

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 25-
	:	
ANGELO RESTITUYO-GARCIA	:	21 U.S.C. § 846
	:	21 U.S.C. §§ 841(a)(1), (b)(1)(B)
	:	

**INFORMATION**

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

**COUNT 1**

*(Conspiracy to Distribute and Possess with Intent to Distribute Controlled Substances)*

From in or about March 2020 through in or about May 2020, in Passaic County, in the District of New Jersey and elsewhere, the defendant,

**ANGELO RESTITUYUO-GARCIA,**

did knowingly and intentionally conspire and agree with others to distribute and possess with intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

In violation of Title 21, United States Code, Section 846.

**COUNT 2**

*(Possession with Intent to Distribute Controlled Substances)*

On or about May 1, 2020, in Passaic County, in the District of New Jersey  
and elsewhere, the defendant,

**ANGELO RESTITUYO-GARCIA,**

did knowingly and intentionally possess with intent to distribute 40 grams or  
more of a mixture and substance containing a detectable amount of fentanyl, a  
Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

### **FORFEITURE ALLEGATION**

1. The allegations set forth in this Information are realleged here for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of the controlled substance offenses charged in this Information, the defendant,

#### **ANGELO RESTITUYO-GARCIA,**

shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of violating Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(B), and any property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses alleged in this Superseding Information.

### **SUBSTITUTE ASSETS PROVISION**

3. If any of the property described above, as a result of any act or omission of the defendant:

- 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,

the United States shall be entitled, pursuant to Title 21, United States Code,

Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), to forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.

*Alina Habba*  
ALINA HABBA  
United States Attorney