

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:

UNITED STATES OF AMERICA :

SEALED INDICTMENT

- v. - :

17 Cr. ( )  
**17 CRIM 151.**

ROBERT PIZARRO and :

JUAN RIVERA, :

Defendants. :

:

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COUNT ONE

(Conspiracy to Commit Kidnapping Resulting in Death)

The Grand Jury charges:

1. On or about September 20, 2016, in the Southern District of New York and elsewhere, ROBERT PIZARRO and JUAN RIVERA, the defendants, together with others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1201(a)(1).

2. It was a part and object of the conspiracy that ROBERT PIZARRO and JUAN RIVERA, the defendants, and others known and unknown, did unlawfully and knowingly seize, confine, inveigle, decoy, kidnap, abduct, and carry away and hold for ransom and reward and otherwise, a person, and in so doing did use a means, facility, and instrumentality of interstate and foreign commerce, in violation of Title 18, United States Code, Section 1201 (a)(1).

Overt Act

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about September 20, 2016, ROBERT PIZARRO and JUAN RIVERA, the defendants, drove to an auto body shop in the Bronx, New York, and forcibly removed and transported an individual ("Victim-1") from the auto body shop to another location in the Bronx, New York, where Victim-1 was murdered by strangulation using a plastic zip-tie.

(Title 18, United States Code, Section 1201(c).)

COUNT TWO  
(Kidnapping Resulting in Death)

The Grand Jury further charges:

4. In or about September 2016, in the Southern District of New York and elsewhere, ROBERT PIZARRO and JUAN RIVERA, the defendants, unlawfully and knowingly seized, confined, inveigled, decoyed, kidnapped, abducted, and carried away and held for ransom and reward and otherwise, a person, and in so doing used a means, facility, and instrumentality of interstate and foreign commerce, and aided and abetted the same, to wit, PIZARRO and RIVERA, the defendants, coordinated by phone to travel to an auto body shop located in the Bronx, New York, in order to forcibly remove and transport Victim-1 to another location in the Bronx, New York,

where Victim-1 was murdered by strangulation with a plastic zip-tie.

(Title 18, United States Code, Sections 1201(a)(1) and 2.)

**COUNT THREE**  
**(Hobbs Act Robbery Conspiracy)**

The Grand Jury further charges:

5. In or about September 2016, in the Southern District of New York and elsewhere, ROBERT PIZARRO and JUAN RIVERA, the defendants, together with others known and unknown, unlawfully and knowingly did conspire to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, PIZARRO and RIVERA agreed with each other and with others to commit a robbery at an auto body shop located in the Bronx, New York, on or about September 20, 2016.

(Title 18, United States Code, Section 1951.)

**COUNT FOUR**  
**(Hobbs Act Robbery)**

The Grand Jury further charges:

6. In or about January 2015, in the Southern District of New York and elsewhere, ROBERT PIZARRO, the defendant, together with others known and unknown, unlawfully and knowingly did conspire to commit robbery, as that term is defined in Title 18,

United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, PIZARRO agreed with others to commit a robbery at an auto body shop located in the Bronx, New York, which robbery took place on or about January 24, 2015.

(Title 18, United States Code, Section 1951.)

**COUNT FIVE**  
**(Firearms Offense)**

The Grand Jury further charges:

7. In or about September 2016, in the Southern District of New York and elsewhere, ROBERT PIZARRO and JUAN RIVERA, the defendants, during and in relation to crimes of violence for which they may be prosecuted in a court of the United States, namely, the crimes charged in Counts One, Two, and Three of this Indictment, knowingly used and carried firearms, and, in furtherance of such crimes, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, which were brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii) and 2.)

**FORFEITURE ALLEGATIONS**

8. As a result of committing the offenses alleged in Counts One and Two of this Indictment, ROBERT PIZARRO and JUAN RIVERA,

the defendants, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a) (1) (c) and 28 U.S.C. § 2461, any and all property constituting or derived from any proceeds said defendants obtained directly or indirectly as a result of the offenses, including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of the offenses.

9. As a result of committing the offenses alleged in Count Three of this Indictment, ROBERT PIZARRO and JUAN RIVERA, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a) (1) (C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of the offenses charged in Count Three of this Indictment, including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of the offenses.

10. As a result of committing the offenses alleged in Count Four of this Indictment, ROBERT PIZARRO, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a) (1) (C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of the offenses charged in Count Four of this Indictment, including

but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of the offenses.

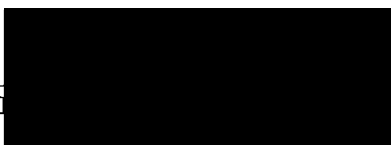
SUBSTITUTE ASSET PROVISION

11. If any of the above-described forfeitable property, as a result of any act or omission of ROBERT PIZARRO or JUAN RIVERA, 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 18, United States Code, Section 981(a)(1)(C), Title 21, United States Code, Section 853(p); and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c).)



*P Bha* / MG as authorized by HC  
PREET BHARARA MS  
United States Attorney

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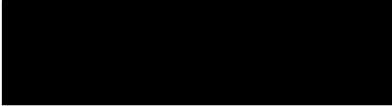
(18 U.S.C. §§ 1951, 1201(a), 1201(c),  
924(c), and 2)

PREET BHARARA

United States Attorney.

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A TRUE BILL

  
Foreperson.

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