flight.

Still further, the government's evidence against the defendants is overwhelming and includes, without limitation: (1) testimony of eyewitnesses; (2) the testimony of cooperating defendants, who are former members of the MS-13, have pled guilty to their crimes in connection with their own membership in the MS-13, and who have provided information regarding the structure and criminal activities of the MS-13, the defendants' membership in the gang and his role in the charged crimes; (3) social media records; (4) images, communications and other evidence obtained from their own cellular telephones and those of co-conspirators; (5) business records, showing that Diaz-Gamez's vehicle traveled to Maryland on August 19, 2023, and back on August 21, 2023; (6) crimes scene evidence; and (7) testimony and records regarding the autopsies conducted on the victims.

In light of the strength of the evidence in this case, and the substantial terms of incarceration the defendants face, they both pose a serious risk of flight because there is a strong incentive for them to flee rather than be convicted of these crimes. This risk is substantially increased by the fact that the MS-13, a transnational criminal enterprise with chapters throughout the United States and Central America, frequently assists its members in relocating in order to evade capture and prosecution. Thus, if these defendants were to be released, there is a significant risk of flight, in addition to the obvious danger they would present to the community.

III. Conclusion

Based on the factors set forth in Sections 3142(e) and (g), including the serious nature of the charges and the defendants' membership in the MS-13, the government respectfully submits that the defendants present both a danger to the community and a risk of flight. Thus,

the government respectfully requests that the Court enter permanent orders of detention for Chavez-Garay and Diaz-Gamez.

Respectfully submitted,

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United States Attorney

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Exhibit 1 (Second Superseding Indictment)

cc: Clerk of the Court (GRB) (By ECF)