

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

ALFREDO ACOSTA, also known as
“Jose Esteban Resendiz Ayvar,”
CARLOS NAVA
RAMON MENDOZA RAMOS
LEONARDO HERNANDEZ
EDWIN AMAYA
DANIEL RIVERA and
JUAN DAVILA

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 January 2014 and continuing to in or about April 2014, at Chicago, in the Northern District of Illinois and elsewhere, defendants ALFREDO ACOSTA, CARLOS NAVA, RAMON MENDOZA RAMOS and LEONARDO HERNANDEZ, 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, 5 kilograms 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 January 16, 2014, in the Northern District of Illinois, EDWIN AMAYA did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance

Count Three

Code Section

21 U.S.C. § 841(a)

Offense Description

On or about April 23, 2014, in the Northern District of Illinois, DANIEL RIVERA 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

Count Four

Code Section

21 U.S.C. § 841(a)

Offense Description

On or about April 29, 2014, in the Northern District of Illinois, JUAN DAVILA did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II 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 January 2014 and continuing to in or about April 2014, at Chicago, in the Northern District of Illinois and elsewhere, defendants ALFREDO ACOSTA also known as “Mecha” and “Jose Esteban Resendiz Ayvar,” CARLOS NAVA, RAMON MENDOZA-RAMOS and LEONARDO HERNANDEZ, 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, 5 kilograms 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 January 16, 2014, in the Northern District of Illinois, EDWIN AMAYA, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 5 kilograms 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 14-36 *infra*.

c. On or about April 23, 2014, in the Northern District of Illinois, DANIEL RIVERA, 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 65-72 *infra*.

d. On or about April 29, 2014, in the Northern District of Illinois, JUAN DAVILA, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 5 kilograms 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 73-94 *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 drug trafficking activity 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 3	312-709-9221	LUIS Antonio CRUZ ¹	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
Target Phone 8	773-822-9440	ALFREDO ACOSTA	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 13	630-728-0364	ALFREDO ACOSTA	3/10/2014 to 4/8/2014 4/9/2014 to 4/30/2014
Target Phone 15	3349C4E2	ALFREDO ACOSTA	4/15/2014 to 4/30/2014

¹Luis Antonio Cruz is being charged in a separate criminal complaint.

B. The Drug Trafficking Operation and the Defendants' Roles

9. Members of the narcotics conspiracy included ALFREDO ACOSTA, CARLOS NAVA, RAMON MENDOZA MENDOZA-RAMOS, and LEONARDO HERNANDEZ, and with others known and unknown.

10. As discussed in this Affidavit, ACOSTA had access to kilogram quantities of cocaine and heroin, which he resold to others. ACOSTA supplied 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. ACOSTA maintained a stash location, which he often referred to as "the office," located in the 4000 block of W. Irving Park Road in Chicago (the "W. Irving Park Rd. location"). ACOSTA accepted deliveries of narcotics from his supplier's couriers at this location and stored narcotics and narcotics proceeds there until they could be sold to customers or returned to suppliers.

11. At times, ACOSTA delivered narcotics to his customers himself. Other times, LEONARDO HERNANDEZ, a courier who worked for ACOSTA, obtained the narcotics from the W. Irving Park Rd. location and made deliveries to customers at ACOSTA's direction.

12. Among ACOSTA's wholesale customers were the following:

a. CARLOS NAVA: On multiple occasions between January and February 2014, ACOSTA supplied NAVA with cocaine and heroin on credit. On January 16, 2014, NAVA ordered 2 kilograms of cocaine from ACOSTA but was unable to obtain the cocaine because it was seized by law enforcement. On

February 24 and 25, 2014, NAVA ordered 3 kilograms of heroin from ACOSTA which were delivered to NAVA by ACOSTA and HERNANDEZ.

b. RAMON MENDOZA-RAMOS: In January and February 2014, ACOSTA supplied MENDOZA-RAMOS with cocaine and heroin on credit. On January 16, 2014, MENDOZA-RAMOS ordered 4 kilograms of cocaine from ACOSTA but was unable to obtain the cocaine because it was seized by law enforcement. On February 25, 2014, MENDOZA-RAMOS ordered 1 kilogram of heroin from ACOSTA which HERNANDEZ delivered to MENDOZA-RAMOS at ACOSTA's direction.

III. PROBABLE CAUSE

13. In the sections that follow, I have set forth a summary of several narcotics transactions involving the targets of this investigation, including the distribution of kilogram quantities of cocaine and heroin to individuals in ACOSTA's network.²

² 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.

A. On January 16, 2014, ACOSTA Orders Ten Kilograms of Cocaine and Plans for Further Distribution to MENDOZA-MENDOZA-RAMOS, NAVA and Cruz, Before the Cocaine is Seized from AMAYA by Law Enforcement.

14. As described below, on January 16, 2014, ACOSTA was expecting to receive 10 kilograms of cocaine from his Mexican supplier. In anticipation of the delivery, ACOSTA discussed fronting kilograms of the cocaine to several of his customers including Luis Antonio Cruz, CARLOS NAVA and RAMON MENDOZA-MENDOZA-RAMOS. ACOSTA spoke with his supplier's courier, EDWIN AMAYA, and arranged for AMAYA to deliver the cocaine to the W. Irving Park Rd. location. Following this conversation, AMAYA and Individual S-N arrived to the W. Irving Park address where LEOs seized 10 kilograms of cocaine from the trunk of the vehicle.

15. On January 15, 2014, at approximately 7:36 a.m. (session #11), Cruz, who was using Target Phone 3, sent a text message to ACOSTA, who was using Target Phone 10.³ The text read, in part, "let me know when the American girls

³ The identification of ACOSTA and ACOSTA as the user of Target Phone 8, Target Phone 10, Target Phone 11, Target Phone 13, Target Phone 14 and Target Phone 15 is based on the following: (a) on December 2, 2013, following intercepted calls in which Cruz arranged an in-person meeting with the user of Target Phone 9, LEOs conducting surveillance observed ACOSTA arrive in a Toyota Corolla and meet with Cruz; the Corolla was registered to Alfredo Acosta, at an address on N. Avers, Chicago; (b) Target Phone 8 is subscribed in the name Alfredo Acosta; (c) on January 24, 2014, a Spanish-speaking agent familiar with ACOSTA's voice placed a ruse phone call to Target Phone 11, which lasted approximately 25 seconds; the agent determined that the person who answered the call was ACOSTA (d) on April 29, 2014, LEOs encountered ACOSTA and found him in possession of 1 kilogram of cocaine; ACOSTA subsequently identified himself and indicated that his telephone number was Target Phone 13; (e) a linguist listened to calls over Target Phones 8, 10, 11, 13 and 14, and determined that the same person used these phones; (f) on March 19, 2014, ACOSTA used Target Phone 13 to send the PIN assigned to Target Phone 15 to coordinate the delivery of cocaine.

[cocaine] come.” At approximately 9:09 a.m. (session #17), Cruz, sent another text message to ACOSTA, who was using Target Phone 10 that read, “nothing new with the white girls [cocaine?]” At approximately 9:11 a.m. (session #18), ACOSTA replied via to Cruz text stating, “I will call you when they are here.”

16. On January 15, 2014, at approximately 9:33 p.m. (session #36), ACOSTA, who was using Target Phone 10, sent a text message to Cruz, who was using Target Phone 3. The message read, “the good stuff starts tomorrow [January 16, 2014].” At 9:35 p.m., Cruz responded via text message (session #40) asking “at what time.” ACOSTA responded via text (session #41) stating, “I’ll let you know.” Cruz told ACOSTA (session #45), “I’m going to need 5 [kilograms of cocaine]” and ACOSTA replied via text at 9:38 p.m., (session #47), “2 at a time [2 kilograms of cocaine at a time].”

17. On January 15, 2014, at approximately 9:50 p.m. (session #53), RAMON MENDOZA-RAMOS, who was using telephone (312) 545-3086 (“Ramon Phone 2”)⁴ called ACOSTA who was using Target Phone 10. During the call ACOSTA said “they called me that for tomorrow [the supplier was coming

⁴ The identification of MENDOZA-RAMOS and MENDOZA-RAMOS as the user of MENDOZA-RAMOS Phone 2 is based on the following: (a) During a call on February 25, 2014 between HERNANDEZ and ACOSTA (session #490), HERNANDEZ referred to the person he had just met with as MENDOZA-RAMOS; (b) on March 25, 2014, the user of MENDOZA-RAMOS Phone 1 arranged to meet with ACOSTA over Target Phone 13 at a restaurant located on N. Milwaukee; LEOs conducting surveillance observed MENDOZA-RAMOS arrive to this location and identified MENDOZA-RAMOS based on a known photograph of MENDOZA-RAMOS; (c) also on March 25, 2014 during surveillance, LEOs placed a call to MENDOZA-RAMOS Phone 1 and observed MENDOZA-RAMOS answer the call; (d) linguist listened to calls over MENDOZA-RAMOS Phone 2 as well as 708-359-5845 (“Ramon Phone 1”), 773-943-2144 (“Ramon Phone 3”), and 312-774-5893 (“Ramon Phone 4”) and determined that the same person used these phones.

tomorrow]" and MENDOZA-RAMOS responded "I'll see the guy tomorrow so we can have enough [referring to money MENDOZA-RAMOS owed ACOSTA for a prior load of narcotics]." ACOSTA continued "you tell me... I'll let you know when I have it on hand..." and later told MENDOZA-RAMOS "be ready for tomorrow." MENDOZA-RAMOS said "ok."

18. The following day, on January 16, 2014, between approximately 12:33 and 12:45 p.m. (sessions #61, 62, 63, 64, 65, 66) ACOSTA who was using Target Phone 10, exchanged text messages with MENDOZA-RAMOS who was using telephone Ramon Phone 2. ACOSTA asked "Dude do you have the rest of the paper to be clean because I will get the furniture shortly [ACOSTA needed the money owed from MENDOZA-RAMOS]. MENDOZA-RAMOS responded "let me check and I will let you know." ACOSTA said "it's done did you get your people ready to start working?" and MENDOZA-RAMOS said "No I want to call them when everything is ready otherwise I won't get them off of my back." ACOSTA said "it's set I will call you later." MENDOZA-RAMOS said "ok."

19. On January 16, 2014, at approximately 12:49 p.m. (session #67), UM-8852, who was using Mexican telephone number 742-107-8852 ("UM-8852"), called ACOSTA, who was using Target Phone 10. During the call, UM-8852 stated, "Hey they're going to call you shortly [regarding a cocaine delivery]." ACOSTA replied, "That's fine." UM-8852 said, "Look they're only going to give you 10 [kilograms] dude okay? They're going to call you there dude." ACOSTA then replied, "Okay."

20. At approximately 12:52 p.m. (session #70), AMAYA, who was using telephone (773) 469-8961 (“Amaya Phone 1”)⁵ called ACOSTA, who was using Target Phone 10. During the call ACOSTA asked, “At what time dude?” AMAYA replied, “I’m a little far right now. When I get close there, I’ll call you quickly. It should be around 40 to 45 minutes.” ACOSTA then asked AMAYA if he knew where to go. AMAYA stated, “The same place as the last time?” ACOSTA stated, “Yes, the same place from that day.”

21. At approximately 12:53 p.m. (session #71), ACOSTA who was using Target Phone 10, called MENDOZA-RAMOS who was using telephone Ramon Phone 2. ACOSTA said “dude they called me... that in one hour they’ll bring it to me [the cocaine would arrive in one hour].” ACOSTA continued “so you can call your people [MENDOZA-RAMOS’ customers/workers].” MENDOZA-RAMOS replied “ok then.”

22. At approximately 1:02 p.m. (session #72), ACOSTA who was using Target Phone 10, called NAVA who was using telephone 773-793-7644 (“Nava Phone 1”).⁶ During the call ACOSTA told NAVA “I’ve sent you messages and I don’t

⁵ The identification of AMAYA and AMAYA as the user of Amaya Phone 1 is based on the following: (a) On January 16, 2014, the user of Amaya Phone 1 made arrangements to meet with ACOSTA who was using Target Phone 10 at an address on W. Irving Park Road; LEOs who conducted surveillance identified AMAYA after observing a known image of AMAYA; (b) also on January 16, 2014, LEOs encountered AMAYA who produced identification in the name of Edwin Amaya.

⁶ The identification of NAVA and NAVA as the user of Nava Phone 1 is based on the following: (a) on February 25, 2014, following intercepted calls in which ACOSTA arranged an in-person meeting between LEONARDO HERNANDEZ and the user of Nava Phone 1, LEOs conducting surveillance identified NAVA after observing a known photograph of NAVA; (b) on this same date, LEOs observed NAVA exit a residence on N. Tripp and meet with LEONARDO HERNANDEZ inside a Ford Explorer; subsequently, the vehicle was

see you...what's up?" NAVA replied "I haven't gotten them [the text messages] why...are we good?" ACOSTA said "so you can call your people who want the whole one [kilogram]." NAVA replied "oh well I'll call them now...so we can prepare ourselves."

23. At approximately 1:05 p.m., LEOs conducting surveillance in the 2100 block of N. Avers in Chicago observed ACOSTA leave a nearby residence in a Ford Explorer. At approximately 1:17 p.m., LEOs observed ACOSTA enter a grocery store located on W. Fullerton Avenue in Chicago. A few minutes later, ACOSTA exited the grocery store carrying a large black duffle bag that he had not been seen carrying when he entered the store. Shortly thereafter, LEOs observed ACOSTA arrive to the W. Irving Park Rd. location and enter the building through a door in the alley.

24. At approximately 1:10 p.m. (session # 76) NAVA, who was using NAVA Phone 1, called ACOSTA who was using Target Phone 10. NAVA asked "the guy is going to come over tonight...is there a way you can give me 3?" and ACSOTA asked "3 what?" NAVA replied "3 halves." ACOSTA asked "of the little ones?" and NAVA clarified "3 onions [3 ounces of cocaine]." ACOSTA said "the thing is there isn't any open ones...I need to open one [ACOSTA would have to unpackage one of the kilogram of cocaine in order to give NAVA 3 ounces of cocaine]." NAVA replied "when you have some call me because I wanted 3 *micheladas* for around 5 [p.m.]"

stopped and NAVA produced an identification card in his name; (c) in session #444, ACOSTA referred to the user of the Nava Phone 1 as "Carlitos," which is a known nickname for NAVA.

ACOSTA stated “and the whole ones [whole kilograms of cocaine]?” NAVA replied “they already called ... the guy is coming and he comes from Michigan...but it’s two for sure there [NAVA’s customer from Michigan wanted two kilograms of cocaine].”

25. Continuing on January 16, 2014 at approximately 1:33 p.m. (session #77) MENDOZA-RAMOS, who was using Ramon Phone 2 sent a text message to ACOSTA who was using Target Phone 10 stating “dude do you think it will be done today I need two [kilograms] for right now and another two [kilograms] for early tomorrow.” ACOSTA replied “okay” (session #78).

26. At approximately 1:37 p.m. (session #81), ACOSTA, who was using Target Phone 10, called LEONARDO HERNANDEZ, who was using telephone number (773) 837-5848 (“Hernandez Phone 1”).⁷ During the call, ACOSTA asked “Did you get out already? HERNANDEZ replied, “I get out at 2 [HERNANDEZ would be available after 2 p.m.]” ACOSTA said, “Can you come over here quickly?” HERNANDEZ then asked, “Is it done already [the shipment of cocaine]?” ACOSTA stated, “Yes because I have several orders already.” HERNANDEZ then stated, “I’ll head over there then.” A minute later (session #83), HERNANDEZ, who was using

⁷ The identification of HERNANDEZ and Hernandez as the user of Hernandez Phone 2 is based on the following: (a) on February 24, 2014, following intercepted calls in which ACOSTA arranged an in-person meeting with the user of Hernandez Phone 1, LEOs conducting surveillance near Belmont and Pulaski identified HERNANDEZ after observing a known image of HERNANDEZ; (b) HERNANDEZ arrived to this meeting in a Ford Explorer bearing license plate P56P471, which was registered to HERNANDEZ; (c) on February 25, 2014, following intercepted calls in which ACOSTA arranged an in-person meeting between HERNANDEZ and NAVA, LEOs conducting surveillance observed HERNANDEZ meet with NAVA inside the Explorer; subsequently, the vehicle was stopped and HERNANDEZ produced an identification card in his name; (d) in an intercepted call from February 25, 2014 (session #491), a call was directed to the voicemail for Hernandez Phone 1, which stated, “Please leave your message for Leo Hernandez.”

Hernandez Phone 1, called ACOSTA, who was using Target Phone 10. During the call, HERNANDEZ asked, “Should I ask for my vacation then, right?” ACOSTA responded, “No not right now. There aren’t that many until they give me more, these will go from here to tomorrow [ACOSTA was expecting to distribute the kilograms quickly].” ACOSTA said “just ask for tomorrow [HERNANDEZ should only take one day off].”

27. At approximately 1:51 p.m. (session #84), Cruz, who was using Target Phone 3, sent a text message to ACOSTA, who was using Target Phone 10. This message read, “Dude will anything happen today to know what to do.” ACOSTA replied via text (session #86), stating “Yes, I will tell you the time today.”

28. At approximately 1:58 p.m. (session #93) HERNANDEZ, who was using Hernandez Phone 1, sent a text message to ACOSTA who was using Target Phone 10 stating “buddy I’m on my way I got a car already.” ACOSTA replied via text “ok” (session #94).

29. At approximately 2:02 p.m. (session #95), AMAYA, who was using AMAYA Phone 1, called ACOSTA, who was using Target Phone 10. ACOSTA asked “Are you coming on a donkey [what was taking AMAYA so long to arrive]?” AMAYA replied, “There’s construction everywhere.” ACOSTA asked, “Where are you by?” AMAYA stated, “I’ll be there in about five minutes. In about five minutes I’ll call you quickly.”

30. At approximately 2:10 p.m., (session #97), AMAYA, who was using Amaya Phone 1, called ACOSTA, who was using Target Phone 10. During the call

ACOSTA said, "I'm on my way dude [ACOSTA was coming outside]." AMAYA responded, "Start coming out." LEOs conducting surveillance around this time observed a gray/silver Acura sedan pull into the alley outside the W. Irving Park Rd. location. LEOs observed that the Acura was occupied by two males, both of whom were in the front seats. LEOs approached the Acura and identified themselves as law enforcement. The driver, AMAYA, produced identification as did the passenger, Individual A. S-N. When LEOs asked AMAYA why he was in the alley, AMAYA replied that he did not know why he was in the alley. LEOs opened the trunk of the Acura and found a cardboard box containing ten separate wrapped bricks of what appeared to be cocaine, along with a bag of laundry detergent. LEOs seized these items. To preserve the integrity of the investigation, both AMAYA and Individual S-N. were advised that they were free to leave. The substance recovered from the vehicle field tested positive for the presence of cocaine and weighed approximately 14.226 kilograms.

31. Continuing on January 16, 2014, at approximately 2:25 p.m. (session #102) HERNANDEZ, who was using Hernandez Phone 1, sent a text message to ACOSTA, who was using Target Phone 10. This message read, "Dude are you at the office [on W. Irving Park Road]?" At approximately 2:27 p.m., (session #103), ACOSTA responded via text, "yes."

32. At approximately 2:42 p.m. (session #104) Cruz, who was using telephone 630-746-3837 ("Cruz Phone 3"), called ACOSTA, who was using Target Phone 10. During the call, ACOSTA said "I'll let you know when it gets here."

Later, ACOSTA stated, “wait a bit the guys haven’t arrived yet. They called me that they were here and nothing.” Cruz asked, “Nothing?” ACOSTA stated, “I’ll call you back.”

33. At approximately 3:04 p.m. (session #110), UM-8852, called ACOSTA, who was using Target Phone 10. During the call, UM-8852 asked, “Did they call you already?” ACOSTA replied, “Yes. They told me ‘come out already’ and I called them twice and they didn’t answer me.” UM-8852 then stated, “Don’t call them anymore now,” and ACOSTA replied “no I didn’t call them anymore...I came over here to the office [on W. Irving Park Road]...check with the man...maybe something happened to him.”

34. At approximately 3:32 p.m. (session #112), ACOSTA, who was using Target Phone 10, called Cruz, who was using Cruz Phone 3. ACOSTA stated, “Cancel everything there’s been a problem [referring to the cocaine seizure].” Cruz stated, “Don’t tell me.” ACOSTA stated, “Yes man.” Cruz asked, “Was the problem ugly [the police]?” ACOSTA responded, “I’m going to send you another address [meaning phone number]. I’m going to change the telephone [number].”

35. At approximately 3:36 p.m. (session #113), ACOSTA who was using Target Phone 10, called MENDOZA-RAMOS who was using Ramon Phone 2. During the call ACOSTA said “I’ll call you... there was a problem [referring to the cocaine seizure].” MENDOZA-RAMOS said “pardon me?” and ACOSTA continued “there was a small problem, I’m going to change the address [ACOSTA’s telephone number]?” MENDOZA-RAMOS asked “but is everything ok?” ACOSTA stated “it

was a problem with them...the problem was with them.” MENDOZA-RAMOS asked “then there’s not going to be any work [cocaine]?” and ACOSTA replied “no.”

36. Continuing on January 16, 2014, at approximately 3:37 p.m. (session #114), ACOSTA who was using Target Phone 10, called NAVA who was using NAVA Phone 1. During the call ACOSTA said “cancel everything because there was a problem [referring to the cocaine seizure]...I’m going to send you another address...another number [telephone number].” NAVA replied “ok” and ACOSTA continued “I’m going to shut this one already [ACOSTA was going to shut off Target Phone 10].” NAVA replied “ok then.”

B. On February 24, 2014, ACOSTA Supplies NAVA with 2 Kilograms of Heroin with the Assistance of HERNANDEZ.

37. As described below, on February 24, 2014, ACOSTA agreed to supply NAVA with 1 kilogram of heroin. ACOSTA arranged for his courier, HERNANDEZ to deliver the heroin to NAVA in the vicinity of NAVA’s residence on N. Tripp.

38. On February 24, 2014, at approximately 8:14 a.m. (session #346) ACOSTA who was using Target Phone 11, called NAVA who was using Nava Phone 1. During the call NAVA said “I was with a friend of mine talking ...and he’s looking for some food but it has to be like the girl...Griselda’s color [grey, believed to be referring to heroin grey in color].” ACOSTA replied “yes that’s the way they are [the heroin ACOSTA had access to was grey].” NAVA replied “ok...my question is this...what number do you give me if I move 3 kids [3 kilograms] for you by 10 in the morning at the latest with the tickets [payment] on hand?” ACOSTA replied “I’ll give it you at 5-3 [\$53,000 per kilogram of heroin].” NAVA replied “5-3

[\$53,000]...why don't you bring it down to 5-2 and a half [\$52,500] at least...even if I don't make anything..." ACOSTA continued "I can't... the price is there's...they give it to me dude."

39. On February 24, 2014, at approximately 11:13 a.m. (session #356) NAVA, who was using Nava Phone 1, called ACOSTA who was using Target Phone 11. NAVA said "we're going to work [proceed with the purchase]" and ACOSTA replied "oh yes?" NAVA replied "tell me yes or no" and ACOSTA said "yes." NAVA continued "I need one kid and in one hour...two hours they might need two but with the tickets in hand...[NAVA's customer wanted one kilogram of heroin within the hour and might order more later which would be for cash on hand]." ACOSTA asked "what kind of kid?" and NAVA replied "of the bad ones...of the food [heroin]." ACOSTA confirmed "oh one of the food?" NAVA continued "yes...just do me a favor...drop it down to 5-2 and half [\$52,500]...how does that sound to you...so I can make something...it's that he doesn't want to pay more." ACOSTA said "the thing is that they don't give me anything dude...how about 200 bucks...because I have to pay 200 to the guy that's going to take it [ACOSTA could lower the price by \$200 but ACOSTA had to pay his courier \$200]." Later ACOSTA said "that's fine we'll do it at 500 then [ACOSTA agreed to charge \$52,500]." NAVA said "ok then...send it to me now because I'm going to get together with the guy [the customer] shortly...here at my house." NAVA confirmed "here in the garage at my brother-in-law's on Kostner." ACOSTA said "oh ok."

40. On February 24, 2014, at approximately 11:40 a.m. (session #357) ACOSTA who was using Target Phone 11, called NAVA who was using Nava Phone 1. During the call ACOSTA told NAVA “come out.” Based on my training and experience, and the training and experience of other LEOs, it is believed that ACOSTA delivered 1 kilogram of heroin to NAVA during their meeting at this location.

41. At approximately 1:17 p.m. (session #366) ACOSTA who was using Target Phone 11, called NAVA who was using Nava Phone 1. During the call NAVA told ACOSTA “dude... I just called him right now [NAVA spoke with his customer].” NAVA continued “he says he’s waiting on the guy to check the kid but he says he is going to want the other three kids [NAVA’s customer had received the heroin ACOSTA had delivered to NAVA and wanted three additional kilograms of heroin].” ACOSTA asked “oh he is going to want them?” and NAVA confirmed “yes he’s going to want them so you don’t move them.” ACOSTA replied “ok well I won’t move them...the paper is fine [ACOSTA had counted the money from NAVA and it was fine].” ACOSTA stated “I won’t move from here so that when you call me...I’ll go quickly for the other three [kilograms].”

42. At approximately 2:09 p.m. (session #371) ACOSTA who was using Target Phone 11, called NAVA who was using NAVA Phone 1. ACOSTA asked NAVA “hey dude do you know that guy well [referring to NAVA’s customer]?” to which NAVA replied “yes.” ACOSTA continued “it’s three that he wants together” and NAVA said “yes what we’re going to do is do one at a time [1 kilogram of heroin

at a time].” ACOSTA again said “just one at a time” and NAVA confirmed “yes one at a time...I’m going to tell him that we’re going to do it this way.” ACOSTA replied “exactly...because it’s a lot of paper [three kilograms of heroin at once was a lot of money].” NAVA said “yes.”

43. At approximately 6:19 p.m. (session # 393) NAVA, who was using Nava Phone 1, called ACOSTA who was using Target Phone 11. During the call NAVA said “he just called me right now” and ACOSTA replied “huh huh.” NAVA continued “just bring one kid [1 kilogram of heroin] right now.” ACOSTA confirmed “one?” NAVA replied “one right now and he’s going to talk to us shortly when he arrives about the other two.” ACOSTA asked “ok then...there where you live right?” and NAVA confirmed “yes come here to my house.”

44. At approximately 6:20 p.m. (session #394) ACOSTA who was using Target Phone 11, called HERNANDEZ who was using Hernandez Phone 1. During the call ACOSTA told HERNANDEZ “hey buddy...come over to the Laundromat that’s on Belmont and Pulaski.” HERNANDEZ confirmed “ok the Laundromat at the...ok...Belmont and Pulaski?” ACOSTA replied “yes the one that’s here...in front of the gas station. I’m here at the Laundromat but they called me right now...come over here [ACOSTA needed HERNANDEZ’s assistance].” HERNANDEZ replied “ok then, done.” At approximately 6:46 p.m., HERNANDEZ placed a call to ACOSTA (session #398) and said “I’m outside buddy.” ACOSTA replied “I’m on my way.”

45. At approximately 6:35 p.m., LEOs were conducting surveillance in the vicinity of Soap Box Laundry, located on North Pulaski in Chicago. Shortly

thereafter, LEOs observed a black Ford Explorer bearing license plate 956P972⁸ arrive to the Soap Box Laundry. LEOs observed ACOSTA exit the Laundromat carrying a bag and enter the passenger side of the Explorer. Moments later, LEOs observed the Explorer depart the area. At approximately 6:50 p.m., the Explorer parked on the north side of W. Irving Park Road. A few minutes later, LEOs observed the Explorer depart the area and followed it to the vicinity of N. Tripp in Chicago.

46. Continuing on February 24, 2014 at approximately 7:21 p.m. (session #402) ACOSTA who was using Target Phone 11 called NAVA. ACOSTA said “we’re here in front [ACOSTA and HERNANDEZ had arrived to NAVA’s house].” NAVA said “I’m coming out.” Minutes later, LEOs observed an unidentified male walk from the direction of a residence on the west side of N. Tripp and approach the Explorer. The male entered the Explorer from the rear passenger side and the Explorer departed the area. LEOs followed the Explorer until it arrived to the parking lot of the store located on W. North Avenue in Chicago, at approximately 7:25 p.m. At approximately 7:51 p.m., LEOs observed the Explorer exit the parking lot but lost sight of the vehicle shortly after it departed the area. Based on my training and experience, and the training and experience of other LEOs, it is believed that ACOSTA and HERNANDEZ delivered 1 kilogram of heroin to NAVA during their meeting in the Explorer.

⁸ A vehicle registration check revealed that license plate 956P972 is registered to Leonardo Hernandez Barrientos at an address on N. Monitor in Chicago.

C. On February 25, 2014, ACOSTA Supplies MENDOZA-RAMOS with 1 Kilogram of Heroin and Supplies NAVA with 1 Kilogram of Heroin with the Assistance of HERNANDEZ, Which is Later Seized by Law Enforcement.

47. As described below, on February 25, 2014, ACOSTA agreed to supply MENDOZA-RAMOS and NAVA with one kilogram of heroin each. ACOSTA arranged for his courier, HERNADNEZ, to first deliver one kilogram of heroin to MENDOZA-RAMOS near Diversey and Kostner, and then deliver one kilogram of heroin to NAVA near NAVA's residence on N. Tripp, just as he did the day before. When NAVA and HERNANDEZ met with one another, LEOs seized 1 kilogram of heroin from inside HERNANDEZ's vehicle.

48. On February 25, 2014, at approximately 8:35 a.m. (session #417), ACOSTA, who was using Target Phone 11, sent a text message to Mexican telephone number 52-742-109-7037 ("UM-7037"). This message read, "good day when you have time call me I have good news for you."

49. On February 25, 2014, at approximately 9:04 a.m. (session #421), ACOSTA, who was using Target Phone 11, exchanged a phone call with NAVA who was using Nava Phone 1. During this call, NAVA stated, "Hey my friend [customer] called me about the guys [kilograms of heroin]. He says he's going to be available by 11:30 [a.m.], but he asked to check in the office to see if they can give him two more so it will be three [kilograms] to work." ACOSTA asked, "Which ones?" NAVA replied, "The same ones [heroin, the same as the previous day]." ACOSTA stated, "I already threw that down there, but I'm waiting for them, you understand me [ACOSTA had already sent a message to his Mexican supplier asking for more

heroin].” Later, ACOSTA stated, “Well tell him that one [kilogram of heroin] is available.” NAVA stated, “Okay.” ACOSTA asked, “What time?” and NAVA said, “He told me at 2:30 [p.m.]” ACOSTA asked “and of the white one [cocaine] he didn’t tell you anything?” NAVA said “no he didn’t tell me anything...that until later he says when he arrives.”

50. At approximately 3:07 p.m. (session #440), ACOSTA, who was using Target Phone 11, had a conversation with UM-7037. ACOSTA stated, “I have everything set but he told me to only liquidate two [ACOSTA had two kilograms of heroin allocated to his customers].” UM-7037 asked, “But you have the four ready [UM-7037 asked ACOSTA if he had customers ready to purchase the four kilograms of heroin]?” ACOSTA later stated, “That’s what I was going to tell you because they’re already asking me for more [customers were requesting more].” UM-7037 replied, “Well, I would like to give you two more.” ACOSTA stated, “Oh well that sounds good to me. When the guy [courier] comes for the paper [money], he could bring it at the same time.” UM-7037 replied, “Let me call about that and it’s done. I’ll call you later in little while might as well now instead of making two trips. Give them that and they’ll give you the rest [ACOSTA should pay the courier and the courier would deliver two additional kilograms of heroin].”

51. At approximately 4:15 p.m. (session #450), ACOSTA, who was using Target Phone 11, called NAVA, who was using Nava Phone 1. NAVA stated, “Don’t get impatient; the guy will call me shortly.” NAVA said “don’t move anything...that’s a sure thing [NAVA’s customer would be buying the heroin].”

52. At approximately 4:55 p.m. (session #453), ACOSTA, who was using Target Phone 11, had a conversation with UM-7037. UM-7037 stated, "Give me the number where they're going to call you and you give them the documents for two, and they're going to give you four [UM-7037 wanted ACOSTA's phone number so UM-7037's courier could call to arrange delivery of four kilograms of heroin and collect money for two kilograms of heroin]." Later, UM-7037 stated, "You give me the documents [money] for two [kilograms of heroin] and they're going to deliver four [kilograms of heroin] in return. It's good that you tell me that so I can be more at ease and that way we're advancing little by little and we'll help him a little more depending on how the market opens up for you." ACOSTA responded, "Exactly." ACOSTA then stated, "I'll send you the new number right now via text." Then, at approximately 5:15 p.m. (session #455), ACOSTA, who was using Target Phone 11, sent a text message to UM-7037 that read, "The kid [UM-7037's courier] already called me but this is it 630 728 0364 [Target Phone 13, another number where ACOSTA could be reached]." At approximately 5:17 p.m. (session #456), UM-7037 replied via text to Target Phone 11 stating, "hey the number can't be seen well send it again." At approximately 5:17 p.m. (session #457), ACOSTA used Target Phone 11 and replied via text, "630 728 0364 [Target Phone 13]."

53. At approximately 5:27 p.m. (session #459), ACOSTA, who was using Target Phone 11, called HERNANDEZ, who was using Hernandez Phone 1. ACOSTA told HERNANDEZ, "come down quickly and pick me up because the guy [UM-7037's courier] will arrive there in a half an hour." Then at approximately

5:36 p.m. (session #462), ACOSTA, who was using Target Phone 11, called HERNANDEZ, who was using Hernandez Phone 1. ACOSTA asked, "Are you almost at the office [the W. Irving Park Rd. location]?" HERNANDEZ stated, "I'm just arriving here."

54. At approximately 5:39 p.m., LEOs performing surveillance observed HERNANDEZ arrive to the W. Irving Park Rd. location. LEOs observed HERNANDEZ enter the building and remain inside for approximately two minutes. Then, HERNANDEZ left the residence and entered the Ford Explorer.

55. Continuing on February 25, 2014, at approximately 6:27 p.m. (session #465), NAVA, who was using Nava Phone 1, called ACOSTA, who was using Target Phone 11. NAVA stated, "Over there at the same place, the last place we went to." ACOSTA stated, "Oh well wait for him [HERNANDEZ] because he's going to attend to someone else right now [HERNANDEZ was making a delivery to MENDOZA-RAMOS before making a delivery to NAVA]." NAVA asked, "How long do you think it will be because the guy [NAVA's customer] is going over there already?" ACOSTA stated, "Well tell him to wait for him [HERNANDEZ] because he's going over there. I think around forty minutes." NAVA stated, "Okay then."

56. At approximately 6:31 p.m. (session #467), ACOSTA, who was using Target Phone 11, called HERNANDEZ. ACOSTA asked "Are you at the office [the W. Irving Park Rd. location] already or not?" HERNANDEZ stated, "Yeah, I left the office [the W. Irving Park Rd. location] already." ACOSTA stated, "It's that the guy [NAVA] wants the other one [kilogram of heroin]." HERNANDEZ stated, "Okay, I'll

go get it.” ACOSTA stated, “Well yes so you can take them both then [deliver the heroin to MENDOZA-RAMOS and NAVA].”

57. At approximately 6:42 p.m., LEOs observed the Explorer parked near the W. Irving Park Rd. address. At approximately 6:44 p.m., HERNANDEZ exited the W. Irving Park Road location and departed the area in the Explorer. At approximately 7:00 p.m., LEOs observed the Explorer arrive at a store located on Diversey just west of Kostner. The Explorer parked briefly in the store’s parking lot and then proceeded to the alley behind the store. At approximately 7:02 p.m. (session #470), HERNANDEZ sent a text message to ACOSTA that read, “I arrived already. where are they.” ACOSTA responded (session #472) via text, “he [MENDOZA-RAMOS] is going to come out.”

58. At approximately 7:01 p.m. (session #469), ACOSTA, who was using Target Phone 11, called MENDOZA-RAMOS, who was using Ramon Phone 3. ACOSTA stated, “He’s there dude, he sent me a message [HERNANDEZ had arrived to MENDOZA-RAMOS’ location].” MENDOZA-RAMOS asked “What car does he have? Oh he’s just barely entering.” Based on my training and experience, and the training and experience of other LEOs, it is believed that during this meeting, HERNANDEZ delivered 1 kilogram of heroin to MENDOZA-RAMOS.

59. Continuing on February 25, 2014, at approximately 7:03 p.m., LEOs observed the Explorer, depart the area and proceed north on N. Tripp Avenue. At approximately 7:17 p.m. (session #476), HERNANDEZ, who was using Hernandez Phone 1, called ACOSTA. HERNANDEZ stated, “I’m driving” and ACOSTA replied,

“He’s [NAVA] waiting for you already.” HERNANDEZ asked, “Over there at the same place right [the same location on N. Tripp where HERNANDEZ had been the day before]?” ACOSTA responded, “At his house. Do you know his house?” HERNANDEZ stated, “Yes, I know already.”

60. At approximately 7:36 p.m. (session #477), ACOSTA, who was using Target Phone 11, called NAVA, who was using Nava Phone 1. During this call, ACOSTA stated, “Come out already he’s there [HERNANDEZ was arriving].” NAVA then asked “he’s outside already?” to which ACOSTA confirmed “huh huh” and NAVA replied, “I’m on my way.”

61. At approximately 7:32 p.m., LEOs observed HERNANDEZ in the Explorer parked in the 1700 block of N. Tripp Avenue. LEOs observed NAVA exit a residence on N. Tripp Avenue and enter the Explorer, which then departed the area. A few minutes later, LEOs conducted a stop of the Explorer and identified themselves as law enforcement. The driver of the vehicle identified himself as HERNANDEZ and the passenger identified himself as NAVA. Both produced identification in their respective names. NAVA’s identification listed his address on N. Tripp Avenue, which is the residence he had been observed exiting minutes earlier. LEOs asked both HERNANDEZ and NAVA for consent to search the Explorer and they orally agreed to the search. During the search, LEOs found a black plastic bag under the front passenger seat that contained a brick shaped object consistent with the appearance of heroin. The substance later field tested positive for the presence of heroin and weighed approximately 1.24 kilograms. LEOs

also found the vehicle title to a 1999 Toyota Corolla registered to ACOSTA inside the Explorer. To preserve the integrity of the investigation, both HERNANDEZ and NAVA were advised that they were free to leave.

62. Continuing on February 25, 2014, at approximately 7:41 p.m. (session #490), HERNANDEZ, who was using Hernandez Phone 1, called ACOSTA, who was using Target Phone 11. During this call, HERNANDEZ stated, “Dude, call Ramon [MENDOZA-RAMOS].” ACOSTA asked, “Why?” HERNANDEZ continued, “Because I came from over there [HERNANDEZ had just delivered heroin to MENDOZA-RAMOS and was concerned because of the seizure by law enforcement]. It’s just that I went to leave that one first and then I came over here [HERNANDEZ had first delivered a kilogram of heroin to MENDOZA-RAMOS before making the delivery to NAVA]. Ask him [MENDOZA-RAMOS] if everything is okay there.” ACOSTA asked, “Why?” HERNANDEZ stated, “Well they [law enforcement] were following me. Maybe they were following me from over there. I don’t know.” ACOSTA asked, “No this Carlos [NAVA]?” HERNANDEZ stated, “He’s with me [HERNANDEZ and NAVA were together], we’re on our way over there [to meet ACOSTA].” ACOSTA stated “everything is fine with Ramon [MENDOZA-RAMOS].”

63. Continuing on February 25, 2014, at approximately 7:43 p.m. (session #492), ACOSTA, who was using Target Phone 11, called HERNANDEZ. ACOSTA asked “You didn’t tell him [NAVA] that we have an office over there right [referring to the W. Irving Park Road location]?” HERNANDEZ responded, “No, I haven’t told him anything.” ACOSTA continued, “Because I don’t trust that fucker.” ACOSTA

asked, “what a coincidence...you understand me...what color was the car?” HERNANDEZ replied, “It was blue, well like the detectives.” ACOSTA asked, “Oh, it was like a detective car?” HERNANDEZ stated, “Yes, they were like detectives.”

64. During this same session, ACOSTA switched over to a call from NAVA. NAVA stated “well I don’t know if you want to work tomorrow...I need a guy of the other kind [NAVA was looking to obtain cocaine].” ACOSTA replied “yes dude but not over there...” and NAVA replied “no it’s from over here by the Brickyard [mall]...the guy from the Brickyard.” ACOSTA replied “yes because it’s fucked up.” NAVA replied “yes...I’m a little out of it...those sons of bitches took that away from us took it [kilogram of heroin].” ACOSTA asked “and what is a detective car dude?” to which NAVA replied “yes a detective, a police, it had dark tint in the front and it had the fuckin’ lights that the feds have, the colored ones ...and the fuckin police would pass by...” ACOSTA said “I need you to change that telephone and tomorrow. Call me from another one because I’m going to give you another number [ACOSTA was planning to change his telephone number].”

D. On April 23, 2014, Acosta Supplies RIVERA with 1 Kilogram of Heroin.

65. As described below, on April 23, 2014, ACOSTA arranged to supply DANIEL RIVERA with one kilogram of heroin. The following day, ACOSTA and RIVERA met again and RIVERA paid ACOSTA for the heroin.

66. On April 23, 2014, at approximately 11 a.m. (session #812) RIVERA, who was using 312-412-7226 (“Rivera Phone 1”),⁹ called ACOSTA who was using Target Phone 13. During the call ACOSTA asked RIVERA “are you coming already or what?” RIVERA replied “no...would you give me a little bit.” ACOSTA replied “oh yes...at whatever time you want just tell me.” RIVERA continued “I’ll call you I’m heading over there...” ACOSTA instructed RIVERA on where to meet ACOSTA and explained that RIVERA should pass Irving Park Road and park his vehicle. ACOSTA and RIVERA agreed to talk later that day.

67. On April 23, 2014, at approximately 12:08 p.m. (session #813) RIVERA, who was using Rivera Phone 1, called ACOSTA who was using Target Phone 13. During the call, RIVERA said “I’m here already [RIVERA had arrived].” ACOSTA replied “oh you’re there already...I told you to call me when you left out...I’m heading over there...park on Pulaski.” RIVERA replied “I’m parked on Irving Park there’s a store here... that sells uniforms for soccer.” ACOSTA replied “oh that’s fine...” RIVERA stated “I’m on Irving Park” and ACOSTA said “I’ll call you shortly...wait for me.” At approximately 12:25 p.m. (session #814) RIVERA, who was using Rivera Phone 1, called ACOSTA who was using Target Phone 13. During the call ACOSTA said “I’m here already...are you in front of the Dunkin’ Donuts or where?” RIVERA replied “no I’m here by where they sell shoes to play

⁹ The identification of RIVERA and RIVERA as the user of Rivera Phone 1 is based on the following: (a) On April 23, 2014, the user of Rivera Phone 1 made arrangements to meet with ACOSTA who was using Target Phone 13 on W. Irving Park Road; LEOs who conducted surveillance observed ACOSTA meet with the occupant of a Honda minivan, who LEOs identified as RIVERA after observing a known image of RIVERA; and (b) the Honda minivan was registered to Daniel Rivera, at an address on S. Clarence, Berwyn, Illinois.

soccer and all that...I'm on Irving Park." ACOSTA asked "are you close to Pulaski?" RIVERA replied "yes." ACOSTA then stated "I'll arrive there shortly"

68. LEOs conducting surveillance around this time observed a silver Honda Odyssey minivan bearing license plate R596093¹⁰ parked in front of a soccer wear store located on W. Irving Park Road. At approximately 12:26 p.m., LEOs observed the driver of the vehicle, RIVERA, speaking on a cell phone. At approximately 12:31 p.m., LEOs observed RIVERA exit the minivan, walk around the vehicle and enter the front passenger side of the vehicle. Approximately 10 minutes later, LEOs observed ACOSTA walking eastbound on W. Irving Park Road from the direction of Pulaski carrying a small black plastic bag that contained a brick shaped object. ACOSTA approached the minivan on foot and walked up to the passenger side front door. LEOs observed RIVERA change positions in the minivan by climbing into the driver's seat; ACOSTA then entered the front passenger seat of the minivan. At approximately 12:38 p.m., LEOs observed the minivan depart the area. Based on my training and experience, and the training and experience of other LEOs, it is believed that ACOSTA delivered 1 kilogram of heroin to RIVERA during their meeting at this location.

69. The following day on April 24, 2014, at approximately 10:34 a.m. (session #817) RIVERA, who was using Rivera Phone 1, called ACOSTA who was using Target Phone 13. During the call RIVERA asked "where do I see you [where should RIVERA and ACOSTA meet]?" ACOSTA replied "where are you at?" and

¹⁰ A vehicle records check revealed that license plate R596093 was registered to Daniel Rivera at an address on S. Clarence, Berwyn, Illinois.

RIVERA responded “I’m here on the south [side]” ACOSTA replied “I’m here by Avers and Dickens [near ACOSTA’s residence on N. Avers].” ACOSTA then provided RIVERA directions to ACOSTA’s residence.

70. On April 24, 2014, at approximately 11:05 a.m. (session #819) ACOSTA, who was using Target Phone 13 called RIVERA who was using Rivera Phone 1. During the call ACOSTA asked “what car do you have?” RIVERA replied “the same one [the same Honda minivan RIVERA had driven the day before].” ACOSTA continued “the same one? Where are you?” and RIVERA replied “I’m here at Avers and Dickens” ACOSTA said “I’m here I don’t see you.” ACOSTA told RIVERA “go down [Avers] and make a right hand turn on Palmer and a right turn at the first alley.” RIVERA replied “ok.”

71. On April 24, 2014 at approximately 11 a.m., LEO’s conducting surveillance on N. Avers in Chicago observed RIVERA arrive in the area in the minivan and park on the southeast corner of Dickens and Avers. While parked on the corner, LEOs observed RIVERA using a cell phone. Shortly thereafter, LEOs observed ACOSTA, who was driving a blue Ford Focus bearing temporary plate 956P986, arrive and park on Dickens. At approximately 11:11 a.m., LEOs observed RIVERA standing at the passenger side of the minivan, which was parked in the alley behind ACOSTA’s N. Avers residence. Moments later, RIVERA entered the driver’s seat of the minivan and departed the area.

72. On April 24, 2014, at approximately 1:34 p.m. (session #821) ACOSTA, who was using Target Phone 13 called RIVERA who was using Rivera Phone 1.

During the call ACOSTA told RIVERA “just to tell you that it’s 20 dollars short [RIVERA’s payment was short the full amount].” RIVERA replied “ok.” ACOSTA said “there’s no problem...just so you know. There on the next one.” RIVERA replied “ok.” Based on my training and experience, and the training and experience of other LEOs, it is believed that during their meeting, RIVERA paid ACOSTA for the heroin, which was short of the agreed upon price.

E. April 29, 2014 Seizures

73. As detailed below, ACOSTA’s Mexican supplier arranged to deliver 10 kilograms of cocaine to ACOSTA on April 29, 2014. To obtain the cocaine, ACOSTA went to a gas station and met with the occupants of a silver Lexus, one of whom was later identified as JUAN DAVILA. After ACOSTA took the cocaine inside the W. Irving Park Road location, he delivered some of the cocaine to MENDOZA-RAMOS. Later, LEOs encountered ACOSTA outside the W. Irving Park Road location and found him in possession of 1 kilogram of cocaine.

1. ACOSTA Obtains 10 Kilograms of Cocaine; LEOs Seize 1 Kilogram of Cocaine from ACOSTA.

74. Beginning on April 28, 2014, ACOSTA, who was using Target Device 15,¹¹ had a conversation with “VIDA,”¹² the user of PIN 288BB29E to arrange the

¹¹ Blackberry handheld devices can be used for traditional cellular telephone services, as well as for a combination of electronic services not available through traditional cellular telephone service providers. Each device is assigned a Personal Identification Number (“PIN”), a hexadecimal, alpha-numeric identifier which is hard-coded and permanently assigned to a particular BB handheld device. The PIN identifies the device to Blackberry’s proprietary communication network. A device can be used for traditional cellular telephone service as well as for electronic communications using PINs in a manner similar to a text message.

delivery of 10 kilograms of cocaine. During the exchange between ACOSTA over Target Phone 15 and VIDA, VIDA informed ACOSTA about “blancos [cocaine]” and asks ACOSTA for his cell phone number. Using Target Device 15, ACOSTA sent VIDA the telephone number assigned to Target Phone 13. VIDA informed ACOSTA that the cocaine would be delivered the following day, and when ACOSTA asked how much he would receive, VIDA responded “10 [10 kilograms of cocaine].” VIDA asked ACOSTA how much “dog food [heroin]” ACOSTA had and ACOSTA responded “6 [6 kilograms of heroin].”

75. The following day, April 29, 2014, at approximately 8:49 a.m. (session #904) ACOSTA, who was using Target Phone 13 had a conversation with the user of 872-223-8988 (“UM-8988”). During the call UM-8988 told ACOSTA “they told me to call you to greet you [UM-8988 was calling about the delivery of cocaine].” ACOSTA replied “yes” and UM-8988 continued “where should I see you?” ACSOTA replied “...by Irving Park and Pulaski [the W. Irving Park Road location].” UM-8988 told ACOSTA “I’ll call you shortly” and later stated “in about 30 minutes.” ACOSTA said “ok then I’ll head over there [ACOSTA was going to the W. Irving Park Road location].” LEOs, who had established surveillance on N. Avers in Chicago, observed ACOSTA enter the Focus and depart N. Avers at approximately 9:10 a.m.

76. On April 29, 2014, at approximately 9:19 a.m. (session #905) UM-8988, called ACOSTA who was using Target Phone 13. During the call UM-8988 stated “they’re already arriving by over there already dude.” ACOSTA asked “already?”

¹² The identification of “VIDA” is based on Blackberry Messenger screen name assigned to the device.

and UM-8988 confirmed “yes.” Five minutes later (session # 906), UM-8988 called ACOSTA who was using Target Phone 13. UM-8988 asked “are you almost there dude?” ACOSTA replied “I’m here already...where are they at?” UM-8988 replied “they’re by the Dunkin by the gas [the courier was near the Dunkin Donuts by a gas station].”

77. At approximately 9:30 a.m., LEOs observed ACOSTA briefly stop the Focus on the east side of Pulaski Road just north of W. Irving Park Road. Then, ACOSTA made a U-turn on Pulaski Road. ACOSTA parked the Focus on the west side of Pulaski near the Salvation Army located on N. Pulaski. LEOs observed ACOSTA exit the Focus and walk eastbound across Pulaski into the parking lot of the Mobil gas station and Dunkin Donuts located on W. Irving Park Road.

78. At approximately 9:32 a.m., LEOs observed ACOSTA enter a silver Lexus that was parked on the east side of the Mobil gas station and Dunkin Donuts parking lot. The Lexus departed the parking lot and proceeded westbound on W. Irving Park Road. The Lexus parked on W. Irving Park Road near the intersection of Keystone and W. Irving Park Road. LEOs observed ACOSTA exit the Lexus carrying a box on top of his shoulder and enter the W. Irving Park Road location. The Lexus departed the area. As described below, the occupants of the Lexus were subsequently identified as JUAN DAVILA and Individual J.S.

79. At approximately 9:41 a.m. (session #909) ACOSTA, who was using Target Phone 13, sent a text message to MENDOZA-RAMOS who was using Ramon Phone 4 stating “dude I have work where can I see you [ACOSTA had cocaine

available].” MENDOZA-RAMOS replied via text message (session #910) “I’m here at the house dude I’m going to go see the truck at around two I’m so embarrassed with you are they white ones [cocaine].” At approximately 9:44 a.m., ACOSTA replied by text (session #911) “yes dude.”

80. Continuing on April 29, 2014, at approximately 12:15 p.m. (session #928) MENDOZA-RAMOS, who was using telephone Ramon Phone 4, sent a text message to ACOSTA who was using Target Phone 13 stating “When you arrive dude take the alley and park right at the entry there there’s a parking lot there.” At approximately 1:44 p.m. (session #929) ACOSTA, who was using Target Phone 13 called MENDOZA-RAMOS, who was using Ramon Phone 4. During the call MENDOZA-RAMOS said “I’ll be there in 2 or 3 minutes” to which ACOSTA replied “I’m here in the parking lot.”

81. Later that afternoon, ACOSTA had a conversation with Cruz over Target Phone 13 and arranged a meeting with ACOSTA in the vicinity of W. Irving Park Road. LEOs conducting surveillance on N. Avers in Chicago observed ACOSTA exit the alley near this location and enter the Focus at approximately 4:50 p.m. The Focus departed the area and arrived to the W. Irving Park Road location at approximately 5:04 p.m. After parking, ACOSTA exited the vehicle and entered through the front door of the building.

82. At approximately 5:11 p.m., LEOs observed ACOSTA exit the W. Irving Park Road location through the front door. ACOSTA briefly entered the convenience store located in the same building, and then exited it. Upon doing so,

LEOs observed that ACOSTA had a black plastic bag, containing an unidentified object tucked tightly under his right armpit.

83. Agents approached ACOSTA as he walked toward the Focus and identified themselves as law enforcement. ACOSTA was detained and placed in handcuffs, and agents performed a pat-down search for officer safety. During the search, agents recovered a set of keys and the silver brick shaped object contained inside the plastic bag which appeared to be cocaine. A subsequent field test of the substance was positive for the presence of cocaine and weighed 1,235 grams.

2. LEOs Seize 65 Kilograms of Cocaine from DAVILA in a Vehicle Located in a Garage on N. McVicker.

84. As described below, after the meeting with ACOSTA, LEOs followed JUAN DAVILA and Individual J.S. in the silver Lexus to a residence on the 2300 block of North McVicker Avenue (hereafter the “N. McVicker residence”). Following additional surveillance of DAVILA, LEOs approached DAVILA on W. Fullerton Avenue, and later placed him under arrest. Following a consensual search of a cargo van located in the detached garage of the N. McVicker residence, LEOs seized 65 kilograms of cocaine from inside of two duffel bags.

85. On April 29, 2014 at approximately 9:32 a.m., after LEOs observed ACOSTA exit the Lexus with a box, LEOs followed the Lexus, which was occupied by DAVILA and Individual J.S. to the Brickyard mall located on N. Narragansett Avenue in Chicago. DAVILA and Individual J.S. shopped at a few of the stores in the mall. At approximately 11 a.m., DAVILA and Individual J.S. depart the area in the Lexus.

86. At approximately 11:08 a.m., LEOs observed the Lexus park near the N. McVicker residence. Both DAVILA and Individual J.S. exited the Lexus. Individual J.S. was holding a white T-Mobile bag and eventually walked into the gangway near the N. McVicker residence. At about this same time, LEOs observed DAVILA re-enter the Lexus and drive it to W. Belden Avenue just south of N. McVicker Avenue. At approximately 11:12 a.m., DAVILA entered the N. McVicker residence.

87. At approximately 11:19 a.m., LEOs observed a Kia Sedona van arrive and park in the alley located behind the N. McVicker residence. LEOs observed the driver of the Sedona speak with DAVILA. LEOs observed DAVILA and the driver of the Sedona place an unidentified object into the vehicle through the side door. Moments later, the Sedona departed the area and eventually relocated to an address on the 5200 block of W. Fullerton.

88. Shortly after 12 p.m., LEOs observed DAVILA and Individual J.S. walking on foot westbound in the area on W. Fullerton Avenue, and later enter a nearby store. LEOs approached both DAVILA and Individual J.S. and identified themselves as law enforcement. Individual J.S. declined to speak with law enforcement.

89. DAVILA agreed to speak with law enforcement. At approximately 12:55 p.m., DAVILA informed agents that he no longer wished to speak with law enforcement and he was advised that he was free to leave.¹³ DAVILA departed on

¹³ During the conversation, DAVILA asked whether he needed a lawyer and whether he was under arrest. Agents informed DAVILA that he was free to leave at any time.

foot and walked toward the Lexus which was parked in the area. Minutes later, agents detained DAVILA and placed him under arrest. LEOs performed a pat-down for officer safety and located a cell phone as well as two sets of car keys.

90. At approximately 1:45 p.m., DAVILA was transported in custody to the N. McVicker residence where agents had seen him and Individual J.S. earlier in the day. Upon arriving to this location, an agent orally advised DAVILA of his *Miranda* rights. After being so advised, DAVILA orally stated that he understood these rights and that he was willing to speak with agents.

91. Following the *Miranda* advisement, DAVILA stated one of the sets of car keys in his possession belonged to a Chevrolet cargo van that was parked in the garage of the N. McVicker residence. DAVILA stated that he used the key to gain access to the van, which had been given to DAVILA at approximately 5:30 a.m. that morning. DAVILA stated that he used the key to retrieve kilograms of cocaine from the van in order to distribute them to others. DAVILA orally consented to a search of the van, and advised LEOs that the garage door opener to the garage was located inside his Lexus. DAVILA gave LEOs consent to obtain the opener from inside his Lexus, which agents did, and DAVILA gave LEOs oral consent to open the garage and the van with the key DAVILA had provided.

92. Inside the van, LEOs observed two duffel bags located in the back of the van on the floor containing numerous brick shaped objects. A search of duffel bags revealed that they contained approximately 65 brick shaped packages wrapped

in gray duct tape which were consistent with the appearance of cocaine. The objects later field tested positive for the presence of cocaine and weighed 83,136.2 grams.

93. Later that same afternoon at approximately 5:20 p.m., DAVILA was transported to FBI Field Offices for additional questioning. At that time, LEOs again advised DAVILA of his *Miranda* Rights in writing. DAVILA indicated that he understood these rights and DAVILA signed a written *Miranda* waiver form. Later that day, DAVILA was released from custody.

IV. CONCLUSION

94. Based on the foregoing, it is Your Affiant's belief that there is probable cause to believe as follows:

a. Beginning no later than January 2014 and continuing to in or about April 2014, at Chicago, in the Northern District of Illinois and elsewhere, defendants ALFREDO ACOSTA, CARLOS NAVA, RAMON MENDOZA-RAMOS and LEONARDO HERNANDEZ, 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, 5 kilograms 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 January 16, 2014, in the Northern District of Illinois, EDWIN AMAYA, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 5 kilograms 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).

c. On or about April 23, 2014, in the Northern District of Illinois, DANIEL RIVERA, 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).

d. On or about April 29, 2014, in the Northern District of Illinois, JUAN DAVILA, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 5 kilograms 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).

FURTHER AFFIANT SAYETH NOT.

GUSTAVO Z. MARTINEZ
Special Agent
Federal Bureau of Investigation

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

SIDNEY SCHENKIER
United States Magistrate Judge