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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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UNITED STATES OF AMERICA	:	<b>CRIMINAL COMPLAINT</b>
	:	
v.	:	Honorable Michael A. Hammer
	:	
LUIS CEPEDA-CAPELLAN, and	:	Mag. No. 21-12071
ISIDRO FERNANDEZ	:	

I, Special Agent Jeffrey Toca, 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 the United States Drug Enforcement Administration ("DEA"), and that this criminal complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof.

krt/s/Jeffrey Toca

Jeffrey Toca,  
Special Agent - DEA

SA Toca attested to this Complaint  
by telephone pursuant to FRCP 4.1(b)(2)(A),  
on February 28, 2021 in the District of New Jersey

THE HONORABLE MICHAEL A. HAMMER,  
UNITED STATES MAGISTRATE JUDGE

krt/s/Michael A. Hammer  
Signature of Judicial Officer

**ATTACHMENT A**

**Count One**  
**(Conspiracy to Distribute Heroin)**

From in or around February 2021 through on or about February 26, 2021, in Passaic County, in the District of New Jersey and elsewhere, defendants,

LUIS CEPEDA-CAPELLAN and  
ISIDRO FERNANDEZ,

did knowingly and intentionally conspire and agree with each other and others to possess with intent to distribute 1 kilogram 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)(A).

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

## **ATTACHMENT B**

I, Jeffrey Toca, am a Special Agent with the United States Drug Enforcement Administration (“DEA”). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers and witnesses, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and part. Because 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, I am asserting that it took place on or about the date alleged.

1. Law enforcement has been investigating a drug trafficking organization (the “DTO”) for illegal distribution of controlled substances in Passaic County, New Jersey, and elsewhere. During the course of this investigation, law enforcement has conducted extensive surveillance, which resulted in the seizure of kilogram quantities of heroin, and the arrests of Luis Cepeda-Capellan (“Capellan”) and Isidro Fernandez (“Fernandez”).

2. During the course of this investigation, law enforcement learned that Fernandez purchases significant quantities of items associated with the illegal manufacture and distribution of narcotics such as glassine bags, boxes, tape, scales, strainers, and sifters. Based on my training, experience, and the investigation to date, I am aware that these items are consistently used in furtherance of narcotics operations taking place in heroin mills.

3. On or about February 25, 2021, law enforcement observed Fernandez receive boxes of items consistent with those used to transport drug paraphernalia (the “boxes”), such large quantities of glassine bags in New York. After obtaining the boxes, Fernandez traveled into New Jersey to the area of Paterson, New Jersey.

4. Upon arriving in Paterson, New Jersey, Fernandez met with an individual (“Individual-1”) who was operating a Toyota Sienna, which is known to be used by Capellan. At that time, Fernandez exited his vehicle, retrieved the boxes from the rear his car, and provided them to Individual-1 in the Toyota Sienna. After providing Individual-1 with the boxes, Fernandez and Individual-1 departed the location. Law enforcement continued surveillance of Individual-1, ultimately following him to a residence in Paterson (the “Paterson Residence”).

5. On or about February 26, 2021, law enforcement observed Capellan exit the Paterson Residence via the driveway, while carrying a brown paper bag (the “bag”). After apparently surveying the area around the Paterson Residence for the presence of law enforcement, Capellan then walked several

blocks away from the area. Capellan ultimately entered a waiting vehicle with the bag.

6. As a result of law enforcement's observations and the investigation to date, law enforcement conducted a motor vehicle stop of the vehicle that Capellan occupied. At that time, law enforcement observed that the bag was open, containing green transparent plastic wrapped bricks of a powdery substance consistent with narcotics. Thereafter, law enforcement arrested Capellan and found the bag to contain approximately four (4) kilograms of suspected heroin.

7. As Capellan had immediately exited the Paterson Residence with the bag prior to entering the waiting vehicle, law enforcement continued surveillance of the Paterson Residence. At that time, law enforcement observed numerous individuals flee the Paterson Residence in the time immediately following Capellan's arrest. One of these fleeing individuals, Fernandez, was stopped by law enforcement in the driveway of the Paterson Residence.

8. A subsequent lawful search of the Paterson Residence yielded indicia of a heroin mill operation, including approximately sixteen (16) kilograms of suspected heroin, numerous stamps, thousands of glassine bags, strainers, sifters, scales, and additional items of drug paraphernalia.

9. Subsequent field testing of the heroin seized from Capellan and the Paterson Residence yielded a positive indication for the presence of heroin.