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BROOKLYN OFFICE

NS:NEM
F.#2019R00119/OCDETF#NY-NYE-830

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

LUIS RIVAS,
also known as "Inquieto"
and "Kiko,"
DENNIS CABRERA,
also known as "Panda," and
JAVIER RODRIGUEZ,
also known as "Joker,"

Defendants.

- - - - - X

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this Indictment, unless otherwise indicated:

The Enterprise

1. La Mara Salvatrucha, also known as the "MS-13" (hereinafter the "MS-13" or the "enterprise"), was a transnational criminal organization with members located throughout Queens, New York, Long Island, New York, and elsewhere, divided into local chapters, or "cliques."
2. The MS-13 routinely held meetings to plan criminal activity, and members paid dues into a treasury. The treasury funds were used to purchase firearms,

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**CHEN, J.
MANN. M.J.**

ammunition and other weapons for use in criminal activity. Additionally, treasury funds were sent to MS-13 gang members in Central America. Members of the MS-13 sometimes signified their membership with the colors blue and white, and with graffiti and tattoos reading, among other things, “13,” “MS” and “MARA SALVATRUCHA,” frequently written in gothic lettering.

3. Members of the MS-13 engaged in acts of violence, including murder, attempted murder, assault, robbery, extortion, witness tampering and witness retaliation, as well as other criminal activity, including narcotics trafficking. Participation in criminal activity by a member, especially violence directed at rival gang members or at MS-13 members or associates believed to have violated the enterprise’s rules, increased the respect accorded to the member and could result in promotion to a leadership position. Members of the MS-13 purchased, maintained and circulated firearms and other weapons for use in criminal activity.

4. The MS-13, including its leadership, members and associates, constituted an “enterprise” as defined by Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that was engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

Purposes of the Enterprise

5. The purposes of the enterprise included the following:

(a) Promoting and enhancing the prestige, reputation and position of the enterprise with respect to rival criminal organizations.

(b) Preserving and protecting the power, territory and criminal ventures of the enterprise through the use of intimidation, threats of violence and acts of violence, including assault and murder.

(c) Keeping victims and rivals in fear of the enterprise and its members and associates.

(d) Enriching the members and associates of the enterprise through criminal activity, including robbery, extortion and narcotics trafficking.

(e) Ensuring discipline within the enterprise and compliance with the enterprise's rules by members and associates through threats of violence and acts of violence.

Means and Methods of the Enterprise

6. Among the means and methods by which members and associates of the MS-13 conducted and participated in the conduct of the affairs of the enterprise were the following:

(a) Members and associates of the MS-13 committed, attempted to commit and threatened to commit acts of violence, including murder, attempted murder,

robbery and assault, to enhance the enterprise's prestige and protect and expand the enterprise's criminal operations.

(b) Members and associates of the MS-13 used and threatened to use physical violence against various individuals, including members of rival criminal organizations and against MS-13 members or associates believed to have violated the enterprise's rules.

(c) Members and associates of the MS-13 used, attempted to use and conspired to use robbery, extortion and narcotics trafficking as means of obtaining money.

ASSAULT IN-AID-OF RACKETEERING

7. The allegations contained in paragraphs one through six are realleged and incorporated as if fully set forth in this paragraph.

8. At all times relevant to this Indictment, the enterprise, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, acts involving murder in violation of the laws of the state of New York and offenses involving narcotics trafficking in violation of Title 21, United States Code, Sections 841 and 846.

9. On or about October 22, 2018, within the Eastern District of New York and elsewhere, the defendants LUIS RIVAS, also known as "Inquieto" and "Kiko," DENNIS CABRERA, also known as "Panda," and JAVIER RODRIGUEZ, also known as "Joker," together with others, for the purpose of gaining entrance to, and maintaining and increasing

position in, the MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally assault with a dangerous weapon John Doe, an individual whose identity is known to the Grand Jury, in violation of New York Penal Law Sections 120.05(2) and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), 2 and 3551 et seq.)

A TRUE BILL

[REDACTED]

[REDACTED]
RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F. #2017R00089
FORM DBD-34
JUN. 85

No.

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

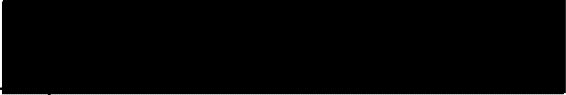
LUIS RIVAS, aka "Inquieto" and "Kiko," et al.,

Defendants.

INDICTMENT

(T. 18, U.S.C., §§ 1959(a)(3), 2 and 3551 et seq.)

A true bill.



Foreperson

Filed in open court this _____ *day,*

of _____ *A.D. 20* _____

Clerk

Bail, \$ _____

Nadia E. Moore and Nadia Shihata, Assistant U.S. Attorneys (718) 254-6362/6295