

2018R00932/FL

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

**FILED**  
OCT 31 2019  
AT 8:30  
WILLIAM T. WALSH  
CLERK

UNITED STATES OF AMERICA	:	Hon. Peter G. Sheridan
	:	
	:	
v.	:	Criminal No. 19-697
	:	
JHON RODRIGUEZ-ACOSTA and	:	21 U.S.C. § 846
LUIS EDISON CAPELLAN-ORTIZ	:	21 U.S.C. § 841(a)(1) and (b)(1)(A)
	:	18 U.S.C. § 2

**SUPERSEDING INDICTMENT**

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

**COUNT ONE**  
*(Drug Conspiracy)*

From at least in or around April 2018 through on or about February 13,  
2019, in Middlesex and Union Counties, in the District of New Jersey, and  
elsewhere, the defendants,

**JHON RODRIGUEZ-ACOSTA and  
LUIS EDISON CAPELLAN-ORTIZ,**

did knowingly and intentionally conspire and agree with each other and others,  
known and unknown, to distribute and possess with intent to distribute 400  
grams or more of a mixture and substance containing a detectable amount of  
fentanyl, (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide), a  
Schedule II controlled substance, contrary to Title 21, United States Code,  
Sections 841(a)(1) and (b)(1)(A).

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

**COUNT TWO**

*(Distribution of Fentanyl)*

On or about February 12, 2019, in Union County, in the District of New Jersey, the defendants,

**JHON RODRIGUEZ-ACOSTA and  
LUIS EDISON CAPELLAN-ORTIZ,**

did knowingly and intentionally distribute 400 grams or more of a mixture and substance containing a detectable amount of fentanyl, (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide), a Schedule II controlled substance.

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

**FORFEITURE ALLEGATION**

1. The allegations set forth in Counts One and Two of this Superseding Indictment are hereby realleged and incorporated by reference 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 alleged Counts One and Two of this Superseding Indictment, the defendants,

**JHON RODRIGUEZ-ACOSTA and  
LUIS EDISON CAPELLAN-ORTIZ,**

shall forfeit to the United States of America any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of these offenses, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of these offenses.

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

- 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 21 U.S.C. § 853(p), to the forfeiture of any other property of the defendants up to the value of the above-described forfeitable property.



  
CRAIG CARPENITO  
United States Attorney

**CASE NUMBER: 19-697 (PGS)**

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

**UNITED STATES OF AMERICA**

**v.**

**JHON RODRIGUEZ-ACOSTA and  
LUIS EDISON CAPELLAN-ORTIZ**

**SUPERSEDING INDICTMENT**

**FOR**

**21 U.S.C. § 846**

**21 U.S.C. §§ 841(a)(1) and (b)(1)(A)**

**18 U.S.C. § 2**



**CRAIG CARPENITO**

**UNITED STATES ATTORNEY**

**NEWARK, NEW JERSEY**

**FRANCESCA LIQUORI**

**ASSISTANT U.S. ATTORNEY**

**973-297-4373**