

Approved: Benjamin W. Schrier
Benjamin Woodside Schrier / Kyle A. Wirshba
Assistant United States Attorneys

Before: HONORABLE ROBERT W. LEHRBURGER
United States Magistrate Judge
Southern District of New York

- - - - - x 20 MAG 9611
:
UNITED STATES OF AMERICA : COMPLAINT
:
- v. - : Violation of
: 21 U.S.C. § 963
:
RAYMUNDO MONTOYA-LÓPEZ, : COUNTY OF OFFENSE:
ABRAHAM ALFONSO GARCÍA-MONTOYA, and : NEW YORK
FELIZARDO DÍAZ-HERNANDEZ, :
: Defendants. :
:
- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss.:

DANIELLE DREYER, being duly sworn, deposes and says that she is a Special Agent with the Drug Enforcement Administration ("DEA") and charges as follows:

COUNT ONE
(Cocaine Importation Conspiracy)

1. In or about September 2020, in Mexico and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular state or district of the United States, RAYMUNDO MONTOYA-LÓPEZ, ABRAHAM ALFONSO GARCÍA-MONTOYA, and FELIZARDO DÍAZ-HERNANDEZ, the defendants, 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 RAYMUNDO MONTOYA-LÓPEZ, ABRAHAM ALFONSO GARCÍA-MONTOYA, and FELIZARDO DÍAZ-HERNANDEZ, the defendants, 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 RAYMUNDO MONTOYA-LÓPEZ, ABRAHAM ALFONSO GARCÍA-MONTOYA, and FELIZARDO DÍAZ-HERNANDEZ, the defendants, and others known and unknown, would and did manufacture, distribute, and possess with intent to 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 RAYMUNDO MONTOYA-LÓPEZ, ABRAHAM ALFONSO GARCÍA-MONTOYA, and FELIZARDO DÍAZ-HERNANDEZ, the defendants, and others known and unknown, conspired to (a) import into the United States and into the customs territory of the United States from a place outside thereof, and (b) manufacture 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 from a place outside thereof, was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts and isomers, in violation of Title 21, United States Code, Section 960(b)(1)(B)(ii).

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

The bases for my knowledge and for the foregoing charge are, in part, as follows:

5. I am a Special Agent with the DEA and I have been personally involved in the investigation of this matter. This affidavit is based on my personal participation in the investigation of this matter, and my conversations with other law enforcement officers and others, as well as a review of documents and other records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

6. Based on my participation in this investigation, my review of documents and other records, and my conversations with other law enforcement officers and others, I have learned the following, in substance and in part:

a. On or about September 1, 2020, aircraft from the Secretaría de Marina ("SEMAR" or the "Mexican Navy") located and began tracking an outboard-powered vessel ("Boat-1") approximately 85 nautical miles off the coast of the Mexican state of Quintana Roo. Boat-1 was traveling approximately northwest through the Caribbean Sea, at a speed of approximately 25 knots, in the approximate direction of the city of Chetumal and the village of Mahahual. Shortly thereafter, the Mexican Navy intercepted, boarded, and searched Boat-1. During the search of Boat-1, the Mexican Navy found approximately 2,960 kilograms of what, based on the training and experience of the Mexican Navy officers conducting the search, appeared to be cocaine.¹ The Mexican Navy later field-tested at least one sample of the apparent cocaine, which tested positive for cocaine.

b. Photographs of the Mexican Navy intercepting Boat-1 and recovering the cocaine appear below:

¹ As noted above, immediately following the seizure, Mexican authorities reported, including to the DEA, that the total weight of the cocaine seized from Boat-1 was approximately 2,960 kilograms. Over the next several days, this weight was also reported by several major media outlets. See, e.g., *Mexican military confiscated \$142 million cocaine shipment from a speedboat*, DAILY MAIL, Sept. 3, 2020, available at <https://www.dailymail.co.uk/news/article-8695419/Mexican-military-confiscated-142-million-cocaine-shipment-speedboat.html>; *Mexican Navy seizes 2.9 tons of cocaine off Caribbean coast*, XINHUA, Sept. 3, 2020, available at http://www.xinhuanet.com/english/2020-09/03/c_139338263.htm. Approximately one week after the seizure, however, separate Mexican authorities indicated that the total weight of the seized cocaine was approximately 1,800 kilograms. These Mexican authorities' proffered explanation to the DEA was that, when the cocaine was initially weighed, it was waterlogged. The DEA is continuing to investigate this apparent discrepancy.



c. During the search of Boat-1, the Mexican Navy also found and arrested three individuals, whom the Mexican Navy identified as RAYMUNDO MONTOYA-LÓPEZ, ABRAHAM ALFONSO GARCÍA-MONTOYA, and FELIZARDO DÍAZ-HERNANDEZ, the defendants.

7. Based on my training and experience, I have learned that numerous large, transnational drug-trafficking organizations ("DTOs") operate in and around Quintana Roo, and that the DTOs often use outboard-powered vessels such as Boat-1 to transport large quantities of cocaine in connection with the process of importing the drugs into the United States. The DTOs often use such vessels to transport cocaine to Quintana Roo from countries in which it is manufactured or through which it is transshipped, such as Guatemala, Colombia, and Venezuela. Once the cocaine arrives in Quintana Roo, it is unloaded, and transported either directly or indirectly to the United States through a variety of means, including other outboard-powered vessels, aircraft, trucks, and other vehicles.


8. Based on my training and experience, I have also learned that Quintana Roo is a major transshipment point for cocaine that is being imported into the United States, and that the majority of the cocaine that is transshipped through Quintana Roo is ultimately imported into the United States.

WHEREFORE, deponent respectfully requests that warrants be issued for the arrests of RAYMUNDO MONTOYA-LÓPEZ, ABRAHAM ALFONSO GARCÍA-MONTOYA, and FELIZARDO DÍAZ-HERNANDEZ, the defendants, and that they be imprisoned or bailed, as the case may be.

S/ by the Court with consent

DANIELLE DREYER
Special Agent
Drug Enforcement Administration

Sworn to before me through the transmission of this Affidavit by reliable electronic means, pursuant to Rules 4.1 and 41(d)(3) of the Federal Rules of Criminal procedure, this
9th day of September, 2020



HONORABLE ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK