

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

LUIS ANTONIO CRUZ

also known as "Tony," and "Carlos Cruz,"

JULIO SANTIAGO aka "Looney"

JOEL CHAVEZ aka "Tino"

EMMANUEL FERNANDEZ

JOSE RAMOS-GARNICA aka "Amado"

JOSE NUNEZ aka "Gordo and "El Gordito"

DELVI COMPRES

ERIC COBARRUBIA

ANTONIO GRIMALDO aka "Tony"

CARLOS ALBERTO CRUZ-CARRERA

Also known as "Charlie"

CRISTINO MERCED aka "Junior"

GILBERTO DANIELS

ARCILIO LAUREANO-NAVARRO

DAVID LOZADO-OTERO

FRANCISCO QUINTANA

JUAN VAZQUEZ-DELGADO

aka "Meno" and "Manuelito"

SANTIAGO DIAZ-GALLEGOS

CASE NUMBER:

**UNDER SEAL****CRIMINAL COMPLAINT**

I, the complainant, state that the following is true to the best of my knowledge and belief.

At Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, the defendants committed the following violations:

**Count One***Code Section*

21 U.S.C. §§ 846 and 841(a)

*Offense Description*

Beginning no later than May 2013 and continuing to in or about April 2014, at Chicago, in the Northern District of Illinois and elsewhere, defendants LUIS ANTONIO CRUZ, JULIO SANTIAGO, JOEL CHAVEZ, EMMANUEL FERNANDEZ, JOSE RAMOS-GARNICA, JOSE NUNEZ, DELVI COMPRES, ERIC COBARRUBIA, ANTONIO GRIMALDO, CARLOS ALBERTO

CRUZ-CARRERA, CRISTINO MERCED, GILBERTO DANIELS, ARCILIO LAUREANO-NAVARRO, and DAVID LOZADO-OTERO, did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, 500 grams or more of mixtures and substances containing a detectable amount of cocaine, a Schedule II Controlled Substance, and 1 kilogram or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Controlled Substance

**Count Two**

*Code Section*

21 U.S.C. § 841(a)

*Offense Description*

On or about June 27, 2013, in the Northern District of Illinois, FRANCISCO QUINTANA did knowingly and intentionally possess with intent to distribute a controlled substance, namely, a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance

**Count Three**

*Code Section*

21 U.S.C. § 841(a)

*Offense Description*

On or about July 10, 2013, in the Northern District of Illinois, JUAN VAZQUEZ-DELGADO and JOSE NUNEZ did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance

**Count Four**

*Code Section*

21 U.S.C. § 841(a)

*Offense Description*

On or about January 8, 2014, in the Northern District of Illinois, SANTIAGO DIAZ-GALLEGOS and JOSE NUNEZ did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 1 kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

\_\_\_\_\_  
GUSTAVO Z. MARTINEZ

Special Agent, Federal Bureau of Investigation

Sworn to before me and signed in my presence.

Date: July 27, 2015

\_\_\_\_\_  
*Judge's signature*

City and State: Chicago, Illinois

SIDNEY SCHENKIER, U.S. Magistrate Judge

*Printed name and Title*

UNITED STATES DISTRICT COURT            )  
  )  
NORTHERN DISTRICT OF ILLINOIS        )       ss

I, Gustavo Z. Martinez, being duly sworn, state as follows:

**I. INTRODUCTION**

1. I am a Special Agent with the Federal Bureau of Investigation and have been so employed since 2006. As such, I am an “investigative or law enforcement officer” within the meaning of 18 U.S.C. § 2510(7), that is an officer of the United States who is empowered by law to conduct investigation of, and to make arrests for, offenses enumerated in 18 U.S.C. § 2516.

2. Since becoming an FBI Special Agent, my duties have included the investigation of criminal violations of federal narcotics laws, including, but not limited to, 21 U.S.C. §§ 841(a), 843(b), and 846, along with violations of 18 U.S.C. §§ 1956 and 1957 (money laundering). In addition, I have been involved in various types of electronic surveillance (including the interception of wire and electronic communications) and the debriefing of defendants, witnesses, and informants, as well as others who have knowledge of the distribution and transportation of controlled substances. Through my training, education, and experience, I have become familiar with the manner in which illegal narcotics are transported, stored, and distributed and the methods of payments for those narcotics. As part of my responsibilities as an FBI Special Agent, I have written affidavits in support of Title III applications and criminal complaints.

3. Because this Affidavit is for the limited purpose of establishing probable cause to support the criminal complaint and the issuance of arrest

warrants against the proposed defendants, it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and events described in this Affidavit.

4. This Affidavit is made in support of a multi-count complaint that charges as follows:

a. Beginning no later than May 2013 and continuing to in or about April 2014, at Chicago, in the Northern District of Illinois and elsewhere, defendants LUIS ANTONIO CRUZ also known as “Tony” and “Carlos Cruz,” JULIO SANTIAGO also known as “Looney,” JOEL CHAVEZ, EMMANUEL FERNANDEZ, JOSE RAMOS-GARNICA, JOSE NUNEZ, DELVI COMPRES, ERIC COBARRUBIA, ANTONIO GRIMALDO, CARLOS ALBERTO CRUZ-CARRERA, CRISTINO MERCED, GILBERTO DANIELS, ARCILIO LAUREANO-NAVARRO, and DAVID LOZADO-OTERO, did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, 500 grams or more of mixtures and substances containing a detectable amount of cocaine, a Schedule II Controlled Substance, and 1 kilogram or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Controlled Substance in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846.

b. On or about June 27, 2013, in the Northern District of Illinois, FRANCISCO QUINTANA did knowingly and intentionally possess with intent to distribute a controlled substance, namely, a quantity of a mixture and substance

containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1). *See* Paragraphs 72-97 *infra*.

c. On or about July 10, 2013, in the Northern District of Illinois, JUAN VAZQUEZ-DELGADO and JOSE NUNEZ, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of 21 U.S.C. § 841(a)(1). *See* Paragraphs 98-117 *infra*.

d. On or about January 8, 2014, in the Northern District of Illinois, SANTIAGO DIAZ-GALLEGOS and JOSE NUNEZ, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 1 kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1). *See* Paragraphs 251-273 *infra*.

5. The statements contained in this Affidavit are based in part on: (a) my personal participation in this investigation; (b) information provided by other federal and local law enforcement officers (“LEOs”); (c) review of conversations intercepted pursuant to orders authorizing the interception of wire and electronic communications; (d) laboratory analysis reports; (e) surveillance reports; (f) criminal history records; (g) information from cooperating sources; and (h) my training and experience and the training and experience of other law enforcement agents.

## II. OVERVIEW OF THE NARCOTICS TRAFFICKING INVESTIGATION

6. The complaint is based on a joint investigation by the FBI and the Drug Enforcement Administration. During the investigation, LEOs developed evidence that the defendants were involved in a series of drug trafficking activities operating throughout the Chicago area, and elsewhere. These individuals and organizations were responsible for distributing large quantities of cocaine and heroin, throughout the Northern District of Illinois and elsewhere.

### A. Court Authorized Interception of Wire and Electronic Communications

7. The investigation included court-authorized interceptions of wire and electronic communications over various cellular telephones and one Blackberry device. The interception orders were signed by the Chief Judge or the Acting Chief Judges who authorized 30-day interception periods for each of the Target Phones.

8. Specifically, LEOs obtained authorization orders for telephones used by the following individuals:

<i>Target Phone</i>	<i>Phone Number</i>	<i>User</i>	<i>Intercept Period</i>
Target Phone 1	773-886-6393	LUIS CRUZ	5/21/2013 to 6/19/2013 6/21/2013 to 7/20/2013
Target Phone 2	773-817-2235	JULIO SANTIAGO	7/22/2013 to 8/20/2013 11/6/2013 to 12/5/2013
Target Phone 3	312-709-9221	LUIS CRUZ	8/15/2013 to 9/13/2013 9/20/2013 to 10/19/2013 11/8/2013 to 12/7/2013 12/5/2013 to 1/3/2014 1/3/2014 to 1/29/2014

<i>Target Phone</i>	<i>Phone Number</i>	<i>User</i>	<i>Intercept Period</i>
Target Phone 4	773.512.9160	EMMANUEL FERNANDEZ	8/15/2013 to 9/13/2013
Target Phone 5	773-946-1594	JULIO SANTIAGO	11/6/2013 to 12/5/2013
Target Phone 6	773-344-1593	JOSE NUNEZ	11/15/2013 to 12/14/2013
Target Phone 7	773-969-9400	JOSE NUNEZ	12/5/2013 to 1/3/2014
Target Phone 8	773-822-9440	ALFREDO ACOSTA <sup>1</sup>	1/3/2014 to 1/9/2014
Target Phone 9	312-221-6308	JOSE RAMOS-GARNICA	1/3/2014 to 1/9/2014
Target Phone 10	773.240.2261	ALFREDO ACOSTA	1/14/2014 to 1/22/2014
Target Phone 11	773.931.3142	ALFREDO ACOSTA	2/13/14 to 3/14/2014
Target Phone 12	773-747-1817	JOSE RAMOS-GARNICA	2/27/2014 to 3/28/2014
Target Phone 13	630-728-0364	ALFREDO ACOSTA	3/10/2014 to 4/8/2014 4/9/2014 to 4/30/2014
Target Phone 14	872-235-8904	JOSE RAMOS-GARNICA	4/8/2014 to 4/17/2014
Target Phone 15	3349C4E2	ALFREDO ACOSTA	4/15/2014 to 4/30/2014

## **B. The Drug Trafficking Operation and the Defendants' Roles**

9. Members of the narcotics conspiracy included LUIS ANTONIO CRUZ, JULIO SANTIAGO, JOEL CHAVEZ, EMMANUEL FERNANDEZ, JOSE RAMOS-GARNICA, JOSE NUNEZ, ERIC COBARRUBIA, ANTONIO GRIMALDO, CARLOS ALBERTO CRUZ-CARRERA, CRISTINO MERCED, GILBERTO

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<sup>1</sup> Alfredo Acosta, also known as "Mecha" and "Jose Esteban Resendiz Ayvar," is being charged in a separate criminal complaint.

DANIELS, ARCILIO LAUREANO-NAVARRO, and DAVID LOZADO-OTERO, and with others known and unknown.

10. As discussed in this Affidavit, LUIS ANTONIO CRUZ (aka “Tony” aka “Carlos Cruz” aka “Monstruo”) and JULIO SANTIAGO (aka “Looney”), worked together to obtain wholesale quantities of cocaine and heroin from others. CRUZ and SANTIAGO supplied smaller distribution quantities of the cocaine and heroin to various wholesale customers on consignment, a practice known as “fronting,” and collected proceeds from the customers following the sales.

11. CRUZ and SANTIAGO secured cocaine and heroin for their joint operation by working with narcotics brokers and couriers who obtained wholesale quantities of narcotics from various suppliers. Once the cocaine and heroin were sold, CRUZ and SANTIAGO made arrangements to pay the suppliers and the brokers. In particular:

a. JOEL CHAVEZ, also known as “Tino”: On multiple occasions throughout May and June 2013, CHAVEZ obtained wholesale quantities of cocaine from a supplier and delivered ½ kilogram quantities of cocaine to CRUZ on credit. CHAVEZ fronted ½ kilogram quantities of cocaine to CRUZ on May 28, 2013; June 3, 2013; June 6, 2013; and two ½ kilogram quantities of cocaine to CRUZ on June 13, 2013. After CRUZ and SANTIAGO diluted, repackaged and resold the cocaine to others, CRUZ delivered proceeds from the sales to CHAVEZ.

b. EMMANUEL FERNANDEZ: On multiple occasions between June and September 2013, FERNANDEZ obtained wholesale quantities of cocaine



from a supplier and delivered it to CRUZ on credit. FERNANDEZ fronted approximately 34 ounces of cocaine to CRUZ on June 27, 2013, which FERNANDEZ delivered to SANTIAGO, and 28 ounces on July 11, 2013, which FERNANDEZ delivered to CRUZ. On September 3, 2013, FERNANDEZ delivered 4 ounces of cocaine to CRUZ. After CRUZ and SANTIAGO diluted, repackaged and resold the cocaine to others, CRUZ delivered proceeds from the sales to FERNANDEZ.

c. JOSE NUNEZ, also known as “Gordo” and “El Gordito”: On multiple occasions between July 2013 and January 2014, NUNEZ delivered wholesale quantities of cocaine and heroin that he obtained from various suppliers to CRUZ and SANTIAGO. On July 10, 2013, NUNEZ obtained ½ kilogram of cocaine from VAZQUEZ-DELGADO and delivered it to SANTIAGO. On September 26, 2013, NUNEZ sold 8 ounces of cocaine to SANTIAGO, and on September 30, 2013, NUNEZ sold 9 ounces of cocaine to CRUZ. In October 2013, NUNEZ delivered at least approximately 1½ kilograms of cocaine to CRUZ. NUNEZ supplied CRUZ and SANTIAGO with heroin and cocaine throughout November 2013, including approximately 200 grams of heroin on November 20, 2013, which was supplied by RAMOS-GARNICA; 7 ounces of heroin and 29 ounces of cocaine on November 23, 2013; and 7 ounces of heroin on November 30, 2013. On January 8, 2014, NUNEZ delivered ½ kilogram of cocaine to CRUZ which was supplied by RAMOS-GARNICA. CRUZ regularly arranged for partial payments and repayments to the suppliers through NUNEZ after CRUZ and SANTIAGO resold the cocaine and heroin to others.

d. RAMOS-GARNICA also known as “Amado”: In December 2013, NUNEZ introduced RAMOS-GARNICA to CRUZ, which allowed CRUZ to place orders for cocaine and heroin with RAMOS-GARNICA directly. On December 2 and 3, 2013, CRUZ obtained a ½ kilogram of heroin from RAMOS-GARNICA. On January 8, 2014, after RAMOS-GARNICA secured 2 kilograms of cocaine, RAMOS-GARNICA sold a ½ kilogram of cocaine to CRUZ, which NUNEZ delivered to CRUZ. On April 17, 2014, law enforcement seized a ½ kilogram of cocaine from RAMOS-GARNICA. CRUZ arranged for partial payments and repayments to RAMOS-GARNICA after CRUZ and SANTIAGO resold the cocaine and heroin to others.

e. DELVI COMPRES: In July and August 2013, COMPRES supplied SANTIAGO with kilogram quantities of cocaine. Specifically, on July 28, 2013 and again on July 30, 2013, COMPRES supplied SANTIAGO with at least one kilogram of cocaine, which SANTIAGO processed and resold to others, and then made payment to COMPRES. On August 13, 2013, COMPRES again supplied SANTIAGO with at least one kilogram of cocaine, which SANTIAGO resold to others and then made payment to COMPRES.

12. CRUZ and SANTIAGO used different residential locations to store, process and package the cocaine and heroin. These locations included an address on Brown Street in Des Plaines, Illinois (hereafter the “Brown Street residence”), which was CRUZ’s residence; an address on West Wellington in Chicago, Illinois hereafter the “W. Wellington residence,” which was SANTIAGO’s residence; and

several locations associated with MERCED, among other places. Among the individuals who assisted the CRUZ-SANTIAGO operation were:

a. ANTONIO GRIMALDO also known as “Tony”: GRIMALDO, who also lived at the Brown Street residence in Des Plaines, often allowed CRUZ to store narcotics inside GRIMALDO’s basement unit. GRIMALDO accepted narcotics deliveries and made narcotics distributions on behalf of CRUZ, including on November 30, 2013 when GRIMALDO received approximately 7 ounces of heroin on behalf of CRUZ that was delivered by NUNEZ.

b. CARLOS ALBERTO CRUZ-CARRERA also known as “Charlie”: On at least two occasions in 2014, CRUZ-CARRERA, who is CRUZ’s brother, assisted CRUZ with accepting deliveries of heroin. On January 8, 2014, CRUZ-CARRERA met with NUNEZ outside of the Brown Street residence and obtained a ½ kilogram of heroin at CRUZ’s direction. On March 15, 2014, CRUZ-CARRERA accompanied CRUZ to meet Acosta and obtain 33 ounces of heroin. CRUZ also assisted the CRUZ-SANTIAGO operation with counting narcotics proceeds.

13. The CRUZ-SANTIAGO operation regularly received orders for cocaine and heroin from customers and distributed wholesale quantities to those customers throughout the Northern District of Illinois, and elsewhere. CRUZ or SANTIAGO delivered the narcotics to wholesale customers, or made the narcotics available for pickup to the customers. CRUZ and SANTIAGO typically fronted the narcotics to their customers for further resale to others with the expectation of payment after the narcotics were sold. In particular:

a. CRISTINO MERCED, also known as “Junior”: Between May 2013 and August 2013, MERCED regularly obtained ounce quantities of cocaine from CRUZ and SANTIAGO, which was provided on credit and which MERCED resold to others. MERCED also allowed heroin and cocaine to be stored at his residence and business for the CRUZ-SANTIAGO operation, and delivered stored quantities of narcotics to CRUZ and SANTIAGO upon request. MERCED obtained cocaine from CRUZ on at least the following dates: 4 ounces on June 4, 2013; 7 ounces on June 10, 2013; 8 ounces on June 13, 2013; 2 ounces on June 27, 2013; 3 ounces on July 5, 2013; and 7 ounces on July 11, 2013. MERCED also supplied CRUZ with a ½ kilogram of cocaine on August 15, 2013.

b. GILBERTO DANIELS: Between May 2013 and January 2014, DANIELS regularly obtained ounce quantities of cocaine from CRUZ and SANTIAGO, which was provided on credit and which DANIELS resold to others. DANIELS obtained cocaine from the CRUZ on at least the following dates: 9 ½ ounces on May 31, 2013; 9 ounces on June 3, 2013; 8 ounces of June 4, 2013; ½ kilogram on June 13, 2013; 9 ounces on October 2, 2013; and 9 ounces on October 16, 2013, December 13, 2013, and January 7, 2014.

c. ERIC COBARRUBIA: Between May 2013 and October 2013, COBARRUBIA regularly obtained ounce quantities of cocaine from CRUZ and SANTIAGO, which was provided on credit and which COBARRUBIA resold to others. COBARRUBIA obtained cocaine from CRUZ or SANTIAGO on at least the

following dates: May 28, 2013; 2 ounces on June 4, June 6, June 13, and June 27; 4 ounces on July 11, 2013; and 1 ounce on October 16, 2013.

d.     ARCILIO   LAUREANO-NAVARRO: Throughout November 2013, LAUREANO-NAVARRO purchased ounce quantities of heroin from CRUZ, which LAUREANO-NAVARRO resold to customers in Wisconsin. To obtain the heroin, LAUREANO-NAVARRO placed orders with CRUZ, obtained the heroin from CRUZ directly or from others at CRUZ's direction, and took it to Wisconsin for resale, after which LAUREANO-NAVARRO paid CRUZ. LAUREANO-NAVARRO obtained heroin from the CRUZ-SANTIAGO operation on at least the following dates: 100 grams on November 20, 2013; 194 grams on November 23, 2013; and 138 grams on November 26, 2013, which was seized from LAUREANO-NAVARRO by law enforcement.

e.     DAVID LOZADO-OTERO: Beginning in November 2013, as a result of the seizure of heroin from LAUREANO-NAVARRO, CRUZ began selling ounce quantities of heroin to OTERO, who resided in Wisconsin. OTERO placed orders with CRUZ while CRUZ was in the Northern District of Illinois. To obtain the heroin, OTERO either traveled to the Northern District of Illinois or arranged for CRUZ to deliver the heroin to Wisconsin, so that OTERO could resell the heroin to others. OTERO obtained heroin from the CRUZ-SANTIAGO operation on at least the following dates: 4 ounces on November 27, 2013; 8 ounces on November 30, 2013; 400 grams of heroin on December 3, 2013 and a ½ kilogram on January 8, 2014.

### III. PROBABLE CAUSE

14. In the sections that follow, I have set forth a summary of several narcotics transactions involving the targets of this investigation, including the purchase of wholesale quantities of cocaine and heroin through various brokers from suppliers, as well as the distribution of wholesale quantities to others, usually on credit.<sup>2</sup>

**A. On June 3, 2013, CHAVEZ Supplied 493 Grams of Cocaine to CRUZ, Which Was Further Distributed to DANIELS.**

15. As described below, in early June 2013, CRUZ placed an order for a ½ kilogram of cocaine from CHAVEZ for \$14,000. On June 3, 2013, CHAVEZ delivered the cocaine to CRUZ, who subsequently weighed it and determined that it was 493 grams. Then, CRUZ distributed approximately 9 ounces of the cocaine to DANIELS and approximately 2 ounces of cocaine to MERCED.

16. On June 1, 2013, at approximately 10:40 a.m. (Session #1251), CRUZ, using Target Phone 1,<sup>3</sup> received an incoming call from MERCED, who was using

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<sup>2</sup> The recorded communications summarized in this Affidavit do not include references to all topics covered during the course of the conversation. The summaries also do not include references to all statements made by the speakers on topics described. All quotations from recorded conversations are based on preliminary transcriptions of those conversations and/or from your Affiant having personally listened to the recordings. The times listed for the recorded conversations are approximate. At various points in the Affidavit, I include in brackets my interpretation of words and phrases used in the recorded conversations. My interpretations are based on the contents and context of the recorded conversation, my knowledge of the investigation as a whole, my experience and training, and the experience and training of other LEOs in this investigation. Unless otherwise noted, the intercepted conversations contained herein are all in the Spanish language. For these interceptions, I have relied on draft, not final, Spanish-to-English translations of the conversations done by LEOs and/or interpreters contracted by LEOs. Italicized words have been left in Spanish for emphasis.

<sup>3</sup> The identification of CRUZ and CRUZ as the user of Target Phone 1 and Target Phone 3 is based on the following: (a) in April 2013, a Cooperating Source (CS) working at the

773-418-9656 (“Merced Phone 1”).<sup>4</sup> During the call MERCED asked CRUZ, “are you coming over here so you can bring me two onions, my son hasn’t arrived yet [MERCED needed 2 ounces of cocaine for his customer].” CRUZ asked “where are you at?” and MERCED responded “I’m at the airport, bro.” CRUZ said “why don’t you pass by... do you have the money there...do you have the money with you [did MERCED have money to pay for the cocaine]?” MERCED responded “money for what... [a customer] needs...wants two [two ounces of cocaine].”

17. On June 1, 2013, at approximately 10:44 a.m. (Session #1254), CRUZ using Target Phone 1, called CHAVEZ who was using 773-679-6868 (“Chavez Phone 1”).<sup>5</sup> During the call, CHAVEZ asked CRUZ “well what do you want to do?” CRUZ

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direction of law enforcement placed a series of recorded calls to Target Phone 1 to arrange for the purchase of cocaine; during one recorded call on April 11, 2013, the user of Target Phone 1 arranged to meet with the CS near the intersection of Lavergne and Addison in Chicago to sell the CS cocaine; (b) on April 11, 2013, LEOs observed CRUZ, who was identified based on a known photograph, exit a vehicle near this intersection and place a call using Target Phone 1 to the CS; thereafter, CRUZ met with the CS in person, and placed a call to ERIC COBARRUBIA, who arrived and placed a blue plastic glove containing powder cocaine into the CS’ vehicle; (c) following this purchase, the CS identified the person he spoke to and met with as CRUZ based on a known photograph of CRUZ; (d) in multiple intercepted calls (*e.g.*, #1438, 1686, 12346, 12357), CRUZ responded to “Tony” or called himself “Tony,” a known nickname for CRUZ; (e) a public utility check revealed that a unit at the Brown Street residence is registered to “Luis Antonio Cruz”; (f) in August 2013, LEOs observed CRUZ in a black Cadillac sedan as well as a gold Passat, both of which were registered to CRUZ; (g) a linguist listened to calls over Target Phone 1, Target Phone 3 and Cruz Phone 3, and determined that the same person used these phones.

<sup>4</sup> The identification of MERCED and MERCED as the user of Merced Phone 1 is based on the following: (a) according to subscriber information for Merced Phone 1, the telephone is subscribed to “Chris Merced”; (b) On June 9 and 10, 2013, the user of Merced Phone 1 made arrangements to meet with CRUZ at a CVS parking lot; LEOs who conducted surveillance identified MERCED based on a known photograph of MERCED; (c) in session #7097, CRUZ referred to the user of Merced Phone 1 as “Junior,” a known nickname for MERCED; (d) a linguist listened to calls over Merced Phone 1 and 312-945-7322 (“Merced Phone 2”) and determined that the same person used both phones.

<sup>5</sup> The identification of CHAVEZ and CHAVEZ as the user of Chavez Phone 1 is based on the following: (a) on June 10, 2013, LEOs observed a person who met with CRUZ exit a

stated “now this guy called me... Junior [MERCED] needs 2 more [2 ounces of cocaine] ... the friend of mine that I was talking to when I was talking to you needs 9 [9 ounces of cocaine].” Later CRUZ stated “either way if we get it [cocaine] ... pay him at 18 [\$18,000]... if Junior [MERCED] doesn’t say anything we’re going to give him the 18 [\$18,000]...what’s the problem?” CHAVEZ stated “he’s going to want...if he gives me another half he’s going to want to pay it quickly do you understand me? [if CHAVEZ’s supplier provided a ½ kilogram of cocaine, the supplier would want payment quickly].” CRUZ replied “look the other half I can move it in pieces today and tomorrow along with what’s there that’s what I can do... [CRUZ could sell the remainder].” Later CRUZ stated, I’m waiting for Junior ... for his son to arrive from St. Louis, he has four [MERCED’s customer owed MERCED and CRUZ for the cocaine].” CHAVEZ stated “let me talk to the man [supplier]...” and later CHAVEZ said “I know what he’s going to tell me is that well if you haven’t given me...” and CRUZ interrupted “no but I have money so you can take him dude...that’s what I’m telling you...what I’m going to do is wait for [MERCED] to arrive so I can at least give you 14 [\$14,000] and all what’s left is just the other ones... you understand what I want to tell you?” CHAVEZ stated “oh, yes...yes.” CRUZ said “well that’s

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Home Depot on N. Normandy; LEOs placed a call to Chavez Phone 1, which CHAVEZ answered; (b) on July 2, 2013, LEOs conducting surveillance observed CHAVEZ arrive to a meeting with CRUZ in a Mercury Mountaineer registered to Joel Chavez, 5227 S. Springfield, Chicago; LEOs later followed CHAVEZ to that location and enter the residence; (c) in session #7820, CRUZ referred to the user of Chavez Phone 1 as “Tino,” a known nickname for CHAVEZ; (d) according to subscriber information for Chavez Phone 1 and 773-816-8641 (“Chavez Phone 2”), these telephones are subscribed to “Joel Chavez Gonzalez”; (e) a linguist familiar with the investigation compared the voice of the user of Chavez Phone 1 with the user of Chavez Phone 2 and 773-816-8648 (“Chavez Phone 3”), and determined that the same person used these phones.



what I'm telling you I'm waiting for Junior [MERCED] so you can go to him with the money in hand and you tell him 'look I need'...tell him what I need... realistically I need almost 30 pieces [30 ounces of cocaine] but he's not going to give you 30 pieces." CHAVEZ replied "no... no."

18. On June 1, 2013, at approximately 12:29 p.m. (session #1264), CRUZ sent a text message using Target Phone 1 to Chavez Phone 1 stating "Did you talk to him yet [the supplier]?"

19. On June 1, 2013, at approximately 12:42 p.m. (session #1271), CRUZ placed a call to Chavez Phone 1. During the call CHAVEZ told CRUZ "I spoke to the man already and it's fine...if we give him those 14 pieces [CHAVEZ's supplier agreed to provide CHAVEZ with cocaine and wanted \$14,000 in payment]. CRUZ stated "yes that's fine I have them there already, what I'm waiting for is for Junior [MERCED] to arrive...I'm going to take it with me either way [CRUZ would be prepared with payment for CHAVEZ's supplier]. I'll be on the north side either way and you, so you can meet me." CRUZ and CHAVEZ then agreed to talk later on.

20. At approximately 1:13 p.m. (session #1274) CRUZ used Target Phone 1 to call Chavez Phone 1. During the call CRUZ told CHAVEZ "look... [MERCED] called me his son just left this morning to go over there today so we're going to have to wait until tomorrow then. [CRUZ asked to delay the transaction]." CHAVEZ responded "well I don't think this man will do anything tomorrow" and CRUZ replied "well we'll have to wait until Monday then [CRUZ and CHAVEZ agreed to delay the transaction until Monday, June 3, 2013]."

21. On June 2, 2013 at 4:51 p.m., (session #1408) CRUZ used Target Phone 1 to send a text message to Merced Phone 1 that stated “let me know because I just need yours for the other [CRUZ needed payment from MERCED in order to pay CHAVEZ’s supplier for the half a kilogram of cocaine].” MERCED used Merced Phone 1 (session #1411) and responded via text message “ok dude.”

22. On June 2, 2013, at approximately 9:46 p.m. (session #1430), ERIC COBARRUBIA who was using 407-690-2121 (“Cobarrubia Phone 1”),<sup>6</sup> called CRUZ over Target Phone 1. During the call CRUZ told COBARRUBIA “tomorrow I’m going to get the other food...and I want to have everything [CRUZ was being re-supplied with cocaine and wanted to collect payment from COBARRUBIA].” COBARRUBIA replied “somebody told me that they wanted to pick up the...extra...virgin olive oil but I’m waiting on him to call me back...he said hold it for him [a customer asked COBARRUBIA to purchase purer cocaine and COBARRUBIA agreed to hold the cocaine for the customer].” COBARRUBIA and CRUZ agreed to speak on June 3.

23. On June 3, 2013 at approximately 7:07 a.m. (session #1434) CRUZ used Target Phone 1 to send a text message to MERCED that stated “I left the

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<sup>6</sup> The identification of COBARRUBIA and COBARRUBIA as the user of Cobarrubia Phone 1 is based on the following: (a) during the April 11, 2013 surveillance of the controlled purchase of cocaine from CRUZ by the CS, LEOs observed COBARRUBIA exit a residence on N. Lavergne and approach the CS’ vehicle; LEOs who conducted surveillance identified COBARRUBIA based on a known photograph of COBARRUBIA; (b) following the transaction, LEOs showed the CS a known photograph of COBARRUBIA and the CS identified COBARRUBIA as the person who delivered the cocaine; (c) according to subscriber information for Cobarrubia Phone 1 is subscribed to “Eric Cobarrubia” on N. Lavergne; (d) a linguist listened to calls over Cobarrubia Phone 1 and 773-957-7366 (“Cobarrubia Phone 2”) and determined that the same person used both phones.

house already.” At approximately 7:10 a.m. (session #1437) Merced Phone 1 sent a text message to Target Phone 1 that said “my son arrived everything is good dude [MERCED’s customer had arrived].”

24. On June 3, 2013, (session #1438), CHAVEZ used Chavez Phone 1 to call CRUZ over Target Phone 1. During the call CRUZ said “I have the money that I had at home and what I get from him so you can take it to the man, so I can wait for you right you... dude the phone has been ringing off the hook [CRUZ had the money needed to pay CHAVEZ’s supplier].” CRUZ told CHAVEZ “I’m on my way...I’ll see you there around the same place.” CHAVEZ confirmed “by the school right?” and CRUZ replied “yes...I’m going to tell [MERCED] to meet me around there so I don’t have to go all the way to his house.”

25. On June 3, 2013 at approximately 7:43 a.m. (session #1439) CRUZ who was using Target Phone 1 sent a text message to MERCED stating “go to the school in the McDonalds.” Merced Phone 1 sent a reply to Target Phone 1 (session #1440) that said “ok.”

26. At approximately 8:25 a.m. (session #1449), CRUZ used Target Phone 1 and called Chavez Phone 1. CHAVEZ asked CRUZ “did you see Junior [MERCED] already [to collect the money]?” CRUZ responded “yes there’s 16 pesos dude [\$16,000].” CHAVEZ stated “oh...I’m on North and Pulaski” and CRUZ said “at least the old man will be happy because you had told him 14 [the supplier was expecting \$14,000]...” CRUZ then stated “Rico [COBARRUBIA] called me but he’s at school...there’s some money there so I can give you something...” CRUZ told

CHAVEZ “you know how it is...he passes it to someone else and then has to wait for them to pay him.”

27. At approximately 9:07 a.m. (session #1451), CHAVEZ who was using Chavez Phone 1 called CRUZ over Target Phone 1. During the call CRUZ informed CHAVEZ that he was near Nelson and Cicero.

28. At approximately 9:14 a.m. (session #1454) CRUZ used Target Phone 1 to call CHAVEZ over Chavez Phone 1. CRUZ asked CHAVEZ “did you weigh it [cocaine]?” CHAVEZ replied “yes it’s fine.” CRUZ said “is it the same [quality of cocaine as last time]?” and CHAVEZ replied “the same...it’s the same.”

29. At approximately 10:04 a.m. (session #1463), CRUZ used Target Phone 1 to call ANTONIO GRIMALDO who was using telephone 224-848-0509 (“Grimaldo Phone 1”).<sup>7</sup> During the call CRUZ told GRIMALDO “right now I’m going to go down to prepare the taffy [cocaine].” GRIMALDO replied “ok” and CRUZ said “I just arrived [residence located on Brown in Des Plaines, Illinois].”

30. Continuing on June 3, 2013 at approximately 10:32 a.m. (session #1464), CRUZ who was using Target Phone 1, called Chavez Phone 1. During the call CRUZ said “hey...that isn’t complete [the ½ kilogram of cocaine was short].” CHAVEZ asked “how much is missing?” and CRUZ said it’s missing...<sup>7</sup> [7 grams]...it’s at 493 [493 grams instead of 500 grams, or 17 ounces].” CHAVEZ said

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<sup>7</sup> The identification of GRIMALDO and GRIMALDO as the user of Grimaldo Phone 1 is based on the following: (a) according to GRIMALDO’s driver’s Illinois license record, GRIMALDO’s listed address as the Brown Street residence, Basement Apt.; this is the same building where CRUZ resides; (b) LEOs identified GRIMALDO after observing a known image of him; (c) on September 10, 2013 (session #3768), the user of Grimaldo Phone 1 identified himself as “Tony,” a known nickname for GRIMALDO.

“I measured it” to which CRUZ replied “I have mine here with the new batteries [CRUZ weighed the cocaine with a new digital scale]...I put what was in the small bag and that big piece and 493 is what it comes out [CRUZ weighed a small bag and a larger piece of cocaine and it totaled 493 grams].” CHAVEZ replied “let me call him [the supplier].”

31. At approximately 11:12 a.m. (session #1465), DANIELS who was using 312-448-4851 (“Daniels Phone 1,”)<sup>8</sup> called CRUZ who was using Target Phone 1. During the call CRUZ told DANIELS “I got the same one I give it to you...I leave you a size nine Nike [9 ounces of cocaine]?” and DANIELS asked “huh?” to which CRUZ responded “do I leave you a size nine [9 ounces].” DANIELS responded “yeah you can do that and then we’ll just go from there.”

32. At approximately 11:13 a.m. (session #1467), CRUZ who was using Target Phone 1, called CHAVEZ who was using Chavez Phone 1. CHAVEZ said “I spoke to him already...he says that he’ll give us a discount of 200 dollars [the supplier agreed to credit CRUZ and CHAVEZ \$200 for the 7 grams that were missing].” CRUZ replied “it’s not a matter of him giving us a discount of 200 dollars it’s that... that shit...you understand me... that he should really check the scale that way you don’t have any problems with him and you won’t have any with me

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<sup>8</sup> The identification of DANIELS as the user of Daniels Phone 1 is based on the following: (a) a LEO familiar with DANIELS and DANIELS’ voice identified 773-983-5360 (“Daniels Phone 2”) as a known telephone number of DANIELS; (b) on June 24, 2013, CRUZ used Target Phone 1 to call Daniels Phone 2 and during the call informed the user of Daniels Phone 2 that CRUZ had been trying to reach DANIELS over Daniels Phone 1 with no answer; (c) LEOs listened to calls over Daniels Phone 1 and compared them to recorded jail calls of DANIELS obtained from the Illinois Department of Corrections and determined that the same person used both phones.

either.” CHAVEZ replied “well yes...that’s what I told him” CRUZ said “I just arrived at my house and you know I check that right away...with the last one... I took off and it was short also...you had told me that you had checked it...it was short too.” CHAVEZ replied “I checked that one too.” CRUZ continued “I took off because you said it was complete but when I was dividing up the cake [cocaine] it was already short...so that the man’s batteries from that calculator aren’t good...mine I change them every two weeks...don’t you see that that’s digital [scale] and it finishes them faster.”

33. At approximately 12:18 p.m. (session #1476), CRUZ who was using Target Phone 1 called MERCED who was using Merced Phone 1. During the call CRUZ said “I’m here in Chicago so I can take that to you [deliver the cocaine intended for MERCED] and I have the other ones at the house... of the kind I left you there that’s already gone and I’m going to go get another one [CRUZ was expecting more cocaine].” MERCED replied “that’s fine” CRUZ stated “I left two for you [2 ounces of cocaine].” MERCED said “that’s fine...that’s fine.”

**B. On June 13, 2013, CHAVEZ Supplied CRUZ with 992 Grams of Cocaine, Which was Further Distributed to SANTIAGO, COBARUBBIA, MERCED and DANIELS.**

34. As described below, on June 12, 2013, CRUZ ordered two ½ kilogram quantities of cocaine from CHAVEZ, which CHAVEZ agreed to obtain from CHAVEZ’s supplier. After obtaining cash from MERCED, CRUZ met with CHAVEZ and provided CHAVEZ with a partial payment, after which CHAVEZ obtained the cocaine and delivered it to CRUZ. CRUZ weighed, diluted and processed the cocaine at the residence on Brown Street in Des Plaines, and then

distributed 5 ounces to SANTIAGO, 2 ounces to COBARRUBIA, 8 ounces to MERCED and a ½ kilogram to DANIELS.

35. On June 10, 2013 at approximately 4:49 p.m. (session #2341) CRUZ, who was using Target Phone 1 called DANIELS who was using Daniels Phone 1. During the call DANIELS said “hopefully I can see you today or call you later or tomorrow for sure...it’s kinda’ slow this weekend.” CRUZ replied “I got that shit...I’m not even worried about that...I got that shit...inside a box of shoes... [CRUZ had cocaine stored in shoe boxes].” DANIELS stated “ok.” Later in the conversation DANIELS said “everybody gone on vacation like kinda’ left for the weekend” and later said “on the other guy for the half or the whole [a customer needing a large quantity of cocaine], but I’ve been waiting for his call...he’s supposed to call me so I’ll let you know what’s going on.”

36. On June 12, 2013, at approximately 6:47 a.m. (session #2432) CRUZ, who was using Target Phone 1 sent a text message to Daniels Phone 1 stating “A good morning bro I am on my way to the city.” At approximately 8:11 a.m. (session # 2445) CRUZ sent another text message to Daniels Phone 1 stating “Ah, I am here by tonys.” At approximately 8:33 a.m. (session #2446) Daniels Phone 1 responded via text stating “B there 5 min.”

37. At approximately 8:51 a.m. (session # 2448) CRUZ, who was using Target Phone 1 called CHAVEZ over Chavez Phone 1. CRUZ asked CHAVEZ “I just dropped off some parts to a friend...he’s going to see me in the afternoon/evening [CRUZ just dropped off narcotics to DANIELS and was expecting

payment later on].” CRUZ asked CHAVEZ “does he still has some *mitias* right [does CHAVEZ’s supplier have half kilogram quantities of cocaine available]?” CHAVEZ responded “yes...he still has some.” CRUZ said “my friend tells me he’s going to need a whole one [one kilogram] from one day...at the most it’ll take us two days...I told him I can only do half and half [two ½ kilograms of cocaine] because the man doesn’t give me that one complete [CHAVEZ’s supplier would not deliver kilogram quantities at one time].”<sup>9</sup>

38. At approximately 1:56 p.m. (session #2491) DANIELS, who was using Daniels Phone 1, sent a text message to CRUZ, who was using Target Phone 1 stating “meet me at the gym now.” In a response text message over Target Phone 1 (session #2492), CRUZ responded “ok.” Based on my training and experience, and the training and experience of other LEOs, it is believed that DANIELS arranged to meet with CRUZ to pay CRUZ for the narcotics given to DANIELS earlier that day.

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<sup>9</sup> During this same conversation, CRUZ said “that’s what happened to me the last time [referring to CRUZ’s federal conviction in the NDIL, Case No. 08 CR 625, Norgle, J.]. In 2008 I started messing with the same people and in six months I got locked up.” CRUZ said “yes because I came out [of prison] in 2008 and in 6 months I was back in [prison]...fucking around with the same people who I would deal with ... he was recording me...I didn’t want to talk anymore over the phone when I saw him in person, the fucker had a wire on him. When I went to trial they came out with that CD [recordings of CRUZ] ...because they didn’t get me with any drugs, it was just him pointing at me out and the recording he had with me... I pled guilty ... the Federal [system] you have to do almost all of it because it’s 85%... yeah I was scared bro because in the Federal [system] it’s not like the state it’s for the crimes that you have committed...if it’s the same consecutive crimes and for the severity of the crime... they have a table for levels [Sentencing Guidelines]. If you have more than 3 [convictions] you’re at level 4...you’re looking at 9 [years] and up.” CRUZ said “that’s why that work patiently....you and I are both equally patient...I feel comfortable you understand me [both CRUZ and CHAVEZ were patient with their drug sales so as not to attract the attention of law enforcement]. CHAVEZ replied “oh yes.”



39. At approximately 2:13 p.m. (session #2498), CRUZ, who was using Target Phone 1, called MERCED who was using Merced Phone 1. CRUZ told MERCED “I went to see this morning...my friend ...the one I took the parts to this morning [referring to the narcotics delivery to DANIELS that morning].” CRUZ said “wait for him at the gym that he finished already, so I’m here waiting for him [CRUZ was waiting on DANIELS at the gym for DANIELS to pay CRUZ].” CRUZ said “I spoke to the other guy [CHAVEZ] because I’m going to ask him for two [half kilogram quantities of cocaine]...one whole one because this guy wants another half and the regular half that I use for us [DANIELS wanted a ½ kilogram and CRUZ needed a ½ kilogram for his DTO].” MERCED replied “yes...the less one shows one’s face the better.” In a followup conversation at approximately 3:19 p.m. (session #2504), CRUZ called Merced Phone 1 and asked “are you going to be ready tonight or tomorrow in the morning [to take delivery of cocaine that CRUZ was expecting]?” MERCED replied “probably tonight but I don’t know what time...that person isn’t headed over here yet...so let’s leave it for the morning.” CRUZ replied “ok.” MERCED said “right now I’m going to see the Italian guy to see if he has the application [MERCED was going to see his customer to get the money].”

40. At approximately 3:20 p.m. (session #2505) CHAVEZ, who was using Chavez Phone 1, called CRUZ over Target Phone 1. During the call CRUZ said, “I’m ready with my friend’s stuff [DANIELS’ money] and Junior told me around 9 at night [MERCED’s money would be available at around 9 p.m.]” CHAVEZ responded “huh huh.” CRUZ said “you think the man will give us two *mitias* [two ½ kilograms

of cocaine], one for quick [a quick turnaround in payment] and one for our thing [CRUZ's drug operation]?" CHAVEZ replied "well if one is going to be [paid] quickly I think so." CRUZ said "so I don't make two trips...tomorrow in the morning I would give you those tickets almost complete...I think I'll be short one peso so...for the 18 [CRUZ would have most of the money owed to CHAVEZ's supplier]. CHAVEZ later stated "well let me call the man [supplier]...I'll call you back shortly." CRUZ said "yeah, call him and tell him I have two situations... one is going to be ours [for CRUZ's operation] and the other situation this guy [another customer]." CHAVEZ said "but he's going to leave it at 18 [\$18,000] either way."

41. Continuing on June 12, 2013 at approximately 3:30 p.m. (session #2509) CHAVEZ, who was using Chavez Phone 1, called CRUZ who was using Target Phone 1. CHAVEZ told CRUZ "he said yes if it's only going to be one day that the first one will be ready, *mitia*." CRUZ affirmed "yes" and CHAVEZ continued "that it's fine." CRUZ asked "but he's giving us both... right [two ½ kilograms of cocaine]?" CHAVEZ said "yes...yes... both." CRUZ said "ok that's fine... [let me] call [DANIELS] and confirm the time." Following this call, CRUZ, using Target Phone 1 (session #2511) sent a text message to DANIELS at Daniels Phone 1 that said "call me."

42. At approximately 3:39 p.m. (session #2512) DANIELS used Daniels Phone 1 and called CRUZ over Target Phone 1. During the call CRUZ said "it's affirmative we be able to comply with what we talked about [the supplier was willing to provide ½ kilogram of cocaine intended for DANIELS]." DANIELS said

“say what?” and CRUZ said “remember we talked right there in the gym?” and DANIELS replied “oh yeah.” CRUZ said “in the morning I’m going to have it [cocaine].” CRUZ stated “I’m going to have it...either way I’m going to have my half and I’ll give you the other half so you can do whatever you going to do” and DANIELS said “alright.”

43. At approximately 7:41 p.m. (session #2536) CRUZ, who was using Target Phone 1, called MERCED who was using Merced Phone 1. CRUZ asked “how are we for tomorrow?” and MERCED replied “I think that for tomorrow we’ll be fine...it’s raining a lot but he’s on his way...I think they left already if I’m not mistaken... he told me he would arrive in 15 minutes and he hasn’t arrived yet...for two little onions [2 ounces of cocaine]... I already saw the Italian guy.” CRUZ said “that’s fine because either way tomorrow we’ll be good because they’re going to give me the whole thing [CRUZ was expecting two ½ kilograms of cocaine].”

44. The following day, June 13, 2013, at approximately 6:41 a.m. (session #2538) CRUZ, who was using Target Phone 1 sent a text message to MERCED who was using Merced Phone 1 that said “good morning we’re ready my brother I’m headed to Chicago at 7 I’ll see you at the McDonald’s at 8.” At approximately 7:17 a.m. (session #2539), MERCED responded via text message stating “good morning dude I just got up now I’m going to shower I have to go down to my son’s house to get the applications [money].”

45. On June 13, 2013 at approximately 7:42 a.m. (session #2542), CRUZ, who was using Target Phone 1, called MERCED who was using Merced Phone 1.

During the call, CRUZ said “I think I’m going to need you to store the cake for me [CRUZ needed MERCED to store some of the cocaine CRUZ was going to obtain] because I’m going to have to take off quickly up there.” MERCED said “that’s fine...no problem.” MERCED asked “and at what time are you going to the bakery [meet CHAVEZ]?” CRUZ said “now as soon as you see me...they’re on their way to pick up the papers [money] for the order...by 9 [a.m.] I should be on my way to Joliet...I called him right now already and he’s on his way.”

46. At approximately 8:12 a.m. (session #2543) CRUZ, who was using Target Phone 1, called MERCED who was using Merced Phone 1. CRUZ asked “do I wait for you here at the Chase [bank branch] on Cicero and Grand?” and MERCED replied “why don’t you come down to the garage [MERCED’s place of employment located on W. Chicago, Chicago]?” MERCED said “come down to the garage...I’m buying the boy breakfast.”

47. At approximately 8:13 a.m. (session #2544) CRUZ, who was using Target Phone 1, called CHAVEZ who was using Chavez Phone 1. During the call CRUZ said “I’m going to the garage to meet him there [MERCED].” CHAVEZ asked “do you want me to see you there...it’s closer for me around there” and CRUZ replied “well yes...I’m on Kostner and Diversey heading over there.” CHAVEZ agreed to meet CRUZ at MERCED’s garage.

48. On June 13, 2013 at approximately 8:24 a.m. (session #2546) CRUZ, who was using Target Phone 1 called MERCED on Merced Phone 1. CRUZ told MERCED “I here already” and MERCED replied “I’ll be there shortly.” CRUZ said

“hurry up, I’m here already...” and MERCED said “my [customer] is about half an hour away...about 20 minutes now...he hasn’t arrived yet...he’s close ...he’s about 20 minutes away because a little while ago he said about half an hour...we’ll wait for him there.” CRUZ said “alright dude.”

49. At approximately 8:25 a.m. (session #2547) CRUZ, who was using Target Phone 1, called CHAVEZ who was using Chavez Phone 1. During the call CRUZ said “it’s better that you move from here...I’ll wait for him to bring me the money [MERCED to arrive] ...I’ll see you closer to the old man over there [CRUZ would meet CHAVEZ closer to the supplier’s location].” CHAVEZ replied “ok.” CRUZ said “wait for me by Diversey and Cicero...park there at the McDonald’s...drink a coffee or something. I’ll call you when I leave here.” At approximately 8:29 a.m. (session #2548) CRUZ called CHAVEZ over Target Phone 1. CRUZ said “Junior’s here [MERCED had just arrived]. I have one that wants 9 pieces of chicken [9 ounces] and another one that wants 4 and a half [4.5 ounces]...I’ll make it disappear quickly...you understand me?”

50. At approximately 8:30 a.m., LEOs established surveillance near the W. Chicago Avenue garage. Shortly thereafter, LEOs observed CRUZ driving a gold colored Volkswagen Passat bearing license plate R897007<sup>10</sup> through the alley and park behind the garage. At approximately 8:36 a.m., LEOs observed the gold Passat exit the alley, followed by a black BMW. The BMW exited the alley, and eventually parked on N. Karlov in Chicago. A male later identified as MERCED as

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<sup>10</sup> A vehicle registration check revealed that license plate R897007 is registered to Carlos Cruz at the Brown Street residence.

well as a teenager exited the BMW and walked southbound toward the rear of the W. Chicago Avenue location. LEOs observed MERCED walk to the security gate and use keys to gain access to the garage. MERCED opened the sliding gate and LEOs observed CRUZ in the Passat pull into the parking lot and park. Shortly thereafter, LEOs observed CRUZ exit the Passat and enter the open overhead door of the W. Chicago Avenue location. A short time later, CRUZ and MERCED exited the rear of this location and were observed standing near the Passat.

51. At approximately 9:02 a.m., LEOs observed a gray/silver Ford Explorer arrive in the area and park in the alley behind the W. Chicago Avenue location. Once parked, two males exited the vehicle, and walked into the fenced area of this location. Based on my training and experience, and the training and experience of other LEOs, it is believed that at least one of the males who arrived in the Explorer was the narcotics customer MERCED had been was waiting for.

52. At approximately 9:09 a.m., LEOs observed CRUZ and MERCED exit the fenced area of the W. Chicago Avenue location, and eventually meet with the two males that had arrived in the Explorer. After a brief meeting, LEOs observed CRUZ depart the area in the Passat.

53. Continuing on June 13, 2013 at approximately 9:13 a.m. (session #2551) CRUZ, who was using Target Phone 1, called CHAVEZ who was using Chavez Phone 2. CRUZ said "I'm on my way to you" and then told CHAVEZ "we need to count that because the son came back short...he said that tomorrow he'll give the rest...he screwed me up [MERCED's customer did not bring CRUZ all of

the money owed].” CHAVEZ asked “how short...how much [money] is going to be missing?” and CRUZ said “about 600 [\$600]...I was going to give him almost 17 so right now it’s 16...I think 16 pesos [CRUZ would be able to give CHAVEZ’s supplier \$16,000 and not \$17,000].” CHAVEZ replied “ok.” After some additional conversation about the shortage, CHAVEZ stated “it’s short 9 [\$900]” and CRUZ confirmed “it’s short 9 [\$900].” Thereafter, at approximately 9:13 a.m. (session # 2552) CRUZ, used Target Phone 1 and called MERCED who was using Merced Phone 1. CRUZ said “hey it’s 9 that are missing [\$900 short] because he only gave me 35 [MERCED’s customer only paid CRUZ \$3,500].”

54. On June 13, 2013, at approximately 9:14 a.m. (session #2553) CRUZ, who was using Target Phone 1 called CHAVEZ who was using Chavez Phone 1. During the call, CRUZ asked CHAVEZ “you’re not at the Mickey Ds... to which CHAVEZ confirmed “no.” CRUZ said “we need to count ...we need to count what [he] gave us right now before you go over there [to meet the supplier]...I have 2 or 3 pesos [\$2,000 or \$3,000] on me to complete a round number.” CRUZ told CHAVEZ “park in the McDonald’s...I’ll be there shortly.” CRUZ and CHAVEZ had a followup call at approximately 9:20 a.m. (session #2555) where they agreed to meet at the McDonald’s on Diversey.

55. At approximately 9:26 a.m., LEOs observed the Passat parked in the parking lot of the McDonald’s located at 4605 W. Diversey, Chicago, Illinois. A few minutes later, LEOs observed a black and tan Mercury Mountaineer<sup>11</sup> pull into the

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<sup>11</sup> A vehicle records registration check revealed that a Mercury Mountaineer bearing Illinois license plate 7191136 is registered to Joel Chavez on S. Springfield, Chicago.

McDonald's parking lot and park next to CRUZ in the Passat. Once parked a male later identified as CHAVEZ exited the Mountaineer and entered the front passenger seat of the Passat. Around this time, CRUZ used Target Phone 1 to call COBARRUBIA who was using Cobarrubia Phone 2 (session #2558). During the call CRUZ asked COBARRUBIA "are you in the house?" and COBARRUBIA responded "yeah." CRUZ said "alright I'll be there like in 25 minutes, 30 minutes" and COBARRUBIA responded "alright that's fine."

56. At approximately 9:34 a.m., LEOs observed CHAVEZ exit the Passat holding a black/pink headphone box. CHAVEZ re-entered the Mountaineer and both vehicles departed the McDonald's. At approximately 10:19 a.m. (session #2565) CRUZ used Target Phone 1 to send a text message to CHAVEZ asking "Is everything okay buddy." CHAVEZ, who was using Chavez Phone 1 replied via text message (session #2566) to CRUZ "yes everything is okay."

57. At approximately 10:22 a.m. (session #2567) CRUZ, who was using Target Phone 1, called CHAVEZ who was using Chavez Phone 1. During the call CRUZ said "I'll see you over by where I used to live... the car wash." CHAVEZ replied "yes ...yes" CHAVEZ said "I'm heading over there already."

58. At approximately 10:28 a.m., LEOs observed CRUZ enter the Passat and depart eastbound on Newport. At approximately 10:37 a.m. (session # 2569) CRUZ informed CHAVEZ that he was near the car wash at Cicero and Patterson. LEOs observed CRUZ park the Passat on Patterson east of Cicero, and then observed CHAVEZ in the Mountaineer turn into the alley off of Cicero. LEOs then



observed the Passat turn into the alley off of Cicero. In a brief call at approximately 10:43 a.m. (session #2543) between Target Phone 1 and Chavez Phone 1, CRUZ and CHAVEZ coordinated their meeting location in the alley. At about the same time, LEOs observed the Mountaineer and the Passat park next to each other in the east alley. LEOs observed CHAVEZ standing at the rear of the Passat and place a pink/black box in the trunk of the vehicle. CHAVEZ re-entered the Mountaineer and both vehicles departed the area.

59. Shortly before 11 a.m., LEOs observed the Passat parked behind COBARRUBIA's residence on N. Lavergne.

60. At approximately 10:52 a.m. (session #2574) CRUZ, who was using Target Phone 1, called CHAVEZ who was using Chavez Phone 1. CRUZ said "there's one that weighs 494.5 [grams] with the little bit that was in the bag...I'm weighing it..." CRUZ continued "yeah it weighs 494.5 [grams]." CHAVEZ replied "then that guy's fuckin' scale is wrong [CHAVEZ's supplier had shorted CRUZ by a few grams]." CRUZ then said "the other one ...wait I'm going to weigh it...I'm going to weigh it...let me take the plastic off because it even has plastic...this one is short 2 grams...498 ...497.9 [grams]...and if I take off the little plastic... it's going to weigh less...it has plastic on it..." CHAVEZ said "ok...that's fine I'll tell him." CRUZ said "it's brand new [the scale]... there's no plastic...it's all metal and the cake [cocaine] is on top...I'm just letting you know...it's almost 7 between both of them [between the two ½ kilograms, CRUZ had been shorted 7 grams]." At approximately 11:12 a.m., LEOs observed CRUZ walking from the rear of the N.

Lavergne residence toward the Passat. CRUZ opened the trunk, placed a black and pink headphone box inside of the trunk and departed the area in the Passat.

61. On June 13, 2013, at approximately 12:46 p.m. (session #2598) SANITAGO, who was using Target Phone 2,<sup>12</sup> called CRUZ, who was using Target Phone 1. During the call SANTIAGO asked CRUZ “is there good news or not?” and CRUZ replied “yes.” CRUZ said he had attempted to call SANTIAGO that morning but that SANTIAGO’s phone was off. CRUZ stated “you didn’t answer me and I was dirty... [CRUZ had cocaine].” CRUZ said “what I was going to ask you do you want the half [kilogram]?” to which SANTIAGO replied “let me make some calls and I’ll call you back.”

62. At approximately 12:49 p.m. (session #2599) SANTIAGO, who was using Target Phone 2, called CRUZ who was using Target Phone 1. During the call SANTIAGO said “look...if you want bring me 9 [ounces] ...because my buddy wants 4 [ounces] and the other one wants 2 [ounces] ...if I move these quickly I’ll call you quickly so you can bring me 9 more [ounces].” CRUZ said “alright.” Later in the conversation CRUZ said “I have the other kind too and the other one is better than

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<sup>12</sup> The identification of SANTIAGO and SANTIAGO as the user of Target Phone 2 and Target Phone 5 is based on the following: (a) on June 4, 2013, LEOs observed SANTIAGO arrive to the W. Wellington residence in Chicago and exit a Chevrolet Tracker bearing license plate N790363, which was registered to Julio Santiago at the W. Wellington address; LEO identified SANTIAGO after observing a known photograph of SANTIAGO; (b) also in June 4, 2013, upon seeing SANTIAGO outside the residence, LEOs placed a call to Target Phone 2 and SANTIAGO answered the phone; (c) Target Phone 5 is subscribed in the name Julio Santiago at the W. Wellington address in Chicago; (d) during a call on May 21, 2013 between CRUZ and the user of Target Phone 2, CRUZ referred to SANTIAGO as “Julio”; (e) a linguist listened to calls over Target Phone 2 and Target Phone 5 and determined that the same person used both phones.

that shiny shit so you can see it [the quality of one ½ kilogram was better than the other ½ kilogram].”

63. At approximately 2:00 p.m. (session #2607) CRUZ, who was using Target Phone 1, sent a text message to DANIELS who was using Daniels Phone 1 “A let me know wat up I am goint to the city I got wat I aske me [CRUZ was heading to the city and had the cocaine with him].

64. At approximately 2:03 p.m. (session #2608), MERCED, who was using Merced Phone 1, called CRUZ, who was using Target Phone 1. MERCED told CRUZ “hey at 4 [ounces] in the afternoon/evening...ok...for now...” CRUZ replied “man I had 8 [ounces] there for you... and I already stored everything...I’m going to take it to you already and you divide it up.” MERCED said “that’s fine, bring it...that will go anyway.”

65. Continuing on June 13, 2013, at approximately 2:41 p.m. (sessions #2615, 2616) DANIELS, who was using Daniels Phone 1, called CRUZ who was using Target Phone 1. During the call CRUZ said “hey I have the extra plate so...” and said “I got what you asked me yesterday.” Later, DANIELS said “alright...give me...I’m trying to collect my money all together first” and CRUZ said “I got it with me [1/2 kilogram of cocaine]...I got it with me...if you want I hold it for you and like I told you...we got ‘til tomorrow so I give it to you today whatever you know.” DANIELS said “just hold it until tomorrow then...” CRUZ replied “no I want to give it to you, you can do what the fuck you’re going to do...you understand...because I don’t want to be back and forth with this shit...I’m close to the city” DANIELS said

“I’ll meet you by the Tony’s around that area.” At approximately 2:58p.m. (session #2620) CRUZ, who was using Target Phone 1, sent a text message to DANIELS who was using Daniels Phone 1 that said “I am here.”

66. At approximately 3:04 p.m. (session #2626) DANIELS, who was using Daniels Phone 1, called CRUZ who was using Target Phone 1. During the call DANIELS said “I’m on Belmont and Kimball... I’ll be right there.”

67. At approximately 3:45 p.m. (session #2638) CRUZ, who was using Target Phone 1, called SANTIAGO who was using Target Phone 2. During the call CRUZ told SANTIAGO “go to Roscoe and Cicero.” SANTIAGO said “it’s that I’m not in my Tracker <sup>13</sup>...and I don’t have a *clavo* [trap compartment]...I’m in the Acura.” CRUZ agreed to meet at SANTIAGO’s residence.

68. At approximately 3:56 p.m. (session #2640) CRUZ, who was using Target Phone 1, called SANTIAGO who was using Target Phone 2. During the call CRUZ asked SANTIAGO “you’re in your house right?” and SANTIAGO responded “...I’m on my way home...I’ll be in my house like in 5 minutes.” In a subsequent call at approximately 4:48 p.m. (session # 2651) CRUZ over Target Phone 1 told MERCED “he [SANTIAGO] wanted 9 [ounces] and I told him no dude I’m giving you 5 [ounces] because it’s the only thing I have left.”

69. At approximately 8:48 p.m., (session #2662) CRUZ, who was using Target Phone 1, called DANIELS who was using Daniels Phone 1. During the call CRUZ asked “how’s everything my friend?” and DANIELS responded “I have like 17

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<sup>13</sup> A vehicle records registration check revealed that a 2001 Chevrolet Tracker bearing Illinois license plate N790363 is registered to Julio Santiago at the W. Wellington address.

for you [\$17,000 for CRUZ]" and CRUZ asked "right now?" DANIELS responded "I'll be around in like half an hour." In the call that followed at approximately 10:22 p.m. (session #2675) DANIELS and CRUZ agreed to meet the following day.

70. On June 14, 2013, at approximately 10:23 a.m. (session #2712) DANIELS who was using Daniels Phone 2 called CRUZ who was using Target Phone 1. During the call DANIELS asked CRUZ "where you at?" and CRUZ replied "right here in the parking...next to the tracker...the black tracker" and DANIELS said "you're in the gym right?" and CRUZ replied "yeah" and DANIELS said "I'm right here on Belmont and Pulaski...I'll be right there."

71. On June 14, 2013, at approximately 12:20 p.m. (session #2729) CHAVEZ using Chavez Phone 1 called CRUZ over Target Phone 1. The call was directed to CRUZ's voicemail, however, the call remained active as CRUZ and CHAVEZ met with one another. CRUZ told CHAVEZ "there's 17 [\$17,000]." CHAVEZ said "there's some money missing" and CRUZ confirmed "yes there's money missing...I called Junior [MERCED] but he hasn't called me yet...from what he owes me from yesterday."

**C. On June 27, 2013, FERNANDEZ Supplied CRUZ and SANTIAGO with Approximately 973 Grams of Cocaine, Which CRUZ Further Distributed to COBARUBBIA, MERCED, and QUINTANA.**

72. As described below, CRUZ ordered a kilogram of cocaine from FERNANDEZ. On June 27, 2013, FERNANDEZ delivered the cocaine to SANTIAGO at SANTIAGO's residence. Later, CRUZ weighed it before SANTIAGO

took and distributed 8 ounces. Then, CRUZ delivered 2 ounces to COBARRUBIA, 2 ounces to MERCED and 1 ounce QUINTANA.

73. On June 25, 2013, at approximately 12:02 p.m. (session #4738), CRUZ who was using Target Phone 1, called QUINTANA who was using 773-971-9758 (“Quintana Phone 1.”)<sup>14</sup> During the call QUINTANA asked CRUZ “do you have any small chicks [ounces of cocaine]?” and CRUZ replied “yes I have two small chicks there [2 ounces of cocaine] but I have it for my business...you mean two blonde ones [cocaine and not heroin]?” QUINTANA replied “yes two blonde ones.” CRUZ said “yes two blonde ones I have them there.” QUINTANA asked “but are those worked already [had the cocaine been diluted already]?” CRUZ replied “no...that’s why I tell you I have them for my business.” QUINTANA asked “lend me one [ounce] and I’ll pay it to you later.” QUINTANA said “I want to make three to sell them...it’s that some shit got ruined and I’m going to fix it with everything [QUINTANA needs additional cocaine from CRUZ to improve an earlier batch that was ruined].”

74. On June 25, 2013, at approximately 9:16 p.m. (session #4827) QUINTANA, who was using Quintana Phone 1, called CRUZ who was using Target

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<sup>14</sup> The identification of QUINTANA and QUINTANA as the user of Quintana Phone 1 is based on the following: (a) in December 2012, the CS, working at the direction of law enforcement placed a series of recorded calls to Quintana Phone 1 to arrange for the purchase of heroin; during one recorded call the user of Quintana Phone 1 arranged to meet with the CS about the future purchase of heroin in the 2200 block of N. Central Avenue, which is an address associated with QUINTANA; (b) following the controlled purchase of heroin on February 6, 2013 by the CS at the direction of law enforcement, the CS identified the person he spoke to and met with as QUINTANA; (c) LEOs who conducted surveillance identified QUINTANA based on a known photograph of QUINTANA; (d) Quintana Phone 1 is subscribed in the name Francisco Quintana at the N. Central Avenue address; (e) a linguist listened to calls over Quintana Phone 1 and 708-770-1776 (“Quintana Phone 2”) and determined that the same person used both phones.

Phone 1. CRUZ told QUINTANA “tomorrow I’ll be good with these people...I’ll see you tomorrow with that [CRUZ would have cocaine available tomorrow].” QUINTANA asked “but what time ... you call me but for sure.” CRUZ said “he told me it was for sure.”

75. At approximately 7:39 p.m. (session #4798), CRUZ who was using Target Phone 1, sent a text message to FERNANDEZ to Target Phone 4.<sup>15</sup> CRUZ stated “I need 7 [7 ounces of cocaine].” FERNANDEZ responded via text message at approximately 7:41 p.m. (session #4801) “Dude right now I have two, tomorrow they will give me another one do you want them [FERNANDEZ had 2 ounces and was expecting more cocaine the next day].” CRUZ responded by text message using Target Phone 1 at approximately 7:41 p.m. (session #4802) stating “I don’t understand you.” FERNANDEZ responded at approximately 7:43 p.m. (session #4803) stating “Right now I have two [ounces], tomorrow they will give me another whole one [1 kilogram of cocaine] help me get those out two right away and I will have the ones you want tomorrow.” At approximately 7:49 p.m. (session #4805), CRUZ used Target Phone 1 to text FERNANDEZ over Target Phone 4 asking “how much, a peso[?]” FERNANDEZ confirmed at approximately 7:49 p.m. (session #4807) “yes.” Later that evening, at approximately 8:00 p.m. CRUZ used Target

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<sup>15</sup> The identification of FERNANDEZ and FERNANDEZ as the user of Target Phone 4 is based on the following: (a) on June 27, 2013, CRUZ arranged for the user of Target Phone 4 to deliver cocaine to SANTIAGO’s residence on W. Wellington; LEOs conducting surveillance observed a red/maroon Chevrolet Trailblazer arrive in the area and meet with SANTIAGO; LEOs later identified FERNANDEZ after observing a known photograph of FERNANDEZ; (b) Target Phone 4 is subscribed in the name Emmanuel Fernandez.

Phone 1 (session #4814) to send a text message to FERNANDEZ stating “but it’s good right not [now] like the work that you used to get.”

76. The following day, June 26, 2013, at approximately 12:54 p.m. (session #4884) CRUZ sent a text message to FERNANDEZ to Target Phone 4 stating “at what time” and FERNANDEZ responded using Target Phone 4 (session #4885) stating “I’m waiting buddy send me text only no calls there has been too many accidents if I give you all of it how long will you be [if FERNANDEZ arranged to give CRUZ 1 kilogram of cocaine how long would CRUZ take to sell it].” Using Target Phone 1, CRUZ responded via text message at approximately 12:57 p.m. (session #4886) stating “well I would get rid of half with my friend and 8 [ounces] with my brother and the rest I would get rid of with the St. Louis man.”

77. The following day, June 27, 2013, at approximately 1:23 p.m. (session #5055) CRUZ, who was using Target Phone 1, sent a text message to FERNANDEZ who was using Target Phone 4 stating “take it to him and wait around so he can give you the tickets [CRUZ instructed FERNANDEZ to deliver the cocaine to SANTIAGO’s house and wait for the money].” At approximately 1:26 p.m. (session #5056) FERNANDEZ, who was using Target Phone 4, sent a text message to CRUZ who was using Target Phone 1 stating “okay I’m in Melrose [Melrose Park] waiting for them [supplier] to give them to me.” CRUZ responded by text at approximately 1:33 p.m. (session #5057), to FERNANDEZ stating “okay how much are you going to give that car for [how much was FERNANDEZ going to charge CRUZ for the cocaine].” FERNANDEZ responded via text message at approximately 1:34 p.m.



(Session #5058) “give me 35 [\$35,000] I get it for 34.5 [\$34,500]” CRUZ responded via text “ok” (session #5059).

78. On June 27, 2013, at approximately 6:06 p.m. (session #5158) CRUZ, who was using Target Phone 1, sent a text message to COBARRUBIA who was using Cobarrubia Phone 2 stating “I’ll see you shortly.” COBARRUBIA responded via text message to Target Phone 1 (session #5163) “1 and 1 [1 ounce of pure cocaine and 1 diluted ounce].” CRUZ responded to COBARRUBIA “ok” (session # 5164).

79. At approximately 6:20 p.m. (session #5165) CRUZ, who was using Target Phone 1, called MERCED who was using Merced Phone 1. CRUZ said “I’m heading over to Chicago now.” CRUZ asked “do you have any [pending orders]?” MERCED said “for now no...but let’s see if they call tomorrow” Later CRUZ said “right now, at 7 [p.m.] my buddy told me to meet to grab the vehicle [CRUZ was expecting the cocaine delivery at 7 p.m].”

80. At approximately 6:38 p.m. (session #5166) CRUZ, who was using Target Phone 1, sent a text message to FERNANDEZ who was using Target Phone 4 stating “are you on your way back dude.” FERNANDEZ responded using Target Phone 4 via text message to CRUZ “yes” (session # 5167).

81. At approximately 6:42 p.m. (session #5169) CRUZ, who was using Target Phone 1, sent a text message to FERNANDEZ who was using Target Phone 4 stating “what happened with what you had.” FERNANDEZ responded via text message to CRUZ at approximately 6:43 p.m. (session #5171) “they gave me the

wrong ones they gave me bad ones and I wanted good [FERNANDEZ had returned bad quality cocaine].”

82. At approximately 6:46 p.m. (session #5172) SANTIAGO, who was using Target Phone 2, sent a text message to CRUZ who was using Target Phone 1. SANTIAGO asked “you take care of him I’m leaving don’t have him go to the house they’re bullshitting [SANTIAGO would not be home to meet FERNANDEZ].” At approximately 6:48 p.m. (session #5173) CRUZ, who was using Target Phone 1 sent a text message to SANTIAGO stating “I’m headed over there now he had to exchange it they gave him the bad ones he will be arriving now.” CRUZ also updated FERNANDEZ via text message at approximately 6:51 p.m. (session # 5175) by sending him a text message over Target Phone 4 stating “bro my brother is pissed [SANTIAGO was upset].” FERNANDEZ responded via text to CRUZ over Target Phone 1 (session #5176) “almost dude understand friend.”

83. Continuing on June 27 2013, at approximately 7:02 p.m. (session #5181) FERNANDEZ, who was using Target Phone 4 sent a text message to CRUZ, who was using Target Phone 1 stating “I’m on my way over there I’ll be there in 10 minutes.” CRUZ replied “okay I’m on my way.” At approximately 7:04 p.m. (session #5183) CRUZ, who was using Target Phone 1 sent a text message to SANTIAGO who was using Target Phone 2 “he’ll be there in 10 minutes.”

84. At approximately 7:15 p.m. (session #5191) FERNANDEZ, who was using Target Phone 4, called CRUZ. FERNANDEZ said “I’m here on the second block” and CRUZ asked “did you call my brother or not?” FERNANDEZ responded

“no let me call him, I want him to come out to the school [FERNANDEZ wanted SANTIAGO to meet by the school].” CRUZ then described SANTIAGO’s house and stated “I’ll call him now.”

85. At approximately 7:16 p.m. (session #5192) CRUZ, who was using Target Phone 1 called SANTIAGO who was using Target Phone 2. CRUZ told SANTIAGO “hey come out already...he’s passing up the school.” SANTIAGO asked “what?” CRUZ said “that he’s passing up the stop by the school by your house” and SANTIAGO asked “the guy?” CRUZ replied “yes he’s there already...he called me now...” SANTIAGO said “tell him to park there... I’ll be there in about 10 minutes...in front of my house... [the house number on W. Wellington].” Afterwards, CRUZ placed a call to FERNANDEZ at Target Phone 4 (session #5193) and relayed SANTIAGO’s address.

86. LEOs conducting surveillance in the vicinity of the W. Wellington residence in Chicago around this time observed a maroon colored Trailblazer SUV park in front of SANTIAGO’s residence; the driver of the vehicle was later identified as FERNANDEZ. At approximately 7:30 p.m., surveillance observed SANTIAGO and Individual J.C. arrive in a green Acura SUV bearing license plate R784446.<sup>16</sup> SANTIAGO greeted FERNANDEZ. Shortly thereafter, LEOs observed FERNANDEZ drive to the rear of SANTIAGO’s residence, exit the vehicle and walk toward SANTIAGO’s residence. Then LEOs observed FERNANDEZ and SANTIAGO standing by the Trailblazer engaged in conversation. LEOs observed

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<sup>16</sup> A vehicle records registration check revealed that a 2005 Acura SUV bearing Illinois license plate R784446 is registered to Julio Santiago on W. Wellington.

Individual J.C. standing in the alley and shortly thereafter, SANTIAGO returned to the residence and FERNANDEZ departed the area.

87. At approximately 7:46 p.m., LEOs observed CRUZ arrive to SANTIAGO's residence in a blue Honda Odyssey minivan. CRUZ exited the minivan and entered SANTIAGO's residence while using a cell phone. Simultaneously at approximately 7:46 p.m. (session #5205), CRUZ who was using Target Phone 1 placed a call to SANTIAGO who was using Target Phone 4. CRUZ stated "open [the door]" and CRUZ again stated "open...I'm here"

88. At approximately 7:52 p.m., LEOs observed SANTIAGO and CRUZ walk outside of the residence. LEOs observed CRUZ using a cell phone while SANTIAGO walked over to the Acura, opened the front driver's side door and reached inside. SANTIAGO closed the door and returned to stand with CRUZ. Later, LEOs observed CRUZ and SANTIAGO go into SANTIAGO's residence, and come back outside moments later. At approximately 8:03 p.m., LEOs observed SANTIAGO exit the residence, enter the Acura and depart from the area. CRUZ remained outside of SANTIAGO's residence using a cell phone.

89. Continuing on June 27 2013, at approximately 8:03 p.m. FERNANDEZ, who was using Target Phone 4 called CRUZ who was using Target Phone 1 (session #5213). During the call CRUZ said "come over here a moment so you can see it... it's powder." FERNANDEZ responded "yes I told your brother [SANTIAGO] that they were loose but they're good dude." CRUZ said "he's going to take the 8 but I don't think the man will take the 8 like that in one shot... it's

powder [SANTIAGO was going to take 8 ounces of the cocaine FERNANDEZ provided].” FERNANDEZ said “no look what you can do is... the other day I did this... they gave me three like that and what I did...they told me to just put it in the press [a press for forming cocaine bricks] and they come out new again.” CRUZ stated “yes that’s what I’m going to do the big press that I have...” CRUZ said “what I’m trying to tell you is not to go far so that you can take the... because if the man takes the 8 so you can take those 8 [CRUZ expected to have payment for FERNANDEZ after SANTIAGO sold the 8 ounces].” FERNANDEZ stated “yes, yes I’m going to be here.” CRUZ and FERNANDEZ agreed to meet at SANTIAGO’s residence.

90. At approximately 8:06 p.m. (session #5214), CRUZ, who was using Target Phone 1, called QUINTANA who was using telephone Quintana Phone 1. During the call CRUZ told QUINTANA “I opened that car [kilogram of cocaine] but that shit came out all loose.” QUINTANA asked “how?” and CRUZ said “it came all loose” and QUINTANA asked “oh loose...but it’s good... no?” CRUZ replied “right now so you can get in the car and meet me because I don’t want to go [CRUZ asked QUINTANA to come pick-up the cocaine from CRUZ].” QUINTANA asked “do I go with the scale?” and CRUZ replied “no...I opened it here at my brother’s house [SANTIAGO’s residence].” CRUZ explained “it’s going to be weighed and everything... I don’t want to go by the area where you live because remember that’s where the ugly ones [law enforcement] are at.” QUINTANA and CRUZ agreed to meet at El Puebla restaurant.

91. At approximately 8:16 p.m., LEOs conducting surveillance observed FERNANDEZ arrive in the Trailblazer and park just east of SANTIAGO's residence. CRUZ who was outside SANTIAGO's residence with Individual J.C. had a conversation with FERNANDEZ. At approximately 8:27 p.m., LEOs observed CRUZ walk into SANTIAGO's residence and FERNANDEZ depart the area in the Trailblazer. Around this same time, LEOs observed SANTIAGO arrive back to the residence in the Acura with a bag in his hand. LEOs observed CRUZ depart from the area in the minivan a short time later.

92. Continuing on June 27 2013 at approximately 8:38 p.m. (session #5217) CRUZ, who was using Target Phone 1, called QUINTANA who was using Quintana Phone 1. CRUZ asked "where you at?" and QUINTANA replied "here little bit further of El Puebla." CRUZ stated "ok I'm heading that way by Austin and Diversey already...I'll see you shortly." CRUZ said "wait for me there."

93. At approximately 8:40 p.m., LEOs observed the Honda minivan traveling eastbound on Diversey Avenue. At approximately 8:46 p.m., LEOs observed the Honda minivan pulled over on Diversey Avenue across from El Puebla, located at 4902 W. Diversey Avenue. LEOs observed QUINTANA walk from the north side of Diversey Avenue to the south side of the street and enter the passenger side of the minivan. A few moments later, LEOs observed the minivan park in the parking lot of a nearby supermarket at 4833 W. Diversey Avenue. At approximately 8:50 p.m., CRUZ, using Target Phone 1 (session #5224) received a call from FERNANDEZ, who was using Target Phone 4. FERNANDEZ said "I'm

here already dude.” CRUZ asked “you’re at El Puebla right...where are you at?” and FERNANDEZ replied “here right in front of El Puebla.” Then, LEOs observed the minivan exit the parking lot, drive westbound on Diversey Avenue, and park in front of El Puebla. CRUZ exited the minivan and entered the Trailblazer. LEOs later observed the Trailblazer and the minivan depart the area.

94. At approximately 8:59 p.m. CRUZ, who was using Target Phone 1 (session #5228), called COBARRUBIA who was using Cobarrubia Phone 1. During the call CRUZ told COBARRUBIA, “I’ll pick you up and you get in...I’m dirty [CRUZ had cocaine on him].” COBARRUBIA said “ok that’s fine.”

95. At approximately 9:09 p.m., CRUZ, who was using Target Phone 1 (session # 5234), called MERCED who was using Merced Phone 1. During the call CRUZ said “I’m on my way back...I’m going to turn at the corner so you can come outside.” MERCED said “I’m coming out now.” At approximately 9:56 p.m., MERCED, who was using Merced Phone 2, called CRUZ who was using Target Phone 1 (session # 5250). MERCED said “this guy tells me it’s the same from the last time [MERCED’s customer complained the cocaine was no different than the last time].” MERCED said “he tells me that it’s the same...the same that took awhile.” CRUZ said “but this isn’t from over there...from Nino [CRUZ told MERCED this batch of cocaine was not from CHAVEZ’s supplier].”

96. At approximately 10:26 p.m. (session #5251) CRUZ, who was using Target Phone 1, sent a text message to FERNANDEZ. CRUZ wrote “Bro that only had 34 [ounces] with 21 g [grams, for a total of 973 grams] it doesn’t yield more.”

CRUZ sent a second text message to FERNANDEZ (session #5252) stating “I finished weighing it before I put it back together that’s all that came out.”

97. At approximately 10:38 p.m. (session #5254) SANTIAGO, who was using Target Phone 2, called CRUZ who was using Target Phone 1. During the call SANTIAGO said “look, from everyone one it lost 3 [SANTIAGO’s customer lost 3 grams from each ounce of cocaine he prepared].” SANTIAGO continued “he didn’t complain but he told me that’s fine.” CRUZ said “I’m calling...that shit came out short...it came out to 34 with 21 [34 ounces and 21 grams, or 973 grams], it came out to. I weighed it and sent him [FERNANDEZ] a message...with the five [ounces] that I gave you from my brother’s...it came out to 34 with 21.”

**D. On July 10, 2013, VAZQUEZ-DELGADO Arranges for NUNEZ to Deliver a ½ Kilogram of Cocaine to SANTIAGO for SANTIAGO and CRUZ, Which CRUZ Further Distributes to MERCED.**

98. As described below, CRUZ ordered a ½ kilogram of cocaine from VAZQUEZ-DELGADO. VAZQUEZ-DELGADO arranged for NUNEZ to deliver the cocaine to SANTIAGO at SANTIAGO’s residence. After SANTIAGO took and further distributed 8 ounces, CRUZ delivered 4 ounces to MERCED.

99. On July 10, 2013, at approximately 2:04 p.m., (session #6992) VAZQUEZ-DELGADO, who was using telephone 312-221-9348 (“Delgado Phone 2”)<sup>17</sup> called CRUZ, who was using Target Phone 1. During this call, CRUZ asked

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<sup>17</sup> The identification of VAZQUEZ-DELGADO and VAZQUEZ-DELGADO as the user of Delgado Phone 2 is based on the following: (a) according to court-authorized location data for Delgado Phone 1, on June 10, 2013, Delgado Phone 1 was near an address on Courtland in Park Ridge, Illinois; at approximately 9:50 a.m., LEOs placed a call to Delgado Phone 1 and LEOs observed VAZQUEZ-DELGADO, who was standing near this location, remove his cellphone from his pocket, look at his phone and return it to his pocket; (b) on this same



VAZQUEZ-DELGADO, "What do you want to do because I don't want to waste time, Manuelito [VAZQUEZ-DELGADO's nickname]?" VAZQUEZ-DELGADO replied, "I want to move a *Michilada* [half kilogram of cocaine] ... cash if it's possible." CRUZ then stated, "I can help you, but you know how I work ... I can move that for you today but you have to confide in me dude." VAZQUEZ-DELGADO then stated, "I know... I know dude." CRUZ said, "I'll be back around 4:00 [o'clock] so you can see me... my brother ... they're calling him because he doesn't have anything and I told him that I would see if I can get him something [SANTIAGO's cocaine customers have been calling SANTIAGO for cocaine but SANTIAGO was unable to supply them]." VAZQUEZ-DELGADO stated, "I want it to be for today dude, for today, you understand me? [VAZQUEZ-DELGADO needed payment from CRUZ the same day]. For today because depending on that, they'll give me [more cocaine]." VAZQUEZ-DELGADO then told CRUZ "I'll see you in an hour..." and CRUZ stated "fine...you already know where my brother lives...go to my brother's house [SANTIAGO's residence]...leave it there and you pick up the paper at the same [VAZQUEZ-DELGADO should leave the ½ kilogram of cocaine at SANTIAGO's residence and could also pick up payment]." VAZQUEZ-DELGADO said "I'll see you in an hour...I'll take it to your brother in one hour." CRUZ asked, "How much is the price?" and VAZQUEZ-DELGADO replied, "Let me talk to the guy because he

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morning, LEOs followed VAZQUEZ-DELGADO to an address located on S. Prospect in Park Ridge and conducted surveillance for the next several hours; at approximately 12:20 p.m., LEOs placed a call to Delgado Phone 1 and observed VAZQUEZ-DELGADO remove his cellphone from his pocket, look at his phone and return it to his pocket; (c) in session #6992, CRUZ referred to the user of Delgado Phone 2 as "Manuelito," a known nickname for VAZQUEZ-DELGADO; (d) a linguist listened to calls over 630-430-0800 ("Delgado Phone 1") and Delgado Phone 2 and determined that the same person used both phones.

called me. You know who it is it's my guy El Gordito dude, it's El Gordito [NUNEZ]."

100. On July 10, 2013, at approximately 3:11 p.m., (session #7002), VAZQUEZ-DELGADO, who was using Delgado Phone 2, called CRUZ, who was using Target Phone 1. VAZQUEZ-DELGADO stated, "In about 30 minutes they're going to go by and leave it at your brother's [SANTIAGO's residence]." CRUZ asked, "But who's going to go?" VAZQUEZ-DELGADO replied, "my friend..." and CRUZ asked "but which friend, do I know him?" VAZQUEZ-DELGADO replied "no you do know him El Gordito [NUNEZ, a courier]." VAZQUEZ-DELGADO said "there's no problems with him." CRUZ stated, "You didn't tell me at how much the hour." VAZQUEZ-DELGADO replied, "At 17 and a half [\$17,500]." CRUZ stated, "Fine." CRUZ then asked, "How are we going to do this so we're not waiting?" VAZQUEZ-DELGADO responded, "He [NUNEZ] already called me he's going over there . . . I already told him where it is [VAZQUEZ-DELGADO had directed NUNEZ to deliver the cocaine to SANTIAGO's residence]." CRUZ then confirmed, "Oh... he knows where it is then? . . . I'm going to tell my brother to wait outside." VAZQUEZ-DELGADO stated, "Yeah I told him I was going to call you so that your brother could go outside and I was going to tell you what car he's in so your brother can see what car he's in and he can give it to him quickly, and I'll go for the tickets [VAZQUEZ-DELGADO would get payment later]." VAZQUEZ-DELGADO said, "I already spoke to El Gordito [NUNEZ] so that you can help us out and make one and one and a half so can pay those people."

101. At approximately 3:13 p.m., (session #7003), CRUZ, who was using Target Phone 1, called SANTIAGO, who was using Target Phone 2. During this call, CRUZ stated, "Be ready on the balcony in a half an hour, they [NUNEZ, the courier] will stop by in a half an hour to leave you that there [cocaine]." CRUZ said, "They're going to leave half [ $\frac{1}{2}$  kilogram of cocaine] for me and you there [at SANTIAGO's residence]." SANTIAGO confirmed, "Oh yes?" CRUZ replied, "Yes the guy was calling me... he's sending it with the driver [NUNEZ, the courier]." SANTIAGO asked "Where?" CRUZ stated, "To your house so can pick it up there." SANTIAGO then asked, "Where do I go?" CRUZ replied, "To your house; you're not going anywhere, they're coming to your house." CRUZ said, "He'll be arriving and the guy will be calling him to tell him how to get there [SANTIAGO's residence]." CRUZ then confirmed SANTIAGO's address.

102. At approximately 3:15 p.m., (session #7006), VAZQUEZ-DELGADO, who was using Delgado Phone 2, called CRUZ, who was using Target Phone 1. CRUZ relayed the W. Wellington address to VAZQUEZ-DELGADO, who confirmed the house number. CRUZ said, "my brother [SANTIAGO] will be in the front on the balcony." VAZQUEZ-DELGADO replied, "He's [NUNEZ, the courier] already on his way ... he'll be there in about twenty minutes." CRUZ then asked VAZQUEZ-DELGADO "what truck does he have the wine color or the black one?" and VAZQUEZ-DELGADO replied "no...no he has a different car." CRUZ said "well tell him ... to ask for my brother he'll be there on the balcony." VAZQUEZ-DELGADO

said “when he arrives there I’ll call you so you can call your brother so he can come out.”

103. Continuing on July 10, 2013, at approximately 3:37 p.m. (session #7016) SANTIAGO, who was using Target Phone 2, called CRUZ who was using Target Phone 1. CRUZ asked “are you at your house already?” SANTIAGO replied “I’ll be there 5 minutes...” CRUZ said “be ready on the balcony.”

104. At approximately 3:44 p.m. (session #7017) VAZQUEZ-DELGADO, who was using Delgado Phone 2, called CRUZ who was using Target Phone 1. VAZQUEZ-DELGADO said “Dude, tell him to look out that they’re arriving there already.” CRUZ stated “Okay, my brother is already there on the balcony waiting for them.” Thereafter, (session #7018) CRUZ, who was using Target Phone 1, called SANTIAGO who was using Target Phone 2. CRUZ said “hey they’re arriving there already” and SANTIAGO replied “I’m also arriving I’m turning on Wellington now” CRUZ told SANTIAGO “weigh it [cocaine] in front of him [the courier].”

105. At approximately 3:46 p.m. (session #7019) CRUZ, who was using Target Phone 1, received an incoming call from VAZQUEZ-DELGADO who was using Delgado Phone 2. VAZQUEZ-DELGADO told CRUZ “he [NUNEZ] says there’s no one there.” CRUZ replied “he’s there, arriving. Also I was just talking to him ... tell him to stay there that my brother is arriving already.” Immediately thereafter, (session # 020) CRUZ, who was using Target Phone 1, called SANTIAGO who was using Target Phone 2 and said “they’re there waiting for you.” SANTIAGO replied “yes...I saw them already.”

106. Around this time, LEOs were conducting surveillance near SANTIAGO's residence on W. Wellington. LEOs observed a red Volkswagen Passat park in front of Santiago's residence. Surveillance observed two males, one of whom was later identified as NUNEZ,<sup>18</sup> exit the vehicle. LEOs observed SANTIAGO and an unknown male (UM) arrive to the residence in a black Hyundai Santa Fe bearing license plate S341063<sup>19</sup> and park behind the red Passat. All four men exited their vehicles and had a brief conversation. A few moments later, LEOs observed the red Passat park in the garage of Santiago's residence. The UM exited the red Passat carrying a black bag and walked southbound out of sight. LEOs next observed UM return to the red Passat without the black bag.

107. At approximately 3:48 p.m., (session #7022), CRUZ, who was using Target Phone 1, called SANTIAGO, who was using Target Phone 2. SANTIAGO stated, "He's here. I told them to go around the back. They're coming now and I'm going to put them . . ." CRUZ stated, "Weigh it in the garage..." to which SANTIAGO replied "alright cool."

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<sup>18</sup> The identification of NUNEZ and NUNEZ as the user of Target Phone 6 and Target Phone 7 is based on the following: (a) LEOs conducting surveillance on July 10 and on September 23, 2013 observed a male arrive to SANTIAGO's residence on W. Wellington and meet with SANTIAGO following intercepted telephone calls in which CRUZ arranged a meeting at SANTIAGO's residence; LEOs who conducted surveillance identified NUNEZ after observing a known photograph of NUNEZ; (b) on January 8, 2014, LEOs observed NUNEZ arrive to 6000 West Grand Avenue at the direction to RAMOS-GRANICA following intercepted telephone calls in which RAMOS-GARNICA arranged for NUNEZ to pick up heroin; (c) in session #10124, CRUZ referred to the user of Target Phone 6 as "El Gordo," a known nickname for NUNEZ; (d) a linguist listened to calls over Target Phone 6, Target Phone 7, as well as telephone number 312-216-6134, and determined that the same person used these phones.

<sup>19</sup> A vehicle records registration check revealed that a 2003 Santa Fe bearing license plate S341063 is registered to Julio Santiago at an address on W. Armitage in Chicago.

108. Continuing on July 10, 2013, at approximately 3:49 p.m. (session #7024) VAZQUEZ-DELGADO, who was using Delgado Phone 2, called CRUZ who was using Target Phone 1. During the call VAZQUEZ-DELGADO asked “did he arrive already dude?” CRUZ replied “yes I told him to put it in the garage and weigh in front of their faces so there won’t be any problem [CRUZ confirmed NUNEZ had arrived and SANTIAGO was going to weigh the cocaine].” CRUZ said “I told him to put it in the garage so he can weigh it in front of them” and VAZQUEZ-DELGADO replied “oh that’s fine dude...that’s fine.”

109. At approximately 3:52 p.m. (session #7026) CRUZ, who was using Target Phone 1, called MERCED who was using Merced Phone 1. During the call CRUZ said “hey ready with that food [cocaine]” to which MERCED replied “yes.”

110. At approximately 4:10 p.m., (session #7036), CRUZ, who was using Target Phone 1, called SANTIAGO. CRUZ asked, “Did you check it [cocaine]?” SANTIAGO answered, “Yeah it’s here...it’s 8-25 for me [8 and ¼ ounces of cocaine for SANTIAGO] and 8-25 for you [8 and ¼ ounces of cocaine for CRUZ].” CRUZ stated, “But why 8-25?” SANTIAGO replied, “It’s not the 500 [grams] . . . he told you didn’t he?” CRUZ said, “No, he said it was a *Michilada* [CRUZ intended to receive a ½ kilogram from VAZQUEZ-DELGADO].”

111. At approximately 4:13 p.m. (session #7037) CRUZ, who was using Target Phone 1, called VAZQUEZ-DELGADO who was using Delgado Phone 2. CRUZ said “it wasn’t complete.” VAZQUEZ-DELGADO replied “he told me already that had put it on the calculator [NUNEZ and the UM weighed the cocaine before

leaving SANTIAGO's house]." CRUZ said "yes because... that's why, why I said to weigh it?" and VAZQUEZ-DELGADO replied "yeah that's fine dude." CRUZ asked "then how much is that shit because it wasn't 18 [the cocaine was not the full 18 ounces, or ½ kilogram]." VAZQUEZ-DELGADO asked "how much was there?" CRUZ then replied "it was 50 lines short [50 grams short]." CRUZ said "you're not understanding...remember you gave me a price for 18 [ounces] and there's not 18 [ounces] there...there's almost 2 [ounces] missing..." VAZQUEZ-DELGADO replied "let me see how much they're going to want for that...let me talk to him." CRUZ said "listen to me...with 6 lines [grams] more it's 2 ounces [short]."

112. At approximately 4:20 p.m. (session #7042) CRUZ, who was using Target Phone 1, called MERCED. CRUZ asked MERCED "what time is [MERCED's customer] coming to see you?" MERCED said "...I don't know...I have to call him." CRUZ continued "call him...I have 8 [8 ounces] left so I'm going to leave 4 [ounces] for you then." MERCED asked "did you see Looney [SANTIAGO]?" CRUZ replied "I just left that to him now...he's the one that received that for me..."

113. At approximately 5:15 p.m. (session #7057) MERCED, who was using Merced Phone 1, sent a text message to CRUZ who was using Target Phone 1 stating "I'm home already dude." At approximately 5:49 p.m. (session #7076) CRUZ, who was using Target Phone 1, sent a text message to MERCED stating "come out [outside]." MERCED responded "ok." (session #7077).

114. At approximately 6:16 p.m. (session #7084) SANTIAGO, who was using Target Phone 2, called CRUZ who was using Target Phone 1. SANTIAGO

asked “how much is that stuff that I got?” CRUZ said “well we have to pay it at one peso dude [\$1,000 per ounce].” CRUZ said “like I told you...we can divide the profits...I just have one [ounce] left.”

115. Continuing on July 10, 2013, at approximately 6:39 p.m. (session #7090) VAZQUEZ-DELGADO, who was using Delgado Phone 2, sent a text message to CRUZ, who was using Target Phone 1 stating “Dude they’re calling me and they only gave me two hours [the supplier only gave VAZQUEZ-DELGADO and CRUZ two hours to sell the cocaine].” At approximately 6:46 p.m. (session #7091) VAZQUEZ-DELGADO, who was using Delgado Phone 2, sent a text message to CRUZ, stating “it’s that these guys only gave me two hours dude [VAZQUEZ-DELGADO only had two hours to pay the supplier].” CRUZ replied “I already left some parts to a friend of mine by Kostner and Fullerton [CRUZ had provided MERCED with some of the cocaine and was awaiting its sale]...I have two [ounces] sold already. If I don’t move the other one I’ll give it to you with the money because I can’t work rushed like this [CRUZ would return any unsold cocaine with his payment to VAZQUEZ-DELGADO...and my brother I think he took out around 4 so... 5 [SANTIAGO was responsible for 4 to 5 ounces].”

116. At approximately 6:50 p.m. (session #7094) CRUZ, who was using Target Phone 1, called SANTIAGO who was using Target Phone 2. CRUZ asked “what you can move, now move it, because this guy is rushing and I told him I wasn’t going to be rushed for no one [CRUZ relayed that SANTIAGO should immediately sell as much of his cocaine as could].” SANTIAGO responded “alright



cool.” CRUZ continued “what you can sell until I get there you sell it, and what you can’t we’ll give it to him [CRUZ and SANTIAGO would return their unsold portions of cocaine].” SANTIAGO responded “alright that’s fine.” CRUZ asked “how many did you move?” and SANTIAGO responded “about 5 [ounces].”

117. At approximately 7:00 p.m. (session #7097) CRUZ, who was using Target Phone 1, sent a text message to MERCED who was using Merced Phone 1 “JUN by 9 because if not I’m going to give them back to that dude ok [CRUZ needed payment from MERCED, whose nickname is “Junior,” by 9 p.m.].” One minute later (session #7098), MERCED called CRUZ who was using Target Phone 1. MERCED asked “dude... is it like that rushed like that?” CRUZ replied “it’s that they just lent me that until mine comes.” MERCED said “well come and get it dude...[MERCED’s customer] came and brought me \$2,000 and he left them there and told me that tomorrow he would come to take them [MERCED’s customer delivered partial payment to MERCED but was not going to take the ounces of cocaine until the following day].” CRUZ said “listen to me...move two [ounces].” MERCED interrupted and stated “better yet just forget it...I’ll just give him the money back...I told him everything was fine. I didn’t know that it was supposed to be that rushed like that. Take the four [MERCED was returning all 4 ounces of cocaine CRUZ previously delivered because of the rushed timing].”

**E. On July 11, 2013, FERNANDEZ Supplies CRUZ with 811 Grams of Cocaine, Which CRUZ Further Distributes to SANTIAGO, MERCED and COBARRUBIA.**

118. As described below, on July 11, 2013, CRUZ ordered a kilogram of cocaine from FERNANDEZ. FERNANDEZ obtained 811 grams, or 29 ounces, and

delivered it to CRUZ's house. Then, CRUZ distributed 5 ounces to SANTIAGO, 7 ounces to MERCED and 4 ounces to COBARRUBIA.

119. On July 11, 2013, at approximately 12:04 p.m. (session #7280) CRUZ, who was using Target Phone 1, called FERNANDEZ who was using Target Phone 4. During the call FERNANDEZ said "right now as soon as I get out of work I'll go and see the man [FERNANDEZ's supplier]." CRUZ asked "but is it a sure thing because man these people began lighting up the phone." FERNANDEZ replied "yes it's a sure thing." CRUZ stated "I want to get that early so I can give you some tickets [payment] today dude." FERNANDEZ said "yes dude yes...yes today."

120. Continuing on July 11, 2013, at approximately 12:58 p.m. (session #7297) FERNANDEZ, who was using Target Phone 4, called CRUZ, who was using Target Phone 1. CRUZ asked "did you talk to him?" and FERNANDEZ replied "yes...I'll be going over there shortly...my buddy also called me and wants me to go see him." FERNANDEZ asked "if I get two donuts [kilograms of cocaine] you can, right?" CRUZ replied "yes I'll give one to my brother [SANTIAGO] and I'll stay with one...the only thing, work on that price because it's fucked up."

121. Beginning at approximately 2:36 p.m. (sessions #7323, 7324 and 7325) FERNANDEZ, who was using Target Phone 4, sent a series of text messages to CRUZ who was using Target Phone 1. FERNANDEZ stated "Dude I'll see you at 6:00 [p.m.] with 750 [grams] and tomorrow they will give us another one we're going to be good these days don't call me because my buddy doesn't like for me to talk on the phone it's a sure thing and we have more time." At approximately 2:40 p.m.

(session #7326) CRUZ responded via text message to FERNANDEZ stating “ok but take it to the house but I can’t see you sooner brother.” FERNANDEZ responded via text message (session #7327) stating “no because the guy who has it gets out of work at 5:00.”

122. At approximately 6:15 p.m. (session #7382) FERNANDEZ, who was using Target Phone 4, sent a text message to CRUZ, who was using Target Phone 1 stating “I’m going now I’ll leave in 15 minutes.” CRUZ, using Target Phone 1 (session #7384) responded via a text message to FERNANDEZ stating “okay I’ll wait for you let me know when you arrive.” CRUZ also used Target Phone 1 at approximately 6:19 p.m. (session #7387) to send a text message to MERCED who was using Merced Phone 1 stating “my friend is on his way now to see me.”

123. At approximately 6:19 p.m. (session #7388) CRUZ, who was using Target Phone 1 called SANTIAGO who was using Target Phone 2. During the call CRUZ said “my friend is heading over here now.” SANTIAGO replied “well I’ll wait for you in my house.” CRUZ continued “he’s on his way here...I’m going to check it [weigh the cocaine] before he leaves.” SANTIAGO replied “ok” CRUZ said “either way I have to go to the city to leave some things there... I’ll take you yours [CRUZ agreed to bring cocaine to SANTIAGO].” SANTIAGO said “ok...I’ll wait for you.”

124. Continuing on July 11, 2013, between approximately 6:21 and 6:30 p.m. (sessions #7392, 7395, 7396, 7397, 7399) CRUZ, who was using Target Phone 1 exchanged text messages with FERNANDEZ who was using Target Phone 4. CRUZ asked “can I now tell them to get ready?” FERNANDEZ replied “I already left

heading that way” to which CRUZ replied “ok.” FERNANDEZ wrote “dude remember how the last one was get ready to do the same thing [referring to the quality a cocaine shipment FERNANDEZ supplied on June 27, 2013].” CRUZ replied “it’s flower.”

125. At approximately 6:32 p.m. (session #7400) CRUZ, who was using Target Phone 1 called SANTIAGO who was using Target Phone 2. During the call CRUZ said “do you remember like the one we opened at your house [referring to the cocaine from FERNANDEZ on June 27, 2013]?” SANTIAGO said “huh huh” and CRUZ continued “it’s like that.” SANTIAGO asked “the same exact thing?” and CRUZ said “yes but I’m telling you it’s grounded.” Later CRUZ said “I’m asking you if you want it like that or you’re going to wait for me to put it back together like I did with the other one... however you want [CRUZ asked SANTIAGO if SANTIAGO wanted the cocaine in a powdery form or if SANTIAGO wanted CRUZ to use his cocaine press to press it back together].” SANTIAGO replied “it’s that those people [customers] are not going to want it like that in powder bro.” CRUZ said “if you want...today it won’t be ready because I’m just going to put it in that press so I can put it back together like I did with the other one...it comes out pretty...it comes out exactly like it was.” CRUZ said “that’s why I called you because if you want it like that in powder I’ll take it to you like that in powder.”

126. Between approximately 6:33 and 6:36 p.m. (sessions #7401, 7402, 7403), FERNANDEZ, who was using Target Phone 4 exchanged text messages with CRUZ, who was using Target Phone 1. FERNANDEZ stated “Yes dude but it is

good.” CRUZ replied “ok I’ll see when I look at it.” CRUZ asked “But how much complete or what you had told me [referring to a whole kilogram].” FERNANDEZ responded “they will give us another one tomorrow we will talk shortly.”

127. At approximately 6:36 p.m. (session #7405) CRUZ, who was using Target Phone 1 called MERCED who was using Merced Phone 1. During the call CRUZ asked “tell me how much do I take out for you...I’m going to put it all back together but you saw that the other one was good.” MERCED said “yes...well take two [ounces] out for me...two for [MERCED’s customer]...take out two for me for [the customer, for a total of 4 ounces] so when he comes to look for the other ones he can take all that.” CRUZ replied “ok...I’ll take them to you shortly.”

128. Between approximately 6:43 and 7:11 p.m. (sessions #7409, 7424, 7425) CRUZ using Target Phone 1 exchanged text messages with FERNANDEZ, who was using Target Phone 4. CRUZ wrote “go in through the alley and park next to my garage.” FERNANDEZ replied “Ok.” CRUZ asked “are you already close by” to which FERNANDEZ responded “dude I’m in the back [of CRUZ’s residence].” Later, at approximately 7:44 p.m. (session #7433) FERNANDEZ sent a text message to CRUZ, who was using Target Phone 1 stating “let me know dude I trust that you’ll tell me the truth [regarding the cocaine FERNANDEZ had just delivered].” CRUZ responded “Ok we’ll know later” (session # 7434).

129. At approximately 8:16 p.m. (session #7451) CRUZ, who was using Target Phone 1 called Individual A.E., who was using telephone 773-818-6830.

During the call CRUZ said “I put 5...5,500 [\$5,500] that I got there...the first five that I sell go to pocket [referring to the first 5 ounces CRUZ sold].”

130. Continuing on July 11, 2013 at approximately 8:23 p.m. (session #7452) CRUZ, who was using Target Phone 1, called MERCED. During the call CRUZ told MERCED “I’m going to go to Peterson and Western to leave 5 there...then I come back I’ll take them to you [after a 5 ounce delivery to another customer, CRUZ would deliver the cocaine to MERCED].” MERCED replied “that’s fine.” Later at approximately 9:57 p.m. (session #7471) MERCED, who was using Merced Phone 1, called CRUZ who was using Target Phone 1. CRUZ said “I’m here close to you...” and MERCED replied “that’s fine...look I’m by the middle door...there’s a parking there so don’t heat up the area [MERCED told CRUZ to be careful and not attract attention].”

131. At approximately 10:09 p.m. (session #7475) CRUZ, who was using Target Phone 1, called SANTIAGO who was using Target Phone 2. CRUZ told SANTIAGO “tomorrow I’ll bring you 5 [5 ounces].” SANTIAGO asked “huh?” and CRUZ said “tomorrow I’ll bring you 5 [ounces].” SANTIAGO replied “if they’re good like the other ones” and CRUZ replied “well yes dude.” SANTIAGO continued “as long as it’s good for the pot [cooking the powder into crack cocaine].” CRUZ said “it’s for the pot [cooking crack].” Later SANTIAGO said “bring it to me tomorrow then.”

132. At approximately 11:12 p.m. (session #7480) CRUZ, who was using Target Phone 1, sent a text message to GRIMALDO who was using Grimaldo Phone 1 stating “I left a few things on top of the counter I’ll come down a little later I have

a cake in the oven ha ha [CRUZ was preparing the cocaine]." GRIMALDO responded by text message at approximately 11:30 p.m. (session #7482) "I'm on my way now [GRIMALDO was headed to the located on Brown Street in Des Plaines where both men live]." CRUZ responded via text message (session #7483) "I'm in the garage."

133. The following day, July 12, 2013, at approximately 8:11 a.m. (session #7492) CRUZ, who was using Target Phone 1, sent a text message to MERCED who was using Merced Phone 1 stating "I'm going over there where you are I'm bringing you five for you or do you need more [5 ounces of cocaine]?" MERCED responded at approximately 8:12 a.m. (session #7494) stating "Ok bring it." At approximately 8:59 a.m. (session #7498) CRUZ called MERCED who was using Merced Phone 1. CRUZ said "I'll be there shortly...I'm on Kilpatrick and Addison." MERCED replied "ok that's fine I'll come outside." A few minutes later CRUZ called MERCED (session #7499). CRUZ said "start coming out. I'm turning on Kostner and Fullerton." to which MERCED replied "that's fine...I'm going to be on the porch..." CRUZ said "I have it [cocaine] in the trunk inside a box."

134. Continuing on July 12, 2013, at approximately 11:06 a.m. (session #7506) CRUZ, who was using Target Phone 1, called COBARRUBIA who was using Cobarrubia Phone 2. During the call CRUZ said "I got the food [cocaine] already in the city with my boy [MERCED]" and COBARRUBIA replied "ok that's fine because I need one [ounce] right away but I wait for you..." CRUZ said "I bring you two bro...I bring you two [ounces]." COBARRUBIA continued "I'm going to go and do

what I gotta do.” CRUZ replied “I know but I tell you I brought you two.” COBARRUBIA replied “ok cool...one is gone for sure today...that’s why I’m calling you now [COBARRUBIA could sell one ounce today].”

135. At approximately 12:02 p.m. (session #7510) CRUZ, who was using Target Phone 1, called SANTIAGO who was using Target Phone 2. CRUZ said “hey I’ll see you shortly...” SANTIAGO replied “that’s fine I’m here at home.”

136. At approximately 12:07 p.m. (session #7513) CRUZ, who was using Target Phone 1, called MERCED who was using Merced Phone 1. CRUZ asked MERCED “are you at the garage [MERCED’s garage located at 4100 block of W. Chicago Avenue] or at the house?” MERCED replied “I’m at the garage but the girl [cocaine] is at the house.” CRUZ said “I need the half and the two shirts for the chick [CRUZ needed MERCED to retrieve 2.5 ounces of cocaine that CRUZ had left with MERCED earlier].” MERCED replied “that’s fine ... you only told me to take out the half for you.” CRUZ said “yes but dude it’s all there separated there’s two of five [two packages of 5 ounces of cocaine each]...one of four [one package of 4 ounces of cocaine]...” MERCED said “with the one of 2 [ounces] I completed the other one...there was one of 4 [ounces]... I got one of the 4 and one of the 2 to make the one we needed.” CRUZ replied “that’s fine but either way I need for you to set 2 [ounces] aside because that’s [reserved] for someone [COBARRUBIA].” MERCED said “I got those 2 to complete the...what there was...was 1 of 4...I used those two to take out the half and the half you were going to take.” CRUZ said “I know...I understand what you’re telling me no problem...but I need...I need 2 and a



half...but separate dude make me one and one and a half [CRUZ needed one 1 ounce quantity and one 1½ ounce quantity of cocaine for a total of 2½ ounces].” MERCED said “ok that’s fine...I shoot over to the house”

137. At approximately 12:32 p.m. (session #7516) CRUZ, who was using Target Phone 1, called MERCED. CRUZ said “hey I’m already at Pulaski and Grand.” MERCED replied “that’s fine...I’m home already dividing that up for you...taking that out for you.” CRUZ said “oh ok.” MERCED continued “do I just give you what you asked for or do you want everything and CRUZ replied “no...no...no dude...you know what...give me one of 5 [ounces for SANTIAGO]... the two [ounces for COBARRUBIA]...and the half [ounce]” and MERCED replied “ok that’s fine.” At approximately 12:46 p.m. (session #7520) CRUZ, who was using Target Phone 1, called MERCED and informed MERCED that he had arrived. During a follow up call placed by CRUZ using Target Phone 1 at approximately 12:53 p.m. (session #7528) to MERCED who was using MERCED Phone 1, CRUZ confirmed with MERCED “there’s about 16 or 12 left [CRUZ had 12 or 16 ounces of cocaine remaining at MERCED’s house].” MERCED replied “ok no problem.”

138. Continuing on July 12, 2013, at approximately 12:55 p.m. (session # 7529) CRUZ, who was using Target Phone 1, called COBARRUBIA who was using Cobarrubia Phone 2. During the call CRUZ said “I’m here where are you at?” and COBARRUBIA replied “here at Just Tires [repair shop] bro.” CRUZ replied “I’m on Long and Diversey ...I’ll be there in two minutes.”

139. At approximately 1:05 p.m. (session #7533) COBARRUBIA, who was using Cobarrubia Phone 2, called CRUZ, who was using Target Phone 1. COBARRUBIA said “hey you gave me two right?” and CRUZ replied “yeah.” COBARRUBIA said “you have the police behind you” and CRUZ replied “I know I saw them when I passed by.” COBARRUBIA said “in a gold car...they’re [police] right there so I don’t know what’s going on.”

140. At approximately 1:10 p.m. (session #7534) CRUZ, who was using Target Phone 1, called SANTIAGO who was using Target Phone 2. During the call CRUZ asked “are you in front?” and SANTIAGO said “yes I’m here.” Based on my training and experience, and the training and experience of other LEOs, as well as a call between CRUZ and SANTIAGO at approximately 4:17 p.m. (session #7548) in which CRUZ asked SANTIAGO about the quality of the product, it is believed that CRUZ delivered 5 ounces of cocaine to SANTIAGO at SANTIAGO’s house.

141. At approximately 5:32 p.m. (session #7562) FERNANDEZ, who was using Target Phone 4, called CRUZ who was using Target Phone 1. During the call CRUZ said “you know it was 29 [ounces] with the one you took...right?” and FERNANDEZ asked “29?” CRUZ said “yes I did the math on the calculator...I divided what was left...the 811...it’s 28 onions [28 ounces, or 811 grams].” CRUZ continued “you took one...that’s 29 [28 ounces plus an additional 1 ounce that FERNANDEZ took, for a total of 29 ounces]. FERNANDEZ said “yes because it had to be 30 [ounces] right?” and CRUZ replied “no because 30 would be...839...divide 839 by 28 [CRUZ explained that how the total amount came out to 839 grams] and

right there you'll know how many there are." FERNANDEZ replied "ok I'll do the math now dude." Later CRUZ stated "yes because it's like if we were getting 36 minus one...so if it's 28 it's 27...remember that you took one [CRUZ reminded FERNANDEZ that he kept 1 ounce]" and FERNANDEZ replied "yes...yes...yes.. right now I'll do the math brother." CRUZ said "I already distributed 5 [ounces] and 9 [ounces]...from here to tomorrow I'll pick up money and I'll call you." In a follow up call at approximately 5:42 p.m. (session #7567) CRUZ, who was using Target Phone 1 called FERNANDEZ who was using Target Phone 4. FERNANDEZ confirmed "you have to give me 28 [\$28,000]."

142. At approximately 6:23 p.m. (session #7572) COBARRUBIA, who was using Cobarrubia Phone 2, called CRUZ who was using Target Phone 1. During the call CRUZ said "I got the part [additional cocaine]... I'll stop by your house." COBARRUBIA replied "I'm not at my house...I'm over here on Diversey...by the new Wal-Mart." CRUZ replied "...wait for me there...I have it close by... Kostner and Fullerton [the additional cocaine was close by at MERCED's residence at Kostner and Fullerton]." CRUZ then placed a call at approximately 6:29 p.m. using Target Phone 1 (session #7574) to MERCED who was using Merced Phone 1. CRUZ said "hey give me two gra [grams] on the side in a small bag...so I don't have to go home" and MERCED replied "ok and two..." At approximately 6:31 p.m. (session # 7575) CRUZ, who was using Target Phone 1, sent a text message to MERCED stating "I'm already here [MERCED's residence]."

143. At approximately 6:38 p.m. (session #7577) COBARRUBIA called CRUZ, CRUZ said “I’ll be there.” COBARRUBIA asked “how long?” and CRUZ said “5 minutes...I’m right here on Kostner right now.”

144. At approximately 6:46 p.m. (session #7580) CRUZ, who was using Target Phone 1, called COBARRUBIA who was using Cobarrubia Phone 1. During the call CRUZ said “I’m here next to the van” and COBARRUBIA replied “you see my van I’m going to unlock it...in my front seat in the vest [payment for the cocaine was stored in COBARRUBIA’s van]. CRUZ confirmed “in the vest” and COBARRUBIA replied “yes in the driver’s seat...I got a check there” and CRUZ replied “ok I got your new wallet.” COBARRUBIA said “ok put it there...is my van open or no...it should be open on the driver’s side.” Later, CRUZ stated “I put the stuff under the seat [in the van] there’s two [ounces] there...the jacket.” CRUZ said “I saw it...I saw it...what’s that...1100 [\$1,100]?” and COBARRUBIA confirmed “yeah.” Based on my training and experience, and the training and experience of other LEOs, it is believed that CRUZ provided 2 ounces of cocaine to COBARRUBIA, which CRUZ left in COBARRUBIA’s van, and CRUZ took \$1,100 as payment for the cocaine.

**F. Between July 28 and August 13, 2013, COMPRES Supplies SANTIAGO with Kilograms of Cocaine.**

**1. COMPRES Supplies 1 Kilogram of Cocaine on July 28 and 1 Kilogram of Cocaine on July 30.**

145. As described below, COMPRES agreed to supply SANTIAGO with 1 kilogram of cocaine on July 28, 2013. After obtaining the cocaine, SANTIAGO processed and redistributed the cocaine to others at his residence. That same day,

SANTIAGO ordered a second kilogram of cocaine from COMPRES at a price of \$34,000. On July 30, 2013, COMPRES arranged delivery of the cocaine to SANTIAGO's residence and obtained partial payment from SANTIAGO.

146. On July 28, 2013 at approximately 12:16 p.m. (session #188) COMPRES, who was using 309-868-2998 ("Compres Phone 1,")<sup>20</sup> called SANTIAGO who was using Target Phone 2. During the call COMPRES asked SANTIAGO "what's going on?" SANTIAGO responded "here at the house" and COMPRES replied "I'll go over now [COMPRES agreed to stop by SANTIAGO's residence]."

147. On July 28, 2013, at approximately 12:32 p.m. (session #193) SANTIAGO, who was using Target Phone 2, answered an incoming call from COMPRES. During call COMPRES told SANTIAGO "wait for me by your garage [the garage at SANTIAGO's residence]." SANTIAGO said "ok."

148. Shortly thereafter, SANTIAGO confirmed that he had obtained 1 kilogram of cocaine. At approximately 12:41 p.m. (session #196) SANTIAGO, who was using Target Phone 2, called MERCED who was using Merced Phone 1. During the call SANTIAGO informed MERCED "they brought me the car to paint it [SANTIAGO had received the 1 kilogram of cocaine]." MERCED replied "oh yes?" SANTIAGO said "yes." MERCED asked "is it pretty?" and SANTIAGO replied "yes

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<sup>20</sup> The identification of COMPRES and COMPRES as the user of Compres Phone 1 is based on the following: (a) LEOs conducting surveillance on August 13, 2013 observed a male arrive to SANTIAGO's residence on W. Wellington and meet with SANTIAGO following intercepted telephone calls in which SANTIAGO arranged a meeting with the user of Compres Phone 1 at SANTIAGO's residence; LEOs later identified COMPRES after observing a known photograph of COMPRES; (b) the vehicle COMPRES was observed in on August 13, 2013 was a black Acura bearing registered to Delvi Compres, at an address on South 59th Court in Cicero, Illinois.

it's pretty...the same as the other one [same quality as other cocaine SANTIAGO has acquired in the past]."

149. Later SANTIAGO and COMPRES discussed the price of a second kilogram of cocaine. At approximately 1:04 p.m. (session #206), COMPRES, who was using Compres Phone 1, called SANTIAGO who was using Target Phone 2. COMPRES told SANTIAGO, "3-4 [\$34,000 per kilogram]." SANTIAGO replied, "Ok, I need one for Tuesday [SANTIAGO wanted another kilogram on Tuesday, July 30] ... can you bring it to me on Tuesday?" COMPRES responded, "Let me check."

150. At approximately 1:41 p.m., (session #211), COMPRES, who was using Compres Phone 1 called SANTIAGO who was using Target Phone 2. COMPRES stated, "He told me that if you're sure that you're going to resolve it because he's going to get it loaned to him. Because if not then won't get it [COMPRES asked whether SANTIAGO was sure that he could sell the cocaine because COMPRES' supplier had obtained it on credit]." SANTIAGO responded, "Yes because it's the man from the gas station . . . he told me yes that he wants it . . . it's for sure without fail." COMPRES asked, "Sure?" and SANTIAGO responded "Yes dude." COMPRES said, "Ok fine because he's going to ask for it on loan ..." SANTIAGO said, "I can count on you right?" and COMPRES replied, "Yes."

151. Continuing on July 28, 2013, between 3:16 and 3:24 p.m. (sessions #215, 218), SANTIAGO who was using Target Phone 2 had conversations with the user of 773-968-7618 ("UM-7618"). SANTIAGO told UM-7618 to "head to the garage [the garage of SANTIAGO's residence on W. Wellington]." Later SANTIAGO

and UM-7618 discussed the quality of the cocaine SANTIAGO had supplied. UM-7618 said “this isn’t the same [referring to the quality].” SANTIAGO said “yes I broke that up right now.” SANTIAGO explained “I broke up the block [SANTIAGO had processes the cocaine by breaking up the block].” Later SANTIAGO instructed UM-7618 “return to the garage...you don’t want it” and UM-7618 asked “you don’t have something else?” SANTIAGO replied “no it’s one...I got a one complete [1 kilogram]...it’s all the same...go to my garage...I’ll show you one complete so you can see it...it’s the same.”

152. On July 30, 2013, at approximately 12:19 p.m., (session #272), SANTIAGO who was using Target Phone 2, called COMPRES who was using Compres Phone 1. During the call SANTIAGO asked, “See if you want to stop by here for a pack of tickets [SANTIAGO had payment for COMPRES].” COMPRES agreed to stop by later that evening. Later in the conversation, “Either way I need that by around 6 [p.m.].” COMPRES stated, “That’s fine then we’ll resolve that at 6 [COMPRES agreed to meet with SANTIAGO around 6 p.m.].”

153. On July 30, 2013, at approximately 4:07 p.m. (session #276), COMPRES who was using Compres Phone 1 called SANTIAGO who was using Target Phone 2. COMPRES asked “tell me dude” and SANTIAGO replied “here in the ranch [SANTIAGO’s residence].” COMPRES replied “give me about 20, 30 minutes I’ll stop by there.” Then, at approximately 4:24 p.m. (session #277), COMPRES called SANTIAGO who was using Target Phone 2. COMPRES told SANTIAGO, “Head to the garage dude” and SANTIAGO replied, “Ok.”

154. LEOs conducting surveillance observed a black Acura bearing license plate R139335<sup>21</sup> pull to the back of the garage to the residence located on W. Wellington in Chicago, at approximately 4:28 p.m. LEOs observed an unknown male get out of the Acura and walk to the back door of the garage. The garage door opened and the unknown male stood at the garage for a few minutes. At approximately 4:30 p.m., the unknown male opened the back passenger door of the Acura and reached into the car and then appeared to speak with a person in the garage. At approximately 4:33 p.m., LEOs observed the unknown male enter the Acura and depart the area.

155. On July 31, 2013, at approximately 5:00 p.m. (session #287) SANTIAGO, who was using Target Phone 2 called MERCED who was using Merced Phone 1. SANTIAGO asked “what did you do with that...did it go over there already [had MERCED sold the cocaine yet]?” MERCED replied “no it hasn’t gone yet... one of the black guys over there got another connection that was a little bit cheaper [one of MERCED’s customers found another cocaine at a better price so MERCED still had his cocaine].” MERCED told SANTIAGO that another customer “is going to need about 7 [7 ounces of cocaine] ...roughly 7.” SANTIAGO said “I got another one already [SANTIAGO had received another kilogram of cocaine].” MERCED asked “you got another one already?” SANTIAGO replied “yes another one [a second kilogram].” MERCED and SANTIAGO proceeded to discuss the price for 9 ounces of cocaine.

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<sup>21</sup> A vehicle registration check revealed that license plate R139335 is registered to Delvi Compres at an address on South 59th Court in Cicero.



156. On August 1, 2013, at approximately 5:32 p.m. (session #314), COMPRES, who was using Compres Phone 1, called SANTIAGO who was using Target Phone 2. During the call, COMPRES asked SANTIAGO, "Tell me dude . . . what's going on?" SANTIAGO said, "Right now I'll possibly be done with all my stuff [SANTIAGO was almost out of cocaine]. What I'm waiting for is this guy that . . . wanted to talk to me supposedly at 7 to take that [SANTIAGO was waiting to meet a customer at 7 p.m.]." SANTIAGO continued, "In case he doesn't take it and I'm done with the other stuff . . . do I break the other one or not? [SANTIAGO asked whether he could open the second kilogram of cocaine COMPRES had supplied in order to sell it in smaller quantities]." COMPRES stated, "Yes but remember that it's for Tuesday." SANTIAGO stated "ok that's fine." COMPRES continued, "If you think you can resolve it . . . remember it's for Tuesday [COMPRES reminded SANTIAGO that SANTIAGO had to sell the cocaine by Tuesday to pay the supplier]." SANTIAGO stated, "Ok, that's fine . . . either way I'll call you in the evening to let you know what happened."

157. On August 1, 2013, at approximately 8:30 p.m. (session #316), COMPRES who was using Compres Phone 1 called SANTIAGO, who was using Target Phone 2. COMPRES said "if it's like that then it's going to come out the same [price] as the first one I gave you [if SANTIAGO was unable to sell the kilogram for cash then SANTIAGO would not get a discounted price]." SANTIAGO replied "that's fine...so I know...either way I'm going to call you...I haven't called you because I'm waiting on this fucker [customer] to call me, but of the other one

I'm done with it... tomorrow they'll come and bring me the mula [SANTIAGO had sold off the first kilogram of cocaine he received on July 28 and was waiting to receive the money]."

158. At approximately 9:28 p.m. (session #318) SANTIAGO, who was using Target Phone 2, called COMPRES who was using Compres Phone 1. During the call SANTIAGO told COMPRES "look this man hasn't called me [SANTIAGO's customer had not called to confirm the purchase of the cocaine]." COMPRES replied "ok" and SANTIAGO continued "then what I'm going to do...since my stuff is gone...if he hasn't called me early tomorrow...well I'll break it up [if SANTIAGO's customer did not confirm the purchase of 1 kilogram soon, SANTIAGO would break up the kilogram and sell it in smaller quantities]." COMPRES replied "well that's fine then...you already know for Tuesday [SANTIAGO must pay COMPRES for the cocaine by Tuesday]." SANTIAGO replied "yes I have half there [SANTIAGO had half of the money already]."

## **2. COMPRES Supplies SANTIAGO with Additional Cocaine.**

159. As described below, on August 13, 2013, COMPRES supplied SANTIAGO with at least 1 kilogram of cocaine. LEOs observed in-person meetings between SANTIAGO and COMPRESS first at SANTIAGO's residence and later near Lowell and Belden.

160. On August 12, 2013, at approximately 1:56 p.m. (session #695) CRUZ, who was using Target Phone 3, called SANTIAGO who was using Target Phone 2. During the call CRUZ asked "did anything arrive for you?" SANTIAGO said "no not yet I'm waiting...I think they'll come shortly...just arrived here yesterday...they

told me...they gave me the order already...I'm waiting." CRUZ replied "they confirmed already [had the supplier confirmed]?" SANTIAGO continued "I'm waiting for them to pass by here so they can bring me that [cocaine]."

161. On August 13, 2013, at approximately 8:58 a.m. (session #719) COMPRES, who was using Compres Phone 1 called SANTIAGO who was using Target Phone 2. During the call COMPRES asked SANTIAGO "tell me what's going on?" SANTIAGO replied "waiting for you" and COMPRES replied "ok I'll see you in a bit...in about 45 minutes" and SANTIAGO replied "ok cool." At approximately 9:48 a.m. (session #720) COMPRES, who was using Compres Phone 1 called SANTIAGO who was using Target Phone 2. During the call COMPRES asked "did you get up already?" SANTIAGO replied "yes I'm here making breakfast..." COMPRES said "I'm outside...come outside." SANTIAGO replied "I'm going now."

162. LEOs conducting surveillance observed the black Acura near the W. Wellington residence. At approximately 9:50 a.m., LEOs observed SANTIAGO and a man later identified as COMPRES. The Acura departed the area and proceeded north on Melvina.

163. At approximately 10:30 a.m. (session #723) SANTIAGO who was using Target Phone 2 called MERCED. SANTIAGO said "look...it arrived already [the cocaine had arrived]." MERCED replied "oh yes?" and SANTIAGO said "I have it my hands already."

164. At approximately 11:19 a.m. (session #733) COMPRES, who was using Compres Phone 1 called SANTIAGO who was using Target Phone 2. COMPRES

asked “can you resolve another one [could SANTIAGO take more cocaine]?” SANTIAGO replied “possibly yes.” COMPRES said “we’ll see each other shortly.”

165. Continuing during the morning of August 13, 2013, (sessions #735, 736) SANTIAGO used Target Phone 2 to place calls to customers to discuss the sale of ounces quantities of cocaine. For example, SANTIAGO spoke to the user 773-934-9018 (“UM-9018”) who ordered three ounces of cocaine from SANTIAGO.

166. At approximately 12:03 p.m., LEOs conducting surveillance in the vicinity of the W. Wellington residence, observed SANTIAGO arrive to the residence in the Hyundai Santa Fe and pull up to the garage. A few minutes later, LEOs observed SANTIAGO in the alley next to the Hyundai. At approximately 1:08 p.m., SANTIAGO departed the area in the Hyundai.

167. On August 13, 2013, at approximately 1:11 p.m. (session #743) COMPRES, who was using Compres Phone 1 called SANTIAGO who was using Target Phone 2. COMPRES asked “are you at house?” SANTIAGO replied “no I stepped out for a moment.” SANTIAGO said he was near Kostner and Fullerton and COMPRES told SANTIAGO “I’ll go to where you’re at...we’ll see each other around there.” SANTIAGO said “come over to Lowell and Belden...I’m at my brother-in-law’s place.” COMPRES replied “ok.” At approximately 1:15 p.m. (session #744) COMPRES called SANTIAGO and said “I’m around here.”

168. At approximately 1:25 p.m., LEOs conducting surveillance observed SANTIAGO in the passenger seat of the Acura having a conversation with

COMPRES. Both the Acura and SANTIAGO's Hyundai were parked on Belden just east of Lowell.

169. At approximately 2:50 p.m. (session #747) SANTIAGO, who was using Target Phone 2 called UM-9018 and said "at 19 bro [\$19,000]." UM-9018 replied "damn it's too expensive...it can't be done...too expensive." SANTIAGO replied "the least I can give it is 18-500 [\$18,500]." UM-9018 replied "alright I'll let you know."

170. On August 15, 2013 at approximately 12:20 p.m. (session #806) COMPRES, who was using Compres Phone 1, called SANTIAGO who was using Target Phone 2. During the call COMPRES said "tell me dude...what's going on?" SANTIAGO stated he would make a call "so I can give you half [of the payment owed]." COMPRES said "you're quiet ...I'm still waiting for you [COMPRES complained about slow payment]." SANTIAGO then stated "I'm going to see the man now."

171. On August 15, 2013 at approximately 10:05 p.m. (session #854) COMPRES, who was using Compres Phone 1, called SANTIAGO. During the call COMPRES asked "did you call me?" SANTIAGO replied "what is it...I'm on the street working." SANTIAGO said "I had 15 pesos to give you but I put them away [SANTIAGO had \$15,000 for COMPRES]." SANTIAGO and COMPRES agreed to speak the next day.

**G. Between November 20 and 24, 2013, RAMOS-GARNICA and NUNEZ Supply CRUZ with Heroin and Cocaine.**

**1. On November 20, 2013, RAMOS-GARNICA Supplies NUNEZ with Heroin; NUNEZ Delivers 100 Grams to LAUREANO-NAVARRO at CRUZ's Direction.**

172. As detailed below, on November 20, 2013, LAUREANO-NAVARRO ordered 100 grams of heroin from CRUZ. CRUZ placed an order for the heroin with NUNEZ. After NUNEZ obtained the heroin from RAMOS-GARNICA, NUNEZ delivered it to LAUREANO-NAVARRO, who took it to a customer in Wisconsin.

173. On November 20, 2013, at approximately 3:07 p.m. (session #10104) LAUREANO-NAVARRO, who was using 312-880-8183 ("Navarro Phone 1")<sup>22</sup> called CRUZ who was using Target Phone 3. LAUREANO-NAVARRO told CRUZ "if it's for today it's 4...they're coming over here [LAUREANO-NAVARRO needed four 25 gram quantities of heroin for a total of 100 grams]." CRUZ replied "alright."

174. Continuing on November 20, 2013, at approximately 3:08 p.m. (session #10105) CRUZ, who was using Target Phone 3, sent a text message to NUNEZ who was using Target Phone 6 stating "It's 100 dollars [CRUZ needed 100 grams]." Using Target Phone 3, at approximately 3:09 p.m. (session #10107) CRUZ, sent a second text message to NUNEZ who was using Target Phone 6 stating "of the Chinese food [heroin]."

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<sup>22</sup> The identification of LAUREANO-NAVARRO and LAUREANO-NAVARRO as the user of Navarro Phone 1 is based on the following: (a) on November 22, 2013, LEOs conducting surveillance on W. Fullerton placed a call to Navarro Phone 1 and LAUREANO-NAVARRO answered the call; (b) on November 26, 2013, LEOs performed a traffic stop on a Dodge Durango and recovered 138 grams of heroin from the passenger, who produced identification in the name Arcilio Laureano-Navarro; (c) following the seizure, the user of Navarro Phone 1 placed intercepted calls to CRUZ and described what happened.

175. At approximately 3:09 p.m. (session #10108) LAUREANO-NAVARRO, who was using Navarro Phone 1, sent a text message to CRUZ who was using Target Phone 3 stating “Ok they’re coming so be ready so when they say yes can bring it [LAUREANO-NAVARRO’s heroin customer was on his way].”

176. Continuing on November 20, 2013, at approximately 3:20 p.m. (session #708), NUNEZ who was using Target Phone 6 received a call from JOSE RAMOS-GARNICA, who was using telephone number 312-285-8497 (“Ramos Phone 1”).<sup>23</sup> During the call RAMOS-GARNICA told NUNEZ “hey dude that’s ready except there’s a problem...the friends want it paid at 5-4 [RAMOS informed NUNEZ that the heroin supplier wanted \$54 per gram].” NUNEZ replied “but is it badass [referring to the quality]?” RAMOS-GARNICA replied “yes it’s the grey one” and NUNEZ replied “then I’ll wait for you at the house.” RAMOS-GARNICA replied “is it going to be done or not...then how much are you going to give me...they want it paid at 5-4...can you pay it me at 5-5 [RAMOS-GARNICA asked NUNEZ to pay RAMOS-GARNICA \$55 per gram so that RAMOS-GARNICA would make \$200 in

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<sup>23</sup> The identification of RAMOS-GARNICA and RAMOS-GARNICA as the user of Ramos Phone 1, Target Phone 9, Target Phone 12 and Target Phone 14 is based on the following: (a) in January 2014, the user of Target Phone 9 arranged to deliver \$12,000 in cash to Individual M.S. at a grocery store near 5806 S. Pulaski Rd., Chicago; LEOs participating in surveillance on January 13, 2014 identified RAMOS-GARNICA after observing a known photograph of RAMOS-GARNICA; (b) RAMOS-GARNICA arrived to the January 13 meeting driving a Nissan Altima bearing license plate 982P938, which was registered to Jose Amado Ramos Garnica; (c) in session #12346, CRUZ referred to the user of Ramos Phone 1 as “Amado,” which is RAMOS-GARNICA’s middle name; (d) on February 18, 2014, a Spanish-speaking agent familiar with RAMOS-GARNICA’s voice placed a recorded ruse phone call to Target Phone 12, which lasted approximately 44 seconds; the agent determined that the person who answered the call was RAMOS-GARNICA. (e) on April 17, 2014, LEOs seized ½ kilogram of cocaine from RAMOS-GARNICA following a traffic stop; (d) a linguist listened to calls over Ramos Phone 1, Target Phone 9, Target Phone 12 and Target Phone 14, and determined that the same person used these phones.

profit].” NUNEZ replied “but that’s what I’m putting it at [NUNEZ was selling it to CRUZ at \$55 per gram, leaving NUNEZ with no profit].” RAMOS-GARNICA replied “well give me at least half dude” and NUNEZ replied “100 dollars each [an even split]?” RAMOS-GARNICA replied “yeah at least” and NUNEZ continued “go to the house.” RAMOS-GARNICA replied “are you going to be ready there?” and NUNEZ replied “yes we’re going go over there quickly right now.”

177. At approximately 3:50 p.m. (session #716) RAMOS-GARNICA, who was using Ramos Phone 1 called NUNEZ who was using Target Phone 6. During the call RAMOS-GARNICA asked “where do I go right now?” and NUNEZ replied “I’m here in the back.” RAMOS-GARNICA asked “but...at your house?” and NUNEZ confirmed “ay.” RAMOS-GARNICA asked “then I go to your house already?” and NUNEZ replied “yes come over here.” RAMOS-GARNICA replied “ok I’m heading over there.”

178. At approximately 4:28 p.m. (session #10116) NUNEZ, who was using Target Phone 6 called CRUZ who was using Target Phone 3. During the call NUNEZ said “I got 200 dollars [200 grams of heroin] but of the good ones [good quality]...or do they just want 100 [100 grams of heroin].” CRUZ replied “he wants 100 but tomorrow...later on they’re going to come for 100 more so if you want leave them here and...[CRUZ would take all 200 grams of heroin NUNEZ had, but would only sell 100 grams immediately].” NUNEZ said “then we’ll give them 100 first?” to which CRUZ replied “if you want...he could take the 200 and can bring us the money in two days [CRUZ suggested providing the heroin to the customer on



credit].” NUNEZ replied “well I’ll see if the guy wants to...” CRUZ replied “just bring the 100 [grams]” to which NUNEZ replied “that’s fine.”

179. At approximately 4:31 p.m. (session #721) RAMOS-GARNICA, who was using Ramos Phone 1 called NUNEZ who was using Target Phone 6. During the call RAMOS-GARNICA said “I’m here outside dude” and NUNEZ asked “where?” RAMOS-GARNICA replied “in the back.”

180. At approximately 4:35 p.m. (session #10118) CRUZ, who was using Target Phone 3, sent a text message to LAUREANO-NAVARRO who was using Navarro Phone 1 stating “Give me a call I have 200 of the good one not the one that you have [referring to the quality] ask them if they have for the 200 [CRUZ asked LAUREANO-NAVARRO to ask his customer if he could pay for 200 grams].” At approximately 4:37 p.m. (session #10120) LAUREANO-NAVARRO, responded by text message to CRUZ who was using Target Phone 3 stating “bring me a sample.” CRUZ using Target Phone 3 (session # 10122) sent a text message to LAUREANO-NAVARRO saying “There are no samples this is guaranteed.”

181. Continuing on November 20, 2013 at approximately 4:41 p.m. (session #10124) CRUZ, who was using Target Phone 3, called NUNEZ who was using Target Phone 6. CRUZ said “ok this is what it is...he [LAUREANO-NAVARRO] has to go to Wisconsin...if the 200 [grams] are ready he has to go over there.” CRUZ explained “he has to go over there [to Wisconsin] that’s why he was asking about the sample and I said ‘well if you’re going over there then take what you need so you’re not making too many trips.” NUNEZ replied “huh huh...let’s do it how we

always do it, no?" CRUZ replied "he [LAUREANO-NAVARRO] would arrive late...because he's going all the way to the friend's house ...he's going all the way to Wisconsin...the times he has gone has been to Waukegan which is 30 minutes from here...it's about 3 hours [round trip the drive]." CRUZ asked NUNEZ "do you have it in your hand already?" NUNEZ replied "yes." CRUZ said "let me call Tony [LAUREANO-NAVARRO] see if he wants to go earlier." NUNEZ said "he's here smoking a cigarette [LAUREANO-NAVARRO was at the same location as NUNEZ]." CRUZ said "go over to him."

182. During this same conversation (session #10124), NUNEZ passed the phone to LAUREANO-NAVARRO. CRUZ told LAUREANO-NAVARRO "look they have the food [heroin] there" and LAUREANO-NAVARRO replied "oh ok..." LAUREANO-NAVARRO said to CRUZ "they're going to check it first...around 7 [p.m.] and if they like it they'll take it." CRUZ replied "well why are you going to make trips all the way over there [Wisconsin] ... take the 100 [100 grams] then." LAUREANO-NAVARRO said "well let me call him now [the customer]." CRUZ stated "ask him, if not you only take 100 [grams]." At the conclusion of the call, CRUZ confirmed the plan with NUNEZ. Based on my training and experience, and the training and experience of other LEOs, it is believed that NUNEZ provided LAUREANO-NAVARRO with 100 grams of heroin as directed by CRUZ, which LAUREANO-NAVARRO was planning to deliver to a customer in Wisconsin.

183. At approximately 4:51 p.m. (session #10128) NUNEZ, who was using Target Phone 6 sent a text message to CRUZ who was using Target Phone 3 stating

“that’s 56 [\$56 per gram].” CRUZ replied via text message “Ok.” (session #10131). Then, at approximately 4:54 p.m. (session #10132) CRUZ, who was using Target Phone 3, sent a text message to LAUREANO-NAVARRO who was using Navarro Phone 1 “that’s at 70 buddy ok [CRUZ was charging LAUREANO-NAVARRO \$70 per gram]” to which LAUREANO-NAVARRO replied via text message “ok.” (session #10133).

184. Continuing on November 20, 2013, at approximately 5:16 p.m. (session #10143) LAUREANO-NAVARRO, who was using Navarro Phone 1, sent a text message to CRUZ who was using Target Phone 3 stating “how much are you going to discount for the one that got damaged in my hands dude [some of the heroin LAUREANO-NAVARRO had received looked damaged and LAUREANO-NAVARRO wanted a discount].” CRUZ replied by text at approximately 5:17 p.m. (session #10144) “now when this gets resolved it’s the white kind right [CRUZ asked if the heroin was white in color]?” LAUREANO-NAVARRO responded via text “but is it clear” (session #10145). At approximately 5:19 p.m. (session #10146) CRUZ, who was using Target Phone 3 sent a text message to LAUREANO-NAVARRO stating “As you want it’s 400 that you’ll make so you decide what you’re going to give me [LAUREANO-NAVARRO should make \$400 profit from the sale of the heroin and could decide how much to pay CRUZ].” Later LAUREANO-NAVARRO sent a text to CRUZ (session #10150) stating “ok first let’s get rid of that and we’ll talk over in your house [CRUZ and NAVARRO would settle things after the sale].”

185. At approximately 8:18 p.m. (session #10183) LAUREANO-NAVARRO, who was using Navarro Phone 1, called CRUZ who was using Target Phone 3. During the call LAUREANO-NAVARRO told CRUZ “I’m on my way over there...get me 200 more [LAUREANO-NAVARRO was heading back to Illinois from Wisconsin and hoped to get another 200 grams of heroin].” CRUZ replied “you want 200 more?” and LAUREANO-NAVARRO replied “yes dude for tomorrow. CRUZ replied “ok.”

186. At approximately 8:20 p.m. (session #10184) CRUZ, who was using Target Phone 3, sent a text message to NUNEZ who was using Target Phone 6 stating “he’s coming to my house now and I need 200 for tomorrow [LAUREANO-NAVARRO was on his way to CRUZ’s residence with payment and LAUREANO-NAVARRO wanted an additional 200 grams of heroin].”

187. At approximately 9:49 p.m. (session #10210) CRUZ, who was using Target Phone 3, called NUNEZ who was using Target Phone 6. CRUZ asked if NUNEZ was almost to CRUZ’s residence. NUNEZ responded “yes I’m here at Touhy and...” CRUZ asked “you got the message I sent you right?” and NUNEZ asked “about the 200 dollars [200 grams of heroin]?” CRUZ asked “is there some [additional heroin].” NUNEZ said “yes there is...the same kind...he liked it right?” CRUZ replied “I think from now until Saturday we’ll sell 500 [500 grams] easily.” NUNEZ said “I’ll be there shortly.” Approximately 10 minutes later, NUNEZ, who was using Target Phone 6, called CRUZ (session #10211) and told CRUZ “I’m here outside [CRUZ’s residence].” CRUZ replied “alright.”

**2. On November 23, 2013, NUNEZ Delivers 194 Grams of Heroin to LAUREANO-NAVARRO at CRUZ's Direction, and Delivers 829 Grams of Cocaine to CRUZ.**

188. As discussed, CRUZ placed an order for 200 grams of heroin from NUNEZ. On November 23, 2013, CRUZ arranged for NUNEZ to deliver the heroin to LAUREANO-NAVARRO, which totaled 194 grams. Later that same day, NUNEZ obtained approximately 829 grams of cocaine and delivered it to CRUZ.

189. On November 23, 2013, at approximately 3:22 p.m. (session #10630) CRUZ, who was using Target Phone 3, sent a text message to LAUREANO-NAVARRO who was using Navarro Phone 1 stating "El Gordo [NUNEZ] will take it to you [NUNEZ would deliver the heroin discussed in session #10183]."

190. On November 23, 2013 at approximately 3:48 p.m. (session # 10631) CRUZ, who was using Target Phone 3 called NUNEZ who was using Target Phone 7. During the call CRUZ said "you're going to the barbershop [to deliver the heroin to LAUREANO-NAVARRO] but I'm saying to my house [make a cocaine delivery to CRUZ]." NUNEZ confirmed he would meet CRUZ after meeting LAUREANO-NAVARRO. Then CRUZ said "remember...when you arrive over there you call me so I can tell you where you're going to leave it inside the house [CRUZ would direct NUNEZ on where to store the cocaine]," and NUNEZ replied "ok." CRUZ asked "are you going to take the buffet to this kid [the heroin to LAUREANO-NAVARRO]?" and NUNEZ confirmed "yes."

191. At approximately 4:19 p.m., (session #10644) CRUZ, who was using Target Phone 3 called SANTIAGO who was using Target Phone 2. During the call CRUZ told SANTIAGO "hey the car [kilogram of cocaine] is parked in the garage

and it's like the ones" and SANTIAGO replied "oh yes?" CRUZ said "he called me already that he has it in his hand...he'll take it to the garage shortly [NUNEZ would deliver the cocaine shortly]." SANTIAGO replied "save me something then" and CRUZ replied "it's a whole one [1 kilogram of cocaine]...that one we're going to work from tomorrow on-ward." SANTIAGO replied "ok."

192. At approximately 4:16 p.m. (session #10643), CRUZ, who using Target Phone 3, had a phone conversation with LAUREANO-NAVARRO, who was using Navarro Phone 1. During this call, CRUZ stated, "El Gordo [NUNEZ] will be there at twenty to five." LAUREANO-NAVARRO responded, "that's fine...hurry up..." CRUZ asked "you're going to see them right [heroin customer from Wisconsin]?" and LAUREANO-NAVARRO replied "I will be meeting them at about 7:30 [p.m.] ... a bit further up from Gurnee, almost reaching Wisconsin." CRUZ said "call me when you're coming down."

193. Continuing on November 23, 2013, at approximately 4:50 p.m. (session #10645) NUNEZ, who was using Target Phone 7, called CRUZ who was using Target Phone 3. NUNEZ said "I'm heading over there already [to see LAUREANO-NAVARRO]." Then at approximately 4:55 p.m. (session #10647), CRUZ, was using Target Phone 3, had a phone conversation with LAUREANO-NAVARRO, who was using Navarro Phone 1. During this conversation, CRUZ stated, "He will take you the food, but you will have to divide it, since it is 200 tacos [NUNEZ would deliver 200 grams of heroin to LAUREANO-NAVARRO]." LAUREANO-NAVARRO responded, "El Gordo [NUNEZ] needs to hurry, I am leaving soon." At

approximately 5:01 p.m. (session #10650) NUNEZ, who was using Target Phone 7, called CRUZ who was using Target Phone 3. NUNEZ said “tell him [LAUREANO-NAVARRO] to come out.” CRUZ said “ok I’ll call him now and tell him to come out.” At approximately 5:02 p.m., (session #10651) CRUZ, who was using Target Phone 3, called LAUREANO-NAVARRO. CRUZ said “go outside [NUNEZ] is waiting for you he doesn’t have anywhere to park.” LAUREANO-NAVARRO replied “oh ok.” At approximately 5:04 p.m. (session #10652) NUNEZ, who was using Target Phone 7, called CRUZ and said “I gave it to him already [200 grams of heroin delivered to LAUREANO-NAVARRO].” CRUZ replied “ok dude.”

194. Continuing on November 23, 2013 at approximately 6:19 p.m. (session #10660) NUNEZ, who was using Target Phone 7 called CRUZ, who was using Target Phone 3. CRUZ asked “are you bringing it over here or do I have to go all the way over there?” NUNEZ asked “where are you at?” CRUZ said “I’m going down right now from Gurnee but I’ll arrive in Chicago in about 25 minutes.” CRUZ and NUNEZ then agreed to meet by Diversey and Austin and CRUZ said “take it in a shoe box...or better in duffle bag.” NUNEZ said “oh ok...when you’re there call me I’ll come quickly.” At approximately 7:01 p.m. (session #10671) NUNEZ, who was using Target Phone 7 called CRUZ and NUNEZ asked “where?” CRUZ said “one...two minutes. Did you arrive already?” NUNEZ said that he had.

195. At approximately 8:12 p.m. (session #10687) CRUZ, who was using Target Phone 3 sent a text message to NUNEZ who was using Target Phone 7 stating “dude that doesn’t do anything and it is very grainy it’s a cheap cut

[referring to the quality of the cocaine and the cutting agent].” At approximately 8:30 p.m. (session #10688) NUNEZ, who was using Target Phone 7, called CRUZ who was using Target Phone 3. CRUZ said “25 [\$25,000] for that...you touch it and it’s all sand...all sand and my friend from downstairs tested it [GRIMALDO had tested the cocaine] and it didn’t do anything to him...it didn’t numb his tongue or nothing.” CRUZ said “for that I won’t even pay \$10,000...you can tell that they put that little plastic because you can see the little pieces that look like glass...” CRUZ said “I don’t see that that’s complete there...I haven’t weighed it yet I just cut the plastic open and checked it but I’m going to weigh it later on.” NUNEZ replied “it has 800...800...29...around there [the cocaine was about 829 grams total]” and CRUZ stated “imagine that...that’s incomplete...that’s missing four and a half bro [the cocaine was 4.5 ounces short of 1 kilogram].”

196. At approximately 8:45 p.m. (session #10689) LAUREANO-NAVARRO, who was using Navarro Phone 1, called CRUZ who was using Target Phone 3. During the call LAUREANO-NAVARRO said “look that marked 194 [the heroin from NUNEZ weighed 194 grams].” and CRUZ confirmed “194?” LAUREANO-NAVARRO said “yes 194.”

197. The following day, November 24, 2013, at approximately 10:42 a.m. (session #10731) CRUZ, who was using Target Phone 3 sent a text message to NUNEZ who was using Target Phone 7 stating “I put that work back together for him since it all fell apart [CRUZ had pressed the cocaine back together since what NUNEZ had delivered was loose and falling apart].”



198. At approximately 12:15 p.m. (session #10752) SANTIAGO, who was using Target Phone 2, called CRUZ who was using Target Phone 3. CRUZ said “that shit is not good bro.” SANTIAGO asked “no?” CRUZ said “when I opened it I was let down...I called [NUNEZ] back ‘this isn’t what you had told me bro...I have it there to return it to you’ [CRUZ was planning to return the cocaine to NUNEZ because of the poor quality].”

199. At approximately 1:02 p.m. (session #10797) CRUZ, who was using Target Phone 3 sent a text message to GRIMALDO who was using Grimaldo Phone 1 asking “what are you doing dude?” GRIMALDO replied “here at home eating and watching TV” (session #10801). At approximately 1:07 p.m. (session #10807) CRUZ, sent a text message to GRIMALDO saying “Check to see if that got hard I turned it this morning [CRUZ asked GRIMALDO to check on the cocaine CRUZ had stored in GRIMALDO’s unit to see if it had hardened].” GRIMALDO responded at approximately 1:08 p.m. (session #10808) “no.” Then, GRIMALDO sent another text message to CRUZ (session #10813) stating “well it is not real hard.” CRUZ asked (session #10821) “but it doesn’t fall apart like yesterday” and GRIMALDO responded via text message “no it’s much harder” (session #10822). CRUZ replied (session #10824) “okay I will be down [CRUZ would come downstairs to check].”

**H. On November 26, 2013, Acosta Supplies 100 Grams of Heroin to CRUZ; CRUZ Delivers 138 Grams of Heroin to LAUREANO-NAVARRO, Which Law Enforcement Later Seizes.**

200. As described below, CRUZ ordered 100 grams of heroin from Acosta and on November 26, 2013, CRUZ and Acosta had an in-person meeting near a barbershop located in the 600 block of North Fullerton in Chicago. LEOs conducted

surveillance of this in-person meeting. After CRUZ obtained the heroin from Acosta, CRUZ met with LAUREANO-NAVARRO, also at the barbershop, and supplied LAUREANO-NAVARRO with 138 grams of heroin, which was later seized by LEOs.

201. On November 25, 2013, at approximately 12:38 p.m. (session #10953), CRUZ, who was using Target Phone 3, had a phone conversation with Acosta, who was using Target Phone 8. During this call, CRUZ asked Acosta if he had “Chinita [heroin].” Acosta responded, “Yes.” CRUZ then stated, “I need 100 [grams] for today.” Acosta asked, “Is it cash?” CRUZ said, “It’s just a matter of going and coming.”

202. Continuing on November 25, 2013, at approximately 5:16 p.m. (session #11008) CRUZ, who was using Target Phone 3, had a phone conversation with Acosta, who was using Target Phone 8. CRUZ stated, “If you want, so you don’t have that responsibility on you, you can take it to the guy there [LAUREANO-NAVARRO at the barbershop] and he [LAUREANO-NAVARRO] will go over there [Wisconsin] in the afternoon/evening just like he was going to do today but it won’t be until at night.” Acosta asked when LAUREANO-NAVARRO was going to take the heroin to Wisconsin, and CRUZ said “tomorrow.” Acosta said “I have it [heroin] already.” CRUZ and Acosta then agreed to meet the next day.

203. At approximately 10:22 a.m. (session #11060) CRUZ, who was using Target Phone 3, called LAUREANO-NAVARRO who was using Navarro Phone 1. During the call CRUZ asked “what time are you leaving with that?” and

LAUREANO-NAVARRO replied “I’m going over there at 7 [p.m.]” CRUZ said “I told him [Acosta] to take you the food [heroin] at 6 [p.m.]” LAUREANO-NAVARRO replied “at 6 is good.”

204. At approximately 10:26 a.m. (session #11063), CRUZ, who was using Target Phone 3, sent a text message to Acosta, who was using Target Phone 8 stating “The car has been rented already so you take those tacos [heroin] to my nephew at the barber shop.”

205. At approximately 2:56 p.m. (session #11117), CRUZ, who was using Target Phone 3, had a phone conversation with Acosta, who was using Target Phone 8. CRUZ said “I should arrive [at the barbershop] in about 15 minutes.” Acosta responded, “I am here waiting.”

206. On November 26, 2013, at approximately 2:14 p.m., LEOs were conducting surveillance near the barbershop located on N. Fullerton Avenue. At approximately 3:08 p.m., LEOs observed a black Toyota Corolla bearing Illinois license plate LP S825552<sup>24</sup> parked in the area of the barbershop. Shortly thereafter, LEOs observed CRUZ arrive to the area and enter the Corolla. At approximately 3:24 p.m., CRUZ exited the Corolla and departed the area, as did the Corolla.

207. At approximately 4:30 p.m., LEOs observed LAUREANO-NAVARRO arrive and enter the barbershop. At approximately 5:21 p.m., LEOs observed CRUZ arrive and enter the barbershop. At approximately 6:10 p.m., CRUZ exited the barbershop and departed the area.

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<sup>24</sup> A vehicle registration check for the Corolla bearing license plate S825552 was registered to Alfredo Acosta at an address on N. Avers Avenue in Chicago.

208. At approximately 6:19 p.m. (session #11198), CRUZ, who was using Target Phone 3, had a phone conversation with Acosta, who was using Target Phone 8. CRUZ stated, “[LAUREANO-NAVARRO] will go at seven [p.m.] over there [Wisconsin] and when he comes back if it’s still early I’ll call you so I can deliver the tickets to you?” Acosta responded, “no in the morning is fine [for payment]...as long as everything comes out good.”

209. At approximately 6:20 p.m. (session # 11199) CRUZ, who was using Target Phone 3, called LAUREANO-NAVARRO who was using Navarro Phone 1. CRUZ said “you have to stop at house when you come back you hear...it won’t be until tomorrow when I give him the money [CRUZ instructed NAVARRO to bring the payment for the heroin to CRUZ’s house].” LAUREANO-NAVARRO stated “ok I’ll go to your house”

210. At approximately 6:46 p.m., (session #11207), LAUREANO-NAVARRO, who was using Navarro Phone 1, sent a text message to CRUZ, who was using Target Phone 3 stating “35 for the half box right they’re already asking [LAUREANO-NAVARRO asked about the price for a 1/2 kilogram of heroin].” CRUZ replied at approximately 6:48 p.m. (session #11209) “what do you mean at 35?” LAUREANO-NAVARRO replied by text message (session #11211) “35,000 the half box [\$35,000 for a ½ kilogram of heroin].” CRUZ replied “yes dude” (session #11212).

211. At approximately 7:01 p.m., LEOs observed LAUREANO-NAVARRO exit the barbershop and enter a grey Dodge Durango, which was being driven by a

woman later identified as Individual V.O. As the Durango departed the area, LEOs followed it. At approximately 7:18 p.m., LEOs performed a traffic stop on the Durango just west of N. Narragansett Avenue. At the time of the stop LAUREANO-NAVARRO, who produced a driver's license in his name, was seated in the front passenger seat. During the search of the Durango, LEOs discovered a baggie containing suspect heroin in LAUREANO-NAVARRO's possession. To preserve the integrity of the investigation, both LAUREANO-NAVARRO and Individual V.O. were advised that they were free to leave. The substance recovered from LAUREANO-NAVARRO later field-tested positive for heroin and weighed approximately 138 grams.

212. Continuing on November 25, at approximately 7:24 p.m., (session #11217), LAUREANO-NAVARRO, who was using Navarro Phone 1, sent a text message to CRUZ that read, "Tony call tony call [call me]." At approximately 7:27 p.m., (session #11234), CRUZ using Target Phone 3 called LAUREANO-NAVARRO who was using Navarro Phone 1. During this call, NAVARRO stated, "Something ugly something really fucked up happened to me. I don't know if I was set up but some cops stopped me they took that thing from me [heroin] and left." CRUZ asked, "They took what from you?" NAVARRO responded, "They took that from me and they left. I swear to you on my...wait I'll put [Individual V.O.] on...as I was getting on the highway some white guys with black cars, they stopped me they took me out of the car they handcuffed me and I said to myself 'I'm fucked.' They got that [the heroin] and my id and they took off." NAVARRO then stated, "I swear to you ... on

everything that was from the barber shop everything was fine brother everything was fine...just as I was getting on the highway and there [LEOs] stopped me...the dude then turned on the lights but then he turned them off...he took me out of the car he check me and got that he put it in his pocket he told my girl [Individual V.O.] that everything was fine and they left and they didn't give anything and they took [my] ID."

213. At approximately 8:59p.m. (session # 11237) CRUZ, who was using Target Phone 3, sent a text message to Acosta who was using Target Phone 8 stating "dude I need us to talk with the nephew [LAUREANO-NAVARRO] tomorrow something happened to him and I didn't understand shit but I will know what it is tomorrow."

214. At approximately 9:01 p.m. (session #11238), Acosta, who was using telephone Target Phone 8, called CRUZ, who was using Target Phone 3. During the call CRUZ explained what he had learned from LAUREANO-NAVARRO. CRUZ stated, "They were coming off of the expressway, well there the ugly ones [LEOs] stopped him." CRUZ then stated, "Right when they were going to jump on the expressway to go over there [Wisconsin]." Acosta asked, "But did he see you or what?" CRUZ responded, "No, no, no, I gave him the things [heroin] at the barbershop and I left with the kids, and at 7 [p.m.] he was on his way over there but it's strange to me how they did it because they followed him and they stopped him on the expressway and they handcuffed him and they took the things [heroin] from him." CRUZ then stated, "I told him I'll talk to you in person, I don't know that

phone of yours it's strange to me, just in case they intercepted something." Acosta asked "what I gave you [the heroin]?" and CRUZ replied "yes the little kid."

**I. On November 30, 2013, NUNEZ Delivers 200 Grams of Heroin to GRIMALDO at CRUZ's Direction, Which CRUZ Later Delivers to OTERO.**

215. As detailed below, CRUZ ordered heroin from NUNEZ, which NUNEZ delivered to GRIMALDO at the residence on Brown Street in Des Plaines. CRUZ obtained the heroin and later delivered it to OTERO.

216. On November 30, 2013, at approximately 1:45 p.m., (session #11965), CRUZ who was using Target Phone 3, sent a text message to NUNEZ who was using Target Phone 7 stating "dude, check on the buffet [heroin] I'm still around here."

217. At approximately 2:19 p.m., (session #11976), NUNEZ who was using Target Phone 7 called CRUZ who was using Target Phone 3. CRUZ said "try and get the buffet early so that you can give it to me today and I'll head over there." NUNEZ stated "I'll get it [heroin] and call you."

218. At approximately 4:08 p.m., (session #12016), CRUZ who was using Target Phone 3, called NUNEZ who was using Target Phone 7. CRUZ asked NUNEZ "what did they tell you... what's happened?" NUNEZ stated "right now they're going to pick me up... so I can see you somewhere." CRUZ said "well you're going to have to come over here because I left the city already I was waiting..." NUNEZ said "it's not a problem the good thing is that it's done [the heroin was ready]." Later CRUZ stated "if you bring it to me today... I will tell the guys to come at night ... but it has to be like you told me [of good quality]." NUNEZ responded

“yes...yes, he told me... it’s as pretty as the first time.” CRUZ said “ask him for two and a half [250 grams of heroin] and we’ll pay him 100 today and the other one and a half we’ll pay him for around Friday [CRUZ could pay NUNEZ’s supplier for 100 grams today and the balance later in the week].” NUNEZ said “he was telling me that he only had about 200 dollars left of lunch [NUNEZ’s heroin supplier only had 200 grams of heroin left].” CRUZ said “well ask him then so he can give it to us.” NUNEZ responded “no, well I’m taking it all to you.”

219. At approximately 4:11 p.m., CRUZ who was using Target Phone 3, called OTERO who was using 414-213-7762 (“Otero Phone 1”).<sup>25</sup> During the call CRUZ told OTERO “they called me so they’re going to go pick him up and I told him he had to come half way.” OTERO asked “what do you have for me then?” and CRUZ stated “they’re going to bring me two pesos [200 grams of heroin].” OTERO stated “ok.” CRUZ continued “you take the 200 and you know... you pay me during the week quickly.” Later OTERO stated “ok, that’s fine.... to the same place as always?” CRUZ responded “let me get it first...even it’s a little later it’s not a problem... [NUNEZ] is bringing it to me here.”

220. At approximately 4:15 p.m., (session # 12019), CRUZ who was using Target Phone 3, called GRIMALDO, who was using telephone Grimaldo Phone 1.

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<sup>25</sup> The identification of OTERO and OTERO as the user of Otero Phone 1 is based on the following:(a) on December 3, 2013, CRUZ arranged to meet with the user of Otero Phone 1 at Gurnee Mills mall in Gurnee, Illinois; LEOs conducting surveillance observed a male in a red Chevrolet pick-up truck arrive and meet with CRUZ; LEOs later identified OTERO based on a known photograph of OTERO; (b) the red Chevrolet pick-up truck observed on December 3, bearing a Wisconsin license plate KA3542, was registered to an address in Wisconsin that OTERO had previously provided to CRUZ (session #12403); (c) a linguist listened to calls over Otero Phone 1, and 414-394-5676 (“Otero Phone 2”) and determined that the same person used both phones.



CRUZ told GRIMALDO “are you going to be there in your house all afternoon?” GRIMALDO said “yes I’m going to be here.” CRUZ said “it’s that I need... that when a friend mine comes to grab some things that he’s going to bring me.” GRIMALDO stated “ok.” CRUZ said “I’ll call... when he arrives there I’ll call you and you go out and get them.” GRIMALDO said “ok that’s fine.”

221. Continuing on November 30, 2013 at approximately 4:16 p.m., (session #12020) CRUZ who was using Target Phone 3, called NUNEZ who was using Target Phone 7. CRUZ said “you can come over [to CRUZ’s residence in Des Plaines]... there will be someone there waiting for you when you get there [referring to GRIMALDO].” NUNEZ asked “at your house?” and CRUZ stated “yeah.” In a followup call to NUNEZ over Target Phone 3 (session #12021), CRUZ told NUNEZ “ok, when you get to the house you call me... and the friend of mine [GRIMALDO] who lives downstairs he’s going to come out to attend to you... you give it to him... when I get there then I’ll go over to see these guys [CRUZ would deliver the heroin to OTERO later].” NUNEZ stated “I’m going to see it right now.” CRUZ continued “it should be that white one [white colored heroin]... they shouldn’t give you the other one [poor quality heroin].”

222. At approximately 5:28 p.m., (session #12022) CRUZ who was using Target Phone 3, sent a text message to NUNEZ who was using Target Phone 7 stating “Text me when you are close to the house.” At approximately 5:59 p.m., (session #12023) NUNEZ who was using Target Phone 7, sent a text message to CRUZ stating “buddy 5 minutes.” CRUZ responded “ok” (session #12025).

223. At approximately 6:01 p.m., CRUZ who was using Target Phone 3 sent a text message to GRIMALDO who was using Grimaldo Phone 1 stating “be on the lookout will arrive in 5 minutes he’s a chubby Mexican guy wait for him by the porch.” In a second text message, CRUZ continued to GRIMALDO (session # 12027) “And let me know when you have it in your hand.” Then CRUZ using Target Phone 3 (session # 12028), sent a text message to NUNEZ who was using Target Phone 7 stating “he’s waiting for you his name is tony [GRIMALDO] downstairs in the basement.” At approximately 6:02 p.m., (session # 12029), NUNEZ who was using Target Phone 7, called CRUZ who was using Target Phone 3 and NUNEZ said “I’m here.” CRUZ responded “ok, I’ll call him [GRIMALDO].” At approximately 6:03 p.m., (session #12030), CRUZ who was using Target Phone 3, called GRIMALDO who was using Grimaldo Phone 1 and said “he’s there already.”

224. Continuing on November 30, 2013 at approximately 6:04 p.m., (session #12032), CRUZ who was using Target Phone 3, called GRIMALDO who was using Grimaldo Phone 1. During the call CRUZ asked GRIMALDO “it’s done?” GRIMALDO said “it’s done.” CRUZ said “ok thanks.” CRUZ asked “how much did he bring” GRIMALDO stated “wait... it’s two.” CRUZ responded “200?” and GRIMALDO responded “they’re tan.” CRUZ stated “yes it’s the other one ... but it’s hard right?” and GRIMALDO responded “yep.” CRUZ said “ok that’s fine... when I arrive I’ll stop by there. Tell him [NUNEZ] I’ll call him when I get out.”

225. At approximately 6:07 p.m., (session #12033), NUNEZ who was using Target Phone 7, called CRUZ who was using Target Phone 3. During the call

NUNEZ said “I gave it to your buddy already [the 200 grams of heroin].” CRUZ said “it’s the white one [white heroin] right?” to which NUNEZ responded “yes.” CRUZ again confirmed the quantity with NUNEZ later that evening (session #12042). During the call, CRUZ asked NUNEZ “how much is there 200 pesos [grams]?” and NUNEZ responded “huh huh.”

226. At approximately 6:34 p.m., (session #12041), CRUZ who was using Target Phone 3, sent a text message to OTERO who was using Otero Phone 1 stating “it’s on hand better start coming to the house already [CRUZ directed OTERO to head over to CRUZ’s house to obtain the heroin].” CRUZ sent a second text (session # 12041) to OTERO stating “come prepared for the white one and the chinese [OTERO will be getting both cocaine and the heroin from CRUZ]. During a call at approximately 7:01 p.m., CRUZ and OTERO agreed to meet at the Grand Hotel by Gurnee Mills Mall. Following this meeting and as confirmation of payment, OTERO sent CRUZ a text message over Target Phone 3 (session #12060) in which OTERO said “I gave you 9 count them [OTERO paid CRUZ \$9,000].”

**J. On December 2, 2013, RAMOS-GARNICA Supplies CRUZ with 500 Grams of Heroin; on December 3, 2013, CRUZ Delivers 389 Grams of Heroin to OTERO.**

227. As detailed below, on December 2, 2013, CRUZ ordered 500 grams of heroin from NUNEZ. NUNEZ directed CRUZ to call RAMOS-GARNICA to place the order directly. Thereafter, CRUZ and RAMOS-GARNICA had an in-person meeting near Milwaukee and Pulaski, where CRUZ obtained the heroin. Later, CRUZ drove to Milwaukee, Wisconsin and delivered the ½ kilograms of heroin to OTERO. When CRUZ returned to Illinois, he met with RAMOS-GARNICA and

paid him \$27,000 and obtained another 389 grams of heroin from RAMOS-GARNICA. The next day, December 3, 2013, CRUZ and OTERO met at Gurnee Mills Mall in Gurnee, Illinois where CRUZ delivered the 389 grams to OTERO.

228. On December 2, 2013 at approximately 1:25 p.m., (Session #12292), OTERO who was using Otero Phone 1, sent a text message to CRUZ who was using Target Phone 3 stating “14 onion of the chinese soup [14 ounces of heroin].” CRUZ, who was using Target Phone 3, responded via text “ok” (session # 12293).

229. Continuing on December 2, 2013, at approximately 1:27 p.m., (session #12295), CRUZ who was using Target Phone 3, called NUNEZ who was using Target Phone 7. CRUZ said “they’re only going to want 400 [grams] dude. NUNEZ stated “ok.” CRUZ said “he told me to hurry because if he gets some over there, is fucked [CRUZ wanted to supply OTERO quickly before he purchased the heroin elsewhere].” CRUZ stated “400 of the white stuff [white heroin]... if you get it from somewhere else you’ll have to bring it and they’ll have to test it.”

230. At approximately 3:05 p.m. (session #12314), NUNEZ who was using Target Phone 7 called CRUZ who was using Target Phone 3. CRUZ told NUNEZ “yes yes I need 400 [400 grams] ... better yet bring me the 500 [500 grams]” to which NUNEZ stated “ok.” CRUZ said “bring me the 500 and what the guy gives me... if he gives me the 400 we’ll give him the other 100 so he can have two or three days [CRUZ was willing to give OTERO a few extra days to pay for the additional 100 grams of heroin].”

231. At approximately 3:07 p.m., (session #12315) CRUZ who was using Target Phone 3, called OTERO who was using Otero Phone 1. During the call CRUZ and OTERO discussed whether CRUZ would drive to Wisconsin where OTERO live to deliver the heroin. CRUZ agreed to drive to Wisconsin and said “well you be sure you have the money...you count it... because when I arrive I don’t want to wait there... what I want to do is get back and get the hell out of there.”

232. At approximately 3:25 p.m., (session #123185) CRUZ who was using Target Phone 3, called NUNEZ who was using Target Phone 7. CRUZ asked “what time will you have [heroin] in hand?” to which NUNEZ stated “I’m just waiting for him to get home.” CRUZ stated “because I have to go all the way over there [Wisconsin].” NUNEZ said CRUZ “even if he pays tomorrow it’s not a problem.” CRUZ asked “is it the white one [white heroin]?” and NUNEZ said “the same one.”

233. At approximately 5:05 p.m., (session #12337) CRUZ who was using Target Phone 3, called NUNEZ. During the call CRUZ told NUNEZ “if we come out looking good with these people today by Thursday they’re going to want another half [ $\frac{1}{2}$  kilogram of heroin].” NUNEZ stated “he [the supplier] says that in 20 minutes he’ll get here.” CRUZ said “ok tell him that if we look good with today... tell him to hold on to the other 500 [grams] for Thursday... that on Thursday I’ll move it for him. NUNEZ stated “ok dude that’s fine.”

234. At approximately 5:33 p.m., (session #12351) CRUZ who was using Target Phone 3, called NUNEZ who was using Target Phone 7. NUNEZ told CRUZ “he said that he would go over to where you’re at [NUNEZ’s heroin supplier was

willing to meet with CRUZ directly].” CRUZ asked NUNEZ “why didn’t you come with him?” and NUNEZ responded “so that he doesn’t waste time coming over here.” CRUZ said “send me his number so I can communicate with him because he doesn’t even know who I am either.” At approximately 5:36 p.m., (session #12352), NUNEZ sent a text message to CRUZ who was using Target Phone 3 that stated “312.890.4980 [Ramos Phone 1].” In a follow-up call between NUNEZ and CRUZ (session #12354), NUNEZ confirmed that CRUZ received the phone number and NUNEZ told CRUZ “ok ... his name is Amado [RAMOS-GARNICA’s middle name].”

235. Continuing on December 2, 2013, at approximately 5:15 p.m., (session #12346) CRUZ who was using Target Phone 3, called RAMOS-GARNICA who was using Ramos Phone 1. During the call CRUZ said “Amado [RAMOS-GARNICA’s middle name]?” RAMOS-GARNICA responded “what’s up?” CRUZ continued “it’s me Gordito’s [NUNEZ’s] friend.” RAMOS-GARNICA responded “[NUNEZ]’s friend?” CRUZ said “yes the one you have to come and see.” CRUZ stated “look I’m here by Irving Park and Pulaski... because the ugly people [police] were where I told you first so I moved from there.” RAMOS stated “oh... ok then I’ll be there shortly.” RAMOS-GARNICA stated “I’m on... and Kimball I have it here with me [the heroin].” CRUZ stated “you know where Foster and California is right?” RAMOS-GARNICA said “ok I’ll head over then.” Later CRUZ said “ok my brother... my name is Tony... this is my number so you can call me.”

236. At approximately 5:42 p.m., (session #12357) CRUZ who was using Target Phone 3, sent a text message to RAMOS-GARNICA who was using Ramos

Phone 1 saying “Amado it’s me tony I’m on california and foster.” Using Ramos Phone 1, RAMOS responded via text message to CRUZ (session #12360) stating “ok.” CRUZ reminded RAMOS-GARNICA via text message (session #12361) “the thing is that I have to take it all the way to where my friend is [Wisconsin].” In a follow-up call at approximately 5:56 p.m., (session #12368), RAMOS-GARNICA who was using Ramos Phone 1, called CRUZ who was using Target Phone 3. During the call CRUZ said “better yet let’s meet at...Milwaukee and Pulaski [in Chicago]... at the pharmacy.” CRUZ said “I have a Honda Odyssey truck... that family type.” In two calls between CRUZ on Target Phone 3 and RAMOS-GARNICA on Ramos Phone 1, at 6:10 p.m. (session #12378) and 6:23 p.m. (session #12387), CRUZ and RAMOS-GARNICA confirmed that they had arrived to the meeting location.

237. At approximately 6:34 p.m., (session #12396), CRUZ who was using Target Phone 3, called OTERO who was using Otero Phone 1. CRUZ said “why don’t we do it half way [meet halfway] ... because dude I’m on paper [supervised release] and now that I remember... Wisconsin is... that’s crossing the line over there [outside of the Northern District of Illinois]... if I go over there and the police stop me or something and the parole finds out.... forget it.” OTERO explained that his customer would not give him the money for the heroin until OTERO supplied the heroin, so meeting halfway would not work. CRUZ said “I have the 500 [500 grams].” CRUZ said “well if they aren’t releasing the paper to you ... I’ll go over there then...but... [CRUZ agreed to go to Wisconsin].” In a follow-up text message between CRUZ and OTERO (session #12400), CRUZ who was using Target Phone 3,

said “send me your address.” OTERO replied by text message to CRUZ (session #12403) with an address on S. Comstock Avenue in Milwaukee. At approximately 8:53 p.m. (session #12415), CRUZ who was using Target Phone 3, called OTERO who was using Otero Phone 1 and said “I’m here already dude.” OTERO said “ok.”

238. Between 9:32 and 10:38 p.m. (sessions #12420, 12421, 12422, 12429), CRUZ using Target Phone 3 exchanged text messages with RAMOS-GARNICA who was using Ramos Phone 1. CRUZ stated “bud that is short by 5 [grams] and I want what you have left there.” RAMOS-GARNICA responded “ok it’s ready we’ll talk.” CRUZ said “I’m counting the ticket [money] when I’m on my way I’ll call you when you come by me bring me what you have left so we won’t be making too many trips.” RAMOS-GARNICA said “ok.” Later, CRUZ informed RAMOS-GARNICA “I’m on my way back already.”

239. At approximately 11:11 p.m., (session #12433), CRUZ who was using Target Phone 3, called RAMOS-GARNICA who was using Ramos Phone 1. During the call RAMOS-GARNICA said that he was on his way to meet CRUZ and then said “ok...I also have your here the 400 dollars [grams of heroin].” Later, at approximately 11:40 p.m., (session #12439), CRUZ who was using Target Phone 3, called RAMOS-GARNICA. CRUZ said “when you come park by the side of my garage... you know where you’re going to enter through... come through the alley and you park by the side of the garage...there’s parking there... I’ll be home in two minutes.”



240. The following day, December 3, 2013 at approximately 12:42 a.m. (session #12444), CRUZ who was using Target Phone 3, sent a text message to OTERO who was using Otero Phone 1 stating “I have that already dude [the heroin].” OTERO responded to CRUZ (session #12445) via text message stating “cool dude thanks.”

241. Continuing on December 3, 2013 at approximately 1:14 a.m., (session #12448), RAMOS-GARNICA who was using Ramos Phone 1, sent a text message to CRUZ who was using Target Phone 3 stating “yes how much did you give me in all.” At approximately 8:00 a.m., (session #12449), CRUZ responded via a text message to RAMOS-GARNICA stating “it was 27 thousand [\$27,000].”

242. At approximately 9:39 a.m. (session #12471), CRUZ who was using Target Phone 3, called OTERO who was using Otero Phone 1. CRUZ told OTERO “it’s easier for me to take it half way... when you’re almost there you call me because I’m only 22 minutes to Wauke [Waukegan]...of Gurnee... [in Illinois]. When you see there’s about 18 to 20 minutes before you get to Waukegan you call me quickly.” At approximately 3:32 p.m. (session #12533), OTERO who was using Otero Phone 1, sent a text message to CRUZ who was using Target Phone 3 stating “go by burlington store [Burlington Coat Factory at the Gurnee Mills Shopping Center].” At approximately 3:33 p.m. (session #12532), CRUZ using Target Phone 3, responded to OTERO stating “OK I’m heading out there right now.”

243. LEOs conducting surveillance observed the Honda minivan depart from CRUZ’s residence at approximately 4:12 p.m. At approximately 4:45 p.m.,

LEOs conducting surveillance entered the Gurnee Mills mall located at 6170 N. Grand Avenue in Gurnee. Surveillance observed a person later identified as OTERO waiting near the entrance. At approximately 4:47 p.m. (session #12541), CRUZ used Target Phone 3 to call OTERO and instructed OTERO to come outside.

244. At approximately 4:55 p.m., surveillance observed the blue Honda minivan arrive to the Gurnee Mills mall and park in front of the entrance. Surveillance observed OTERO exit the food court area while using a cell phone. Shortly after, LEOs observed OTERO meet with CRUZ at the Honda minivan, walk through the parking lot, and enter a maroon Chevrolet pickup truck bearing a Wisconsin license plate KA3542.<sup>26</sup> OTERO departed the area.

245. Continuing on December 3, 2013 at approximately 6:11 p.m. (session #12560), OTERO who was using Otero Phone 1 sent a text message to CRUZ stating “dude it was missing 11 [grams] and it’s the wrapping I’ll take it to you so you can see it’s the same thing that is missing [the heroin was 11 grams short of 400 grams].” Then, at approximately 6:13 p.m. (session #12563), CRUZ who was using Target Phone 3, sent a text message to RAMOS-GARNICA who was using Ramos Phone 1 stating “Dude that was short 11 for the 400.” RAMOS-GARNICA responded to CRUZ by text message (session #12564), stating “11 what I don’t understand.” CRUZ told RAMOS-GARNICA using Target Phone 3 (session #12566), stating “that it’s missing 11 for it to be 400.”

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<sup>26</sup> A vehicle records registration for the Chevrolet revealed that it is registered to Individual C. L. T. at the S. Comstock Avenue address in Milwaukee, Wisconsin. This is the same address that OTERO provided to CRUZ on December 2, 2013 (session #12403) when CRUZ delivered heroin to OTERO in Wisconsin.

246. In a series of calls and texts that followed, OTERO agreed to return to Gurnee Mills mall to show CRUZ that the heroin was 11 grams short. At approximately 7:45 p.m. (session #12572), OTERO informed CRUZ that OTERO was arriving.

247. LEOs conducting surveillance at approximately 7:45 p.m. observed the Chevrolet pickup truck return to the parking lot of Gurnee Mills mall and park. LEOs observed OTERO exit the driver side of pickup truck and stand outside of the vehicle. At approximately 7:47 p.m., surveillance observed CRUZ and OTERO standing at the Honda minivan with the trunk open. Shortly thereafter, LEOs observed OTERO walk towards the mall entrance. LEOs observed CRUZ standing at the Honda minivan, and walk back towards the mall entrance. LEOs observed CRUZ remain near the mall for a short time. CRUZ departed the area in the Honda minivan shortly before 9 p.m.

248. At approximately 8:12 p.m. (session #12576), CRUZ who was using Target Phone 3, called RAMOS-GARNICA and said “it didn’t all go but between tomorrow and the day after what’s left will be complete... but a good part went today [OTERO took the heroin from CRUZ].” RAMOS-GARNICA instructed CRUZ to pay for whatever he had sold in the last two days. CRUZ stated “yes yes... don’t worry remember that we owed them 5 ‘pesos’ and that shit was missing 9 [grams] so it’s 386 that I have to give, collect from him.” RAMOS-GARNICA stated “that’s fine.”

249. At approximately 10:01 p.m. (session #12589), CRUZ who was using Target Phone 3, called RAMOS-GARNICA who was using Ramos Phone 1. CRUZ told RAMOS-GARNICA “go to El Puebla [the restaurant].” RAMOS-GARNICA replied “ok I’ll be there shortly.” At approximately 10:22 p.m., surveillance observed the blue Honda minivan arrive to El Puebla located at 4902 W. Diversey. LEOs observed CRUZ exit the driver side of the Honda minivan and walk into the restaurant. At approximately 10:25 p.m. (session #12598), CRUZ who was using Target Phone 3, called RAMOS-GARNICA who was using Ramos Phone 1, and RAMOS-GARNICA confirmed that he was almost there.

250. At approximately 10:48 p.m., LEOs observed CRUZ and a second male sitting inside of the Honda minivan engaged. A few minutes later, LEOs observed the passenger exit the Honda minivan, walk eastbound on Diversey, and enter the driver’s side of a black Nissan Versa bearing Illinois temporary plate 956P955.<sup>27</sup>

**K. On January 8, 2014, DIAZ-GALLEGO Delivers 2 Kilograms of Heroin to RAMOS-GARNICA and NUNEZ; Later, NUNEZ Distributes ½ Kilogram of the Heroin to CRUZ, Which CRUZ Sold to OTERO.**

251. As described below, RAMOS-GARNICA arranged the purchase of 2 kilograms of heroin from his supplier. Two individuals – including a person later identified as SANTIAGO DIAZ-GALLEGOS — brought the heroin to the area of 6000 W. Grand Avenue and met with NUNEZ, who accepted delivery of the 2 kilograms of heroin on behalf of RAMOS-GARNICA. LEOs conducting surveillance

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<sup>27</sup> Vehicle registration records for a Nissan Versa bearing temporary Illinois plate 956P955 revealed that it is registered Jose A. Ramos Garnica at an address on N. Avers in Chicago.

observed portions of this in-person meeting. After NUNEZ received the heroin and confirmed its receipt with RAMOS-GARNICA, NUNEZ distributed ½ a kilogram to CRUZ. The following day, January 9, 2014, CRUZ delivered the ½ kilogram of heroin to OTERO in Wisconsin.

252. On January 7, 2014 at approximately 1:24 p.m. (session #18690) CRUZ, who was using Target Phone 3 called NUNEZ who was using Target Phone 7. During the call CRUZ said “if you get some of the Chinese [heroin] and they give it to you broken up...get what they give you and I’ll move it here [to Wisconsin].” NUNEZ asked “later on I’ll take you a *Michelada* [½ kilogram].” CRUZ asked “but which kind?” and NUNEZ responded “the food [heroin].” CRUZ asked “the white one [cocaine]?” and NUNEZ replied “no, the other kind [heroin].” Later NUNEZ said “I’m going to talk to this guy [RAMOS-GARNICA] so he can give it to me and I’ll take it to you.”

253. Continuing on January 7, 2014, at approximately 9:23 p.m. (session #580), an unidentified male who was using Mexican telephone number 668-150-2281 (“UM-2281”) called RAMOS-GARNICA, who was using Target Phone 9. During the call, UM-2281 stated, “I’m telling you that you can get some of the Chinese ones [heroin] from my friend tomorrow.” RAMOS-GARNICA replied, “Yes I can get them from him.” UM-2281 asked, “How many of the Chinese [heroin] can you store there?” RAMOS-GARNICA answered, “One to start with because I don’t have people for that I just have one guy he moves four per week [referring to CRUZ].” UM-2281 asked, “You can’t get two or three so you can have them stored?”

RAMOS-GARNICA stated, "If anything just two [kilograms] because I don't like to have too much of that." UM-2281 stated, "Then you'll get two and around one [p.m.] he'll send you the PIN [blackberry messenger PIN]." UM-2281 asked RAMOS-GARNICA how many kilograms of cocaine RAMOS-GARNICA wanted and RAMOS-GARNICA said "five."

254. The following day on January 8, 2014, at approximately 11:20 a.m. (session #618), and SANTIAGO DIAZ-GALLEGOS, who was using telephone (815) 546-9461 ("Gallegos Phone 1")<sup>28</sup> called RAMOS-GARNICA, who was using Target Phone 9. During the call, DIAZ-GALLEGOS stated, "I'm calling on behalf of [UM-2281]." RAMOS-GARNICA stated, "Tell me what is there to do?" DIAZ-GALLEGOS stated, "Well they told me there is a need to put in two windows [2 kilograms of heroin]." RAMOS-GARNICA said, "Come over to Pulaski...and Fullerton." DIAZ-GALLEGOS replied, "Okay I'm a little far way right now because they just let us know. When I'm close I'll give you a call."

255. At approximately 11:22 a.m. (session #620) an unidentified male who was using Mexican telephone 52-777-360-8352 ("UM-8352") called RAMOS-GARNICA who was using Target Phone 9. During the call UM-8352 told RAMOS "the guy from the work...the one that's going to deliver to you...[UM-2281] told me that we should to give you three [kilograms]...that you need two and a friend of his needs one?" RAMOS-GARNICA said "yes" and UM-8352 said "I gave the order

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<sup>28</sup> The identification of DIAZ-GALLEGOS as the user of Gallegos Phone 1 is based on the following: linguists and LEOs listened to calls over Gallegos Phone 1 and compared them to recorded jail calls for DIAZ-GALLEGOS obtained from the Illinois Department of Corrections and determined that the same person used both phones.

already...they're going to call you...in about 5 minutes they're going to call you.”

UM-8352 said “just so you know, they're going to give you three...I think it's two for you and one for a friend ... later on when they let me know that they unloaded the little white ones [heroin] I'll get the five for you also [5 kilograms of cocaine].”

256. On January 8, 2014, at approximately 12:20 p.m. (session #633) RAMOS-GARNICA, who was using Target Phone 9 called DIAZ-GALLEGOS who was using Gallegos Phone 2. During the call, RAMOS-GARNICA told DIAZ-GALLEGOS “look I'm calling you because the men from down there are in a hurry for me to receive that.” DIAZ-GALEGOS stated, “Yes, we're working on that...we are now finishing the window placements and then we will meet over there...it's that when they called me we were far and now we're here at the warehouse.” In a follow-up call between RAMOS-GARNICA and DIAZ-GALLEGOS at 1:14 p.m. (session #638), over Target Phone 9, DIAZ-GALLEGOS said he would meet RAMOS-GARNICA in 30 to 40 minutes at Austin and Grand.

257. At approximately 1:19 p.m. (session #640) RAMOS-GARNICA, who was using Target Phone 9, called NUNEZ who was using Target Phone 7. During the call NUNEZ asked “do I wait for you here dude?” RAMOS-GARNICA said “yes wait for me there...right now I'll arrive there with some gifts [heroin].” NUNEZ stated “Ok I'll wait for you here.”

258. At approximately 1:23 p.m. (session #641), RAMOS-GARNICA who was using Target Phone 9 called DIAZ-GALLEGOS who was using Gallegos Phone 2. RAMOS-GARNICA asked “do you know roughly how long before you get here?”

DIAZ-GALLEGOS stated “well I’m over here by 39th.” RAMOS-GARNICA and DIAZ-GALLEGOS agreed to meet near the Happy Pollo restaurant located at Austin and Grand, specifically 6000 West Grand Avenue, Chicago.

259. Continuing on January 8, 2014, at approximately 1:50 p.m. (session #646), DIAZ-GALLEGOS, who was using Gallegos Phone 2, called RAMOS-GARNICA who was using Target Phone 9. DIAZ-GALLEGOS stated, “I’m about 5 or 6 blocks away. Driving northbound is it the one on the left hand side or the one on the right hand side?” RAMOS-GARNICA stated, “The one on the right hand side. It’s a chicken place.” Then, at approximately 1:55 p.m. (session #647), DIAZ-GALLEGOS told RAMOS-GARNICA “I’m here dude.” RAMOS replied, “Okay, I’ll be there shortly.”

260. Also at approximately 1:55 p.m. (session #648), RAMOS-GARNICA, who was using Target Phone 9, called NUNEZ, who was using Target Phone 7. RAMOS-GARNICA said, “Hey Gordo [NUNEZ], why don’t you go over to Grand and Austin so they can give you that [two kilograms of heroin] because I’m washing the car and the guys are already there.” NUNEZ replied, “Okay.”

261. At approximately 2:00 p.m., LEOs observed a Chevrolet Avalanche bearing license plate 4147SS arrive and park in the parking lot of Happy Pollo located at 600 West Grand Avenue. Agents identified the passenger as DIAZ-GALLEGOS and the driver as Individual J.R.<sup>29</sup>

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<sup>29</sup> The Avalanche that arrived to this meeting bearing Illinois license plate 4147SS was registered Individual J.R.



262. At approximately 2:00 p.m. (session #649) NUNEZ, who was using Target Phone 7, called RAMOS-GARNICA who was using Target Phone 9. RAMOS-GARNICA confirmed that NUNEZ had arrived to the meeting. RAMOS-GARNICA then arranged for NUNEZ and DIAZ-GALLEGOS to find one another in the parking lot. Specifically, at approximately 2:01 p.m. (session #650), RAMOS-GARNICA who was using Target Phone 9, called DIAZ-GALLEGOS, who was using Gallegos Phone 2. During the call, RAMOS-GARNICA stated, "Dude, do you see a blue minivan around there?" DIAZ-GALLEGOS replied "no." RAMOS-GARNICA asked "what side are you at?" DIAZ-GALLEGOS replied "over here by where the trash can is at." RAMOS-GARNICA asked "by the chicken place [Happy Pollo]?" DIAZ-GALLEGOS said that he was. RAMOS-GARNICA stated, "Okay, let me tell the friend [NUNEZ] go over there." DIAZ-GALLEGOS stated, "Tell him to come over here....the parking lot is clean there's not too much snow... I have a blue truck [the Avalanche], tell him to get close [to the Avalanche] so I can the bucket with the salt [DIAZ-GALLEGOS wanted NUNEZ to pull his minivan close to the Avalanche to get the heroin]." RAMOS-GARNICA then used Target Phone 9 to place a call to NUNEZ, who was using Target Phone 7 (session #651) and directed NUNEZ to the parking lot where the Avalanche was located.

263. At approximately 2:06 p.m., LEOs observed a blue minivan, believed to be NUNEZ, park next to the Avalanche. LEOs observed Individual J.R. walk over to the blue minivan and both vehicles opened their respective trunks. Approximately two minutes later, LEOs observed both vehicles depart the parking lot and drive

one block to a Shell gas station, where they again parked next to each other. After approximately four minutes, LEOs observed the blue minivan leave the area.

264. At approximately 2:09 p.m. (session #655) RAMOS-GARNICA, who was using Target Phone 9, called NUNEZ, who was using Target Phone 7. RAMOS-GARNICA asked, “Is it done?” and NUNEZ stated, “Yeah.” RAMOS-GARNICA told NUNEZ that he was heading to NUNEZ’s residence and asked “What car did the friend [DIAZ-GALLEGOS] have?” NUNEZ stated, “An Avalanche.” RAMOS-GARNICA said, “I’ll see you at your house shortly.” At approximately 2:17 p.m., LEOs observed a grey/silver Chevrolet Trailblazer<sup>30</sup> parked outside of NUNEZ’s residence. At about this same time, (2:21 p.m., session # 659) RAMOS-GARNICA called NUNEZ who was using Target Phone 7 and said “open the door for me.”

265. Continuing on January 8, 2014, at approximately 2:19 p.m. (session # 658) RAMOS-GARNICA who was using Target Phone 9, called DIAZ-GALLEGOS who was using Gallegos Phone 2. During the call DIAZ-GALLEGOS asked “did the 2 arrive?” RAMOS-GARNICA replied “you only sent 2 [kilograms]?” DIAZ-GALLEGOS replied “yes how many were there?” RAMOS-GARNICA said “it was supposed to be 3 [kilograms]” and DIAZ-GALLEGOS replied “I think the guys made a mistake when they packed the salt containers.”

266. At approximately 2:29 p.m. (session #18882) NUNEZ, who was using Target Phone 7 called CRUZ who was using Target Phone 3. During the call NUNEZ told CRUZ “this is new it just arrived [heroin].” CRUZ asked “but there’s

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<sup>30</sup> Vehicle registration records for this Trailblazer revealed that it is registered Jose Ramos at an address on N. Avers in Chicago.

time right [time to sell the heroin]?” NUNEZ then told CRUZ “I’m going to take you what arrived...the new one...the good stuff.” At approximately 2:33p.m. (session #18884) CRUZ, who was using Target Phone 3, called OTERO who was using Otero Phone 2. During the call, CRUZ told OTERO “[NUNEZ] just called me that something just arrived that was badass...I told him to bring me a half to see how it is.” OTERO stated “cool because this one, I say in one or two weeks we’ll be dry.” Later CRUZ explained “I asked him for the two...so I asked him to bring me one...half and half [two ½ kilograms of heroin].” OTERO replied “that’s fine so we can see which one of the two,” and CRUZ replied “no we’re going to move both of them...” and OTERO replied “ok.”

267. At approximately 2:39 p.m. (session #663), RAMOS-GARNICA, who was using Target Phone 9 received a call from UM-2281. During the call, UM-2281 asked, “Hey dude, did they deliver it to you already?” RAMOS-GARNICA replied, “Yeah” and UM-2281 asked, “And how did it go?” RAMOS-GARNICA stated, “They’re pretty...I think we’re going to work well this time.”

268. At approximately 2:43 p.m. (session #18885) CRUZ, who was using Target Phone 3, called NUNEZ who was using Target Phone 7. During the call CRUZ asked “how long will you be?” and NUNEZ replied “I’m heading over there...I’m just preparing it [heroin].” CRUZ said “just in case I’m not there just wait for me there.” Then, at approximately 2:56 p.m. (session #18894) RAMOS-GARNICA, who was using Target Phone 9, called CRUZ who was using Target Phone 3. RAMOS-GARNICA said “I’m going to send it to you with El Gordo

[NUNEZ would be delivering the heroin to CRUZ].” RAMOS-GARNICA continued  
I’m sending you 500 dollars [500 grams of heroin].”

269. At approximately 6:23 p.m. (session #18972) NUNEZ, who was using Target Phone 7 called CRUZ who was using Target Phone 3. During the call NUNEZ asked “where do we see each other at?” and CRUZ replied “I’m on my way home dude...I’m dirty too [CRUZ had narcotics on him]...so go to the house [NUNEZ should deliver the heroin to CRUZ’s house].”

270. At approximately 7:48 p.m. (session #19010) NUNEZ, who was using Target Phone 7 called Target Phone 3. The call was answered by CRUZ’s brother<sup>31</sup> CARLOS ALBERTO CRUZ-CARRERA (aka “Charlie”). During the call NUNEZ said “I’m out here already [NUNEZ had arrived to CRUZ’s residence]” CRUZ CARRERA stated “I’m going now...this is Tony’s brother [CRUZ’s brother CRUZ CARRERA had answered the call]...I’m going now [CRUZ CARRERA would come outside to obtain the heroin from NUNEZ].”

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<sup>31</sup> During the investigation, LEOs learned that CRUZ, whose nickname is “Tony,” has a brother whose legal name is CARLOS Alberto CRUZ-CARRERA, whose nickname is “Charlie.” LEOs learned that CRUZ has used CRUZ-CARRERA’s name as a means of evading law enforcement, including by acquiring several felony convictions in the name Carlos Cruz. Specifically, in an intercepted call over Target Phone 1 on June 18, 2013 (session #3228), CRUZ stated “I had an id [identification card] with my brother’s name...the two times that I fell [was convicted of felonies]...they convicted me with that name [CRUZ was convicted in his brother’s name]. So as far as the United States is concerned I’m CARLOS CRUZ [CRUZ’s brother, Carlos Alberto CRUZ-CARRERA], you understand me?” CRUZ continued “upon finishing my paper with the government [supervised release in Case No. 08 CR 625], I can return to my normal life with my name...I can then apply for office work...as long as they don’t use my fingerprints and I can have a decent job that pays well. Right now I’m limited to jobs but because of my record when I put the name of CARLOS CRUZ and I put the social security number [referring to the use of CARLOS Alberto CRUZ-CARRERA’s name and identifiers] it appears that I’m dirty that I have convictions. With my other original name...I don’t have convictions...I don’t have anything.”

271. Continuing on January 08, 2014, at approximately 8:17 p.m. (session #19021), CRUZ, who was using Target Phone 3, called OTERO who was using Otero Phone 2. During the call CRUZ said “I have the Chinese [heroin] in my hand...it’s beige.” OTERO replied “okay is it a half a cake [a ½ kilogram of heroin]?” CRUZ confirmed “it’s half a cake but you tell me because I don’t know how much time these people are going to give us [to sell the heroin].” In a follow-up call between CRUZ over Target Phone 3 at approximately 8:49 p.m. (session #19027) and OTERO who was using Otero Phone 2, CRUZ and OTERO continued to discuss the color and quality of the heroin, as well as marijuana that CRUZ had available. CRUZ told OTERO that “the 500 of the Chinese [½ kilogram of heroin] it’s a little disc...it fits anywhere [easily transported].” In a call and a text message that followed (sessions #19065, 19122), CRUZ and OTERO agreed to meet the next day.

272. On January 9, 2013 at approximately 2:40 p.m. (session #19147) CRUZ, who was using Target Phone 3, called OTERO who was using Otero Phone 2. During the call CRUZ said “the one I’m taking to you today...the half [½ kilogram of heroin]” and OTERO confirmed “huh huh.” CRUZ said “I think it’s stronger than the last two that I took to you [on a prior occasion].” Later, CRUZ using Target Phone 3 and OTERO using Otero Phone 2 exchanged a series of text messages to coordinate CRUZ’s delivery of the heroin to OTERO at OTERO’s residence that evening (sessions # 19184, 19185, 19189, 19191, 19197, 19215). OTERO told CRUZ “come over I’m ready” and then specified “to the house [OTERO’s residence].” CRUZ told OTERO “I’m on my way.” Then CRUZ told OTERO “I’m here already.”

273. The following day, January 10, 2014, at approximately 1:24 p.m. (session #19269) CRUZ, who was using Target Phone 3, called OTERO. CRUZ asked OTERO about the quality of the heroin. OTERO said “one of the guys said yes that it was good but since I depend on two people and if the other guy doesn’t like it I’m going to be stuck and take longer but one of them liked it already [OTERO’s customers were evaluating the quality of the heroin].” Based on my training and experience, and the training and experience of other LEOs, it is believed that CRUZ delivered a ½ kilogram of heroin to OTERO who further distributed it to other customers.

**L. On March 15, 2014, Acosta Supplies CRUZ and CRUZ-CARERRA with 940 Grams of Heroin.**

274. As described below, CRUZ, with the assistance of his brother CRUZ-CARERRA, met with Acosta near Pulaski and Milwaukee and obtained 940 grams of heroin.

275. On March 15, 2014, at approximately 9:53 a.m. (session #74), Acosta who was using Target Phone 13, sent a text message to CRUZ who was using telephone 630-746-3837 (“Cruz Phone 3”) that stated “put some effort on the food so I can give you another one but do you have the money from the balls [Acosta wanted CRUZ to sell the heroin Acosta had fronted CRUZ so that Acosta could supply CRUZ with more heroin; Acosta also asked if CRUZ had the money for the balls, or ounces of cocaine].”

276. On March 15, 2014, at approximately 9:53 a.m. (session #75), CRUZ who was using Cruz Phone 3, called Acosta who was using Target Phone 13. During

the call CRUZ said “meet me at Pulaski and Wrightwood at El Cubanito... at the sandwich [place] ... I have the from the balls [money for the ounces of cocaine]... I was going to get you one peso but these morons are sleeping [CRUZ was trying to collect another \$1,000 but could not get it]... from the old stuff [previous narcotics transaction]. I’m going to give you what I owe you for the balls and the 500 for other stuff.” CRUZ continued “I’m going to give you the five pesos [\$5,000]... and if this asshole calls me back this evening I’ll give you one peso [\$1,000] for the old stuff.” Acosta replied “that’s fine....what was I going to tell you...put your back in it so I can give you the other one [Acosta had more heroin to sell CRUZ].” CRUZ stated “the cousin was going to pick up the money already [CRUZ’s customer was trying to sell the heroin and collect the money].” Acosta continued “that one I have saved for you I don’t want to give it to anyone.” CRUZ said “I’m going to call him right now because if I have to go up there I might as well take it with me and when I come back I’ll give you the paper [money].” Acosta replied “are you going to come so we can talk face to face about a little something.” CRUZ replied “yes I talk about something with you shortly.” Acosta asked “around what time will you come over?” CRUZ replied “soon in about a half an hour... I’m heading over there now... in a half an hour I’ll see you there.”

277. Continuing on March 15, 2014, at approximately 11:00 a.m. (session #77), CRUZ’s brother, CARLOS ALBERTO CRUZ-CARRERA (aka “Charlie”),<sup>32</sup> who

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<sup>32</sup> The identification of CRUZ-CARRERA is based on the following: (a) on June 4, 2013, CRUZ spoke with DANIELS and stated that he was taking his brother and sister-in-law to a restaurant located near Addison and Cicero in Chicago; LEOs conducting surveillance observed the Passat registered to CRUZ arrive to this location and observed CRUZ, a

was using Cruz Phone 3, called Acosta who was using Target Phone 13. During the call CRUZ-CARRERA told Acosta “we’ll be there in five minutes where the brother [CRUZ] told you.” Acosta replied “ok that’s fine.”

278. At approximately 11:33 a.m. (session #78), CRUZ who was using Cruz Phone 3, called Acosta who was using Target Phone 13. During the call Acosta asked CRUZ “where are you” and CRUZ replied “I’m still here but if you want I’ll get closer to over there.” Acosta said “come over to Pulaski and Milwaukee” and CRUZ replied “ok. I’ll wait for you at the Subway.”

279. At approximately 11:43 a.m. (session #81), CRUZ who was using Cruz Phone 3, sent a text message to Acosta who was using Target Phone 13 stating “I’m here now.” Acosta replied via text message at approximately 11:43 a.m. (session #82) “okay because we are behind [Acosta was running late].” CRUZ used Cruz Phone 3 and responded via text (session #83) “don’t you worry.”

280. At approximately 12:35 p.m. (session #84), CRUZ who was using CRUZ Phone 3, sent a text message to Acosta who was using Target Phone 13 stating “we weighed it 941 plus 28 of yours so it’s 961 [CRUZ relayed that the heroin weighed a total of 961 grams].” CRUZ sent a followup text to Acosta who was using Target

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female, and CRUZ-CARRERA, who was identified based on a known photograph of CRUZ-CARRERA, enter the restaurant; (b) on January 8, 2014 (session #19018) after Individual A.E. spoke with CRUZ-CARRERA, Individual A.E. sent a text message to CRUZ at Target Phone 3 telling CRUZ to “call Charly,” which is a known nickname for CRUZ-CARRERA; (c) on January 9, 2014, CRUZ had a conversation with CRUZ-CARRERA who was using 773-895-0975 (session #19219), in which CRUZ confirmed that CRUZ-CARRERA was on a flight to San Juan, PR; LEOs obtained flight records which indicate that CARLOS A CRUZ flew from Chicago to San Juan, PR on January 9, 2014; (d) according to the airline’s records, CRUZ-CARRERA provided 773-895-0975 as a contact telephone number.



Phone 13 (session #85), that stated “it’s missing 31 [the kilogram of heroin was short by 31 grams].” At approximately 12:39 p.m. (session #87), Acosta who was using Target Phone 13, responded via text message to CRUZ who was using Cruz Phone 3 stating “but every bag had 250 only one was missing 28 I weighed it [each of the bags Acosta gave CRUZ was 250 grams of heroin and only one bag was missing 28 grams or 1 ounce].” CRUZ responded with two texts to Acosta (sessions #88, 89), stating “dude every bag weighs 9 grams [each bag weighed 9 grams and therefore it through off the total weight]” and “we took them out of the bag [CRUZ had weighed the bags].”

281. Continuing on March 15, 2014, at approximately 12:41 p.m. (session #90), CRUZ-CARRERA who was using Cruz Phone 3, called Acosta who was using Target Phone 13. During the call Acosta said “look every bag weighs 2.4.” CRUZ-CARRERA replied “huh huh” and Acosta continued “yes because I measured it before putting it there [Acosta weighed the heroin before packaging it].” CRUZ-CARRERA replied “but when I put it here [the scale]...one weighed 243 [243 grams] with the bag and everything, and the other one weighed 237 [grams].” Acosta replied “well I don’t know how that is... you didn’t put it right on the ‘g’ [Acosta asked if CRUZ-CARRERA was using the grams setting on the scale].” CRUZ-CARRERA replied “yes...well I grabbed all of them and I put them in a big one [CRUZ-CARRERA had tried weighing bags together].” Acosta replied “I weighed them all separately.” CRUZ-CARRERA stated “but they weren’t all at 250 [each bag of heroin that did not weigh 250 grams].” Acosta asked “what were they at?” and

CRUZ-CARRERA said “yes they weren’t like that... as I tell you the bag that you put... one weighed 241 [grams]... the other one weighed 237 [grams] And I said well let me put them all in one and I put them by themselves without the bag and the first two [bags] gave me 486 [grams] and the last two [bags] gave me 457 [grams] if I’m not mistaken...” Acosta stated “yes I weighed them well without that [bag] dude.” CRUZ-CARRERA replied “...I’m not lying you.” and Acosta replied “and how much is missing in each one... 31 [grams short]?” CRUZ-CARRERA replied 31 [grams]... and your 28 [grams]” and Acosta replied “no how is it going to be missing so much?” CRUZ-CARRERA replied “yes that’s why I’m telling you...I’m going to check it again down stairs. It came back 950.” Acosta interrupted and said “put your brother on [the phone].” CRUZ then spoke to Acosta and told CRUZ “yes but what I’m telling him is that the only thing that was missing was the 28 points [grams]... check that, right [Acosta suggested checking the settings on the scale]. The only thing that was missing from it was the 28 points [grams].” CRUZ responded “I’m going to check downstairs because the scale I have there is the one you brought me for that.” Acosta replied “check it to make sure it’s right on the ‘g’ [gram setting]... because that’s a lot.”

282. At approximately 12:58 p.m. (sessions #92, 94) CRUZ who was using Cruz Phone 3 sent text messages to Acosta who was using Target Phone 13 “it’s dry and there is where the difference is.” In the second text, CRUZ told Acosta “dude we weighed it and it weighs the same as I told you if you weighed it when you opened it and if it was moist of course it will weigh what it’s supposed to but as days

go by [CRUZ suggested the heroin may have weighed more when Acosta weighed it if it was wet].”

283. Continuing on March 15, 2014 at approximately 12:59 p.m. (session #93), Acosta who was using Target Phone 13, called Cruz Phone 3 and spoke to CRUZ-CARRERA. During the call Acosta asked CRUZ-CARRERA “what happened?” CRUZ-CARRERA responded “it gives the same dude...it doesn’t come out more dude [CRUZ-CARRERA explained that the weight of the heroin was still the same].” During the same call, CRUZ spoke to Acosta and stated “look I think you had the problem I had when... when you took it out it was a little dark right?” Acosta stated “no that was really dry... [the heroin was dry when Acosta delivered it].” CRUZ replied “well I don’t know, we took it all and I checked the machine [scale] and it’s on the right setting. And you know I never give you a complaint and if it’s a little short it’s not important but we’re talking about 31 [grams].” Acosta replied “it’s 31 then?” CRUZ said “31 and that’s discounting the 28 [grams]... what’s there is 940 something.... [the total weight was 940 grams].” In the background, CRUZ asked CRUZ-CARRERA “Charlie [CRUZ-CARRERA], how much is there total with minus the 28 of his... 941?” CRUZ-CARRERA can be heard in the background stating “941 [grams total].” CRUZ told Acosta “941 plus the 28 [grams] it’s 969 there’s still 31 missing for what the car supposedly has [CRUZ was 31 grams short of a kilogram].” Acosta repeated “31?” CRUZ confirmed “31.”

**M. On April 17, 2014, Law Enforcement Seized ½ Kilogram of Cocaine From RAMOS-GARNICA**

284. As described below, on April 17, 2014, following calls between RAMOS-GARNICA and his supplier, LEOs conducting surveillance stopped RAMOS-GARNICA and recovered a ½ kilogram of cocaine from his vehicle.

285. Specifically, on April 16, 2014, at approximately 11:55 a.m. (session #557) RAMOS-GARNICA, who was using Target Phone 14, called an unidentified male at 708-574-5305 (“UM-5305”). During the call RAMOS-GARNICA and UM-5305 discussed the price of a ½ kilogram of cocaine. UM-5305 said “the michelada [half a kilogram of cocaine]” and RAMOS-GARNICA said “the michelada...ok and you needed it for today?” to which UM-5305 replied “today or tomorrow whenever it can be done.”

286. Continuing on April 16, 2014, at approximately 4:52 p.m. (session #602) RAMOS-GARNICA, who was using Target Phone 14, called UM-5305. During the call RAMOS-GARNICA told UM-5305 “the michelada is there now so you can get cured [the ½ kilogram of cocaine was available]” to which UM-5305 replied “tomorrow then.”

287. On April 17, 2014, at approximately 2:09 p.m. (session #664) RAMOS-GARNICA, who was using Target Phone 14, called an unidentified male at telephone number 630-926-3198 (“UM-3198”). During the call, UM-3198 told RAMOS-GARNICA “...the michelada yes...but do you have the tickets there [was RAMOS-GARNICA ready with payment for the cocaine].” RAMOS-GARNICA said “yes dude” and UM-3198 said “ok I’ll take it to you in about 20 minutes.”

288. On April 17, 214, at approximately 3:35 p.m., LEOs conducting surveillance observed a gray Ford minivan exit the garage area of RAMOS-GARNICA's residence. At approximately 3:45 p.m. (session #685) RAMOS-GARNICA, who was using Target Phone 14, called UM-3198 and said "I'm here [RAMOS had arrived to the meeting location]." UM-3198 said "ok."

289. At approximately 3:50 p.m., LEOs observed the gray Ford minivan, which was being driven by RAMOS-GARNICA traveling northbound on Kimball near Barry Avenue. Shortly thereafter, LEOs observed the gray Ford minivan traveling eastbound on Interstate 90/94. At approximately 4:08 p.m. (session #686) RAMOS-GARNICA, who was using Target Phone 14, called UM-5305 and said "I'm here in traffic...I'm not that far [RAMOS had obtained the cocaine and was going to deliver it to UM-5305]."

290. At approximately 4:11 p.m., LEOs conducted a vehicle stop of the minivan near I-90/94 and I-55. LEOs searched the vehicle and recovered a black plastic bag with a white brick shaped powdery substance contained inside a clear vacuum sealed plastic wrap, which was underneath the center console, which later field tested positive for the presence of cocaine and weighed 542 grams.

#### IV. CONCLUSION

291. It is Your Affiant's belief that there is probable cause to believe:

a. Beginning no later than May 2013 and continuing to in or about April 2014, at Chicago, in the Northern District of Illinois and elsewhere, defendants LUIS ANTONIO CRUZ, JULIO SANTIAGO, JOEL CHAVEZ, EMMANUEL FERNANDEZ, JOSE RAMOS-GARNICA, JOSE NUNEZ, DELVI COMPRES, ERIC COBARRUBIA, ANTONIO GRIMALDO, CARLOS ALBERTO CRUZ-CARRERA, CRISTINO MERCED, GILBERTO DANIELS, ARCILIO LAUREANO-NAVARRO, and DAVID LOZADO-OTERO did conspire with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, 500 grams or more of mixtures and substances containing a detectable amount of cocaine, a Schedule II Controlled Substance, and 1 kilogram or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Controlled Substance in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846.

b. On or about June 27, 2013, in the Northern District of Illinois, FRANCISCO QUINTANA did knowingly and intentionally possess with intent to distribute a controlled substance, namely, a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1).

c. On or about July 10, 2013, in the Northern District of Illinois, JUAN VAZQUEZ-DELGADO and JOSE NUNEZ, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 500 grams or more

of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of 21 U.S.C. § 841(a)(1).

d. On or about January 8, 2014, in the Northern District of Illinois, SANTIAGO DIAZ-GALLEGOS and JOSE NUNEZ, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 1 kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1).

FURTHER AFFIANT SAYETH NOT.

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GUSTAVO Z. MARTINEZ  
Special Agent  
Federal Bureau of Investigation

Sworn and subscribed to before me on this  
\_\_ day of July, 2015

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SIDNEY SCHENKIER  
United States Magistrate Judge