UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

GILBERT BELL FERNANDEZ,
a/k/a "Macho Coca,"

Defendant.

SEALED
INDICTMENT

25 Cr. ____

25 CRIM 411

The Grand Jury charges:

COUNT ONE
(Cocaine Importation Conspiracy)

1. From at least in or about March 2022, up to and including in or about August 2023, in Costa Rica, Colombia, and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district of the United States, GILBERT BELL FERNANDEZ, a/k/a "Macho Coca," the defendant, and others known and unknown, at least one of whom is expected to be first brought to and arrested in the Southern District of New York, intentionally and knowingly combined, conspired, confederated, and agreed 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 GILBERT BELL FERNANDEZ, a/k/a "Macho Coca," the defendant, and others known and unknown, would and did import into the United States and into the customs territory of the United States from a place outside thereof a controlled substance, in violation of Title 21, United States Code, Sections 952(a) and 960(a)(1).

3. It was further a part and an object of the conspiracy that GILBERT BELL FERNANDEZ, a/k/a "Macho Coca," the defendant, and others known and unknown, would and did manufacture, possess with intent to distribute, and distribute a controlled substance, intending,

knowing, and having reasonable cause to believe that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States, in violation of Title 21, United States Code, Sections 959(a) and 960(a)(3).

4. The controlled substance that GILBERT BELL FERNANDEZ, a/k/a "Macho Coca," the defendant, conspired to (i) import into the United States and into the customs territory of the United States from a place outside thereof; and (ii) manufacture, possess with intent to distribute, and distribute, intending, knowing, and having reasonable cause to believe that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States, was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 960(b)(1)(B).

(Title 21, United States Code, Section 963; and
Title 18, United States Code, Section 3238.)

FORFEITURE ALLEGATIONS

5. As a result of committing the controlled substance offenses charged in Count One of this Indictment, GILBERT BELL FERNANDEZ, a/k/a "Macho Coca," the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting, or derived from, any proceeds the defendant 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 this Indictment.

Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of GILBERT BELL FERNANDEZ, a/k/a "Macho Coca," the defendant:

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, Sections 853(p) and 970, and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853 and 970; and
Title 28, United States Code, Section 2461(c).)

[redacted]

FOREPERSON

JAY CLAYTON
United States Attorney