

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
LUIS MANUEL GOMEZ RODRIGUEZ :		VIOLATIONS:
JOSE ANTONIO ROSARIO REYES		21 U.S.C. § 841(a)(1) (conspiracy to
	:	distribute 1 kilogram or more of
		heroin – 1 count)
	:	21 U.S.C. § 841(a)(1) (possession with
		intent to distribute 1 kilogram or more of
	:	heroin – 1 count)
		21 U.S.C. § 860(a) (possession with
	:	intent to distribute 1 kilogram or more of
		heroin within 1,000 feet of a school – 1
	:	count)
		18 U.S.C. § 924(c) (possession of a firearm
	:	in furtherance of a drug trafficking crime
		– 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
		Notices of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From on or about October 9, 2015 to on or about October 22, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendants

LUIS MANUEL GOMEZ RODRIGUEZ and
JOSE ANTONIO ROSARIO REYES

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute 1 kilogram or more, that is, approximately 12 kilograms,

of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

MANNER AND MEANS

It was a part of the conspiracy that:

2. The defendants were members of a drug organization that received, prepared and packaged multi-kilogram quantities of heroin for street sale and distribution in Philadelphia.

3. The organization used the premises at 7563 Battersby Street in Philadelphia as a stash house for concealing and storing kilogram quantities of heroin, as a location to cut, prepare and package heroin for street sale in Philadelphia, as well as a place to store proceeds from drug sales and to maintain records from those sales.

4. The organization concealed inside the 7563 Battersby Street premises multi-kilogram quantities of heroin intended for cutting and packaging, placing the kilograms of heroin inside pieces of furniture containing hidden compartments.

5. The organization employed multiple workers on a periodic basis to mill, prepare, cut and package heroin for street sale and maintained in the basement of the premises extensive paraphernalia, including strainers, grinders, presses, scales, a bucket, ziplock bags, glassine envelopes and two large ziplock bags containing cutting substances, all of which were for use in the cutting and packaging of heroin for street sale.

6. Defendant LUIS MANUEL GOMEZ RODRIGUEZ worked for the organization and maintained the 7563 Battersby Street premises for the purposes of storing bulk heroin, packaging heroin for street sale and distribution, and collecting and storing proceeds of heroin sales.

7. Defendant JOSE ANTONIO ROSARIO REYES resided in and maintained the organization's "stash house" at 7563 Battersby Street and served as a worker for the organization who accepted and stored at the Battersby Street premises bulk heroin and items used in the cutting and packaging of heroin for street sale.

8. Defendants LUIS MANUEL GOMEZ RODRIGUEZ and JOSE ANTONIO ROSARIO REYES jointly possessed and controlled a loaded handgun inside the 7563 Battersby Street premises in order to protect the organization's stash location for bulk heroin and proceeds generated from the sale of the pre-packaged heroin produced there.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants LUIS MANUEL GOMEZ RODRIGUEZ and JOSE ANTONIO ROSARIO REYES committed the following overt acts, among others, in the Eastern District of Pennsylvania:

1. On or about October 9, 2015, defendant LUIS MANUEL GOMEZ RODRIGUEZ carried into 7563 Battersby Street, a white plastic bag containing a dark handled strainer of the kind used in the preparation and packaging of heroin for street sale, after being admitted to the premises by defendant JOSE ANTONIO ROSARIO REYES.

2. On or about October 9, 2015, defendant LUIS MANUEL GOMEZ RODRIGUEZ, approximately twelve hours after he had entered the Battersby Street premises, exited the residence, unlocked a white Econoline van in which he had been seen earlier in the day upon arrival at the premises, and returned and re-entered the premises; approximately one minute later, defendant GOMEZ RODRIGUEZ exited the Battersby Street residence again, carrying, in two hands, a large cardboard box, which he placed in the van, and then drove from the area.

3. On or about October 14, 2015, defendant LUIS MANUEL GOMEZ RODRIGUEZ arrived at and was admitted to 7563 Battersby Street by defendant JOSE ANTONIO ROSARIO REYES; defendant Gomez Rodriguez then quickly departed the premises.

4. On or about October 22, 2015, defendant LUIS MANUEL GOMEZ RODRIGUEZ, after arriving at the 7563 Battersby Street premises driving a white Econoline van, exited from the passenger side of the vehicle carrying a white plastic bag, similar to the one observed on October 9, 2015, and carried it into 7563 Battersby Street, after being admitted to the premises by defendant JOSE ANTONIO ROSARIO REYES.

5. On or about October 22, 2015, defendants LUIS MANUEL GOMEZ RODRIGUEZ and JOSE ANTONIO ROSARIO REYES possessed inside the 7563 Battersby premises approximately 12 kilograms of heroin, found concealed in compartments inside two pieces of furniture, a 9 mm Kel-Tech Luger handgun loaded with 7 live rounds of ammunition, approximately \$79,286 in United States currency, and a significant amount of heroin trafficking paraphernalia and packaging material

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 22, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUIS MANUEL GOMEZ RODRIGUEZ and
JOSE ANTONIO ROSARIO REYES**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 1 kilogram or more, that is, approximately 12 kilograms, of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 22, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUIS MANUEL GOMEZ RODRIGUEZ and
JOSE ANTONIO ROSARIO REYES**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 1 kilogram or more, that is, approximately 12 kilograms, a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1,000 feet of the real property comprising the Abraham Lincoln High School, a public high school, located at 3201 Ryan Avenue, in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 22, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUIS MANUEL GOMEZ RODRIGUEZ and
JOSE ANTONIO ROSARIO REYES**

knowingly possessed, and aided and abetted the possession of, a firearm, that is, a Kel-Tech 9 mm Luger pistol, serial number AA3A99, loaded, with one round in the firing chamber and a magazine containing 6 live rounds of ammunition, in furtherance of a drug trafficking crime for which they may be prosecuted in a court of the United States, that is, possession with intent to distribute 1 kilogram or more of heroin, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Sections 846 and 841(a)(1), set forth in this indictment, defendants

**LUIS MANUEL GOMEZ RODRIGUEZ and
JOSE ANTONIO ROSARIO REYES**

shall forfeit to the United States of America:

(a) Any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense, including, but not limited to, the sum of \$79,286 in United States currency and one 2006 Jeep Cherokee, VIN 1J4HR58N56C282627, bearing New Jersey registration R17CFK; and

(b) Any property constituting, or derived from, any proceeds obtained directly or indirectly from the commission of such offense.

2. If any of the property described above as being subject to forfeiture, as a result of any act of 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 pursuant to Title 21, United States Code, Section 853.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Section 924(c), set forth in this indictment, defendants

**LUIS MANUEL GOMEZ RODRIGUEZ and
JOSE ANTONIO ROSARIO REYES**

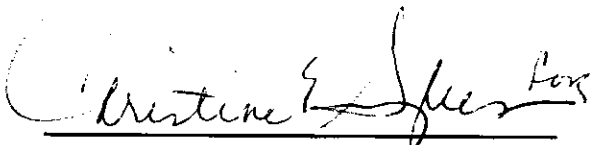
shall forfeit to the United States of America all firearms and ammunition involved in the commission of such violation, including, but not limited to:

1. one Kel-Tech 9 mm Luger pistol, serial number AA3A99, with one live round in the firing chamber and a magazine loaded with 6 live rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON



ZANE DAVID MEMEGER
United States Attorney