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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

AT 8:30 _____ M
WILLIAM T. WALSH, CLERK

UNITED STATES OF AMERICA	:	Crim. No. 14-404 (SRC)
	:	
v.	:	Hon. Stanley R. Chesler
	:	
JOSE JUAN RODRIGUEZ-JUAREZ,	:	18 U.S.C. § 371
a/k/a "Sacerdote,"	:	18 U.S.C. § 924(o)
a/k/a "Dreamer,"	:	18 U.S.C. § 1959(a)(5)
a/k/a "El Bicho,"	:	18 U.S.C. § 1962(d)
a/k/a "Rico,"	:	21 U.S.C. § 841
a/k/a "Tito,"	:	21 U.S.C. § 846
AMILCAR ROMERO,	:	
a/k/a "Chi-Chi,"	:	
a/k/a "Soldado,"	:	
JOEL ANTONIO CORTEZ,	:	
a/k/a "Pee Wee,"	:	
PEDRO ROMERO-CRUZ,	:	
a/k/a "Payaso,"	:	
CARLOS SANDOVAL-BATRES,	:	
a/k/a "Trusty,"	:	
JOSE ELIAS GARCIA-HERNANDEZ,	:	
a/k/a "Eterno,"	:	
CRISTIAN LINARES-RODRIGUEZ,	:	
a/k/a "Burro,"	:	
a/k/a "Little Donkey,"	:	
HECTOR CARRANZA-SOLIS,	:	
a/k/a "Blacky,"	:	
RUDY GUTIERREZ,	:	
a/k/a "Chiky,"	:	
LUIS LOPEZ-GUZMAN,	:	
a/k/a "Niño," and	:	
GERMAN LISANDRO BENITES-MORENO,	:	
a/k/a "Raro"	:	

SUPERSEDING INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Newark,
charges:

COUNT ONE
(Racketeering Conspiracy)

Introduction

1. At all times relevant to this Indictment, Mara Salvatrucha (also known as “MS” and “MS-13”) was an international criminal street gang that operated throughout North and Central America, including in the District of New Jersey. The gang’s membership was composed largely of immigrants from El Salvador and neighboring Central American countries.

History of Mara Salvatrucha

2. The gang originated in Los Angeles in the mid-1980s, as large numbers of refugees of the civil war in El Salvador re-settled in southern California. Originally designed to protect Salvadoran immigrants from the more established criminal gangs operating in the area, Mara Salvatrucha soon turned violent and began claiming control of various streets and parks in Los Angeles as its “turf.” As the gang expanded, it asserted exclusive rights to extort local businesses and drug dealers that operated on this turf. Territorial disputes brought Mara Salvatrucha into conflict with other gangs, including the 18th Street Gang, which soon became its archrival. Mara Salvatrucha quickly earned a reputation for brutal violence against its “enemies.”

3. As Mara Salvatrucha members engaged in criminal activity, a substantial number were arrested, convicted, and sentenced to lengthy terms in California state prisons. At the time, the California prison population was sharply divided along racial lines and, like many Latin American prisoners,

incarcerated members of Mara Salvatrucha sought the protection of the Mexican Mafia, a powerful prison gang that claimed to “represent” certain Latin American inmates inside the state’s correctional system. The Mexican Mafia, also known as “*La Eme*” (Spanish for “The M”), provided jailhouse protection to members of certain Latin American gangs operating in southern California, including Mara Salvatrucha and the 18th Street Gang. In exchange for this protection, the Mexican Mafia demanded services or payment, which sometimes included a percentage of the revenue that the gangs collected through extortion, drug distribution, and other criminal activity. The Mexican Mafia referred to its alliance of prison protectorates as the “*Sur*” (Spanish for the “South”) and members of the alliance as “*Sureños*” (Spanish for “Southerners”). Over time, the Mexican Mafia came to exert significant control over *Sureño*-aligned gangs, including Mara Salvatrucha. Sometimes, senior members of the Mexican Mafia, known as *carnales*, assumed leadership positions within those *Sureño*-aligned gangs.

4. Meanwhile, outside of prison, Mara Salvatrucha grew beyond southern California. Many of the gang’s most violent members were deported back to El Salvador and other Central American countries, where the gang flourished.

5. In Central America, as in California, a substantial number of Mara Salvatrucha members were arrested, convicted, and sentenced to lengthy prison terms. Unlike in California, however, the Mexican Mafia exerted little if any control over the Central American prison systems, and Mara Salvatrucha

became a powerful force within the prisons, especially in El Salvador, without resort to the *Sureño* alliance. Numerous high-ranking Mara Salvatrucha members had regular or semi-regular access to cellular phones while incarcerated in these facilities and they used these phones to direct criminal activity outside of prison.

6. Over time, Mara Salvatrucha also expanded to the East Coast of the United States, with most of its activity occurring in locations with sizable Central American populations, including certain communities in New Jersey, New York, Massachusetts, Maryland, Virginia, and North Carolina. Most of the early members of Mara Salvatrucha on the East Coast came from one of two places: southern California, where most members adhered to the *Sureño* alliance with the Mexican Mafia, and El Salvador, where most members did not. As a result, even though Mara Salvatrucha members on the East Coast agreed about the gang's basic rules, traditions, structure, and objectives, they sometimes disagreed about the nature and scope of their gang's relationship with the Mexican Mafia (to the extent they were aware of the relationship at all).

7. Since the gang's founding, Mara Salvatrucha members funded the gang's activities in part through a pattern of extortion, whereby the gang's leadership used the threat of violence to collect money from its own members, as well as from legitimate and illegitimate businesses that operated on the gang's "turf." The money collected through this long-running and well-established extortion scheme was known as "*renta*" (Spanish for "rent").

Generally speaking, the “rent” scheme involved two components: local or regional leaders collected “rent” on their territory, and then these leaders kicked back a portion of that money to the gang’s leadership in California or El Salvador. (Typically, a portion of the money kicked back to the California leadership was paid to the Mexican Mafia in exchange for jailhouse protection, as described in Paragraph 3 above.) Often, Mara Salvatrucha relied on certain individuals to facilitate the transfer of “rent” money.

Organization of Mara Salvatrucha

8. Within Mara Salvatrucha, the primary unit of organization was known as a “clique,” which typically included 10 to 100 members and operated in a specific geographic location. Most cliques used the same basic naming convention: a place name or proper name, followed by “Locos Salvatrucha,” “Locotes Salvatrucha,” or “Lil Cycos Salvatrucha.” For example, one of the first cliques in Los Angeles operated on and around Western Avenue and became known as “Western Locos Salvatrucha,” or sometimes simply “Western” or “WLS.” Sometimes, multiple cliques operating in different geographic locations identified themselves using the same name.

9. Multiple cliques operated in the District of New Jersey, including:

- a. Hudson Locotes Salvatrucha (the “Hudson Locotes clique” or “HLS”), which operated in and around Hudson County, New Jersey;
- b. Pinos Locos Salvatrucha (the “Pinos clique”), which operated in and around Hudson County, New Jersey, as well as other locations in the United States and elsewhere;

c. Coronados Lil Cycos Salvatrucha (the “Coronados clique” or “CLCS”), which operated in and around Passaic, New Jersey, as well as other locations in the United States and elsewhere;

d. Plainfield Locos Salvatrucha (the “Plainfield clique”), which operated in and around Plainfield, New Jersey; and

e. Ghetto Criminales Locos Salvatrucha (the “Ghetto Criminales clique”), which operated in and around Elizabeth, New Jersey, as well as other locations in the United States and elsewhere.

10. Each clique was controlled by a single leader, known variously as the “First Word,” the “word,” the “voice,” or a “shotcaller.” The First Word was responsible for overseeing the clique’s operations and for authorizing criminal activity on behalf of the clique. The First Word was also responsible for communicating with other cliques and with the gang’s regional, national, and international leadership. Sometimes, a First Word appointed deputies to assist him with overseeing the clique’s activities.

11. Mara Salvatrucha formed regional organizations, known as “*programa*” (Spanish for “program”), which oversaw any and all cliques operating within a particular area. Typically, the programs were controlled by a single leader or a small group of leaders, who were responsible for communicating with the gang’s national and international leadership and for ensuring that local cliques under their jurisdiction adhered to all gang rules.

12. The gang’s national and international leadership varied over time, although it typically was comprised of leaders in California and El Salvador. In

or about autumn 2013, the gang established a new “national program” designed to oversee all Mara Salvatrucha activity in the United States and to expand the influence of the Mexican Mafia across the entire American organization. This effort was known by various terms, including the “national program” and the “unification of the *barrio*” (hereinafter, the “national program”).

13. The leader of this “national program” – and, by implication, the leader of Mara Salvatrucha in the United States – was JOSE JUAN RODRIGUEZ-JUAREZ, a/k/a “Sacerdote,” a/k/a “Dreamer,” a/k/a “El Bicho,” a/k/a “Rico,” a/k/a “Tito” (“RODRIGUEZ-JUAREZ”), who leveraged his membership in the Mexican Mafia to assert control over all Mara Salvatrucha activities in the United States. Two of his top deputies in establishing this “national program” were AMILCAR ROMERO, a/k/a “Chichi,” a/k/a “Soldado” (“AMILCAR ROMERO”), and JOEL ANTONIO CORTEZ, a/k/a “Pee Wee” (“CORTEZ”), both of whom were incarcerated in California state prisons and communicated with other gang members using contraband cellular phones smuggled into the prison facilities.

14. The new “national program” had two goals. First, RODRIGUEZ-JUAREZ and his deputies sought to improve the nationwide collection of “rent” money, thus increasing the flow of money back to gang leaders in California (and providing greater revenue to the Mexican Mafia). Second, RODRIGUEZ-JUAREZ and his deputies sought to use these rent-collection networks to establish new drug distribution channels from California to the East Coast

(with drugs supplied, in part, by the Mexican Mafia and drug cartels in Mexico). By centralizing and nationalizing Mara Salvatrucha, RODRIGUEZ-JUAREZ and his deputies sought to create a more lucrative criminal syndicate based on violence, extortion, and drug trafficking.

Rules and Traditions of Mara Salvatrucha

15. All members of Mara Salvatrucha, regardless of location or clique, adhered to the same basic rules, traditions, structure, and objectives.

16. Members of Mara Salvatrucha typically signified their membership in the gang with elaborate tattoos, slogans, and hand gestures. Gang clothing often incorporated the colors blue and white, in reference to the Salvadoran flag, or Los Angeles Dodgers apparel, in reference to the city of the gang's founding. The machete, used to cut crops in El Salvador, carried symbolic meaning and was sometimes the gang's weapon of choice, although members also maintained firearms for the gang's use.

17. New recruits were known as *chequeros* and were often teenagers or younger. To gain full membership in Mara Salvatrucha, recruits were required to commit or agree to commit an act of violence on behalf of the gang and then submit to a 13-second beating by fellow members, in an initiation process known as "jumping in."

18. Once part of a clique, members were known as "homies" or "homeboys" and were expected to regularly attend gang meetings and participate in criminal activity. Within Mara Salvatrucha, participation in criminal activity by a member or associate, particularly violent acts directed at

rival gangs or as directed by the gang leadership, increased the respect accorded to that member or associate, resulted in that member's or associate's maintaining or increasing position in the gang, and could result in a promotion to a leadership position.

19. Membership was for life. A popular Mara Salvatrucha expression was "*camilla, cárcel, o cementerio*" (Spanish for "hospital, jail, or cemetery"); to gang members, these were supposed to represent the only three ways they could ever truly leave the gang.

20. One of Mara Salvatrucha's primary goals was to destroy its rival gangs, which varied depending on location, but generally included the 18th Street Gang and the Latin Kings. Gang rules required that Mara Salvatrucha members kill rival gang members when possible. Mara Salvatrucha members sometimes referred to rival gang members using derogatory names, including "*chavalas*" (for any rival gang member) and "*panoyas*" (for 18th Street members).

21. Cooperation with law enforcement was strictly prohibited. It was well understood within the gang that cooperators would be punished with death, and the gang venerated those who had killed law enforcement cooperators.

22. Mara Salvatrucha members were not permitted to commit acts of violence against a fellow member of the gang, except in limited circumstances, such as disciplining a member who had violated a gang rule (and then only with the permission of senior leaders of the gang).

23. A Mara Salvatrucha member who violated a gang rule was subject to discipline, which could include physical punishment and, in the most extreme cases, death. The process of obtaining authorization to kill a disobedient gang member was known as “green lighting”; when an individual was ordered to be killed, he or she was said to be “green lighted.” Obtaining a “green light” typically required the authorization of a clique leader and, in some cases, approval from gang leaders in California or El Salvador.

24. Gang leaders frequently communicated with each other using cellular phones. Telephone communication was a crucial aspect of the gang’s organization, given that its members operated across North and Central America and that many of the gang’s leaders were incarcerated in American and Salvadoran prisons. Sometimes, multiple gang leaders participated in the same telephone call by utilizing the “three-way calling” feature of their cellular telephone service plans.

The Racketeering Enterprise

25. Mara Salvatrucha (also known as “MS” and “MS-13”), including its leaders, members, and associates, in the District of New Jersey, and elsewhere, constituted an “enterprise” as defined in Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact. The enterprise constituted an ongoing organization whose members functioned as a continuing unit that had a common purpose of achieving the objectives of the enterprise. The enterprise was engaged in, and its activities affected, interstate and foreign commerce.

Purposes of the Enterprise

26. The purposes of Mara Salvatrucha included:
- a. Preserving and protecting the power, territory, reputation, and profits of the enterprise through the use of intimidation, violence, threats of violence, assaults, and murder;
 - b. Promoting and enhancing the enterprise and its members' and associates' activities, including, but not limited to, drug trafficking, robberies, extortion, and other criminal activities;
 - c. Keeping victims, potential victims, and community members in fear of the enterprise and its members and associates through violence and threats of violence;
 - d. Providing financial support and information to gang members, including those incarcerated in the United States and El Salvador;
 - e. Providing assistance to gang members who committed crimes on behalf of the gang;
 - f. Hindering, obstructing, and preventing law enforcement officers from identifying participants in the gang's criminal activity, from apprehending the offenders of those crimes, and from successfully prosecuting and punishing those offenders; and
 - g. Threatening, assaulting, or murdering individuals who cooperated (or were believed to have cooperated) with law enforcement against the enterprise.

Members of the Enterprise

27. In or about autumn 2013, RODRIGUEZ-JUAREZ declared himself the leader of the new “national program” for Mara Salvatrucha in the United States. RODRIGUEZ-JUAREZ was also a *carrale* in the Mexican Mafia, and he leveraged his status within the Mexican Mafia to assert control over all Mara Salvatrucha activities in the United States. Within Mara Salvatrucha, RODRIGUEZ-JUAREZ was often known by his gang moniker “Dreamer.” When he assumed control of the “national program,” he became known to some as “Sacerdote” and other monikers. RODRIGUEZ-JUAREZ engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to distribute drugs and a conspiracy to extort others for “rent” money.

28. AMILCAR ROMERO was a member of Mara Salvatrucha who, in or about autumn 2013, served as one of RODRIGUEZ-JUAREZ’s top deputies within the “national program.” Among other responsibilities, AMILCAR ROMERO communicated with Mara Salvatrucha leaders in El Salvador and on the East Coast of the United States, thereby allowing RODRIGUEZ-JUAREZ to limit the frequency and duration of his own telephone communications with other leaders. AMILCAR ROMERO engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to distribute drugs and a conspiracy to extort others for “rent” money. At all times relevant to this Indictment, AMILCAR ROMERO was incarcerated in the California state correctional system.

29. CORTEZ was a member of Mara Salvatrucha who, in or about autumn 2013, served as one of RODRIGUEZ-JUAREZ's top deputies within the "national program." Among other responsibilities, CORTEZ communicated with various Mara Salvatrucha clique leaders on the East Coast of the United States and elsewhere, notified these leaders of the new "national program," and warned them of the consequences if they did not fall into line. CORTEZ engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to distribute drugs, a conspiracy to extort others for "rent" money, and a conspiracy to commit murder. At all times relevant to this Indictment, CORTEZ was incarcerated in the California state correctional system.

30. PEDRO ROMERO-CRUZ, a/k/a "Payaso" ("ROMERO-CRUZ"), was a member of Mara Salvatrucha who, in or about autumn 2013, served as a leader of a regional "program" in northern Virginia and supported the creation and expansion of RODRIGUEZ-JUAREZ's "national program." Among other responsibilities, ROMERO-CRUZ facilitated the trafficking of drugs from California to the East Coast, including to New Jersey. ROMERO-CRUZ engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to distribute drugs and a conspiracy to extort others for "rent" money. At all times relevant to this Indictment, ROMERO-CRUZ was incarcerated in the Virginia state correctional system.

31. CARLOS SANDOVAL-BATRES, a/k/a "Trusty" ("SANDOVAL BATRES"), was a member of Mara Salvatrucha who, in or about autumn 2013,

served as a high-ranking member of the leadership of Mara Salvatrucha operating from inside a prison in El Salvador and directing criminal activity in the United States. SANDOVAL-BATRES engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to distribute drugs and a conspiracy to extort others for “rent” money.

32. JOSE ELIAS GARCIA-HERNANDEZ, a/k/a “Eterno” (“GARCIA-HERNANDEZ”), was a member of Mara Salvatrucha who, in or about autumn 2013, was operating in El Salvador and directing criminal activity in the United States. Previously, GARCIA-HERNANDEZ resided in the United States, where he served as a leader of the Pinos clique in Hudson County, New Jersey. After returning to El Salvador, GARCIA-HERNANDEZ continued his involvement as a leader within the clique. GARCIA-HERNANDEZ engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to commit murder and a conspiracy to extort others for “rent” money.

33. Cristian Linares-Rodriguez, a/k/a “Burro,” a/k/a “Little Donkey” (“Linares-Rodriguez”), who is not charged in Count One, but is charged in Count Four, Count Five, and Count Six of this Indictment, was a member of Mara Salvatrucha who, in or about autumn 2013, was operating in El Salvador and directing criminal activity in the United States. Previously, Linares-Rodriguez resided in the United States, where he served as a leader of the Pinos clique in Hudson County, New Jersey. After he was deported back to El Salvador, Linares-Rodriguez continued his involvement as a leader within the

clique. Linares-Rodriguez engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to commit murder.

34. Hector Carranza-Solis, a/k/a “Blacky” (“Carranza-Solis”), who is not charged in Count One, but is charged in Count Four, Count Five, and Count Six of this Indictment, was a member of Mara Salvatrucha who, in or about autumn 2013, served as second-in-command of the Hudson Locotes clique. Carranza-Solis engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to commit murder.

35. RUDY GUTIERREZ, a/k/a “Chiky” (“GUTIERREZ”), was a member of Mara Salvatrucha who, in or about autumn 2013, served as the third-in-command of the Hudson Locotes clique. GUTIERREZ engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to extort others for “rent” money and a conspiracy to commit murder.

36. Luis Lopez-Guzman, a/k/a “Niño” (“Lopez-Guzman”), who is not charged in Count One, but is charged in Count Four, Count Five, and Count Six of this Indictment, was a member of Mara Salvatrucha who, in or about autumn 2013, served as a member of the Hudson Locotes clique. Lopez-Guzman engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to commit murder.

37. GERMAN LISANDRO BENITES-MORENO, a/k/a “Raro” (“BENITES-MORENO”), was a member of Mara Salvatrucha who, in or about autumn 2013 and winter 2014, served as a leader of Mara Salvatrucha in Texas and New Jersey and supported the creation and expansion of

RODRIGUEZ-JUAREZ's "national program." Among other responsibilities, BENITES-MORENO facilitated the trafficking of drugs to New Jersey and the transfer and transport of firearms to other gang members. BENITES-MORENO engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to distribute drugs and a conspiracy to extort others for "rent" money.

38. Co-Conspirator Carlos Andrew Valdez, Jr., a/k/a "Catracho" ("Co-Conspirator Valdez"), was a member of Mara Salvatrucha who, in or about autumn 2013, served as the First Word of the Hudson Locotes clique. Co-Conspirator Valdez engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to extort others for "rent" money and a conspiracy to commit murder. Co-Conspirator Valdez is not charged in this Superseding Indictment.

39. Co-Conspirator Marvin Garcia-Cruz, a/k/a "Buffalo" ("Co-Conspirator Garcia-Cruz"), was a member of Mara Salvatrucha who, in or about autumn 2013, served as the First Word of the Pinos clique operating in and around Hudson County, New Jersey. Co-Conspirator Garcia-Cruz engaged in the affairs of Mara Salvatrucha by participating in, among other things, a conspiracy to commit murder. Co-Conspirator Garcia-Cruz is not charged in this Superseding Indictment.

The Racketeering Conspiracy

40. Beginning on a date unknown to the Grand Jury but since at least January 2009 and continuing through the date of this Indictment, in the District of New Jersey, and elsewhere, the defendants,

JOSE JUAN RODRIGUEZ-JUAREZ,
a/k/a "Sacerdote," a/k/a "Dreamer," a/k/a "El Bicho," a/k/a "Rico," a/k/a "Tito,"
AMILCAR ROMERO,
a/k/a "Chi-Chi," a/k/a "Soldado,"
JOEL ANTONIO CORTEZ,
a/k/a "Pee Wee,"
PEDRO ROMERO-CRUZ,
a/k/a "Payaso,"
CARLOS SANDOVAL-BATRES,
a/k/a "Trusty,"
JOSE ELIAS GARCIA-HERNANDEZ,
a/k/a "Eterno,"
RUDY GUTIERREZ,
a/k/a "Chiky," and
GERMAN LISANDRO BENITES-MORENO,
a/k/a "Raro,"

together with others known and unknown, each being a person employed by and associated with Mara Salvatrucha, an enterprise engaged in, and the activities of which affected, interstate and foreign commerce, knowingly and intentionally conspired and agreed with each other and others to violate Title 18, United States Code, Section 1962(c), that is to conduct and participate, directly and indirectly, in the conduct of the affairs of the Mara Salvatrucha enterprise through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and (5), which pattern of racketeering activity consisted of:

a. multiple acts involving murder, contrary to New Jersey Statutes Annotated 2C:11-3, 2C:2-6, and 2C:5-2, and California Penal Code Sections 187-189, 182, and 21a;

b. multiple acts involving extortion, contrary to New Jersey Statutes Annotated 2C:20-5, 2C:2-6, and 2C:5-2, California Penal Code Sections 518-520, 182, and 21a, Maryland Criminal Law Section 3-701, Texas Penal Code Sections 31.03, 15.01, and 15.02, and Virginia Code Annotated Sections 18.2-59, 18.2-22, and 18.2-26;

c. multiple acts indictable under Title 18, United States Code, Section 1952 (use of interstate facilities to further unlawful activity);

d. multiple acts indictable under Title 18, United States Code, Section 1956 (money laundering); and

e. multiple offenses involving the felonious manufacture, importation, receiving, concealment, buying, selling, and otherwise dealing in a controlled substance punishable under the laws of the United States, specifically, Title 21, United States Code, Section 846 (conspiracy to distribute and possess with intent to distribute controlled substances), Section 841 (distribution and possession with intent to distribute controlled substances), Sections 952, 960, and 963 (conspiracy to import controlled substances), and Section 843(b) (use of a communication facility).

41. It was part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

Manner and Means of the Conspiracy

42. It was part of the manner and means of the conspiracy that the defendants, as members of Mara Salvatrucha, were required to and did attend regular meetings to discuss, among other things: the structure and organization of the gang; past criminal acts committed against rival gang members and others; Mara Salvatrucha members who were arrested or incarcerated; the disciplining of Mara Salvatrucha members; enforcement of gang rules; police interactions with Mara Salvatrucha members; the identities of individuals suspected of cooperating with law enforcement and proposed actions to be taken against them; and plans and agreements regarding the commission of future crimes, including murder, extortion, illegal possession of firearms, assault, and distribution of controlled substances, as well as ways to conceal these crimes.

43. It was further part of the manner and means of the conspiracy that the defendants sought to establish a new “national program” that would oversee all Mara Salvatrucha activities in the United States.

44. It was further part of the manner and means of the conspiracy that the defendants sought to enrich themselves, their enterprise, and other criminal organizations allied with their enterprise, by trafficking methamphetamine, cocaine, heroin, marijuana, and other controlled substances from Central America to various communities inside the United States.

45. It was further part of the manner and means of the conspiracy that defendants, operating in furtherance of Mara Salvatrucha, established mutually beneficial alliances with the Mexican Mafia and with *La Familia Michoacana*, a Mexican drug cartel, to facilitate the distribution of controlled substances in the United States and elsewhere.

46. It was further part of the manner and means of the conspiracy that RODRIGUEZ-JUAREZ sought to leverage his status within both Mara Salvatrucha and the Mexican Mafia to further facilitate the distribution of controlled substances in the United States and elsewhere, as described above.

47. It was further part of the manner and means of the conspiracy that defendants sought to leverage pre-existing relationships among members of Mara Salvatrucha to facilitate the transportation of controlled substances from the West Coast of the United States to the East Coast of the United States, including to New Jersey.

48. It was further part of the manner and means of the conspiracy that defendants used their status as leaders within Mara Salvatrucha to direct others to assist in the trafficking, transportation, and distribution of controlled substances.

49. It was further part of the manner and means of the conspiracy that the defendants established lines of communication between incarcerated members of Mara Salvatrucha – including AMILCAR ROMERO, CORTEZ, ROMERO-CRUZ, and SANDOVAL-BATRES – and members of Mara Salvatrucha who were not incarcerated, including by smuggling contraband

cellular phones into correctional facilities and by sending mail to incarcerated members using “coded” language, so that the incarcerated members could direct criminal activity inside and outside of prison.

50. It was further part of the manner and means of the conspiracy that the defendants and other members and associates of Mara Salvatrucha financed the enterprise through a variety of activities, including the sale of controlled substances and firearms, robberies, and the extortion of “rent” money from other individuals.

51. It was further part of the manner and means of the conspiracy that the defendants and other members and associates of Mara Salvatrucha purchased, maintained, and circulated a collection of firearms and machetes for use in criminal activity by Mara Salvatrucha members.

52. It was further part of the manner and means of the conspiracy that the defendants and other members and associates of Mara Salvatrucha committed and agreed to commit acts of violence, including murder, attempted murder, and assault with a deadly weapon, against rival gang members or others when it suited the enterprise’s purposes.

53. It was further part of the manner and means of the conspiracy that the defendants and other members and associates of Mara Salvatrucha used violence to impose discipline within the gang, including against members of Mara Salvatrucha who associated (or were believed to associate) with members of rival gangs.

54. It was further part of the manner and means of the conspiracy that defendants sought to conceal their criminal activities by obstructing justice, threatening and intimidating witnesses, and other means.

Overt Acts

55. In furtherance of the conspiracy and to achieve its objectives, defendants and their co-conspirators committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

- a. In or about July 2011, in the State of California, RODRIGUEZ-JUAREZ attended a meeting involving representatives of Mara Salvatrucha, the Mexican Mafia, and *La Familia Michoacana* to discuss coordination of their drug trafficking activities.
- b. On or about September 13, 2011, in Los Angeles County, California, RODRIGUEZ-JUAREZ facilitated the sale of approximately 27 grams of methamphetamine.
- c. On or about February 21, 2012, in Los Angeles County, California, RODRIGUEZ-JUAREZ facilitated the sale of approximately 139 grams of methamphetamine.
- d. In or about July 2013, in the State of California, RODRIGUEZ-JUAREZ facilitated the sale of more than 400 grams of a mixture or substance containing a detectable amount of methamphetamine.
- e. On or about October 6, 2013, certain high-ranking leaders of Mara Salvatrucha participated in a multi-party telephone call. Several of the participants, including RODRIGUEZ-JUAREZ, AMILCAR ROMERO, CORTEZ,

ROMERO-CRUZ, and Co-Conspirator #1, were located in the United States at the time, while others, including SANDOVAL-BATRES, were located in Salvadoran prisons. One of the purposes of the call was to discuss the conspirators' efforts to further consolidate all of Mara Salvatrucha under a single, cohesive leadership structure. During the call, RODRIGUEZ-JUAREZ (using the names "Sacerdote" and "Bicho") was described as the leader of the "national program" and AMILCAR ROMERO was described as the primary point-of-contact between RODRIGUEZ-JUAREZ and Mara Salvatrucha leaders operating in El Salvador. Also during the call, a participant described efforts to establish more centralized control over Mara Salvatrucha activities on the East Coast of the United States, including in New Jersey, North Carolina, Maryland, and Virginia.

f. On or about October 11, 2013, CORTEZ and Co-Conspirator Valdez participated in a conference call with Co-Conspirator #2, who had been recently elevated to the position of First Word of the Plainfield clique. One of the purposes of the call was for CORTEZ and Co-Conspirator Valdez to educate Co-Conspirator #2 about the new "national program" operating under the control of "Sacerdote" (i.e., RODRIGUEZ-JUAREZ). During the call, CORTEZ stated that Sacerdote "is the owner of all of the United States" and that "practically all of the United States belongs to—to—to him."

g. On or about October 31, 2013, CORTEZ and Co-Conspirator #1 participated in a telephone call with a Mara Salvatrucha member operating

in and around Maryland regarding the monthly collection of “rent” money for RODRIGUEZ-JUAREZ.

h. On or about October 31, 2013, CORTEZ arranged a three-party telephone call involving RODRIGUEZ-JUAREZ and Co-Conspirator #1, during which RODRIGUEZ-JUAREZ thanked CORTEZ and Co-Conspirator #1 for their work collecting “rent” money on his behalf.

i. On or about November 1, 2013, CORTEZ and Co-Conspirator #1 participated in a conference call with Mara Salvatrucha leaders operating in and around Maryland. One of the purposes of the call was for CORTEZ to update the other participants on the new “national program” operating under the control of “Sacerdote” (i.e., RODRIGUEZ-JUAREZ).

j. On or about November 1, 2013, BENITES-MORENO, Co-Conspirator Valdez, and others assembled in or around Elizabeth, New Jersey to initiate – or “jump in” – Mara Salvatrucha members into BENITES-MORENO’s new clique, known as “Ghetto Criminales Locos Salvatrucha.”

k. On or about November 2, 2013, Co-Conspirator Valdez and GUTIERREZ spoke by telephone regarding the collection of “rent” money from fellow members of the Hudson Locotes clique. During this conversation, Co-Conspirator Valdez and GUTIERREZ discussed assaulting a Mara Salvatrucha member who had failed to pay “rent” money to the clique in a timely manner.

l. On or about November 4, 2013, RODRIGUEZ-JUAREZ and CORTEZ spoke by telephone regarding efforts to facilitate the mailing of drugs from California to New Jersey.

m. On or about November 5, 2013, Co-Conspirator Valdez spoke by telephone with Linares-Rodriguez, who was located in El Salvador. During the call, the parties discussed the recent arrests of certain members of the Plainfield clique. Co-Conspirator Valdez and Linares-Rodriguez discussed efforts to identify individuals who were cooperating with law enforcement.

n. On or about November 7, 2013, ROMERO-CRUZ participated in a telephone call regarding efforts to expand the new “national program” outside the United States, especially to Spain. During the call, ROMERO-CRUZ identified six cliques operating in Spain. Also during the call, ROMERO-CRUZ explained that expanding Mara Salvatrucha to Spain likely would be profitable for the gang, given the strength of the Euro currency.

o. On or about November 8, 2013, ROMERO-CRUZ and CORTEZ caused 56 grams of methamphetamine to be sold to another member of Mara Salvatrucha in Newark, New Jersey.

p. On or about November 10, 2013, in Hudson County, New Jersey, Co-Conspirator Garcia-Cruz instructed Co-Conspirator Valdez and others to assault Victim #1.

q. On or about November 10, 2013, in Hudson County, New Jersey, Co-Conspirator Valdez and others assaulted Victim #1.

r. On or about November 10, 2013, CORTEZ and BENITES-MORENO spoke by telephone regarding the assault of Victim #1, as described above in Subparagraph 56(q).

s. On or about November 10, 2013, numerous Mara Salvatrucha clique leaders assembled at a hotel room in Essex County, New Jersey, to learn about the new “national program” operating under the control of “Sacerdote” (i.e., RODRIGUEZ-JUAREZ). Among others, GUTIERREZ, BENITES-MORENO, Co-Conspirator Valdez, and Co-Conspirator Garcia-Cruz attended the meeting. Multiple high-ranking leaders of Mara Salvatrucha, including CORTEZ, ROMERO-CRUZ, and SANDOVAL-BATRES, joined the meeting via telephone. During the meeting, CORTEZ stated that the gang would seek to discipline any Mara Salvatrucha clique leaders who refused to join the new “national program.”

t. On or about November 11, 2013, certain Mara Salvatrucha members participated in a multi-party telephone call. Several of the participants, including Carranza-Solis, Co-Conspirator Valdez, Co-Conspirator Garcia-Cruz, and Co-Conspirator #3, were located in the United States at the time, while others, including GARCIA-HERNANDEZ, were located in El Salvador. The purpose of the call was to discuss whether Mara Salvatrucha members should murder Victim #1 and/or Victim #2. During the call, Co-Conspirator Valdez asked GARCIA-HERNANDEZ and others for authorization to murder Victim #1 and/or Victim #2.

u. On or about November 11, 2013, Co-Conspirator Valdez, Co-Conspirator Garcia-Cruz, and Co-Conspirator #3 spoke by telephone regarding plans to obtain firearms for the purpose of killing Victim #1 and/or Victim #2.

v. On or about November 12, 2013, CORTEZ and Co-Conspirator Valdez spoke by telephone regarding Valdez's plans to kill Victim #1 and/or Victim #2. Co-Conspirator Valdez stated to CORTEZ that Victim #2 was a member of a rival gang. CORTEZ responded that if such information were true, then Co-Conspirator Valdez could and should kill Victim #2.

w. On or about November 12, 2013, Co-Conspirator Valdez and Lopez-Guzman exchanged text messages regarding plans to kill Victim #1 and/or Victim #2.

x. On or about November 12, 2013, Co-Conspirator Valdez and Lopez-Guzman spoke by telephone regarding plans to kill Victim #1 and/or Victim #2.

y. On or about November 12, 2013, GUTIERREZ and Co-Conspirator Valdez spoke by telephone regarding plans to kill Victim #1 and/or Victim #2.

z. On or about November 12, 2013, GARCIA-HERNANDEZ, Linares-Rodriguez, and Co-Conspirator Valdez spoke by telephone regarding Valdez's plans to kill Victim #1 and/or Victim #2. During that call, GARCIA-HERNANDEZ and Linares-Rodriguez authorized Co-Conspirator Valdez and others to murder Victim #2.

aa. On or about November 12, 2013, Co-Conspirator Valdez and Co-Conspirator Garcia-Cruz spoke by telephone regarding plans to kill Victim #1 and/or Victim #2.

bb. On or about November 12, 2013, Co-Conspirator Valdez and Carranza-Solis spoke by telephone regarding plans to kill Victim #1 and/or Victim #2.

cc. On or about November 12, 2013, certain Mara Salvatrucha members operating in and around Hudson County, New Jersey, including GUTIERREZ, Carranza-Solis, Lopez-Guzman, Co-Conspirator Valdez, and Co-Conspirator Garcia-Cruz, assembled at a private residence in Hudson County, New Jersey, to discuss plans to murder Victim #1 and/or Victim #2.

dd. On or about November 12, 2013, during the meeting described above in Subparagraph 56(cc), certain Mara Salvatrucha members operating in and around Hudson County, New Jersey, including GUTIERREZ, Carranza-Solis, Lopez-Guzman, and Co-Conspirator Valdez spoke by telephone with certain Mara Salvatrucha members located in El Salvador regarding plans to kill Victim #1 and/or Victim #2.

ee. On or about November 12, 2013, during the meeting described above in Subparagraph 56(cc), certain Mara Salvatrucha members operating in and around Hudson County, New Jersey, including GUTIERREZ, Carranza-Solis, Lopez-Guzman, and Co-Conspirator Valdez, spoke by telephone with CORTEZ regarding their authorization to kill Victim #1 and/or Victim #2.

ff. On or about November 12, 2013, CORTEZ and Co-Conspirator #1 spoke by telephone regarding the collection and distribution of extortion proceeds collected on behalf of Mara Salvatrucha.

gg. On or about November 12, 2013, Co-Conspirator #1 transferred certain proceeds of Mara Salvatrucha's unlawful activity into a prison commissary account controlled by CORTEZ.

hh. On or about November 14, 2013, SANDOVAL-BATRES and Co-Conspirator Valdez spoke by telephone regarding Valdez's plans to kill Victim #1 and/or Victim #2.

ii. On or about November 25, 2013, AMILCAR ROMERO and Co-Conspirator #1 participated in a multi-party telephone call with other high-ranking leaders of Mara Salvatrucha regarding the collection and distribution of "rent" money in and around Maryland. During the call, AMILCAR ROMERO was informed that certain clique leaders in and around Maryland were refusing to make their monthly payments. AMILCAR ROMERO responded by stating that non-compliant clique leaders should be punished by the gang.

jj. On or about November 25, 2013, AMILCAR ROMERO and Co-Conspirator #1 participated in a multi-party telephone call with high-ranking leaders of Mara Salvatrucha regarding the activities of cliques operating in and around Maryland. During the call, AMILCAR ROMERO was informed that certain clique leaders in and around Maryland were resisting the new "national program." AMILCAR ROMERO responded by stating that those who refused to join the effort should receive a "fucking beating."

kk. On or about November 29, 2013, AMILCAR ROMERO participated in a telephone call regarding the collection of "rent" money from cliques operating in New Jersey and New York. During the call, AMILCAR

ROMERO stated that he wanted to help “Sacerdote” (i.e., RODRIGUEZ-JUAREZ) gather strength in that region.

ll. On or about December 7, 2013, Co-Conspirator #1 traveled from Maryland to California to meet with Mara Salvatrucha leaders, including RODRIGUEZ-JUAREZ, and to distribute certain proceeds of the gang’s unlawful activity.

mm. On or about December 7, 2013, AMILCAR ROMERO participated in a telephone call regarding Mara Salvatrucha’s plans to traffic drugs from California to the East Coast. AMILCAR ROMERO stated that he expected the plans to be successful, in part because he and other members of the gang had the ability to supply methamphetamine, heroin, cocaine, and other drugs at relatively low prices. During the call, AMILCAR ROMERO stated, “First, we throw something to—to see if the sharks go for it.” After the participants discussed their past experience selling methamphetamine on the East Coast – and the relative speed with which they were able to find buyers for those drugs – AMILCAR ROMERO responded, “[T]hat shit, the—the crystal, fool, it’s good. If you get to sell it to these fools, after—after that, you will see it will be sold by the pound. And the pounds are cheap here, fool.” Toward the end of the call, AMILCAR ROMERO provided RODRIGUEZ-JUAREZ’s telephone number, so that the participants could arrange a drug transaction.

nn. On or about December 11, 2013, AMILCAR ROMERO participated in a telephone call regarding RODRIGUEZ-JUAREZ, who had been arrested by federal law enforcement the day before. AMILCAR ROMERO

responded that, despite RODRIGUEZ-JUAREZ's arrest, "The project continues at one hundred percent. All of it."

oo. On or about December 20, 2013, AMILCAR ROMERO participated in a telephone call regarding the collection and transfer of "rent" money using pre-paid debit cards.

pp. On or about January 5, 2014, BENITES-MORENO participated in a telephone call regarding a plan to transport a firearm from Texas to the East Coast of the United States.

qq. On or about January 9, 2014, BENITES-MORENO participated in a telephone call regarding a plan to transport a firearm from Texas to the East Coast of the United States.

rr. On or about January 10, 2014, BENITES-MORENO participated in a telephone call regarding a plan to transport a firearm from Texas to the East Coast of the United States.

ss. On or about January 14, 2014, BENITES-MORENO participated in a telephone call regarding the collection of "rent" money.

tt. On or about January 16, 2014, BENITES-MORENO participated in a telephone call regarding a plan to transport a quantity of marijuana to New Jersey and to then distribute the drug to Mara Salvatrucha members and others.

uu. On or about February 10, 2014, Co-Conspirator #1 sent a text message confirming receipt of information regarding the collection and transfer of "rent" money using pre-paid debit cards.

vv. On or about February 12, 2014, Co-Conspirator #1 sent a text message relating to the collection and transfer of “rent” money using pre-paid debit cards.

ww. On or about February 14, 2014, Co-Conspirator #1 sent a text message confirming receipt of information regarding the collection and transfer of “rent” money using pre-paid debit cards.

xx. On or about February 14, 2014, BENITES-MORENO participated in a telephone call regarding the collection of “rent” money from Mara Salvatrucha members in Texas and elsewhere.

yy. On or about February 20, 2014, Co-Conspirator #1 made a financial transfer relating to collection of “rent” money.

zz. On or about March 17, 2014, CORTEZ participated in a telephone call regarding the collection and transfer of “rent” money using pre-paid debit cards.

aaa. On or about July 18, 2014, in the State of Texas, BENITES-MORENO possessed three firearms in his apartment: a Bryco Arms 9-millimeter semi-automatic handgun bearing serial number 1367345; a Rohm Sontneim/Brenz .22 caliber handgun bearing serial number 46314, loaded with two rounds of .22 caliber ammunition; and a Ruger .22 caliber handgun bearing serial number 62-79609, loaded with six rounds of .22 ammunition.

All in violation of Title 18, United States Code, Section 1962(d).

NOTICE OF SPECIAL SENTENCING FACTORS REGARDING COUNT ONE

1. The allegations of Count One of this Indictment are hereby realleged and reincorporated as though set forth in full herein.

2. Beginning on a date unknown to the Grand Jury but since at least January 2009 and continuing through the date of this Indictment, in the District of New Jersey, and elsewhere, the defendants,

JOSE JUAN RODRIGUEZ-JUAREZ,
a/k/a "Sacerdote," a/k/a "Dreamer," a/k/a "El Bicho," a/k/a "Rico," a/k/a "Tito,"
AMILCAR ROMERO,
a/k/a "Chi-Chi," a/k/a "Soldado,"
JOEL ANTONIO CORTEZ,
a/k/a "Pee Wee," and
PEDRO ROMERO-CRUZ,
a/k/a "Payaso,"

did knowingly and intentionally conspire and agree with each other and others to distribute and to possess with intent to distribute:

a. 50 grams or more of methamphetamine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii); and

b. 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO
(Conspiracy to Distribute Controlled Substances)

1. Beginning on a date unknown to the Grand Jury but since at least January 2009 and continuing through the date of this Indictment, in the District of New Jersey, and elsewhere, the defendants,

JOSE JUAN RODRIGUEZ-JUAREZ,
a/k/a "Sacerdote," a/k/a "Dreamer," a/k/a "El Bicho," a/k/a "Rico," a/k/a "Tito,"
AMILCAR ROMERO,
a/k/a "Chi-Chi," a/k/a "Soldado,"
JOEL ANTONIO CORTEZ,
a/k/a "Pee Wee," and
PEDRO ROMERO-CRUZ,
a/k/a "Payaso,"

did knowingly and intentionally conspire and agree with each other and others to distribute and to possess with intent to distribute:

a. 50 grams or more of methamphetamine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii); and

b. 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

All in violation of Title 21, United States Code, Section 846.

COUNT THREE
(Distribution of Methamphetamine)

1. On or about November 8, 2013, in the District of New Jersey, and elsewhere, the defendants,

JOEL ANTONIO CORTEZ,
a/k/a "Pee Wee," and
PEDRO ROMERO-CRUZ,
a/k/a "Payaso,"

did knowingly and intentionally distribute and possess with intent to distribute 50 grams or more of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii), and Title 18, United States Code, Section 2.

COUNT FOUR

(Conspiracy to Commit Murder in Aid of Racketeering)

1. The allegations contained in Paragraphs 1 through 39 and 42 through 54, as well as Subparagraphs “t” through “ee” and Subparagraph “hh” of Paragraph 55, of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. At all times relevant to this Indictment, Mara Salvatrucha constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that was engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

3. At all times relevant to this Indictment, Mara Salvatrucha, the above-described enterprise, through its members and associates, engaged in racketeering activity, as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), that is:

a. multiple acts involving murder, contrary to New Jersey Statutes Annotated 2C:11-3, 2C:2-6, and 2C:5-2, and California Penal Code Sections 187-189, 182, and 21a;

b. multiple acts involving extortion, contrary to New Jersey Statutes Annotated 2C:20-5, 2C:2-6, and 2C:5-2, California Penal Code Sections 518-520, 182, and 21a, Maryland Criminal Law Section 3-701, Texas

Penal Code Sections 31.03, 15.01, and 15.02, and Virginia Code Annotated Sections 18.2-59, 18.2-22, and 18.2-26;

c. multiple acts indictable under Title 18, United States Code, Section 1952 (use of interstate facilities to further unlawful activity);

d. multiple acts indictable under Title 18, United States Code, Section 1956 (money laundering); and

e. multiple offenses involving the felonious manufacture, importation, receiving, concealment, buying, selling, and otherwise dealing in a controlled substance punishable under the laws of the United States, specifically, Title 21, United States Code, Section 846 (conspiracy to distribute and possess with intent to distribute controlled substances), Section 841 (distribution and possession with intent to distribute controlled substances), Sections 952, 960, and 963 (conspiracy to import controlled substances), and Section 843(b) (use of a communication facility).

4. From on or about November 10, 2013, through on or about November 14, 2013, in Hudson County and Passaic County, in the District of New Jersey and elsewhere, the defendants,

JOEL ANTONIO CORTEZ,
a/k/a "Pee Wee,"
CARLOS SANDOVAL-BATRES,
a/k/a "Trusty,"
JOSE ELIAS GARCIA-HERNANDEZ,
a/k/a "Eterno,"
CRISTIAN LINARES-RODRIGUEZ,
a/k/a "Burro," a/k/a "Little Donkey,"
HECTOR CARRANZA-SOLIS,
a/k/a "Blacky,"

RUDY GUTIERREZ,
a/k/a "Chiky," and
LUIS LOPEZ-GUZMAN,
a/k/a "Niño,"

for the purpose of maintaining and increasing position in Mara Salvatrucha, an enterprise engaged in racketeering activity, together with others known and unknown, did knowingly and intentionally conspire and agree with each other and others to murder Victim #1 and Victim #2, contrary to New Jersey Statutes Annotated 2C:11-3(a)(1) and (2), 2C:2-6, and 2C:5-2, and California Penal Code Sections 187-189.

In violation of Title 18, United States Code, Section 1959(a)(5).

COUNT FIVE

(Conspiracy to Possess Firearm in Furtherance of Crime of Violence)

1. From on or about November 10, 2013, through on or about November 14, 2013, in Hudson County and Passaic County, in the District of New Jersey, and elsewhere, the defendants,

JOSE ELIAS GARCIA-HERNANDEZ,

a/k/a “Eterno,”

CRISTIAN LINARES-RODRIGUEZ,

a/k/a “Burro,” a/k/a “Little Donkey,”

HECTOR CARRANZA-SOLIS,

a/k/a “Blacky,”

RUDY GUTIERREZ,

a/k/a “Chiky,” and

LUIS LOPEZ-GUZMAN,

a/k/a “Niño,”

did knowingly and intentionally conspire and agree with each other and others to possess firearms in furtherance of a crime of violence for which defendants may be prosecuted in a court of the United States, specifically the conspiracy to commit murder in aid of racketeering as charged in Count Four of this Indictment.

In violation of Title 18, United States Code, Section 924(o).

COUNT SIX
**(Conspiracy to Use Interstate and Foreign Facilities
to Commit Crime of Violence)**

1. The allegations contained in Paragraphs 1 through 39 and 42 through 54, as well as Subparagraphs “t” through “ee” and Subparagraph “hh” of Paragraph 55, of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From on or about November 10, 2013, through on or about November 14, 2013, in Hudson County and Passaic County, in the District of New Jersey, and elsewhere, the defendants,

JOEL ANTONIO CORTEZ,
a/k/a “Pee Wee,”
CARLOS SANDOVAL-BATRES,
a/k/a “Trusty,”
JOSE ELIAS GARCIA-HERNANDEZ,
a/k/a “Eterno,”
CRISTIAN LINARES-RODRIGUEZ,
a/k/a “Burro,” a/k/a “Little Donkey,”
HECTOR CARRANZA-SOLIS,
a/k/a “Blacky,”
RUDY GUTIERREZ,
a/k/a “Chiky,” and
LUIS LOPEZ-GUZMAN,
a/k/a “Niño,”

did knowingly and intentionally conspire and agree with each other and others to use the mail and facilities in interstate and foreign commerce with the intent to commit a crime of violence, namely murder, contrary to New Jersey Statutes Annotated 2C:11-3(a) and California Penal Code Sections 187-189, to further an unlawful activity, that is, a business enterprise involving narcotics and

controlled substances offenses, and to thereafter perform and attempt to perform said crime of violence, contrary to Title 18, United States Code, Section 1952(a)(2)(B).

3. In furtherance of the conspiracy and to achieve its objectives, defendants and their co-conspirators committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

a. On or about November 11, 2013, certain Mara Salvatrucha members participated in a multi-party telephone call. Several of the participants, including CARRANZA-SOLIS, Co-Conspirator Valdez, Co-Conspirator Garcia-Cruz, and Co-Conspirator #3, were located in the United States at the time, while others, including GARCIA-HERNANDEZ, were located in El Salvador. The purpose of the call was to discuss whether Mara Salvatrucha members should murder Victim #1 and/or Victim #2. During the call, Co-Conspirator Valdez asked GARCIA-HERNANDEZ and others for authorization to murder Victim #1 and/or Victim #2.

b. On or about November 11, 2013, Co-Conspirator Valdez, Co-Conspirator Garcia-Cruz, and Co-Conspirator #3 spoke by telephone regarding plans to obtain firearms for the purpose of killing Victim #1 and/or Victim #2.

c. On or about November 12, 2013, CORTEZ and Co-Conspirator Valdez spoke by telephone regarding Valdez's plans to kill Victim #1 and/or Victim #2. Co-Conspirator Valdez stated to CORTEZ that Victim #2 was a member of a rival gang. CORTEZ responded that if such information were true, then Co-Conspirator Valdez could and should kill Victim #2.

d. On or about November 12, 2013, Co-Conspirator Valdez and LOPEZ-GUZMAN exchanged text messages regarding plans to kill Victim #1 and/or Victim #2.

e. On or about November 12, 2013, Co-Conspirator Valdez and LOPEZ-GUZMAN spoke by telephone regarding plans to kill Victim #1 and/or Victim #2.

f. On or about November 12, 2013, Co-Conspirator Valdez and GUTIERREZ spoke by telephone regarding plans to kill Victim #1 and/or Victim #2.

g. On or about November 12, 2013, Co-Conspirator Valdez, GARCIA-HERNANDEZ, and LINARES-RODRIGUEZ spoke by telephone regarding Valdez's plans to kill Victim #1 and/or Victim #2. During that call, GARCIA-HERNANDEZ and LINARES-RODRIGUEZ authorized Co-Conspirator Valdez and others to murder Victim #2.

h. On or about November 12, 2013, Co-Conspirator Valdez and Co-Conspirator Garcia-Cruz spoke by telephone regarding plans to kill Victim #1 and/or Victim #2.

i. On or about November 12, 2013, Co-Conspirator Valdez and CARRANZA-SOLIS spoke by telephone regarding plans to kill Victim #1 and/or Victim #2.

j. On or about November 12, 2013, certain Mara Salvatrucha members operating in and around Hudson County, New Jersey, including GUTIERREZ, CARRANZA-SOLIS, LOPEZ-GUZMAN, Co-Conspirator Valdez, and

Co-Conspirator Garcia-Cruz, assembled at a private residence in Hudson County, New Jersey, to discuss plans to murder Victim #1 and/or Victim #2.

k. On or about November 12, 2013, during the meeting described above in Paragraph 3(j), certain Mara Salvatrucha members operating in and around Hudson County, New Jersey, including GUTIERREZ, CARRANZA-SOLIS, LOPEZ-GUZMAN, and Co-Conspirator Valdez, spoke by telephone with certain Mara Salvatrucha members located in El Salvador regarding plans to kill Victim #1 and/or Victim #2.

l. On or about November 12, 2013, during the meeting described above in Paragraph 3(j), certain Mara Salvatrucha members operating in and around Hudson County, New Jersey, including GUTIERREZ, CARRANZA-SOLIS, LOPEZ-GUZMAN, and Co-Conspirator Valdez, spoke by telephone with CORTEZ regarding their authorization to kill Victim #1 and/or Victim #2.

m. On or about November 14, 2013, SANDOVAL-BATRES and Co-Conspirator Valdez spoke by telephone regarding Valdez's plans to kill Victim #1 and/or Victim #2.

All in violation of Title 18, United States Code, Section 371.

COUNT SEVEN
**(Conspiracy to Use Interstate and Foreign Facilities
to Distribute Proceeds of Unlawful Activity)**

1. The allegations contained in Paragraphs 1 through 39 and 42 through 54, as well as Subparagraphs “e” through “i,” Subparagraph “k,” Subparagraph “s,” Subparagraphs “ff” through “gg,” Subparagraphs “ii” through “ll,” Subparagraphs “nn” through “oo,” and Subparagraphs “ss” through “zz” of Paragraph 55, of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From on or about October 2013, through on or about April 2014, in Essex County, in the District of New Jersey, and elsewhere, the defendants,

JOSE JUAN RODRIGUEZ-JUAREZ,
a/k/a “Sacerdote,” a/k/a “Dreamer,” a/k/a “El Bicho,” a/k/a “Rico,” a/k/a “Tito,”
AMILCAR ROMERO,
a/k/a “Chi-Chi,” a/k/a “Soldado,”
JOEL ANTONIO CORTEZ,
a/k/a “Pee Wee,”
PEDRO ROMERO-CRUZ,
a/k/a “Payaso,”
CARLOS SANDOVAL-BATRES,
a/k/a “Trusty,”
RUDY GUTIERREZ,
a/k/a “Chiky,” and
GERMAN LISANDRO BENITES-MORENO,
a/k/a “Raro,”

did knowingly and intentionally conspire and agree with others known and unknown to commit an offense against the United States, that is, to use the mail and facilities in interstate and foreign commerce with the intent to distribute the proceeds of an unlawful activity, that is, extortion, contrary to New Jersey Statutes Annotated 2C:20-5, Maryland Criminal Law Section 3-

701, California Penal Code Sections 518-520, and Virginia Statutes Annotated Section 18.2-59, and a business enterprise involving narcotics and controlled substance offenses, and to thereafter perform and attempt to perform the distribution of said proceeds, contrary to Title 18, United States Code, Section 1952(a)(1)(A).

3. In furtherance of the conspiracy and to achieve its objectives, defendants and their co-conspirators committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

a. On or about October 6, 2013, certain high-ranking leaders of Mara Salvatrucha participated in a multi-party telephone call. Several of the participants, including RODRIGUEZ-JUAREZ, AMILCAR ROMERO, CORTEZ, ROMERO-CRUZ, and Co-Conspirator #1, were located in the United States at the time, while others, including SANDOVAL-BATRES, were located in Salvadoran prisons. One of the purposes of the call was to discuss the conspirators' efforts to further consolidate all of Mara Salvatrucha under a single, cohesive leadership structure.

b. On or about October 11, 2013, CORTEZ and Co-Conspirator Valdez participated in a conference call with Co-Conspirator #2, who had been recently elevated to the position of First Word of the Plainfield clique. One of the purposes of the call was for CORTEZ and Co-Conspirator Valdez to educate Co-Conspirator #2 about the new "national program" operating under the control of "Sacerdote" (i.e., RODRIGUEZ-JUAREZ).

c. On or about October 31, 2013, CORTEZ and Co-Conspirator #1 participated in a telephone call with a Mara Salvatrucha member operating in and around Maryland regarding the monthly collection of “rent” money for RODRIGUEZ-JUAREZ.

d. On October 31, 2013, CORTEZ arranged a three-party telephone call involving RODRIGUEZ-JUAREZ and Co-Conspirator #1, during which RODRIGUEZ-JUAREZ thanked CORTEZ and Co-Conspirator #1 for their work collecting “rent” money on his behalf.

e. On or about November 1, 2013, CORTEZ and Co-Conspirator #1 participated in a conference call with Mara Salvatrucha leaders operating in and around Maryland. One of the purposes of the call was for CORTEZ to update the other participants on the new “national program” operating under the control of “Sacerdote” (i.e., RODRIGUEZ-JUAREZ).

f. On or about November 2, 2013, GUTIERREZ and Co-Conspirator Valdez spoke by telephone regarding the collection of “rent” money from fellow members of the Hudson Locotes clique. During the conversation, GUTIERREZ and Co-Conspirator Valdez discussed assaulting a Mara Salvatrucha member who had failed to pay “rent” money to the clique in a timely manner.

g. On or about November 10, 2013, numerous Mara Salvatrucha clique leaders assembled at a hotel room in Essex County, New Jersey, to learn about the new “national program” operating under the control of “Sacerdote” (i.e., RODRIGUEZ-JUAREZ). Among others, GUTIERREZ,

BENITES-MORENO, Co-Conspirator Valdez, and Co-Conspirator Garcia-Cruz attended the meeting. Multiple high-ranking leaders of Mara Salvatrucha, including CORTEZ, ROMERO-CRUZ, and SANDOVAL-BATRES, joined the meeting via telephone. During the meeting, CORTEZ stated that the gang would seek to discipline any Mara Salvatrucha clique leaders who refused to join the new “national program.”

h. On or about November 12, 2013, CORTEZ and Co-Conspirator #1 spoke by telephone regarding the collection and distribution of extortion proceeds collected on behalf of Mara Salvatrucha.

i. On or about November 12, 2013, Co-Conspirator #1 transferred certain proceeds of Mara Salvatrucha’s unlawful activity into a prison commissary account controlled by CORTEZ.

j. On or about November 25, 2013, AMILCAR ROMERO and Co-Conspirator #1 participated in a multi-party telephone call with other high-ranking leaders of Mara Salvatrucha regarding the collection and distribution of “rent” money in and around Maryland. During the call, AMILCAR ROMERO was informed that certain clique leaders in and around Maryland were refusing to make their monthly payments. AMILCAR ROMERO responded by stating that non-compliant clique leaders should be punished by the gang.

k. On or about November 25, 2013, AMILCAR ROMERO and Co-Conspirator #1 participated in a multi-party telephone call with high-ranking leaders of Mara Salvatrucha regarding the activities of cliques operating in and around Maryland. During the call, AMILCAR ROMERO was

informed that certain clique leaders in and around Maryland were resisting the new “national program.” AMILCAR ROMERO responded by stating that those who refused to join the effort should receive a “fucking beating.”

l. On or about November 29, 2013, AMILCAR ROMERO participated in a telephone call regarding the collection of “rent” money from cliques operating in New Jersey and New York. During the call, AMILCAR ROMERO stated that he wanted to help “Sacerdote” (i.e., RODRIGUEZ-JUAREZ) gather strength in that region.

m. On or about December 7, 2013, Co-Conspirator #1 traveled from Maryland to California to meet with Mara Salvatrucha leaders, including RODRIGUEZ-JUAREZ, and to distribute certain proceeds of the gang’s unlawful activity.

n. On or about December 20, 2013, AMILCAR ROMERO participated in a telephone call regarding the collection and transfer of “rent” money using pre-paid debit cards.

o. On or about January 14, 2014, BENITES-MORENO participated in a telephone call regarding the monthly collection of “rent” money.

p. On or about February 10, 2014, Co-Conspirator #1 sent a text message confirming receipt of information regarding the collection and transfer of “rent” money using pre-paid debit cards.

q. On or about February 12, 2014, Co-Conspirator #1 sent a text message relating to the collection and transfer of “rent” money using pre-paid debit cards.

r. On or about February 14, 2014, Co-Conspirator #1 sent a text message confirming receipt of information regarding the collection and transfer of “rent” money using pre-paid debit cards.

s. On or about February 14, 2014, BENITES-MORENO participated in a telephone call regarding the collection of “rent” money from Mara Salvatrucha members in Texas and elsewhere.

t. On or about February 20, 2014, Co-Conspirator #1 made a financial transfer relating to the collection of “rent” money.

u. On or about March 17, 2014, CORTEZ participated in a telephone call regarding the collection and transfer of “rent” money using pre-paid debit cards.

All in violation of Title 18, United States Code, Section 371.

COUNT EIGHT
**(Conspiracy to Transport, Possess, and Receive Firearms
While Being an Illegal Alien)**

1. From on or about January 5, 2014, through at least July 18, 2014, in the District of New Jersey, and elsewhere, the defendant,

GERMAN LISANDO BENITES-MORENO,
a/k/a "Raro,"

did knowingly and intentionally conspire and agree with others to ship and transport in interstate and foreign commerce, and possess in and affecting interstate and foreign commerce, and receive firearms which had been shipped in interstate and foreign commerce, while being an alien illegally and unlawfully in the United States, contrary to Title 18, United States Code, Section 922(g)(5)(A).

2. In furtherance of the conspiracy and to achieve its objectives, defendants and their co-conspirators committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

a. On or about January 5, 2014, BENITES-MORENO participated in a telephone call regarding a plan to transport a firearm from Texas to the East Coast of the United States.

b. On or about January 9, 2014, BENITES-MORENO participated in a telephone call regarding a plan to transport a firearm from Texas to the East Coast of the United States.

c. On or about January 10, 2014, BENITES-MORENO participated in a telephone call regarding a plan to transport a firearm from Texas to the East Coast of the United States.

d. On or about July 18, 2014, in the State of Texas, BENITES-MORENO possessed three firearms in his apartment: a Bryco Arms 9-millimeter semi-automatic handgun bearing serial number 1367345; a Rohm Sontneim/Brenz .22 caliber handgun bearing serial number 46314, loaded with two rounds of .22 caliber ammunition; and a Ruger .22 caliber handgun bearing serial number 62-79609, loaded with six rounds of .22 ammunition.

In violation of Title 18, United States Code, Section 371.

A TRUE BILL.



PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 14-404 (SRC)

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

JOSE JUAN RODRIGUEZ-JUAREZ, et al.

SUPERSEDING INDICTMENT FOR

18 U.S.C. §§ 371, 924(o), 1959(a)(5), 1962(d)
21 U.S.C. §§ 841, 846

A True Bill,

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