

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Mary L. Cooper
:
v. : Crim. No. 16-0042 (MLC)
:
JOSE MEDINA : 18 U.S.C. §§ 371, 2314, and 2

SUPERSEDING INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE
(Conspiracy to Transport Stolen Property in Interstate Commerce)

The Conspiracy

1. From in or around October 2012 through in or around August 2014, in Bergen and Camden Counties, in the District of New Jersey, and elsewhere, the defendant,

JOSE MEDINA,

did knowingly and intentionally conspire and agree with Eliezer Medina and others to commit an offense against the United States, namely, to transport, transmit, and transfer in interstate and foreign commerce goods, wares, merchandise, and money, of the value of \$5,000 or more, knowing the same to have been stolen and converted, contrary to Title 18, United States Code, Section 2314.

The Object of the Conspiracy

2. The object of the conspiracy was for defendant JOSE MEDINA and his co-conspirators to steal money by burglarizing stores in New Jersey, New

York, Pennsylvania, and elsewhere, and thereafter to transport the stolen money across state lines, to Pennsylvania, and elsewhere.

The Manner and Means of the Conspiracy

3. It was a part of the conspiracy that defendant JOSE MEDINA and his co-conspirators would target commercial stores in New Jersey, New York, Pennsylvania, and elsewhere, to burglarize.

4. It was further part of the conspiracy that co-conspirator Eliezer Medina and other co-conspirators often would enter the target store during business hours to identify, among other things, the emergency exit door, the store's alarm system, and any interior or exterior surveillance cameras.

5. It was further part of the conspiracy that, once the commercial store had been targeted, defendant JOSE MEDINA and his co-conspirators would drive together to the store, usually late at night or during hours when the store was closed.

6. It was further part of the conspiracy that defendant JOSE MEDINA and his co-conspirators, typically wearing ski masks and gloves, would then forcibly break through a door and enter the target store by using electric saws, pry-bars, and other burglar tools.

7. It was further part of the conspiracy that defendant JOSE MEDINA and his co-conspirators, once inside the target store, would then locate the store's safe, use electric saws and other burglar tools to break into the safe, and steal the cash from the safe.

8. It was a further part of the conspiracy that defendant JOSE MEDINA and other co-conspirators would take the cash stolen from the stores they burglarized and transport it across state lines to New York, Pennsylvania, and elsewhere, after the burglaries were completed.

Overt Acts

9. In furtherance of the conspiracy and to effect its unlawful object, defendant JOSE MEDINA and his co-conspirators committed and caused to be committed in the District of New Jersey and elsewhere the following overt acts, among others:

- a. On or about November 3, 2013, co-conspirator Eliezer Medina and others burglarized a store in Paramus, New Jersey, stealing approximately \$40,000 in cash.
- b. Following the November 3, 2013 burglary, co-conspirator Eliezer Medina and others transported the stolen cash from the burglary location in New Jersey to New York and Pennsylvania.
- c. On or about November 24, 2013, co-conspirator Eliezer Medina and others burglarized a store in Paramus, New Jersey, stealing approximately \$50,000 in cash.
- d. Following the November 24, 2013 burglary, co-conspirator Eliezer Medina and others transported the stolen cash from the burglary location in New Jersey to New York and Pennsylvania.

- e. On or about December 25, 2013, co-conspirator Eliezer Medina and others attempted to burglarize a store in Paramus, New Jersey.
- f. On or about April 28, 2014, defendant JOSE MEDINA and others burglarized a store in Lancaster, Pennsylvania, stealing approximately \$21,500 in cash and other goods.
- g. On or about June 9, 2014, defendant JOSE MEDINA and others burglarized a store in Lancaster, Pennsylvania, stealing approximately \$7,551.07 in cash.
- h. On or about August 24, 2014, defendant JOSE MEDINA and others burglarized a store in Pennsauken, New Jersey, stealing approximately \$203,000 in cash.
- i. Following the August 24, 2014 burglary, defendant JOSE MEDINA, co-conspirator Eliezer Medina, and others transported the stolen cash from the burglary location in New Jersey to Pennsylvania.

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

COUNT TWO
(Interstate Transportation of Stolen Property)

1. The allegations contained in paragraphs 3 through 9 of Count One of this Superseding Information are incorporated by reference as though set forth in full herein.

2. On or about August 24, 2014, defendant JOSE MEDINA and others burglarized a store in Pennsauken, New Jersey.

3. On or about August 24, 2014, in Camden County, in the District of New Jersey and elsewhere, the defendant,

JOSE MEDINA,

did knowingly transport, transmit, and transfer, and cause to be transported, transmitted, and transferred, in interstate commerce from New Jersey to Pennsylvania goods, wares, merchandise, and money, of the value of \$5,000 or more, knowing the same to have been stolen and converted.

In violation of Title 18, United States Code, Section 2314 and Section 2.

FORFEITURE ALLEGATION

1. The allegations contained in this Superseding Information are hereby incorporated and realleged by reference for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendant that, upon his conviction of any of the offenses alleged in this Indictment, the United States will seek forfeiture, in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the commission of any such offenses.

3. If by any act or omission of the defendant any of the property subject to forfeiture described above:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of such defendant up to the value of the above-described forfeitable property.



PAUL J. FISHMAN
United States Attorney

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**United States District Court
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UNITED STATES OF AMERICA

v.

JOSE MEDINA

SUPERSEDING INFORMATION FOR

18 U.S.C. § 371

18 U.S.C. § 2314

18 U.S.C. § 2

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