

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

DEC -3 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

CRIMINAL COVER SHEET

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA V. JUAN LEOPOLDO GARATE AGUIRRE and CASE NUMBER:

JOSE MANUEL RODRIGUEZ NARANJO

BLF

CR 20 - 0460

This Case Under Seal?

Yes No

Total Number of Defendants:

1 2-7 8 or more

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes No

Venue (Per Crim. L.R. 18-1):

SF OAK SJ

Is this a potential high-cost case?

Yes No

Is any defendant charged with a death-penalty-eligible crime?

Yes No

Is this a RICO Act gang case?

Yes No

Assigned AUSA
(Lead Attorney): Alexandra Shepard

Date Submitted: 12/03/2020

Comments:

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

21 U.S.C. § 841(a)(1), and (b)(1)(A) - Possession with Intent to Distribute and Distribution of Methamphetamine
 Petty
 Minor
 Misdemeanor
 Felony
PENALTY: Max. imprisonment - life; Mandatory min. imprisonment - 10 years; Maximum fine - \$10,000,000
Supervised release term - 5 years minimum, life maximum \$100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FILED

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DEFENDANT - U.S.

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

JUAN LEOPOLDO GARATE AGUIRRE

DISTRICT COURT NUMBER

CR 20 0460

BLF

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction } Federal State
- 6) Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form DAVID L. ANDERSON

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) ALEXANDRA SHEPARD

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address: _____

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments: _____

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BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

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21 U.S.C. § 841(a)(1), and (b)(1)(A) – Possession with Intent to Distribute and Distribution of Methamphetamine Petty Minor Misdemeanor Felony

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DEFENDANT - U.S.

▶ JOSE MANUEL RODRIGUEZ NARANJO

BLF

DISTRICT COURT NUMBER

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NORTH DISTRICT OF CALIFORNIA

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U.S. Attorney Other U.S. Agency

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Date/Time: _____ Before Judge: _____

Comments: _____

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN JOSE

ED

2020

ONG
T COURT
ALIFORNIA

UNITED STATES OF AMERICA,

v.

CR 20 - 0460

JUAN LEOPOLDO GARATE-AGUIRRE and
JOSE MANUEL RODRIGUEZ NARANJO

BLF

FILED

DEC -3 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

DEFENDANT(S).

INDICTMENT

21 U.S.C. § 841(a)(1), and (b)(1)(A) – Possession with Intent to Distribute and
Distribution of Methamphetamine;
21 U.S.C. § 853 – Forfeiture Allegation

A true bill.

/s/ Foreperson of the Grand Jury

Foreman

Filed in open court this 3rd day of

Decemeber, 2020

Susan van Keul

Clerk

Bail, \$ Warrant

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney

FILED

DEC -3 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

BLF

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

CR 20 0460

11 UNITED STATES OF AMERICA,

) CASE NO.

12 Plaintiff,

) VIOLATIONS:

13 v.

) 21 U.S.C. § 841(a)(1), and (b)(1)(A) – Possession
) with Intent to Distribute and Distribution of
) Methamphetamine;

14 JUAN LEOPOLDO GARATE AGUIRRE and
JOSE MANUEL RODRIGUEZ NARANJO,

) 21 U.S.C. § 853 – Forfeiture Allegation

15 Defendants.
16
17
18
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20
21 INDICTMENT

22 The Grand Jury charges:

23 COUNT ONE: (21 U.S.C. § 841(a)(1) and (b)(1)(A)(viii) – Possession with Intent to Distribute
and Distribution of Methamphetamine)

24
25 On or about December 12, 2019, in the Northern District of California, the defendants,

26 JUAN LEOPOLDO GARATE AGUIRRE, and
27 JOSE MANUEL RODRIGUEZ NARANJO

28
INDICTMENT

1 did knowingly and intentionally distribute and possess with intent to distribute 500 grams and more of a
2 mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts
3 of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Section
4 841(a)(1) and (b)(1)(A)(viii).

5 FORFEITURE ALLEGATION: (21 U.S.C. § 853(a))

6 The allegations contained above are hereby re-alleged and incorporated by reference for the
7 purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853(a).

8 Upon conviction of any of the offenses alleged in Count One above, the defendants,

9 JUAN LEOPOLDO GARATE AGUIRRE, and
10 JOSE MANUEL RODRIGUEZ NARANJO

11 shall forfeit to the United States all right, title, and interest in any property constituting and derived from
12 any proceeds defendant obtained, directly or indirectly, as a result of such violations, and any property
13 used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such
14 violations, including but not limited to a forfeiture money judgment.

15 If any of the property described above, as a result of any act or omission of the defendant:

- 16 a. cannot be located upon exercise of due diligence;
- 17 b. has been transferred or sold to, or deposited with, a third party;
- 18 c. has been placed beyond the jurisdiction of the court;
- 19 d. has been substantially diminished in value; or
- 20 e. has been commingled with other property which cannot be divided without
21 difficulty,

22 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
23 United States Code, Section 853(p).

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