

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
 :
 - v. - :
 :
 LUIS GAMEZ, :
 HUGO RICHARD VILLANUEVA TORRES, :
 DANIEL ORTIZ, :
 JOSE LUIS MARTINEZ ROSARIO, and :
 JAYSON COLON, :
 :
 Defendants. :
 :
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SEALED INDICTMENT

21 Cr.

21 CRIM 148

COUNT ONE
(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about May 2020 up to and including in or about February 2021, in the Southern District of New York and elsewhere, LUIS GAMEZ, HUGO RICHARD VILLANUEVA TORRES, DANIEL ORTIZ, JOSE LUIS MARTINEZ ROSARIO, and JAYSON COLON, 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 LUIS GAMEZ, HUGO RICHARD VILLANUEVA TORRES, DANIEL ORTIZ, JOSE LUIS MARTINEZ ROSARIO, and JAYSON COLON, 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).

3. The controlled substances that LUIS GAMEZ, HUGO RICHARD VILLANUEVA TORRES, DANIEL ORTIZ, JOSE LUIS MARTINEZ ROSARIO, and JAYSON COLON, the defendants, conspired to distribute and possess with intent to distribute were (i) 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 (ii) one kilogram or more of mixtures and substance containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

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

FORFEITURE ALLEGATIONS

4. As a result of committing the offense alleged in Count One of this Indictment, LUIS GAMEZ, HUGO RICHARD VILLANUEVA TORRES, DANIEL ORTIZ, JOSE LUIS MARTINEZ ROSARIO, and JAYSON COLON, 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

5. 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), Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)


FOREPERSON


AUDREY STRAUSS
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(21 U.S.C. § 846)

AUDREY STRAUSS
United States Attorney


Foreperson