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GMP:MMH

F. #2019R00690/OCDETF#NY-NYE-764

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

FABIAN EMILIO ZAPATA

TABORDA,

also known as "Milo" and
"Milito,"

Defendant.

----- X

THE GRAND JURY CHARGES:

INDICTMENT

CR 19 212

Cr. No.
(T. 21, U.S.C., §§ 853(a), 853(p),
959(c), 960(b)(1)(B)(ii), 963 and 970;
T. 18, U.S.C., §§ 3238 and 3551 et
seq.)

MATSUMOTO, J.

GOLD, M.J.

INTERNATIONAL COCAINE DISTRIBUTION CONSPIRACY

1. In or about and between December 2013 and September 2014, both dates being approximate and inclusive, within the extraterritorial jurisdiction of the United States, the defendant FABIAN EMILIO ZAPATA TABORDA, also known as "Milo" and "Milito," together with others, did knowingly and intentionally conspire to distribute a controlled substance in one or more places outside the United States, to wit: Costa Rica, Jamaica and Colombia, which offense involved a substance containing cocaine, a Schedule II controlled substance, knowing and intending that such substance would be unlawfully imported into the United States, contrary to Title 21, United States Code, Sections 959(a) and 960(a)(3). The amount of cocaine attributable to the defendant as a result of his own

conduct, and the conduct of other conspirators reasonably foreseeable to him, was five kilograms or more of a substance containing cocaine.

(Title 21, United States Code, Sections 963, 960(b)(1)(B)(ii) and 959(c); Title 18, United States Code, Sections 3238 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

2. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged herein, the government will seek forfeiture in accordance with Title 21, United States Code, Sections 853(a) and 970, which require any person convicted of such offense to forfeit: (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of such offense, and (b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (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 divided 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 the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a), 853(p) and 970)

A TRUE BILL

FOREPERSON

UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F.#: 2019R00690/OCDETF#NY-NYE-764

FORM DBD-34

JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

FABIAN EMILIO ZAPATA TABORDA,

Defendant.

INDICTMENT

(T. 21, U.S.C., §§ 963, 959(c), 960(b)(1)(B)(ii), 853(a), 853(p) and
970; T. 18, U.S.C., §§ 3238 and 3551 et seq.)

A true bill.

_____ *Foreperson*

Filed in open court this _____ day,

of _____ A.D. 20 _____

_____ *Clerk*

Bail, \$ _____

Marcia M. Henry, Assistant U.S. Attorney (718) 254-6393