

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA)	CR. NO.: <u>3:15cr 632</u>
)	
)	21 USC § 846
vs.)	21 USC § 841(a)(1)
)	21 USC § 841(b)(1)(A)
JUAN PABLO CONTRERAS)	21 USC § 841(b)(1)(B)
a/k/a Juan David Montoya)	21 USC § 853
EDUARDO ESAID CONTRERAS-REYES)	21 USC § 881
MARCO ANTONIO CASTRO)	28 USC § 2461(c)
a/k/a "Chino")	
JAVIER TOSCANO-SERRANO)	<u>INDICTMENT</u>
)	

COUNT 1

THE GRAND JURY CHARGES:

1. That beginning at a time unknown to the grand jury, but beginning at least in or around 2012, and continuing thereafter, up to and including the date of this Indictment, in the District of South Carolina, the defendants, JUAN PABLO CONTRERAS, a/k/a Juan David Montoya; EDUARDO ESAID CONTRERAS-REYES; MARCO ANTONIO CASTRO, a/k/a "Chino"; and JAVIER TOSCANO-SERRANO, knowingly and intentionally did combine, conspire and agree together and have tacit understanding with others, both known and unknown to the grand jury, to knowingly, intentionally and unlawfully possess with intent to distribute and distribute cocaine, a Schedule II controlled substance:
 - a. With respect to JUAN PABLO CONTRERAS, a/k/a Juan David Montoya, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 5 kilograms or more of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A);

- b. With respect to EDUARDO ESAID CONTRERAS-REYES, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 5 kilograms or more of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A);
- c. With respect to MARCO ANTONIO CASTRO, a/k/a “Chino”, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 5 kilograms or more of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A);
- d. With respect to JAVIER TOSCANO-SERRANO, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 500 grams or more of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B);

All in violation of Title 21, United States Code, Section 846.

FORFEITURE

1. DRUG OFFENSES:

Upon conviction for felony violations of Title 21, United States Code, as charged in this Indictment, the defendants, JUAN PABLO CONTRERAS, a/k/a Juan David Montoya; EDUARDO ESAID CONTRERAS-REYES; MARCO ANTONIO CASTRO, a/k/a "Chino"; and JAVIER TOSCANO-SERRANO; shall forfeit to the United States all of the defendants' right, title and interest in and to any property, real and personal,

- (a) constituting, or derived from any proceeds the defendant obtained, directly or indirectly, as the result of such violation(s) of Title 21, United States Code, and all property traceable to such property;
- (b) used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code;
- (c) any firearms and ammunition (as defined in 18 U.S.C. § 921) -
 - (1) used or intended to be used to facilitate the transportation, sale, receipt, possession or concealment of controlled substances or any proceeds traceable to such property;
 - (2) involved in or used in any knowing violations of 18 U.S.C. §§922 and 924, or violation of any other criminal law of the United States, or intended to be used in a crime of violence;

2. PROPERTY:

Pursuant to Title 21, United States Code, Sections 853(a)(1), 853(a)(2), and 881(6), and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the defendants for offenses charged in this Indictment includes, but is not limited to, the following:

A. CASH PROCEEDS/MONEY JUDGMENT:

A sum of money equal to all proceeds the Defendants obtained, directly or indirectly, from the Title 21 offenses charged in the Indictment, that is a minimum of \$250,000.00 and all interest and proceeds traceable thereto, in that such sum equals property, that the Defendants obtained as the result of their violations, for which the defendants are jointly and severally liable.

3. SUBSTITUTION OF ASSETS:

If any of the property described above as being subject to forfeiture, 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 person;
- (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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of defendant up to an amount equivalent to the value of the above-described forfeitable property;

Pursuant to Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c).

A TRUE Bill

Redacted

FOREPERSON


WILLIAM N. NETTLES
UNITED STATES ATTORNEY

(jdr)