

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
UNITED STATES OF AMERICA :
 : **SEALED**
 - v. - : **INDICTMENT**
 :
 ARIEL TAVAREZ, :
 a/k/a "A," : 19 Cr.
 a/k/a "Mike," :
 CHRISTIAN BAEZ, :
 LUIS MESON, :
 a/k/a "Sito," :
 GREGORIS MARTINEZ, :
 a/k/a "Greg," :
 KEVIN GRULLON, :
 a/k/a "Kev," :
 a/k/a "JB," and :
 JOIFFREY URENA, :
 a/k/a "Jeff," :
 a/k/a "Jay," :
 :
 Defendants. :
- - - - - X

COUNT ONE
(Narcotics Trafficking Conspiracy)

The Grand Jury charges:

OVERVIEW OF THE CONSPIRACY

1. At all times relevant to this Indictment, a drug trafficking organization (the "DTO") known as "Mike's Candyshop" was operating in and around New York City. The DTO consists of a group of individuals who are engaged in a drug delivery service distributing heroin and cocaine to customers in and around Manhattan and Brooklyn, New York. The leader of the DTO is ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," the defendant. From at least in or about January 2017, up to and including in or about September

2019, TAVAREZ and his associates CHRISTIAN BAEZ, LUIS MESON, a/k/a "Sito," GREGORIS MARTINEZ, a/k/a "Greg," KEVIN GRULLON, a/k/a "Kev," a/k/a "JB," and JOIFFREY URENA, a/k/a "Jeff," a/k/a "Jay," the defendants (collectively, the "Defendants"), all of whom were members of the DTO, and others known and unknown, conspired to distribute heroin and cocaine. During that period, the DTO distributed numerous kilograms of heroin and cocaine to its customers in New York City.

2. The DTO operates a drug delivery service, which identifies itself as "Mike's Candyshop." The DTO delivers cocaine and heroin on demand to customers in New York City. The DTO's customers can place delivery orders via text message to a centralized phone number (the "Candyshop Number"). The operator of the Candyshop Number, who is usually ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," the defendant, accepts the orders and subsequently arranges for a courier working for the DTO to deliver the narcotics to the customer, usually within hours of the customer texting his or her order to the Candyshop Number.

3. The couriers and customers typically communicate and coordinate drug transactions through the operator of the Candyshop Number, who is usually ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," the defendant. For example, the couriers typically provide updates about their locations via text message to the Candyshop Number, and the operator then relays those updates to the customers placing the orders. When the courier delivering the narcotics

arrives in the customer's vicinity, the customer generally receives instructions - from the operator of the Candyshop Number - about how to identify the courier and/or where to meet the courier to receive the cocaine and/or heroin.

4. To become a customer of the Mike's Candyshop DTO, an individual generally has to be referred by an existing customer. Once an individual becomes an approved customer of the DTO, the individual can order narcotics from the Candyshop Number using coded language. For example, customers can order for delivery a "shirt," which is the DTO's code for a vial of cocaine, or a "book," which is the DTO's code for ten glassines of heroin. As a means of marketing its cocaine, and to ensure that the DTO's customers know the cocaine provided by the couriers belongs to the DTO, the DTO sells its cocaine in vials sealed with different colored tops.

5. On or about December 16, 2018, a customer of the DTO ("Victim-1") died of a drug overdose in New York, New York. At the scene of the overdose, law enforcement officers found Victim-1's cellphone, empty vials with colored tops, and a glassine next to a powder mixture containing, among other substances, heroin and cocaine. Victim-1's cellphone contained text messages showing that Victim-1 had ordered narcotics from the Candyshop Number on numerous occasions, including the day before Victim-1's death. Approximately one day before Victim-1's fatal overdose, after Victim-1 ordered a "shirt" - that is, a vial of cocaine - and a

"book" - that is, ten glassines of heroin - from the Candyshop Number, Victim-1 received narcotics from a courier for the DTO at Victim-1's Manhattan residence. Within weeks of Victim-1's death, the DTO changed the Candyshop Number twice in part to avoid law enforcement detection. The DTO nevertheless continued to operate its on-demand cocaine and heroin delivery service, supplying customers in New York City with cocaine and heroin on a daily basis.

MEANS AND METHODS OF THE CONSPIRACY

6. Members of the DTO fulfilled different roles within the DTO. ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," the defendant, was the leader of the DTO and controlled and directed its operations, including by acting as the primary operator of the Candyshop Number. Certain of the Defendants, including CHRISTIAN BAEZ, LUIS MESON, a/k/a "Sito," and GREGORIS MARTINEZ, a/k/a "Greg," managed the DTO's day-to-day supply of drugs and cash proceeds. The DTO maintained stash locations, including in Brooklyn, New York, where the DTO stored heroin and cocaine as well as cash proceeds from the DTO's drug sales. TAVAREZ instructed members of the DTO on where and how to access the stash locations to obtain drugs for distribution and where to leave the cash proceeds from the sales. TAVAREZ regularly travelled from his home in Pennsylvania to New York City to resupply the DTO's stash locations with heroin and cocaine and to retrieve the DTO's cash proceeds. Certain of the Defendants, including CHRISTIAN

BAEZ, LUIS MESON, a/k/a "Sito," KEVIN GRULLON, a/k/a "Kev," a/k/a "JB," and JOIFFREY URENA, a/k/a "Jeff," a/k/a "Jay," acted as "couriers" for the DTO, and regularly delivered and sold narcotics to the DTO's customers in hand-to-hand drug transactions coordinated through the Candyshop Number.

7. For example, on or about December 14, 2018, Victim-1 exchanged text messages with the Candyshop Number arranging to purchase cocaine and heroin from the DTO. Following text messages with the Candyshop Number to coordinate the transaction, in the early morning hours of December 15, 2018, CHRISTIAN BAEZ, the defendant, arrived at Victim-1's residence in Manhattan and sold narcotics to Victim-1.

8. On or about January 10, 2019, a law enforcement officer working in an undercover capacity ("UC-1") exchanged text messages with the Candyshop Number arranging to purchase narcotics from the DTO. Later that day, as coordinated through such text messages with the Candyshop Number, LUIS MESON, a/k/a "Sito," the defendant, sold a quantity of heroin and cocaine to UC-1 in Manhattan.

9. On or about July 23, 2019, ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," the defendant, operating the Candyshop Number, coordinated the delivery of a quantity of cocaine to a DTO customer ("Customer-1") in Manhattan. Following Customer-1's request via text message to the Candyshop Number to purchase a quantity of cocaine, TAVAREZ, using the Candyshop Number, instructed KEVIN

GRULLON, a/k/a "Kev," a/k/a "JB," the defendant, to deliver a quantity of cocaine to Customer-1. Later that day, GRULLON sold a quantity of cocaine to Customer-1.

10. On or about July 24, 2019, ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," the defendant, operating the Candyshop Number, arranged for KEVIN GRULLON, a/k/a "Kev," a/k/a "JB," the defendant, to retrieve cocaine from GREGORIS MARTINEZ, a/k/a "Greg," the defendant, for subsequent distribution. On or about July 29, 2019, TAVAREZ, operating the Candyshop Number, arranged for CHRISTIAN BAEZ, the defendant, to retrieve cocaine from MARTINEZ for subsequent distribution.

11. On or about August 2, 2019, ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," the defendant, operating the Candyshop Number, coordinated the delivery of a quantity of cocaine to a DTO customer ("Customer-2") in Brooklyn. Following Customer-2's request via text message to the Candyshop Number to purchase a quantity of cocaine, TAVAREZ, using the Candyshop Number, instructed JOIFFREY URENA, a/k/a "Jeff," a/k/a "Jay," to deliver a quantity of cocaine to Customer-2. Later that day, URENA sold a quantity of cocaine to Customer-2.

12. The members of the DTO generally worked in shifts, seven days per week, from approximately 6:00 p.m. to 12:00 a.m., distributing the DTO's heroin and cocaine to customers in New York City. The DTO generally did not operate during certain holidays such as Thanksgiving, New Year's Eve, and Labor Day, but otherwise

distributed narcotics to customers on a daily basis.

13. The DTO employed various means and methods designed to evade law enforcement detection, including selling only to customers that had been referred by existing customers, delivering narcotics directly to customers at locations specified by the customer, periodically changing the Candyshop Number, and using coded language to discuss narcotics. The Mike's Candyshop DTO has operated for an extended period, supplying cocaine and heroin to customers in New York City for years.

STATUTORY ALLEGATIONS

14. From at least in or about January 2017, up to and including at least in or about September 2019, in the Southern District of New York and elsewhere, ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," CHRISTIAN BAEZ, LUIS MESON, a/k/a "Sito," GREGORIS MARTINEZ, a/k/a "Greg," KEVIN GRULLON, a/k/a "Kev," a/k/a "JB," and JOIFFREY URENA, a/k/a "Jeff," a/k/a "Jay," 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.

15. It was a part and an object of the conspiracy that ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," CHRISTIAN BAEZ, LUIS MESON, a/k/a "Sito," GREGORIS MARTINEZ, a/k/a "Greg," KEVIN GRULLON, a/k/a "Kev," a/k/a "JB," and JOIFFREY URENA, a/k/a "Jeff," a/k/a "Jay," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled

substances, in violation of Title 21, United States Code, Section 841(a)(1).

16. The controlled substances that ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," CHRISTIAN BAEZ, LUIS MESON, a/k/a "Sito," GREGORIS MARTINEZ, a/k/a "Greg," KEVIN GRULLON, a/k/a "Kev," a/k/a "JB," and JOIFFREY URENA, a/k/a "Jeff," a/k/a "Jay," the defendants, conspired to distribute and possess with intent to distribute were (i) 1 kilogram and more of mixtures and substances containing a detectable amount of heroin and (ii) 5 kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A).

OVERT ACTS

17. 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 and elsewhere:

a. On or about December 14, 2018 through December 15, 2018, ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," the defendant, operating the Candyshop Number, coordinated the sale of heroin and cocaine by CHRISTIAN BAEZ, the defendant, to Victim-1 in New York, New York.

b. On or about January 10, 2019, LUIS MESON, a/k/a "Sito," the defendant, sold heroin and cocaine to UC-1 in Manhattan, New York, in a transaction coordinated by TAVAREZ

through the Candyshop Number.

c. On or about July 23, 2019, KEVIN GRULLON, a/k/a "Kev," a/k/a "JB," the defendant, sold cocaine to Customer-1 in New York, New York, in a transaction coordinated by TAVAREZ through the Candyshop Number.

d. On or about July 24, 2019, TAVAREZ, operating the Candyshop Number, arranged for GRULLON to retrieve cocaine from GREGORIS MARTINEZ, a/k/a "Greg," the defendant.

e. On or about July 29, 2019, TAVAREZ, operating the Candyshop Number, arranged for BAEZ to retrieve cocaine from MARTINEZ.

f. On or about August 2, 2019, JOIFFREY URENA, a/k/a "Jeff," a/k/a "Jay," the defendant, sold cocaine to Customer-2 in Brooklyn, New York, in a transaction coordinated by TAVAREZ through the Candyshop Number.

g. On or about August 2, 2019, MESON sold cocaine to a DTO customer in Manhattan, New York, in a transaction coordinated by TAVAREZ through the Candyshop Number.

h. On or about August 13, 2019, URENA retrieved a quantity of heroin from a vehicle belonging to TAVAREZ in the vicinity of East Stroudsburg, Pennsylvania and transported the

heroin to Brooklyn, New York.

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

FORFEITURE ALLEGATIONS

18. As a result of committing the offense alleged in Count One of this Indictment, ARIEL TAVAREZ, a/k/a "A," a/k/a "Mike," the defendant, 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 obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense, including but not limited to any and all United States currency, funds or other monetary instruments credited to the following accounts:

1. Capital One Bank, Account #
2. Capital One Bank, Account #
3. Capital One Bank, Account #
4. PNC Bank, Account #
5. PNC Bank, Account #
6. PNC Bank, Account #

19. As a result of committing the offense alleged in Count One of this Indictment, CHRISTIAN BAEZ, LUIS MESON, a/k/a "Sito," GREGORIS MARTINEZ, a/k/a "Greg," KEVIN GRULLON, a/k/a

"Kev," a/k/a "JB," and JOIFFREY URENA, a/k/a "Jeff," a/k/a "Jay," 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 obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

20. 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 intent 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.)



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Geoffrey S. Berman
GEOFFREY S. BERMAN
United States Attorney

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JOIFFREY URENA,
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Defendants.

SEALED INDICTMENT

19 Cr.

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

GEOFFREY S. BERMAN

United States Attorney.



Foreperson.
