

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

RAMON CRUZ,
a/k/a "Guille,"
JONATHAN SANTIAGO,
FRANCESCA MORALES,
a/k/a "Checa," and
NAJON FLANDERS,
a/k/a "Jux,"

Defendants.

15 CRIM 879

COUNT ONE
(Narcotics Conspiracy)

THE FLOW HEROIN ORGANIZATION

The Grand Jury charges:

1. From at least in or about 2010, up to and including in or about December 2015, RAMON CRUZ, a/k/a "Guille," the defendant, led an organization of individuals (the "Flow Heroin Organization") that engaged in heroin trafficking, as well as in acts of violence to protect its heroin trafficking. The Flow Heroin Organization was made up of, among others, RAMON CRUZ, a/k/a "Guille," JONATHAN SANTIAGO, FRANCESCA MORALES, a/k/a "Checa," and NAJON FLANDERS, a/k/a "Jux," the defendants.

2. From at least in or about 2010, up to and including in or about December 2015, RAMON CRUZ, a/k/a "Guille," the

defendant, received kilogram-quantities of heroin from various suppliers. CRUZ and multiple workers separated the heroin into smaller quantity "bundles" containing individual baggies of heroin which primarily bore the stamp "Flow." CRUZ provided these bundles to his street-level deputies for dissemination, which principally occurred on various streets in the Bronx, New York and, in 2012, Rutland, Vermont, among other locations.

3. From in or about at least 2010 to December 2015, RAMON CRUZ, a/k/a "Guille," the defendant, the originator of the Flow heroin stamp, was the leader of the Flow Heroin Organization.

4. In 2010, JONATHAN SANTIAGO, the defendant, was one of CRUZ's principal street deputies responsible for distributing heroin to street-level "pitchers," who sold the heroin to users. Since SANTIAGO's arrest and imprisonment in 2010 on an unrelated matter, SANTIAGO has, from prison, overseen the operations of his successor, FRANCESCA MORALES, a/k/a "Checa," the defendant.

5. From 2010 through December 2015, FRANCESCA MORALES, a/k/a "Checa," the defendant, was one of CRUZ's principal street deputies responsible for distributing heroin to pitchers. MORALES relied on members of a Bronx component of a national gang ("Gang-1") to serve as pitchers of the Flow heroin and to engage in acts of violence to protect the heroin source.

6. From at least in or about 2012 up to and including in or about 2013, NAJON FLANDERS, a/k/a "Jux," the defendant, was a

retail distributor of Flow heroin for FRANCESCA MORALES, a/k/a "Checa," the defendant.

THE DEATH OF VICTIM-1 AFTER INGESTING FLOW HEROIN

7. In early 2012, the Flow Heroin Organization began distributing Flow heroin in Rutland, Vermont. RAMON CRUZ, a/k/a "Guille," the defendant, provided the heroin to FRANCESCA MORALES, a/k/a "Checa," the defendant, and a co-conspirator not named herein ("CC-1"). MORALES and CC-1, in turn, provided the heroin to NAJON FLANDERS, a/k/a "Jux," the defendant, and two additional co-conspirators not named herein ("CC-2" and "CC-3") to sell in Rutland. FLANDERS, CC-2, and CC-3, in turn, recruited street-level heroin addicts in Rutland to sell Flow heroin for them.

8. From at least in or about 2012, up to and including in or about 2013, FRANCESCA MORALES, a/k/a "Checa," and NAJON FLANDERS, a/k/a "Jux," the defendants, along with CC-1, CC-2, and CC-3, transported Flow heroin from the Bronx, New York to Rutland, Vermont, for distribution.

9. On or about August 28, 2012, CC-2 provided Flow heroin to a Rutland-based ~~co-conspirator~~ not named herein ("CC-4") for distribution. CC-2 had obtained the Flow heroin from FRANCESCA MORALES, a/k/a "Checa," the defendant.

10. On or about August 29, 2012, CC-4 sold baggies of Flow heroin that CC-4 had obtained from CC-2 to an individual

("Victim-1") in Rutland. Victim-1 then consumed the Flow heroin that morning, went to sleep, and was found hours later to be deceased of a heroin overdose.

11. On or about September 4, 2012, days after heroin supplied from FRANCESCA MORALES, a/k/a "Checa," the defendant, to CC-2 and then to CC-4, caused Victim-1's death, MORALES again supplied CC-2 with hundreds of baggies of Flow heroin for distribution in Rutland.

12. After the death of Victim-1, RAMON CRUZ, a/k/a "Guille," and FRANCESCA MORALES, a/k/a "Checa," the defendants, continued to supply Flow heroin to CC-3, NAJON FLANDERS, a/k/a "Jux," the defendant, and others for distribution in Rutland.

STATUTORY ALLEGATIONS

13. From at least in or about 2010, up to and including in or about December 2015, in the Southern District of New York and elsewhere, RAMON CRUZ, a/k/a "Guille," JONATHAN SANTIAGO, FRANCESCA MORALES, a/k/a "Checa," and NAJON FLANDERS, a/k/a "Jux," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

14. It was a part and an object of the conspiracy that RAMON CRUZ, a/k/a "Guille," JONATHAN SANTIAGO, FRANCESCA MORALES, a/k/a "Checa," and NAJON FLANDERS, a/k/a "Jux," the

defendants, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

15. The controlled substance that RAMON CRUZ, a/k/a "Guille," JONATHAN SANTIAGO, FRANCESCA MORALES, a/k/a "Checa," and NAJON FLANDERS, a/k/a "Jux," the defendants, conspired to distribute and possess with intent to distribute was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

16. The use of controlled substances distributed by RAMON CRUZ, a/k/a "Guille," and FRANCESCA MORALES, a/k/a "Checa," the defendants, resulted in the death of Victim-1 on or about August 29, 2012.

(Title 21, United States Code, Section 846.)

COUNT TWO
(Firearms Use, Possession, and Carrying)

SHOOTINGS AT AND CONSPIRACY TO MURDER FLOW HEROIN ORGANIZATION
RIVAL IN NOVEMBER 2015

The Grand Jury further charges:

17. The allegations contained in paragraphs 1 through 12 above are hereby repeated, re-alleged, and incorporated by reference as if fully set forth herein.

18. The Flow Heroin Organization has engaged in acts of violence to protect its territory and its members. In particular, in 2015, members of the Flow Heroin Organization made efforts to shoot and kill a rival narcotics dealer (the "Rival") who is a member of a Bronx-based component of a national gang that is a rival to Gang-1 ("Gang-2").

19. On or about October 31, 2015, the Rival fired shots at a group of individuals that included FRANCESCA MORALES, a/k/a "Checa," the defendant, and another member of the Flow Heroin Organization (the "October 31 Shooting").

20. In retaliation for acts of violence the Rival had committed against members of the Flow Heroin Organization and because the Rival was encroaching on the Flow Heroin Organization's narcotics-selling territory, JONATHAN SANTIAGO, the defendant, instructed FRANCESCA MORALES, a/k/a "Checa," the defendant, to kill the Rival. RAMON CRUZ, a/k/a "Guille," the defendant, provided MORALES with a gun to shoot at the Rival.

21. On or about November 1, 2015, FRANCESCA MORALES, a/k/a "Checa," the defendant, along with other members of the Flow Heroin Organization, including a member of Gang-2 ("Victim-2"), fired shots at the Rival, in the vicinity of 178th Street and Hughes Avenue in the Bronx, New York, in retaliation for the October 31 Shooting.

22. On or about November 24, 2015, the Rival shot and killed Victim-2 (the "November 24 Homicide").

23. Subsequent to the November 24 Homicide, RAMON CRUZ, a/k/a "Guille," and FRANCESCA MORALES, a/k/a "Checa," the defendants, attempted to locate the Rival, who was in hiding, to murder him. Both CRUZ and MORALES possessed firearms for this purpose, and during and in connection with their drug trafficking activities more generally.

24. On or about November 30, 2015, FRANCESCA MORALES, a/k/a "Checa," the defendant, believed she had located the Rival. MORALES and RAMON CRUZ, a/k/a "Guille," the defendant, armed themselves, met, and went to kill the Rival, but did not succeed.

STATUTORY ALLEGATIONS

25. From at least in or about 2010, up to and including in or about December 2015, in the Southern District of New York and elsewhere, RAMON CRUZ, a/k/a "Guille," JONATHAN SANTIAGO, and FRANCESCA MORALES, a/k/a "Checa," the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the offense charged in Count One of this Indictment, and a crime of violence, namely, a violent crime in aid of racketeering, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, which was discharged on or

about November 1, 2015 in the vicinity of 178th Street and Hughes Avenue in the Bronx, New York.

(Title 18, United States Code, Sections 924(c)(1)(A)(iii), and 2.)

FORFEITURE ALLEGATIONS

26. As a result of committing the controlled substance offense charged in Count One of this Indictment, RAMON CRUZ, a/k/a "Guille," JONATHAN SANTIAGO, FRANCESCA MORALES, a/k/a "Checa," and NAJON FLANDERS, a/k/a "Jux," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the 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 the offense charged in Count One of this Indictment.

Substitute Assets Provision

27. If any of the above-described forfeitable property, 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;

it is the intent of the United States, pursuant to 21 U.S.C.
§ 853(p), to seek forfeiture of any other property of the
defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



A handwritten signature in cursive script, reading "Preet Bharara", written over a horizontal line.

PREET BHARARA *NBT*
UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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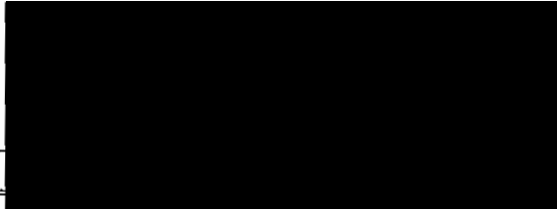
INDICTMENT

15 Cr. ____ ()

(21 U.S.C. §§ 841, 846, 853;
18 U.S.C. §§ ~~924~~ and 2.)

PREET BHARARA
United States Attorney.

A TRUE BILL

 Foreperson.
