

FILED

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

2020 JUN 18 PM 1:21  
CLERK, US DISTRICT COURT  
MIDDLE DISTRICT FLORIDA  
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 8:20-cr-202-T-60 AAS

21 U.S.C. § 846

WILMER ROSALES,  
a/k/a "DOUBLEU,"

18 U.S.C. § 1951

and JOEL SIERRA,  
a/k/a "JOJO"

18 U.S.C. § 924

18 U.S.C. § 922

**INDICTMENT**

The Grand Jury charges:

**COUNT ONE**  
**(Drug Conspiracy)**

Beginning on an unknown date and continuing through and including on or about January 25, 2019, in the Middle District of Florida and elsewhere, the defendants,

WILMER ROSALES, a/k/a "DOUBLEU,"  
and JOEL SIERRA, a/k/a "JOJO,"

did knowingly and willfully conspire with each other and other persons, both known and unknown to the Grand Jury, to possess with intent to distribute a controlled substance. The violation involved marijuana, a Schedule I controlled substance, and alprazolam (also known as Xanax), a Schedule IV controlled substance.

In violation of 21 U.S.C. §§ 846 and 841(b)(1)(D) and (b)(2).

**COUNT TWO**  
**(Conspiracy to Commit Robbery)**

Beginning on an unknown date and continuing through and including on or about January 25, 2019, in the Middle District of Florida and elsewhere, the defendants,

WILMER ROSALES, a/k/a “DOUBLEU,”  
and JOEL SIERRA, a/k/a “JOJO,”

did knowingly and willfully conspire with each other and other persons, both known and unknown to the Grand Jury, to—in any way and degree—obstruct, delay, and affect commerce, as that term is defined in 18 U.S.C. 1951(b)(3), and the movement of any articles and commodities in commerce, by robbery, as that term is defined in 18 U.S.C. § 1951(b)(1), that is, by knowingly and unlawfully taking and obtaining personal property consisting of marijuana, a Schedule I controlled substance, and currency, from the person and in the presence of another, against a person’s will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the person.

In violation of 18 U.S.C. § 1951(a) and (b).

**COUNT THREE**  
**(Interference with Commerce by Robbery)**

On or about January 25, 2019, in the Middle District of Florida, the  
defendants,

WILMER ROSALES, a/k/a “DOUBLEU,”  
and JOEL SIERRA, a/k/a “JOJO,”

while aiding and abetting each other and other persons, both known and unknown to the Grand Jury, did knowingly—in any way and degree—obstruct, delay, and affect commerce, as that term is defined in 18 U.S.C. § 1951(b)(3), and the movement of any article and commodity in commerce, by robbery, as that term is defined in 18 U.S.C. § 1951(b)(1), that is, by knowingly and unlawfully taking and obtaining personal property consisting of marijuana, a Schedule I controlled substance, and currency, from the person and in the presence of another, against the person’s will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the person.

In violation of 18 U.S.C. §§ 1951(a) and (b) and 2.

**COUNT FOUR**

**(Use of a Firearm During and in Relation to a Drug Trafficking Crime,  
Causing the Death of G.U.)**

On or about January 25, 2019, in the Middle District of Florida, the  
defendant,

WILMER ROSALES, a/k/a “DOUBLEU,”

while aiding and abetting others, both known and unknown to the Grand  
Jury, did knowingly possess a firearm in furtherance of, and did knowingly  
use, carry, brandish, and discharge a firearm during and in relation to, a drug  
trafficking crime for which the defendant may be prosecuted in a Court of the  
United States, specifically, the drug conspiracy alleged in Count One of this  
Indictment. In the course of the crime, the defendant caused the death of G.U.  
through the use of the firearm, the killing of whom was murder, as defined in  
18 U.S.C. § 1111, in that it was committed with premeditated intent, with  
malice aforethought, and in the course of a robbery.

In violation of 18 U.S.C. §§ 924(c), 924(c)(1)(A)(iii), 924(j)(1), and 2.

**COUNT FIVE**

**(Felon in Possession of a Firearm and Ammunition)**

On or about January 25, 2019, in the Middle District of Florida, the  
defendant,

WILMER ROSALES, a/k/a “DOUBLEU,”

knowing that he had been previously convicted in any court of a crime punishable by imprisonment for a term exceeding one year, including:

- a. Possession of methamphetamine, on or about December 5, 2017; and
- b. Possession of 20 grams or more of cannabis, on or about December 5, 2017,

did knowingly possess, in and affecting interstate and foreign commerce, a firearm and ammunition.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

**COUNT SIX**  
**(Possession of a Firearm within 1000 feet of a School)**

On or about January 25, 2019, in the Middle District of Florida, the defendant,

WILMER ROSALES, a/k/a “DOUBLEU,”

did knowingly possess a firearm that had moved in and affected interstate commerce, within 1000 feet of the grounds of an elementary school, a place that the defendant knew and had reasonable cause to believe was a school zone.

In violation of 18 U.S.C. §§ 922(q)(2)(A) and 924(a)(4).

**SPECIAL FINDINGS AS TO WILMER ROSALES, a/k/a “DOUBLEU”**

1. Count Four of the Indictment is re-alleged and incorporated by reference, as though fully set forth herein.

2. As to Count Four of the Indictment, alleging use of a firearm during and in relation to a drug trafficking crime, causing death, the defendant,

WILMER ROSALES, a/k/a “DOUBLEU,”

- a. was 18 years of age or older at the time of the offense;
- b. intentionally killed the victim, G.U. (18 U.S.C. § 3591(a)(2)(A));
- c. intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force could be used in connection with a person, other than one of the participants in the offenses, and the victim, G.U., died as a direct result of the act (18 U.S.C. § 3591(a)(2)(C));
- d. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human

life, and the victim, G.U., died as a direct result of the act (18 U.S.C. § 3591(a)(1)(D)); and

- e. in commission of the offense, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense (18 U.S.C. § 3592(c)(5)).

### **FORFEITURE**

1. The allegations contained in Counts One through Five are incorporated by reference for the purpose of alleging forfeiture, pursuant to 21 U.S.C. § 853, 18 U.S.C. § 981(a)(1)(C), 18 U.S.C. § 924(d), and 28 U.S.C. § 2461(c).

2. Upon conviction of any violation of 21 U.S.C. § 846, the defendants shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a)(1) and (2), any property constituting or derived from any proceeds the defendants obtained, directly or indirectly, as a result of the violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the violation.

3. Upon conviction of any violation of 18 U.S.C. § 1951, the defendant shall forfeit to the United States of America, pursuant to 18 U.S.C. § 981(a)(1)(C), and 28 U.S.C. § 2461(c), any property, real or personal, which

constitutes or is derived from proceeds traceable to the violation, and, pursuant to 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition used or involved in the offense.

4. Upon conviction of any violation of 18 U.S.C. § 924(c), 18 U.S.C. § 922(g) or 18 U.S.C. § 922(q), the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the violation.


5. If any of the property described above, 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 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;

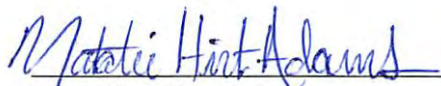


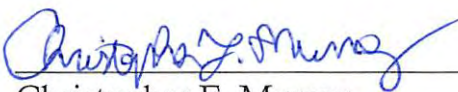
the United States shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), directly and as incorporated by 28 U.S.C. § 2461(c).

A TRUE BILL,

  
\_\_\_\_\_  
Foreperson

MARIA CHAPA LOPEZ  
United States Attorney

By:   
\_\_\_\_\_  
Natalie Hirt Adams  
Assistant United States Attorney

By:   
\_\_\_\_\_  
Christopher F. Murray  
Assistant United States Attorney  
Chief, Violent Crime and Narcotics Section

No.

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**UNITED STATES DISTRICT COURT**  
Middle District of Florida  
Tampa Division

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THE UNITED STATES OF AMERICA

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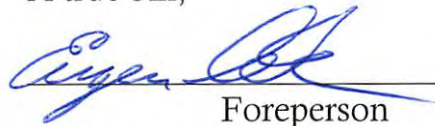
**INDICTMENT**

Violations: 21 U.S.C. § 846  
18 U.S.C. § 1951  
18 U.S.C. § 924  
18 U.S.C. § 922

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A true bill,

  
Foreperson

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Filed in open court this 18th day  
of June, 2020.

\_\_\_\_\_  
Clerk

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Bail \$ \_\_\_\_\_

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