

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

UNITED STATES OF AMERICA	:	HON. MARK FALK
	:	Mag. No. 18-3508
v.	:	
	:	<b>CRIMINAL COMPLAINT</b>
ALICIA BALABAN, MICHELE CALL,	:	
MARIE DEJULIA and NELIDA RIOS	:	<u>Filed Under Seal</u>

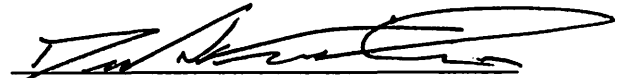
I, David Formalarie, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Task Force Officer with the U.S. Drug Enforcement Administration and that this complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof.



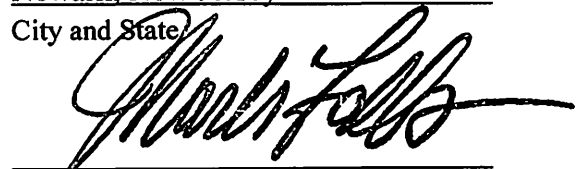
David Formalarie, Task Force Officer  
U.S. Drug Enforcement Administration

Sworn to before me and subscribed in my presence,

January 17, 2018  
Date

at Newark, New Jersey  
City and State

Honorable Mark Falk  
United States Magistrate Judge



Signature of Judicial Officer

**ATTACHMENT A**

From at least as early as in or about April 2016 through in or about January 2018, in Hunterdon County, in the District of New Jersey and elsewhere, defendants

ALICIA BALABAN,  
MICHELE CALL,  
MARIE DEJULIA,  
and NELIDA RIOS

did knowingly and intentionally conspire and agree among themselves and with others to distribute and possess with intent to distribute a quantity of oxycodone, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and

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

## **ATTACHMENT B**

I, David Formalarie, am a Task Force Officer with the U.S. Drug Enforcement Administration (“DEA”). I am familiar with the facts set forth herein through my personal participation in the investigation and through oral and/or written reports from other federal agents and law enforcement officers. Where statements of others are related herein, they are related in substance and part. Since this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date and time, I am asserting that it took place on or about the date and time alleged.

### **I. Overview and Individual Roles**

1. Law enforcement has been involved in an investigation into a drug trafficking conspiracy (“DTO”) operating out of Flemington, New Jersey, and elsewhere.

2. The DTO operated, in part, by coconspirators securing prescriptions for oxycodone, filling those prescriptions at pharmacies in Flemington, New Jersey, and elsewhere, and selling the controlled substances thus obtained.

3. As the investigation progressed, law enforcement in New Jersey identified ALICIA BALABAN, MICHELE CALL, MARIE DEJULIA, and NELIDA RIOS as distributors of oxycodone in the Flemington, New Jersey, area. These four individuals worked together and with others to obtain controlled substances and prescriptions for controlled substances for distribution. In this fashion, they distributed thousands of oxycodone pills during the relevant time period.

4. ALICIA BALABAN is a resident of Miami, Florida, and the controlling member of the DTO. BALABAN causes prescriptions for oxycodone to be filled in her name and distributes the controlled substances through the DTO.

5. MICHELE CALL is a resident of Flemington, New Jersey, and the mother of ALICIA BALABAN. CALL is a member of the DTO and obtains and fills prescriptions for oxycodone before distributing the controlled substances through the DTO.

6. MARIE DEJULIA is a resident of Lodi, New Jersey, and a friend of ALICIA BALABAN. DEJULIA is a member of the DTO and purchases and resells oxycodone through the DTO.

7. NELIDA RIOS is a resident of Flemington, New Jersey. RIOS is a member of the DTO and obtains and fills prescriptions for oxycodone before distributing the controlled substances through the DTO.

## II. Consensually Recorded Calls and Controlled Purchases of Oxycodone

8. The following paragraphs describe some of the controlled purchases and seizures made by law enforcement in furtherance of this investigation, and demonstrate the defendants' involvement in the conspiracy to distribute oxycodone.

9. On or about October 17, 2017, RIOS sold 205 30mg oxycodone pills to DEJULIA for \$14 a pill at RIOS's Flemington, New Jersey, home.

10. On or about October 26, 2017, BALABAN engaged in a consensually recorded telephone call with DEJULIA in which BALABAN made plans to sell DEJULIA 30mg oxycodone pills in November 2017.

11. On or about November 17, 2017, RIOS sold DEJULIA 210 30mg oxycodone pills for \$14 a pill at RIOS's Flemington, New Jersey, home.

12. On or about November 17, 2017, CALL sold to DEJULIA, for \$14 a pill, 238 30mg oxycodone pills that had been dispensed in CALL's name, and, at BALABAN's direction, 180 30mg oxycodone pills that had been dispensed in BALABAN's name. The transaction took place at CALL's Flemington, New Jersey, home.

13. On or about December 11, 2017, CALL sold to DEJULIA, for \$14 a pill, 238 30mg oxycodone pills that had been dispensed in CALL's name. CALL stated to DEJULIA that she was placing the 30mg oxycodone pills in a Klonopin bottle, "So, this way, it says Klonopin, cuz, I mean, they won't know what that is. You know what I'm saying, if anything ever happens, you know what I'm saying? Better off."

14. On or about December 20, 2017, and at BALABAN's direction, DEJULIA paid CALL \$2220 for 180 30mg oxycodone pills that had been dispensed in BALABAN's name. Also on December 20, 2017, DEJULIA paid RIOS \$2520 for 180 30mg oxycodone pills. Both transactions occurred at CALL's Flemington, New Jersey, home.

15. On or about January 2, 2018, BALABAN engaged in a consensually recorded telephone call with DEJULIA in which BALABAN expressed disappointment that RIOS was only able to secure 180 oxycodone pills in December 2017. BALABAN also expressed disappointment that DEJULIA had given RIOS all of the money for the 180 oxycodone pills. BALABAN stated, "You can't give [RIOS] all that next time. You have to give her half...because there is no way I am letting her decide how much she wants to give me."