

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

11 CRIM 205

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UNITED STATES OF AMERICA : SEALED INDICTMENT

- v. - : 11 Cr.

HUGO ARMANDO CARVAJAL-BARRIOS, :
Defendant. :

-----X

COUNT ONE

The Grand Jury charges:

1. In or about April 2006, in Venezuela, Mexico, and elsewhere, HUGO ARMANDO CARVAJAL-BARRIOS, the defendant, who will first enter the United States in the Southern District of New York, and others known and unknown, unlawfully, 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 HUGO ARMANDO CARVAJAL-BARRIOS, the defendant, and others known and unknown, would and did distribute a controlled substance, intending and knowing that such substance would be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States, in violation of Sections 812, 959(a) & (c), and 960(a)(3) of Title 21, United States Code.

3. The controlled substance involved in the offense was five kilograms and more of mixtures and substances containing

a detectable amount of cocaine, in violation of Section 960(b)(1)(B) of Title 21, United States Code.

Overt Act

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed:

a. On or about April 10, 2006, HUGO ARMANDO CARVAJAL-BARRIOS, the defendant, in Venezuela, coordinated the transportation of approximately 5,600 kilograms of cocaine from Venezuela to Mexico.

(Title 21, United States Code, Section 963.)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense alleged in Count One of this Indictment, HUGO ARMANDO CARVAJAL-BARRIOS, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 970, any and all property constituting and derived from any proceeds that the defendant obtained directly and indirectly as a result of the said violation and any and all property used and intended to be used in any manner or part to commit and to facilitate the commission of the violation 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 of this Indictment.

Substitute Assets Provision

6. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- 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 intention of the United States, pursuant to Title 21, United States Code, Section 970, to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 21, United States Code, Sections 963 and 970.)

FOREPERSON



Preet Bharara
PREET BHARARA
United States Attorney

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(Title 21, United States Code,
Sections 963 and 970.)

PREET BHARARA

United States Attorney.

A TRUE BILL



Foreperson.
