

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

- v. - : INDICTMENT

ALDINTON VALERIO and : 16 Cr.
ALEXIS OVALLE-LOPEZ,

Defendants.

- - - - - X

COUNT ONE

(Conspiracy to Distribute Narcotics)

The Grand Jury charges:

1. From at least in or about July 2016 through in or about August 2016, in the Southern District of New York and elsewhere, ALDINTON VALERIO and ALEXIS OVALLE-LOPEZ, 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.

2. It was a part and an object of the conspiracy that ALDINTON VALERIO and ALEXIS OVALLE-LOPEZ, the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute controlled substances, in violation of 21 U.S.C. § 841(a)(1).

3. The controlled substances that ALDINTON VALERIO and ALEXIS OVALLE-LOPEZ, the defendants, conspired to distribute and possess with the intent to distribute were (1) 400 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(A), and (2) 1 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).

OVERT ACTS

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. On or about July 11, 2016, in the vicinity of the intersection of 179th Street and University Avenue, Bronx, New York, ALDINTON VALERIO and ALEXIS OVALLE-LOPEZ gave a Confidential Source (the "CS") approximately .93 grams of fentanyl as a sample in anticipation of future transactions. VALERIO and OVALLE-LOPEZ did not tell the CS that the substance was fentanyl. Rather, VALERIO represented to the CS that the substance was heroin.

b. On or about July 19, 2016, in the vicinity of the intersection of 176th Street and University Avenue, Bronx, New York, ALDINTON VALERIO sold approximately 49 grams of fentanyl to the CS. VALERIO did not tell the CS that the substance was

fentanyl. Rather, VALERIO represented to the CS that the substance was heroin.

c. On or about July 28, 2016, in the vicinity of the intersection of 175th Street and University Avenue, Bronx, New York, ALEXIS OVALLE-LOPEZ sold approximately 74 grams of heroin to the CS.

d. On or about August 11, 2016, approximately 7 kilograms of fentanyl, and 2 kilograms of heroin also containing fentanyl, were recovered from an apartment in the Bronx, New York, used by ALDINTON VALERIO and ALEXIS OVALLE-LOPEZ.

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

COUNT TWO

The Grand Jury further charges:

5. On or about August 11, 2016, in the Southern District of New York and elsewhere, ALDINTON VALERIO, the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics offense charged in Count One of this Indictment, knowingly did use and carry firearms, and, in furtherance of such narcotics offense, knowingly did possess firearms, and did aid and abet the use, carrying, and possession of firearms.

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

FORFEITURE ALLEGATIONS

6. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ALDINTON VALERIO and ALEXIS OVALLE-LOPEZ, 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 that the defendants obtained directly or indirectly as a result of the offense 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 alleged in Count One of this Indictment, including, but not limited to, a sum of money representing the amount of proceeds obtained as a result of the offense described in Count One.

Substitute Assets Provision

7. 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 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 intention of the United States, pursuant to Title 21,
United States Code, Section 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.)

May Chen 9-7-16
FOREPERSON

Preet Bharara
PREET BHARARA
United States Attorney

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INDICTMENT

16 Cr.

(21 U.S.C. § 846; 18 U.S.C.
§§ 924(c)(A)(i) and 2.)

PREET BHARARA

United States Attorney.

A TRUE BILL

M. Chen 9-7-16
Foreperson.
