

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Joseph A. Dickson

v. : Mag. No. 19-6562

FRANCISCO MERCEDES GIL, : **CRIMINAL COMPLAINT**
REIMON GENAO ROSARIO, :
EDDY URENA RODRIGUEZ, AND :
DAURY CONTRERAS ULERIO :

I, Philip Castrogiovanni, 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 Special Agent with Homeland Security Investigations and that this complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof.


Philip Castrogiovanni
Special Agent
Homeland Security Investigations

Sworn to before me and subscribed in my presence,
March 22, 2019 at Newark, New Jersey

THE HONORABLE JOSEPH A. DICKSON
UNITED STATES MAGISTRATE JUDGE


Signature of Judicial Officer

ATTACHMENT A

On or about February 27, 2019, in Essex and Mercer Counties, in the District of New Jersey, and elsewhere, the defendants,

FRANCISCO MERCEDES GIL,
REIMON GENAO ROSARIO,
EDDY URENA RODRIGUEZ, and
DAURY CONTRERAS ULERIO

did knowingly and intentionally conspire and agree with each other and others to distribute and possess with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I 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.

ATTACHMENT B

I, Philip Castrogiovanni, have been a Special Agent with Homeland Security Investigations (“HSI”), or its predecessor agencies, for the past nine years. I have been personally involved with the investigation of this matter. The information contained in this Criminal Complaint is based on my personal knowledge, my conversations with other law enforcement officers, and on information obtained from other sources, including: (a) statements made or reported by various witnesses with knowledge of the relevant facts; (b) my review of publicly available information relating to the defendants; and (c) my review of documents and evidence obtained through court orders, subpoenas, and other sources. Because this Criminal Complaint is being submitted for the limited purpose of establishing probable cause, it does not include every fact that I have learned during the course of the investigation. Where the content of documents and the actions, statements, and conversations of individuals are recounted here, they are recounted in substance and in part. All dates and times are approximate.

1. In or around January 2019, HSI began investigating a drug trafficking organization (“DTO”) operating in or around New Jersey, New York, and elsewhere. Based on information obtained from witnesses, search warrants, physical surveillance, GPS trackers, searches of law enforcement databases, and other investigative techniques, the investigation has revealed that the DTO has been distributing narcotics in and around Essex and Mercer Counties, New Jersey, and that Jhan Carlos Capellan Maldonado (“Maldonado”) is a supplier of heroin and fentanyl, and Jose Antonio Vasquez Pena, a/k/a “Tono,” (“Pena”), Dilson Vasquez Genao (“Genao”), FRANCISCO MERCEDES GIL (“GIL”), REIMON GENAO ROSARIO (“ROSARIO”), EDDY URENA RODRIGUEZ (“RODRIGUEZ”), and DAURY CONTRERAS ULERIO (“ULERIO”) (collectively, the “Targets”) are members of the DTO who help to package and distribute the heroin and fentanyl to the DTO’s customers in and around New Jersey.

2. In or around early February 2019, law enforcement learned that Maldonado was using an apartment located somewhere in the Bronx, New York as a heroin and fentanyl mill—a location to store, mix, and package heroin and fentanyl in distribution quantities. Law enforcement also learned that Maldonado employed approximately five or six workers at a time to assist in preparing the heroin and fentanyl for distribution, which Maldonado then distributed to customers in New Jersey.

3. On or about February 25, 2019, law enforcement identified the location of Maldonado's mill in the Bronx (the "Andrews Avenue Apartment").

4. On or about February 27, 2019, the Honorable Ona T. Wang, United States Magistrate Judge in the Southern District of New York authorized a search warrant to search the Andrews Avenue Apartment (the "Search Warrant"). Later that same day, law enforcement executed the Search Warrant.

The Execution of the Search Warrant

5. After knocking and announcing law enforcement presence and the existence of the Search Warrant, law enforcement entered into the Andrews Avenue Apartment, a one-bedroom apartment located on the third floor of an apartment building.

6. Upon law enforcement entry, the occupants (a total of seven individuals) of the Andrews Avenue Apartment, later identified as the Targets, all fled out of the premise via two windows located in the bedroom (the "Bedroom") and onto and down an attached outside fire escape.

7. Maldonado, Pena, Genao,¹ GIL, RODRIGUEZ, and ULERIO, were ultimately apprehended by law enforcement at various locations outside the Andrews Avenue Apartment, but ROSARIO was not apprehended.

8. In the Bedroom, where the Targets were observed fleeing, law enforcement observed evidence of mixing and packaging of narcotics consistent with heroin and fentanyl distribution. For example, in the room were two tables, surrounded by a total of seven chairs (one for each Target), that law enforcement believed were used by the Targets to mix and package narcotics. On the tables, as described below, law enforcement recovered narcotics and various drug packaging materials, including empty glassine envelopes, tape, and glassine envelopes containing what appeared to be heroin.

¹ On or about February 28, 2019, Maldonado, Pena, and Genao were charged by complaint with conspiracy to distribute and possess with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, contrary to 21 U.S.C. §§ 841(a)(1) and (b)(1)(B), in violation of 21 U.S.C. § 846.

9. Law enforcement's search of the Andrews Avenue Apartment, recovered the following:

- a. Inside the pocket of a jacket: two packages of a beige powdery substance resembling heroin wrapped in clear plastic wrap and a New York State driver's license in name of ROSARIO;
- b. Approximately 800 "bricks" of a beige powdery substance resembling heroin from a garbage bag inside a black suitcase in a closet;
- c. On one table in the Bedroom, two large piles of a light-brown substance resembling heroin ready for packaging, and on the other table in the Bedroom, two cellophane-wrapped chunks of brown-colored substances and light-colored substances resembling raw heroin and fentanyl, respectively;
- d. Approximately nine grinders used to mill heroin and fentanyl, many of which contained light brown and white powder substances resembling heroin and fentanyl, respectively; and
- e. Various drug packaging paraphernalia/supplies: thousands of unused, empty glassine envelopes; tape; rubber stamps; and rubber bands.

10. Due to law enforcement's belief of the presence of fentanyl at the Andrews Avenue Apartment and for safety concerns, law enforcement did not field test the suspected narcotics recovered from the premise. Instead, the suspected narcotics were sent to a laboratory for testing. However, based on my training and experience, the investigation to date, the appearance of the substances recovered, the packaging of the substances, and the presence of drug distribution paraphernalia, the substances recovered are consistent with heroin and/or heroin mixed with fentanyl for distribution. Additionally, one "brick" typically contains 1 grams of heroin.