

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

UNITED STATES OF AMERICA

v.

Case Number 3:17cr2/RV

ANDRES A. BARRIOS
_____ /

FACTUAL BASIS FOR GUILTY PLEA

The defendant admits that if this case were to proceed to trial, the government could prove the following facts.

Federal and local law enforcement agencies have been investigating a multi-state drug trafficking and money laundering organization (DTO) operating in Florida, California, and elsewhere. During the course of the investigation, agents learned that the defendant and his co-defendant were sent by the California based DTO to Florida in order to manage the DTO's Destin/Fort Walton Beach marijuana distribution operation.

On or about April 21, 2015, the Okaloosa County Sheriff's Office (OCSO) executed a search warrant at the residence of **Andres Barrios**. Pursuant to the search of said residence, as well as the vehicle of **Barrios**, law enforcement seized (amongst other things): over 20 pounds of marijuana, digital scales, vacuum sealed bags, grinders, a stolen .40 caliber semi-automatic pistol, and United States

currency. Though the defendant was convicted of felonies related to the aforementioned seizure (said felonies are listed in the indictment in Count Three), **Barrios** was released from custody and continued to engage in a criminal conspiracy that he had been involved in for quite some time.

On or about July 19, 2016, the OCSO was advised by a Destin condominium home owners association that it had received complaints from residents about the odor of marijuana emitting from air conditioner vents. OCSO investigators eventually obtained and executed a search warrant at Unit 1505 of the condominium. Co-defendant Guerrero-Lantz and others were residing in Unit 1505 at the time. OCSO investigators located two shoe boxes inside the condominium containing approximately \$17,000 of U.S. currency. A review of the shoe boxes also revealed illicit handwritten ledgers regarding drug proceed debts. During the search, OCSO investigators also located marijuana, vacuum sealed bags containing the odor of marijuana, dozens of receipts for \$500 Western Union money orders, and multiple vehicle titles. The investigation revealed that Guerrero-Lantz, prior to the search, had acquired multiple vehicles. Guerrero-Lantz had some of these vehicles placed in the names of nominees. Indeed, he was conspiring with **Barrios** and others to promote and conceal drug trafficking proceeds via Western Union money order negotiations and vehicle purchases utilizing nominees' names.

During the course of the investigation, the IRS identified bank accounts that

Barrios and Guerrero-Lantz and others used to launder drug trafficking proceeds. Bank records show these accounts were generally established in California and were funded primarily by large cash deposits conducted in the Destin/Fort Walton Beach area. These cash deposits ranged between \$1,500 and \$10,000; never exceeding the \$10,000 currency reporting threshold. Below is a small sample of money laundering transactions **Barrios** engaged in with others to clean the drug proceeds of this conspiracy (approximately \$40,000 deposited by **Barrios** in cash in just six months into this one illicit bank account):

1/3/2013	x1661	\$4,000	Bank of America	Andres Barrios
3/1/2013	x1661	\$4,920	Bank of America	Andres Barrios
4/5/2013	x1661	\$9,000	Bank of America	Andres Barrios
5/21/2013	x1661	\$3,000	Bank of America	Andres Barrios
6/10/2013	x1661	\$7,500	Bank of America	Andres Barrios
6/25/2013	x1661	\$5,500	Bank of America	Andres Barrios
7/17/2013	x1661	\$5,600	Bank of America	Andres Barrios

On December 5, 2016, agents initiated surveillance at the Okaloosa County Jail in an attempt to observe Guerrero-Lantz being released after serving local time for a marijuana related offense. Agents observed a male arrive at the jail and pick-up Guerrero-Lantz. The agents surveilled the vehicle as they travelled to Sunsail Circle, Destin, Florida, where Guerrero-Lantz and others exited the vehicle and entered the residence. Thereafter, Guerrero-Lantz, and others, exited the residence, entered a Cadillac Escalade (Subject Vehicle 1) and travelled to a

restaurant (the IRS was able to identify one of said males as defendant **Barrios**). After eating, Guerrero-Lantz and the other males (including **Barrios**) entered Subject Vehicle 1 and returned to Sunsail Circle.

On or about December 6, 2016, agents initiated video surveillance of Sunsail Circle. During the surveillance, the IRS observed Subject Vehicle 2 (the BMW noted in the indictment) parked in the residence's garage along with a Mercedes G-Class (Subject Vehicle 3, noted in the indictment). The IRS later learned that Guerrero-Lantz and others might be fleeing the area. In the early morning hours of December 10, 2016, an interdiction unit stopped Guerrero-Lantz and others in or about Jackson, Mississippi, with Subject Vehicles 1 and 2. Seized as a result of this stop of the co-defendant was approximately \$10,000 in currency, bank deposit slips showing deposits of tens of thousands of dollars structured under the \$10,000 reporting threshold, money orders in increments of \$500, and multiple cellular telephones. This evidence was derived from Sunsail Circle, wherein Guerrero-Lantz was located before traveling and where **Barrios** remained.

On the morning of December 11, 2016, law enforcement executed a federal search warrant at Sunsail Circle. Defendant **Barrios** was located inside along with other males. Seized pursuant to the search warrant was the following: thirteen (13) one pound bags of marijuana, approximately \$10,000 in currency, .45 caliber ammunition, body armor, vacuum sealed bags, cellular telephones, and a loaded .45

caliber semi-automatic Glock pistol (**Barrios** concedes the marijuana and firearm were in his). The defendant agrees he was conspiring with others to launder the proceeds of the marijuana distribution conspiracy he was involved in. That is he, along with others and his co-defendant, was funneling drug proceeds through bank accounts in total of hundreds of thousands of dollars as well as purchasing vehicles through the use of nominees in order to clean the illicit drug proceeds. The defendant, as charged in the indictment that is now fully incorporated herein as true and accurate, is a convicted felon with no right to possess the above noted firearm nor the ammunition that had both travelled in interstate or foreign commerce.

A federal search warrant was thereafter executed at a storage unit in Okaloosa County, Florida, that was utilized by **Barrios** and his conspirators. Located therein, law enforcement seized over 350 one pound vacuum sealed bags that had been used to transport and then distribute marijuana. The entirety of this criminal conspiracy, which was foreseeable to the defendant as an active participant, exceeded 100 kilograms of marijuana distributed over time.

Elements of the Offense

The defendant, along with his counsel, has reviewed the elements necessary to be proven beyond a reasonable doubt. He understands and agrees the government's evidence can prove the charges in the indictment.

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Feb 24, 2017

Date

3/1/17

Date



ANDRES A. BARRIOS
Defendant

2-24-17

Date