

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

UNITED STATES OF AMERICA

v.

Case Number 3:17cr2/RV

BENJAMIN GUERRERO-LANTZ
_____ /

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 July 19, 2016, the Okaloosa County Sheriff's Office (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. **Guerrero-Lantz** and others were residing in Unit

A handwritten signature in black ink, appearing to be the name 'Guerrero-Lantz', is written over the page number '1'.

1505 at the time. OCSO investigators located two shoe boxes inside the condo 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, large 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 others to promote and conceal drug trafficking proceeds via Western Union money order negotiations and vehicle purchases utilizing nominees' names.

OCSO also obtained and executed a search warrant for **Guerrero-Lantz's** 2012 Toyota Tundra. Inside the vehicle, investigators located multiple receipts for \$500 money orders and a Wells Fargo Bank transaction receipt for a \$9,000 cash deposit. In total, investigators located approximately 48 receipts for \$500 Western Union money orders.

During the course of the investigation, the IRS identified approximately eight (8) bank accounts that **Guerrero-Lantz** and others used to launder drug trafficking proceeds. Bank records show that each of these accounts was established in California and was funded primarily by large cash deposits conducted in the



Destin/Fort Walton Beach area. A review of Bank of America and Wells Fargo Bank records show that between at least December 12, 2014, and October 17, 2016, the identified accounts received approximately forty-five cash deposits, totaling approximately \$367,440. These cash deposits ranged between \$1,500 and \$10,000; never exceeding the \$10,000 currency reporting threshold.

As a result of the marijuana and other contraband found to be in **Guerrero-Lantz's** possession during the July 19, 2016, search, **Guerrero-Lantz** was charged locally. Okaloosa County Jail telephone records show that on or about July 20, 2016, **Guerrero-Lantz** placed a telephone call from the Jail to an unidentified male (UM). The following is an excerpt of their recorded conversation:

BGL: Ok, well if you have cousin's number you call cousin, cause I can't call cousin cause that the main...he can't be on the phone like that. You feel me?

UM: Ok, I'm going to text him right now and let him know I'm on the phone with you.

BGL: No, No, No, call him, call him, get another phone.

.....
BGL: I've got to make this shit happen fast. I've gotta get bailed out of here. We've got shit we gotta get and all that type of shit...before these other people get it.

When **Guerrero-Lantz** was telling the unidentified male "we've got shit we gotta get and all that type of shit...before these other people get it," **Guerrero-Lantz** was referencing picking up packages of marijuana mailed to the Destin/Fort Walton Beach area. Okaloosa County Jail records show that on or about July 21, 2016, **Guerrero-Lantz** was released from jail on bond.

According to a Wells Fargo Bank report, on August 15, 2016,



Guerrero-Lantz deposited \$9,000 of U.S. currency to an account ending in 8407. During the course of the investigation, IRS even obtained Bank of America security camera video that showed **Guerrero-Lantz** depositing \$7,500 of U.S. currency to an account, on or about September 28, 2016. According to a Wells Fargo Bank report, on or about October 7, 2016, **Guerrero-Lantz** also deposited \$9,300 of U.S. currency to an account ending in 2880.

On or about October 20, 2016, **Guerrero-Lantz** entered a plea of nolo-contendere to the local charges and was sentenced to sixty days in jail, which he immediately began serving. Jail inmate telephone records show that, on October 20, 2016, **Guerrero-Lantz** placed a telephone call to an unidentified male (UM).

The following is an excerpt of the recorded conversation:

BGL: I need a big favor. I need you to write this number down right here.

UM: Yea, go ahead I have my pen ready

BGL: 850-974-XXXX

UM: Ok, who's this?

BGL: Ok this uh, that right there, that's like my right hand man out here. He the one that took me to jail last night and everything. He's my nigga, he's going to be the one looking after the uh, and he already talked to uh talked to Cousin Drew and everything. While I'm in here, he's going to be the one dropping the money off and all that shit...you feel me. He's got little bitches for that.

.....
BGL: Yea that's the number to call and be like hey what's up this is Benjie's cousin out here in Cali, he wanted me to let you know, uh, he wanted me to let you know what's up, you know that uh. Oh he, he also has Cho's number. So just let him know this, be like if you need any work or anything just call, uh, call uh, call, call Cho. Call...call our older cousin Cho. If he asks for work, but if he's just worried about me let him know what's up about me, but if he's like hey I need some work, cause I just, I gave him a whole...pretty much I gave him work before we left.



When **Guerrero-Lantz** was telling the unidentified male “While I’m in here, he’s going to be the one dropping the money off and all that shit...you feel me” and “he’s got little bitches for that” **Guerrero-Lantz** was notifying the unidentified male that another male will be managing the drug trafficking and money laundering operation while **Guerrero-Lantz** is incarcerated and that he employs females to launder money for the DTO.

Okaloosa County Jail inmate telephone records show that on December 1, 2016, **Guerrero-Lantz** placed a telephone call to an unidentified female. The following is an excerpt from their conversation:

BGL: I can’t wait to get out, you have no idea. The day I get out I’m going shopping, you don’t even understand.

UF: Yea?

BGL: Hell yea

UF: Who has all your money?

BGL: Huh?

UF: Who has all your money?

BGL: Shit, the streets. I gotta go pick that shit up. (laughter) Hell yea.

.....

UF: Where are you going to stay out there, while you’re out there for a few days?

BGL: We got a house, duh.

When **Guerrero-Lantz** says that his money is in the “streets” and that he has to pick it up, he is talking about picking up drug trafficking proceeds from his distributors.

When **Guerrero-Lantz** and the unidentified female are discussing where he will stay once he is released from jail and **Guerrero-Lantz** says “we got a house,” he is saying that the DTO has a house in the Destin/Fort Walton Beach area.



On December 5, 2016, agents initiated surveillance at the Okaloosa County Jail in an attempt to observe **Guerrero-Lantz** being released from jail in order to locate the aforementioned DTO house. 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 (thereafter, the IRS was able to identify one of said males as co-defendant Andres A. Barrios). After eating, **Guerrero-Lantz** and the other males 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 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. The defendant now concedes 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, were funneling drug proceeds through bank accounts in total of hundreds of thousands of dollars.

On the morning of December 11, 2016, law enforcement executed a federal search warrant at Sunsail Circle. Co-defendant Barrios was located inside along with other males. Seized pursuant to the search warrant was the following: thirteen (13) approximately 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. The entirety of this criminal conspiracy, which was foreseeable to the defendant as an active participant in the drug proceeds, exceeded 100 kilograms of marijuana distributed over time.

A handwritten signature or set of initials, possibly "D" or "S", written in dark ink.

Elements of the Offense

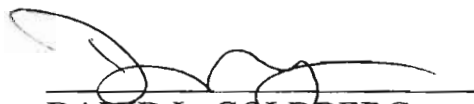
The defendant, along with his counsel, has reviewed the elements necessary to be proven beyond a reasonable doubt. He understands and agrees the government's evidence can prove the charges in the indictment.

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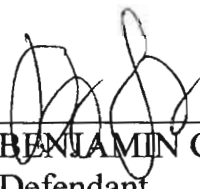
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3-6-17

Date

3/8/17

Date



BENJAMIN GUERRERO-LANTZ
Defendant

3/6/17

Date