

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,

SECRET Plaintiff

1. VICTOR MATIAS-TORRES,
a/k/a "Papo," a/k/a "King Fenese"
[DOB: 3/20/1981],

2. LUIS ALFREDO VILLEGAS-ROSA,
a/k/a "Puerto Rico," a/k/a "Rico"
[DOB: 10/24/1988],

3. LUIS GABRIEL VILLEGAS-ROSA,
a/k/a "Conan"
[DOB: 2/17/1981],

4. ANGEL ANTONIO MARTINEZ-
TORRES, a/k/a "Tony"
[DOB: 3/2/1979],

5. ANGEL RIOS-ROSA,
a/k/a "Gato"
[DOB: 9/30/1986],

6. JOSE MORALES-DELGADO,
a/k/a "Beto"
[DOB: 9/4/1984],

7. LUIS CALDERON-OLIVERAS
[DOB: 12/26/1990], and

8. ISMAEL MARQUEZ
[DOB: 11/21/1987],

Defendants.

Case No. 17-00016-01/08-CR-W-BK

COUNT 1 (ALL DEFENDANTS):

Racketeering Conspiracy

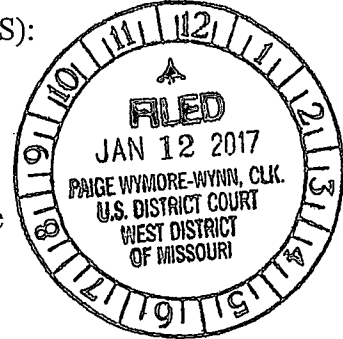
18 U.S.C. § 1962(d)

NMT life imprisonment

NMT \$250,000 fine

NMT 5 years' supervised release

Class A felony



COUNTS 2, 5 (DEFS. 1-3, 6-8):

Murder Conspiracy in Aid of Racketeering

18 U.S.C. § 1959(a)(5)

NMT 10 years' imprisonment

NMT \$250,000 fine

NMT 3 years' supervised release

Class C felony

COUNTS 3, 6, 8, 13, 18 (DEFS. 1-4, 6-8):

*Assault with a Dangerous Weapon and
Attempted Murder in Aid of Racketeering*

18 U.S.C. §§ 1959(a)(3) & (a)(5), and 2

NMT 20 years' imp. for assault

NMT 10 years' imp. for attempted murder

NMT \$250,000 fine

NMT 3 years' supervised release

Class C felony

COUNTS 4, 7, 9, 14, 16, 19 (DEFS. 1-4, 6-8):

*Discharge of a Firearm in Furtherance of a
Crime of Violence or Drug Trafficking Crime*

18 U.S.C. §§ 924(c)(1)(A)(iii), (c)(1)(C)(i), 2

NLT 10 years', NMT life imp. (consecutive)

NLT 25 years' imp. (consecutive) for second
or subsequent conviction

NMT \$250,000 fine

NMT 5 years' supervised release

Class A felony

COUNTS 10, 11 (DEFENDANT 1):

*Conspiracy and Substantive Tampering with a
Witness and Victim*

18 U.S.C. § 1512(b)(1), (b)(3) and (k)

NMT 20 years' imprisonment
NMT \$250,000 fine
NMT 3 years' supervised release
Class C felony

COUNT 12 (DEFENDANT 1):
*Accessory After the Fact (Assault with a
Dangerous Weapon and Attempted Murder in
Aid of Racketeering)*

18 U.S.C. § 3
NMT 10 years' imp., if assault
NMT 5 years' imp., if attempted murder
NMT \$125,000 fine
NMT 3 years' supervised release
Class C felony, if assault
Class D felony, if attempted murder

COUNT 15 (DEFENDANT 2):
Murder in Aid of Racketeering
18 U.S.C. § 1959(a)(1)
NMT death, NLT life imprisonment
NMT \$250,000 fine
NMT 5 years' supervised release
Class A felony

COUNT 17 (DEFENDANT 2):
*Murder Resulting from the Use and Carrying
of a Firearm During and in Relation to a
Crime of Violence*
18 U.S.C. § 924(j)
NMT death or life imprisonment
NMT \$250,000 fine
NMT 5 years' supervised release
Class A felony

COUNT 20 (DEFS. 1, 2, 4, 6, 8):
Narcotics Trafficking Conspiracy
21 U.S.C. §§ 841(a)(1), (b)(1)(A) and 846
NLT 10 years', NMT life imprisonment
NMT \$10,000,000 fine
NLT 5 years' supervised release
Class A felony
21 U.S.C. §§ 841(a)(1), (b)(1)(D) and 846
NMT 5 years' imprisonment
NMT \$250,000 fine
NLT 2 years' supervised release
Class C felony

COUNTS 21-22, 25 (DEFS. 1, 4):
*Possession of a Firearm in Furtherance of a
Crime of Violence or Drug Trafficking Crime*
18 U.S.C. §§ 924(c)(1)(A)(i) and 2
NLT 5 years', NMT life imp. (consecutive)
NLT 25 years' imp. (consecutive) for second
or subsequent conviction
NMT \$250,000 fine
NMT 5 years' supervised release
Class A felony

COUNTS 23-24, 26-32 (DEFS. 1, 5, 6):
*Conspiracy and Substantive Hobbs Act
Robbery*
18 U.S.C. §§ 1951(a) and 2
NMT 20 years' imprisonment
NMT \$250,000 fine
NMT 3 years' supervised release
Class C felony

COUNTS 33-34 (DEFENDANT 1, 2):
Felon in Possession of a Firearm
18 U.S.C. §§ 922(g)(1) and 924(a)(2)
NMT 10 years' imprisonment
NMT \$250,000 fine
NMT 3 years' supervised release
Class C felony

ALLEGATIONS OF CRIMINAL
FORFEITURE 18 U.S.C. § 1963 and 21
U.S.C. § 853

\$100 mandatory special assessment for each
count

DEFENDANT NO.	DEFENDANT NAME	COUNTS CHARGED
1	Victor Matias-Torres	1, 5-7, 10-12, 18-20, 22-29, 31, 33
2	Luis Alfredo Villegas-Rosa	1, 5-7, 15-17, 20, 34
3	Luis Gabriel Villegas-Rosa	1, 5-9
4	Angel Antonio Martinez-Torres	1, 13-14, 20-21
5	Angel Rios-Rosa	1, 29-32
6	Jose Morales-Delgado	1-4, 20, 23-24
7	Luis Calderon-Oliveras	1-4
8	Ismael Marquez	1-4, 20

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

(Racketeering Conspiracy)

The Racketeering Enterprise

1. At all times relevant to this Indictment, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a “Papo,” a/k/a “King Fenese,” LUIS ALFREDO VILLEGAS-ROSA, a/k/a “Puerto Rico,” a/k/a “Rico,” LUIS GABRIEL VILLEGAS-ROSA, a/k/a “Conan,” ANGEL ANTONIO MARTINEZ-TORRES, a/k/a “Tony,” ANGEL RIOS-ROSA, a/k/a “Gato,” JOSE MORALES-DELGADO, a/k/a “Beto,” LUIS CALDERON-OLIVERAS and ISMAEL MARQUEZ, the defendants, and others known and unknown to the Grand Jury, were members and associates of an organized criminal enterprise led by MATIAS-TORRES (hereinafter referred to as the “Matias-Torres Gang” or the “Enterprise”). Through its leadership, membership and associates, the Matias-Torres Gang engaged in acts of violence, including murder and attempted murder, armed assault, armed robbery, extortion, and witness

intimidation, and also trafficked in controlled substances, including heroin, cocaine, cocaine base (more commonly known as “crack”), methamphetamine, and marijuana.

2. The Matias-Torres Gang, including its leadership, membership, and associates, constituted an “enterprise,” as that term is defined in Title 18, United States Code, Section 1961(4), that is, a group of individuals associated-in-fact. The Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise. The Enterprise was engaged in, and its activities affected, interstate and foreign commerce. The Enterprise was based in St. Joseph, Missouri, but also operated in Kansas, Iowa and Massachusetts, among other places, and recruited many of its members and associates from Puerto Rico.

3. As the leader of the Enterprise, MATIAS-TORRES oversaw and directed its illicit operations and himself carried out much of the Enterprise’s criminal activity. MATIAS-TORRES was a member of the notorious “Almighty Latin King and Queen Nation” (ALKQN), having joined that national street gang in Philadelphia, Pennsylvania, in or about 2003, and having thereafter risen to the leadership position of “First Crown” for the region. Soon after moving to St. Joseph, Missouri, in or about 2010, MATIAS-TORRES founded the Matias-Torres Gang upon the violent principles he acquired from the ALKQN. Before long, people in the St. Joseph community referred to members and associates of the Enterprise as “Latin Kings,” even though the Enterprise was not formally affiliated with the ALKQN.

4. The Matias-Torres Gang had an internal structure. Below the leader of the Matias-Torres Gang were the Enterprise’s principal enforcers, LUIS ALFREDO VILLEGAS-ROSA and LUIS GABRIEL VILLEGAS-ROSA, who were brothers. ANGEL ANTONIO MARTINEZ-TORRES also occupied a position of prominence in the Enterprise, by virtue of his productivity in the Enterprise’s narcotics distribution operation. The rank and file of the Matias-

Torres Gang often occupied roles suiting their expertise — the primary function of ANGEL RIOS-ROSA, for example, was to carry out robberies of local businesses. Others, like JOSE MORALES-DELGADO, LUIS CALDERON-OLIVERAS and ISMAEL MARQUEZ, engaged in a broader scope of criminal activity, whether it was selling drugs or carrying out acts of violence on behalf of the Enterprise. The Matias-Torres Gang used symbols to demonstrate its members' commitment to gang life and each other, including the display of colors and tattoos reflecting prior and ongoing affiliation with street or prison gangs of more renown, like the ALKQN, the “Ñetas” and “G27.”

5. The Matias-Torres Gang operated under a loose code of conduct, which included a requirement that MATIAS-TORRES pre-approve certain criminal activity, like gun violence and the acquisition of firearms and narcotics. There was also a requirement that MATIAS-TORRES receive a portion of the proceeds of the Enterprise's illegal activity, whether or not he participated in the crime that generated the revenue. Members and associates who did not follow the internal rules, or who were otherwise perceived as disloyal to the Enterprise, were confronted with acts of violence. For example, to suppress what he believed was a challenge to his leadership authority, MATIAS-TORRES tried to gun down MARTINEZ-TORRES, as charged in Counts Eighteen and Nineteen, below. On another occasion, the Enterprise's violent response to a member who refused to participate in a robbery nearly resulted in that member's death by gunfire, as charged in Counts Two through Four, below.

Purposes of the Enterprise

6. The purposes of the Matias-Torres Gang included, but were not limited to, the following:

6.1. Preserving, protecting, and augmenting the power, territory and financial profits of the Enterprise, its leadership, membership and associates, through the use of violence,

threats of violence, intimidation and countermeasures to avert detection by authorities;

6.2. Promoting and enhancing the prestige, reputation and position of the Enterprise with respect to rival criminals and criminal organizations;

6.3. Keeping rivals, victims, and other persons in fear of the Enterprise, its leadership, membership and associates, by committing and threatening to commit acts of violence; and

6.4. Enriching the leadership, membership and associates of the Enterprise through violent and otherwise criminal activity.

Means and Methods of the Enterprise

7. Among the means and methods by which the defendants and other leaders, members and associates conducted and participated in the conduct of the affairs of the Matias-Torres Gang were the following:

7.1. Leaders, members and associates of the Enterprise committed, and otherwise planned and attempted to commit, acts of violence to enhance the Enterprise's prestige and to protect and expand the Enterprise's criminal operations;

7.2. Leaders, members and associates of the Enterprise promoted a climate of fear in the community through repeated waves of gunfire, beatings and destruction of property, among other crimes of violence and intimidation;

7.3. Leaders, members and associates of the Enterprise illegally obtained and used firearms to carry out the Enterprise's violent activities;

7.4. Leaders, members and associates of the Enterprise used and threatened to use physical violence to suppress challenges from rival criminals and those who otherwise threatened the well-being of the Enterprise and its personnel;

7.5. Leaders, members and associates of the Enterprise preserved, protected

and enhanced their reputation for violence, and thereby their value to the Enterprise, by killing, attempting to kill and otherwise violently confronting people who challenged them;

7.6. Leaders, members and associates of the Enterprise enriched themselves, and funded Enterprise operations, with the proceeds of narcotics trafficking, robbery, burglary and extortion;

7.7. Leaders, members and associates of the Enterprise targeted rival drug dealers for robbery, not only to obtain the robbery proceeds, but to eliminate and deter competition in the drug trade, and also, at times, to extort a financial stake in rivals' future drug sales in exchange for the Enterprise's "protection" from further robberies and acts of violence;

7.8. Leaders, members and associates of the Enterprise extorted a percentage of innocent victims' legitimate income in exchange for the Enterprise's "protection" from acts of violence;

7.9. Leaders, members and associates of the Enterprise avoided detection of the Enterprise's criminal activity by conducting surveillance of law enforcement officials, analyzing police department staffing and procedures, fleeing from police officers, violently resisting arrest, investigating suspected turncoats and informants, intimidating potential witnesses, destroying and hiding evidence, among other self-preservation tactics;

7.10. Leaders, members and associates of the Enterprise stashed firearms in traps and hiding places — for example, holes dug in the ground, cutouts in apartment walls, and compartments under the hoods of cars — so that the weapons would be accessible without drawing the attention of the police;

7.11. Leaders, members and associates of the Enterprise convened weekly meetings to assess the progress of the Enterprise's criminal operations, plan future criminal activity, resolve internal and external conflicts, and address any and all other aspects of the illicit

business requiring attention; and

7.12. Leaders, members and associates of the Enterprise provided support to leaders, members and associates who were charged with, and incarcerated for, crimes committed on behalf of the Enterprise.

The Racketeering Conspiracy

8. From in or about 2010 up to and including on or about January 11, 2017, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a “Papo,” a/k/a “King Fenese,” LUIS ALFREDO VILLEGAS-ROSA, a/k/a “Puerto Rico,” a/k/a “Rico,” LUIS GABRIEL VILLEGAS-ROSA, a/k/a “Conan,” ANGEL ANTONIO MARTINEZ-TORRES, a/k/a “Tony,” ANGEL RIOS-ROSA, a/k/a “Gato,” JOSE MORALES-DELGADO, a/k/a “Beto,” LUIS CALDERON-OLIVERAS and ISMAEL MARQUEZ, the defendants, and others known and unknown to the Grand Jury, being persons employed by and associated with the racketeering enterprise described in paragraphs 1 through 7 of this Indictment, namely, the Matias-Torres Gang, which enterprise was engaged in and the activities of which affected interstate and foreign commerce, did knowingly and intentionally combine, conspire, confederate and agree together and with each other to conduct and participate, directly and indirectly, in the conduct of the affairs of the Enterprise through a pattern of racketeering activity, as that term is defined in Sections 1961(1) and (5) of Title 18 of the United States Code, consisting of:

8.1. Multiple acts and threats involving:

8.1.1. Murder, in violation of Missouri Revised Statutes, Sections 562.041, 564.016, 565.021, and 565.050, and Iowa Code, Sections 703.1, 703.2, 706.1, 707.3, and 707.11;

8.1.2. Robbery, in violation of Missouri Revised Statutes, Sections 562.041, 564.011, 564.016, 569.020, and 569.030;

8.1.3. Extortion, in violation of Missouri Revised Statutes, Sections 562.041, 564.011, 564.016, and 570.030;

8.2. Multiple acts indictable under the following provisions of federal law:

8.2.1. Title 18, United States Code, Section 1512 (relating to tampering with a witness or an informant);

8.2.2. Title 18, United States Code, Section 1951 (relating to interference with commerce, robbery, or extortion); and

8.3. Multiple acts involving trafficking in controlled substances, in violation of Title 21, United States Code, Sections 841 and 846.

9. It was a part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the Enterprise.

Overt Acts

10. In furtherance of the conspiracy and to achieve the illegal objects thereof, the following overt acts, among others, were committed in the Western District of Missouri and elsewhere:

10.1. From a date unknown to the Grand Jury, but no later than in or about 2011, up to and including January 11, 2017, VICTOR MATIAS-TORRES, LUIS ALFREDO VILLEGAS-ROSA, ANGEL ANTONIO MARTINEZ-TORRES, JOSE MORALES-DELGADO, ISMAEL MARQUEZ, together with five co-conspirators who are known to the Grand Jury but not charged as defendants in this Indictment (referred to hereafter as Co-Conspirators #1, #2, #3, #4 and #5), and other members and associates of the Matias-Torres Gang, distributed quantities of heroin, cocaine, cocaine base, methamphetamine, and marijuana.

10.2. On or about January 29, 2012, in St. Joseph, Missouri, JOSE MORALES-DELGADO, LUIS CALDERON-OLIVERAS and Co-Conspirator #1 assaulted police officers at

2509 Angelique Street;

10.3. On or before June 29, 2012, in St. Joseph, Missouri, VICTOR MATIAS-TORRES gave a firearm to Co-Conspirator #2 for the purpose of equipping Co-Conspirator #2 to commit a robbery;

10.4. On or about June 29, 2012, in St. Joseph, Missouri, JOSE MORALES-DELGADO and Co-Conspirator #2 participated in a robbery of a check-cashing establishment known as “Best Way”;

10.5. On or about July 3, 2012, in St. Joseph, Missouri, local police investigating of a check-cashing establishment known as “Check Into Cash” found a parking summons issued to ANGEL RIOS-ROSA on the premises of the business;

10.6. On or about August 11, 2012, in St. Joseph, Missouri, Co-Conspirator #2 was found by local police in possession of a firearm;

10.7. On or about August 15, 2012, in St. Joseph, Missouri, ANGEL RIOS-ROSA participated in a robbery of the check-cashing establishment known as “Check Into Cash”;

10.8. On or before September 10, 2012, in Estherville, Iowa, JOSE MORALES-DELGADO asked Co-Conspirator #3 to participate in a robbery of a local gas station and Co-Conspirator #3 declined to participate;

10.9. On or about September 10, 2012, in the late afternoon, in Estherville, Iowa, ISMAEL MARQUEZ tried to kill Co-Conspirator #3 with gunfire;

10.10. On or about September 10, 2012, in the evening, in Estherville, Iowa, JOSE MORALES-DELGADO, LUIS CALDERON-OLIVERAS and ISMAEL MARQUEZ physically assaulted Co-Conspirator #3;

10.11. In or about late 2012, and for approximately one year thereafter, in St.

Joseph, Missouri, VICTOR MATIAS-TORRES extorted “protection money” from Co-Conspirator #3, which money was collected on a regular basis by LUIS ALFREDO VILLEGAS-ROSA;

10.12. On September 28, 2012, in St. Joseph, Missouri, VICTOR MATIAS-TORRES and LUIS CALDERON-OLIVERAS participated in a robbery of a grocery store known as “Sack-N-Save”;

10.13. On or about December 28, 2012, in St. Joseph, Missouri, ANGEL RIOS-ROSA participated in a robbery of a check-cashing establishment known as “Money On Time”;

10.14. On or about January 19, 2013, in St. Joseph, Missouri, ANGEL RIOS-ROSA participated in a robbery of the check-cashing establishment known as “Check Into Cash”;

10.15. On or about January 25, 2013, in St. Joseph, Missouri, VICTOR MATIAS-TORRES and ANGEL RIOS-ROSA participated in a robbery of a check-cashing establishment known as “King of Kash”;

10.16. In or about late January 2013, LUIS GABRIEL VILLEGAS-ROSA participated in a physical assault of Co-Conspirator #3;

10.17. In or about the summer of 2013, in St. Joseph, Missouri, VICTOR MATIAS-TORRES, Co-Conspirator #2, and other members and associates of the Matias-Torres Gang, participated in a series of home-invasion robberies targeting immigrant workers for a local food processing company;

10.18. On or about September 15, 2013, in St. Joseph, Missouri, LUIS ALFREDO VILLEGAS-ROSA, at the direction of VICTOR MATIAS-TORRES and with the support of LUIS GABRIEL VILLEGAS-ROSA, fired gunshots at a person known to the Grand Jury (Rival-1) who had verbally challenged MATIAS-TORRES;

10.19. On or about October 19, 2013, in St. Joseph, Missouri, LUIS ALFREDO VILLEGAS-ROSA and LUIS GABRIEL VILLEGAS-ROSA assaulted and threatened a co-conspirator known to the Grand Jury but not charged as a defendant in this Indictment (Co-Conspirator #6);

10.20. On or about November 24, 2013, in St. Joseph, Missouri, LUIS ALFREDO VILLEGAS-ROSA and LUIS GABRIEL VILLEGAS-ROSA fired gunshots in the vicinity of 3639 Gene Field Road;

10.21. On or about November 24, 2013, in St. Joseph, Missouri, local police officers found LUIS GABRIEL VILLEGAS-ROSA with a loaded firearm in the vicinity of 1616 Buchanan Avenue;

10.22. On or about January 1, 2014, in St. Joseph, Missouri, LUIS ALFREDO VILLEGAS-ROSA and LUIS GABRIEL VILLEGAS-ROSA fired gunshots at the residence of Co-Conspirator #4, in the vicinity of 1701 Francis Street, and left the scene in a car driven by Co-Conspirator #2;

10.23. On or about January 17, 2014, in St. Joseph, Missouri, Co-Conspirator #3 possessed a firearm;

10.24. On or about February 5, 2014, in St. Joseph, Missouri, Co-Conspirator #2 fled from police officers who tried to stop the car he was driving;

10.25. In or about February and March 2014, in Pennsylvania and Massachusetts, VICTOR MATIAS-TORRES participated in the trafficking of quantities of heroin.

10.26. On or about March 16, 2014, LUIS ALFREDO VILLEGAS-ROSA and LUIS GABRIEL VILLEGAS-ROSA destroyed a van that belonged to a person known to the Grand Jury (Victim #1) by setting the van on fire;

10.27. On or about April 14, 2014, in St. Joseph, Missouri, Co-Conspirator #2

attempted to acquire a firearm;

10.28. On or about June 22, 2014, in St. Joseph, Missouri, LUIS GABRIEL VILLEGAS-ROSA tried to kill Victim #1 by firing gunshots through the window of Victim #1's residence, which shooting was motivated by VILLEGAS-ROSA's belief that Victim #1 accused him of destroying Victim #1's van in a statement to the police;

10.29. On or about June 22, 2014, in Platte County, Missouri, LUIS GABRIEL VILLEGAS-ROSA fled from police officers who tried to stop the car he was driving;

10.30. On or about September 27, 2014, ANGEL ANTONIO MARTINEZ-TORRES fired gunshots at a dissatisfied drug customer known to the Grand Jury (Rival-2), using a firearm that was handed to him by Co-Conspirator #4;

10.31. On or about November 29, 2014, in St. Joseph, Missouri, VICTOR MATIAS-TORRES fired gunshots at a group of unidentified rivals in the vicinity of 1702 Messanie Street;

10.32. On or about November 30, 2014, in St. Joseph, Missouri, VICTOR MATIAS-TORRES had a conversation about obtaining bullets for firearms of two different calibers;

10.33. On or about November 30, 2014, in St. Joseph, Missouri, LUIS ALFREDO VILLEGAS-ROSA had a conversation about obtaining bullets;

10.34. On or about December 14, 2014, in Kansas City, Kansas, VICTOR MATIAS-TORRES and LUIS ALFREDO VILLEGAS-ROSA were at the residence of a narcotics supplier known to the Grand Jury;

10.35. On or about February 5, 2015, in St. Joseph, Missouri, LUIS ALFREDO VILLEGAS-ROSA shot and killed John O. Baynham, Jr., after being challenged by him;

10.36. On or about July 4, 2015, in St. Joseph, Missouri, ANGEL ANTONIO

MARTINEZ-TORRES possessed a quantity of a controlled substance, swallowed it so police officers could not seize it, and physically resisted arrest;

10.37. On or about, July 17, 2015, in St. Joseph, Missouri, ANGEL ANTONIO MARTINEZ-TORRES possessed a firearm;

10.38. On or about August 8, 2015, in St. Joseph, Missouri, LUIS GABRIEL VILLEGAS-ROSA resisted arrest by physically assaulting a police officer;

10.39. On or about December 9, 2015, in St. Joseph, Missouri, ANGEL ANTONIO MARTINEZ-TORRES possessed quantities of cocaine and methamphetamine, tried to discard the drugs so police officers could not seize them, physically resisted arrest, and tried to flee from police custody;

10.40. In or about mid-January 2016, in St. Joseph, Missouri, VICTOR MATIAS-TORRES, ANGEL ANTONIO MARTINEZ-TORRES, Co-Conspirators #2 and Co-Conspirator #5 distributed methamphetamine from a residence at 620 and 622 N. 23rd Street;

10.41. On or about January 22, 2016, in St. Joseph, Missouri, VICTOR MATIAS-TORRES responded to a challenge by firing gunshots at the home of a drug dealer known to the Grand Jury;

10.42. In or about late January 2016, in St. Joseph, Missouri, VICTOR MATIAS-TORRES had a conversation with Victim #1;

10.43. On or about February 9, 2016, in St. Joseph, Missouri, VICTOR MATIAS-TORRES conducted a methamphetamine transaction, and fled from police who tried to stop the car he was driving;

10.44. On or about March 20, 2016, in St. Joseph, Missouri, ANGEL ANTONIO MARTINEZ-TORRES tried to hide a firearm from police;

10.45. On or about March 23, 2016, in St. Joseph, Missouri, VICTOR MATIAS-

TORRES and Co-Conspirator #5 robbed a person;

10.46. On or about April 3, 2016, in St. Joseph, Missouri, VICTOR MATIAS-TORRES tried to kill ANGEL ANTONIO MARTINEZ-TORRES with gunfire after being challenged by him;

10.47. On or about April 8, 2016, in St. Joseph, Missouri, ANGEL ANTONIO MARTINEZ-TORRES possessed a firearm;

10.48. On or about April 13, 2016, in St. Joseph, Missouri, VICTOR MATIAS-TORRES and Co-Conspirator #5 participated in an armed robbery of a Boost Mobile electronics business, located at 6400 King Hill Avenue; and

10.49. On or about April 15, 2016, in St. Joseph, Missouri, Co-Conspirator #6 had a conversation about trying to locate and violently confront a person who Co-Conspirator #6 believed helped police arrest VICTOR MATIAS-TORRES.

Notice of Enhanced Sentencing

11. From in or about 2012 up to and including in or about January 11, 2017, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, LUIS ALFREDO VILLEGAS-ROSA, ANGEL ANTONIO MARTINEZ-TORRES, JOSE MORALES-DELGADO and ISMAEL MARQUEZ, the defendants, together with other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate and agree together and with each other, to distribute and possess with intent to distribute in excess of one kilogram of heroin, five kilograms of cocaine, 280 grams of cocaine base, and 500 grams of a mixture and substance containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), 841(b)(1)(D) and 846.

12. On or about February 5, 2015, in the Western District of Missouri and elsewhere,

LUIS ALFREDO VILLEGAS-ROSA, the defendant, knowingly, and with the purpose of causing serious physical injury to John O. Baynham, Jr., did cause the death of John O. Baynham, Jr., in violation of Section 565.021 of the Missouri Revised Statutes.

All in violation of Title 18, United States Code, Section 1962(d).

COUNTS TWO THROUGH FOUR: ATTACK ON CO-CONSPIRATOR #3

COUNT TWO

(Conspiracy to Murder in Aid of Racketeering)

13. At all times relevant to this Indictment, the Matias-Torres Gang, as more fully described in paragraphs 1 through 7 and 10 of this Indictment, which are re-alleged and incorporated by reference as though set forth fully herein, including its leadership, membership and associates, constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that was engaged in, and the activities of which affected, interstate and foreign commerce. The Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise.

14. At all times relevant to this Indictment, the Matias-Torres Gang, through its leaders, members and associates, engaged in racketeering activity, as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), that is, acts and threats involving murder, robbery and extortion in violation of the laws of Missouri, acts and threats indictable under Title 18, United States Code, Section 1512 (relating to tampering with a witness or an informant) and Section 1951 (relating to interference with commerce, robbery, or extortion), and acts involving trafficking in controlled substances in violation of Title 21, United States Code, Sections 841 and 846.

15. In or about September 2012, in the Western District of Missouri and elsewhere,

for the purpose of gaining entrance to and maintaining and increasing position in the Matias-Torres Gang, an enterprise engaged in racketeering activity, JOSE MORALES-DELGADO, a/k/a "Beto," LUIS CALDERON-OLIVERAS and ISMAEL MARQUEZ, the defendants, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate and agree together and with each other to murder Co-Conspirator #3, in violation of Sections 706.1 and 707.3 of the Iowa Code.

Overt Acts

16. In furtherance of the conspiracy and to achieve the illegal object thereof, the following overt acts, among others, were committed in the Western District of Missouri and elsewhere:

16.1. On or about September 10, 2012, in Estherville, Iowa, ISMAEL MARQUEZ, at the direction of JOSE MORALES MORALES-DELGADO and with the support of LUIS CALDERON-OLIVERAS, fired gunshots at Co-Conspirator #3; and

16.2. On a date in 2012 unknown to the Grand Jury but after September 10, 2012, in St. Joseph, Missouri, MORALES-DELGADO met with VICTOR MATIAS-TORRES.

All in violation of Title 18, United States Code, Section 1959(a)(5).

COUNT THREE

(Assault and Attempted Murder in Aid of Racketeering)

17. Paragraphs 13 and 14 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein.

18. On or about September 10, 2012, in the Western District of Missouri and elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in the Matias-Torres Gang, an enterprise engaged in racketeering activity, JOSE MORALES-DELGADO, a/k/a "Beto," LUIS CALDERON-OLIVERAS and ISMAEL MARQUEZ, the

defendants, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly and intentionally assault Co-Conspirator #3 with a dangerous weapon and attempt to murder Co-Conspirator #3, and did aid and abet the same, in violation of Sections 703.1, 703.2, 707.11, 708.1, 708.4, 708.6 and 708.8 of the Iowa Code.

All in violation of Title 18, United States Code, Sections 1959(a)(3), 1959(a)(5), and 2.

COUNT FOUR

(Discharge of a Firearm in Furtherance of a Crime of Violence)

19. On or about September 10, 2012, in the Western District of Missouri and elsewhere, JOSE MORALES-DELGADO, a/k/a "Beto," LUIS CALDERON-OLIVERAS and ISMAEL MARQUEZ, the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the conspiracy to commit murder in aid of racketeering charged in Count Two of this Indictment, and the assault and attempted murder in aid of racketeering charged in Count Three of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was discharged in the vicinity of 103 N. 18th Street, Estherville, Iowa.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 2.

COUNTS FIVE THROUGH SEVEN: ATTACK ON RIVAL #1

COUNT FIVE

(Conspiracy to Murder in Aid of Racketeering)

20. Paragraphs 13 and 14 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein.

21. In or about September 2013, in the Western District of Missouri and elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in the Matias-

Torres Gang, an enterprise engaged in racketeering activity, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," LUIS ALFREDO VILLEGAS-ROSA, a/k/a "Puerto Rico," a/k/a "Rico," and LUIS GABRIEL VILLEGAS-ROSA, a/k/a "Conan," the defendants, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate and agree together and with each other to murder Rival #1, in violation of Sections 564.016 and 565.021 of the Missouri Revised Statutes.

Overt Acts

22. In furtherance of the conspiracy and to achieve the illegal object thereof, the following overt act, among others, were committed in the Western District of Missouri and elsewhere:

22.1. On or about September 15, 2013, in St. Joseph, Missouri, at the direction of VICTOR MATIAS-TORRES, and with the support of LUIS GABRIEL VILLEGAS-ROSA, LUIS ALFREDO VILLEGAS-ROSA fired gunshots at Rival #1.

All in violation of Title 18, United States Code, Section 1959(a)(5).

COUNT SIX

(Assault and Attempted Murder in Aid of Racketeering)

23. Paragraphs 13 and 14 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein.

24. On or about September 15, 2013, in the Western District of Missouri and elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in the Matias-Torres Gang, an enterprise engaged in racketeering activity, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," LUIS ALFREDO VILLEGAS-ROSA, a/k/a "Puerto Rico," a/k/a "Rico," and LUIS GABRIEL VILLEGAS-ROSA, a/k/a "Conan," the

defendants, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly and intentionally assault Rival #1 with a dangerous weapon and attempt to murder Rival #1, and did aid and abet the same, in violation of Sections 562.041, 564.11, 565.050, and 565.060 of the Missouri Revised Statutes.

All in violation of Title 18, United States Code, Sections 1959(a)(3), 1959(a)(5), and 2.

COUNT SEVEN

(Discharge of a Firearm in Furtherance of a Crime of Violence)

25. On or about September 15, 2013, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," LUIS ALFREDO VILLEGAS-ROSA, a/k/a "Puerto Rico," a/k/a "Rico," and LUIS GABRIEL VILLEGAS-ROSA, a/k/a "Conan," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the conspiracy to commit murder in aid of racketeering charged in Count Five of this Indictment, and the assault and attempted murder in aid of racketeering charged in Count Six of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was discharged in the vicinity of 1334 Frederick Avenue, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(iii), 924(c)(1)(C)(i), and 2.

COUNTS EIGHT THROUGH TWELVE: ATTACK ON VICTIM #1

COUNT EIGHT

(Assault and Attempted Murder in Aid of Racketeering)

26. Paragraphs 13 and 14 of this Indictment are re-alleged and incorporated by

reference as though set forth fully herein.

27. On or about June 22, 2014, in the Western District of Missouri and elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in the Matias-Torres Gang, an enterprise engaged in racketeering activity, LUIS GABRIEL VILLEGAS-ROSA, a/k/a “Conan,” the defendant, did knowingly and intentionally assault Victim #1 with a dangerous weapon and attempt to murder Victim #1, in violation of Sections 564.11, 565.050, and 565.060 of the Missouri Revised Statutes.

All in violation of Title 18, United States Code, Sections 1959(a)(3) and 1959(a)(5).

COUNT NINE

(Discharge of a Firearm in Furtherance of a Crime of Violence)

28. On or about June 22, 2014, in the Western District of Missouri and elsewhere, LUIS GABRIEL VILLEGAS-ROSA, a/k/a “Conan,” the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the assault and attempted murder in aid of racketeering charged in Count Eight of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, which was discharged in the vicinity of 404 S. 15th Street, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 924(c)(1)(C)(i).

COUNT TEN

(Conspiracy to Tamper with Victim #1)

29. In or about January 2016, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a “Papo,” a/k/a “King Fenese,” the defendant, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, with intent to influence, delay, and prevent the testimony of a person in an official proceeding, and

hinder, delay, and prevent the communication to a law enforcement officer of information relating to the commission and possible commission of a Federal Offense, did knowingly combine, conspire, confederate and agree together and with each other to use intimidation and threaten Victim #1, to wit, MATIAS TORRES and others would and did use intimidation to cause Victim #1 to withhold from federal law enforcement investigators information regarding the offenses charged in Counts Eight and Nine of this Indictment.

All in violation of Title 18, United States Code, Sections 1512(b)(1), 1512(b)(3), and 1512(k).

COUNT ELEVEN

(Tampering with Victim #1)

30. In or about January 2016, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," the defendant, with intent to influence, delay, and prevent the testimony of a person in an official proceeding, and hinder, delay, and prevent the communication to a law enforcement officer of information relating to the commission and possible commission of a Federal Offense, did knowingly use intimidation and threaten Victim #1, and did attempt to do the same.

All in violation of Title 18, United States Code, Sections 1512(b)(1) and 1512(b)(3).

COUNT TWELVE

(Accessory After the Fact)

31. In or about January 2016, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," the defendant, knowing that an offense against the United States had been committed, namely, the offenses charged in Counts Eight and Nine of this Indictment, did assist the offender in order to hinder and prevent his

apprehension, trial and punishment.

All in violation of Title 18, United States Code, Section 3.

COUNTS THIRTEEN AND FOURTEEN: ATTACK ON RIVAL #2

COUNT THIRTEEN

(Assault and Attempted Murder in Aid of Racketeering)

32. Paragraphs 13 and 14 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein.

33. On or about September 27, 2014, in the Western District of Missouri and elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in the Matias-Torres Gang, an enterprise engaged in racketeering activity, ANGEL ANTONIO MARTINEZ-TORRES, a/k/a “Tony,” the defendant, did knowingly and intentionally assault Rival #2 with a dangerous weapon and attempt to murder Rival #2, in violation of Sections 564.11, 565.050, and 565.060 of the Missouri Revised Statutes.

All in violation of Title 18, United States Code, Sections 1959(a)(3) and 1959(a)(5).

COUNT FOURTEEN

(Discharge of a Firearm in Furtherance of a Crime of Violence)

34. On or about September 27, 2014, in the Western District of Missouri and elsewhere, ANGEL ANTONIO MARTINEZ-TORRES, a/k/a “Tony,” the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the assault and attempted murder in aid of racketeering charged in Count Thirteen of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, which was discharged in the vicinity of 3631 Gene Field Road, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 924(c)(1)(C)(i).

COUNTS FIFTEEN THROUGH SEVENTEEN:
SHOOTING MURDER OF JOHN O. BAYNHAM, JR.

COUNT FIFTEEN

(Murder in Aid of Racketeering)

35. Paragraphs 13 and 14 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein.

36. On or about February 5, 2015, in the Western District of Missouri and elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in the Matias-Torres Gang, an enterprise engaged in racketeering activity, LUIS ALFREDO VILLEGAS-ROSA, a/k/a "Puerto Rico," a/k/a "Rico," the defendant, did knowingly and intentionally murder John O. Baynham, Jr., in violation of Section 565.021 of the Missouri Revised Statutes.

All in violation of Title 18, United States Code, Section 1959(a)(1).

COUNT SIXTEEN

(Discharge of a Firearm in Furtherance of a Crime of Violence)

37. On or about February 5, 2015, in the Western District of Missouri and elsewhere, LUIS ALFREDO VILLEGAS-ROSA, a/k/a "Puerto Rico," a/k/a "Rico," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the murder in aid of racketeering charged in Count Fifteen of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, which was discharged in the vicinity of 1817 Garfield Avenue, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 924(c)(1)(C)(i).

COUNT SEVENTEEN

(Murder Resulting from the Use and Carrying of a Firearm
During and in Relation to a Crime of Violence)

38. On or about February 5, 2015, in the Western District of Missouri and elsewhere, LUIS ALFREDO VILLEGAS-ROSA, a/k/a “Puerto Rico,” a/k/a “Rico,” the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the murder in aid of racketeering charged in Count Fifteen of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and in the course of that crime of violence did cause the death of John O. Baynham, Jr., through the use of a firearm, which killing is a murder as defined in Title 18, United States Code, Section 1111(a).

All in violation of Title 18, United States Code, Section 924(j).

COUNTS EIGHTEEN AND NINETEEN: ATTACK ON A DISLOYAL MEMBER

COUNT EIGHTEEN

(Assault and Attempted Murder in Aid of Racketeering)

39. Paragraphs 13 and 14 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein.

40. On or about April 3, 2016, in the Western District of Missouri and elsewhere, for the purpose of maintaining and increasing position in the Matias-Torres Gang, an enterprise engaged in racketeering activity, VICTOR MATIAS-TORRES, a/k/a “Papo,” a/k/a “King Fenese,” the defendant, did knowingly and intentionally assault Angel Antonio Martinez-Torres, a/k/a “Tony,” with a dangerous weapon and attempt to murder Martinez-Torres, in violation of Sections 564.11, 565.050, and 565.060 of the Missouri Revised Statutes, to wit, to maintain his leadership position in the Enterprise, MATIAS-TORRES tried to kill Martinez-Torres with

gunfire.

All in violation of Title 18, United States Code, Sections 1959(a)(3) and 1959(a)(5).

COUNT NINETEEN

(Discharge of a Firearm in Furtherance of a Crime of Violence)

41. On or about April 3, 2016, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the assault and attempted murder in aid of racketeering charged in Count Eighteen of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, which was discharged in the vicinity of 3601 Gene Field Road, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 924(c)(1)(C)(i).

COUNTS TWENTY THROUGH TWENTY-TWO:
NARCOTICS TRAFFICKING OPERATION

COUNT TWENTY

(Narcotics Trafficking Conspiracy)

42. From a date unknown to the Grand Jury, but no later than in or about 2011, up to and including January 11, 2017, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," LUIS ALFREDO VILLEGAS-ROSA, a/k/a "Puerto Rico," a/k/a "Rico," ANGEL ANTONIO MARTINEZ-TORRES, a/k/a "Tony," JOSE MORALES-DELGADO, a/k/a "Beto," and ISMAEL MARQUEZ, the defendants, together with Co-Conspirators #1, #2, #3, #4 and #5, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly and intentionally

combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

43. It was a part and an object of the conspiracy that the defendants and their co-conspirators would and did distribute and possess with intent to distribute one kilogram and more of a mixture and substance containing a detectable amount of heroin, a schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

44. It further was a part and an object of the conspiracy that the defendants and their co-conspirators would and did distribute and possess with intent to distribute five kilograms and more of a mixture and substance containing a detectable amount of cocaine, a schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

45. It further was a part and an object of the conspiracy that the defendants and their co-conspirators would and did distribute and possess with intent to distribute 280 grams and more of a mixture and substance containing a detectable amount of cocaine base (more commonly known as “crack”), a schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

46. It further was a part and an object of the conspiracy that the defendants and their co-conspirators would and did distribute and possess with intent to distribute 500 grams and more of a mixture and substance containing a detectable amount of methamphetamine, a schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

47. It further was a part and an object of the conspiracy that the defendants and their co-conspirators would and did distribute and possess with intent to distribute less than 50 kilograms of a mixture and substance containing a detectable amount of marijuana, a schedule I

controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

Overt Acts

48. In furtherance of the conspiracy and to achieve the illegal objects thereof, the following overt acts, among others, were committed in the Western District of Missouri and elsewhere:

48.1. In or about 2012, in St. Joseph, Missouri, ISMAEL MARQUEZ distributed a quantity of marijuana;

48.2. In or about 2013, in Kansas City, Kansas, VICTOR MATIAS-TORRES obtained a quantity of cocaine;

48.3. In or about 2013, in St. Joseph, Missouri, LUIS ALFREDO VILLEGAS-ROSA distributed a quantity of cocaine base;

48.4. In or about February and March 2014, in Massachusetts, VICTOR MATIAS-TORRES distributed a quantity of heroin;

48.5. In or about October 2015, in St. Joseph, Missouri, JOSE MORALES-DELGADO possessed a quantity of methamphetamine;

48.6. On or about January 25, 2016, in St. Joseph, Missouri, ANGEL ANTONIO MARTINEZ-TORRES possessed a quantity of methamphetamine; and

48.7. On or about February 9, 2016, in St. Joseph, Missouri, VICTOR MATIAS-TORRES distributed a quantity of methamphetamine.

All in violation of Title 21, United States Code, Section 846.

COUNT TWENTY-ONE

(Possession of a Firearm in Furtherance of Drug Trafficking)

49. In or about mid-January 2016, in the Western District of Missouri and elsewhere,

ANGEL ANTONIO MARTINEZ-TORRES, a/k/a "Tony," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics distribution conspiracy charged in Count Twenty of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, in the vicinity of 620 and 622 N. 23rd Street, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) and 924(c)(1)(C)(i).

COUNT TWENTY-TWO

(Possession of a Firearm in Furtherance of Drug Trafficking)

50. On or about February 9, 2016, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics distribution conspiracy charged in Count Twenty of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, in the vicinity of the 2500 block of Faraon Street, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) and 924(c)(1)(C)(i).

COUNTS TWENTY-THREE THROUGH THIRTY-TWO: ROBBERIES

COUNT TWENTY-THREE

(Robbery Conspiracy: "Best Way")

51. On or about June 29, 2012, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," and JOSE MORALES-DELGADO, a/k/a "Beto," the defendants, together with Co-Conspirator #2, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly

combine, conspire, confederate and agree together and with each other 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, the defendants and their co-conspirators agreed to commit a robbery of a check-cashing establishment known as "Best Way," located at 4915 King Hill Avenue, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWENTY-FOUR

(Robbery of "Best Way")

52. On or about June 29, 2012, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," and JOSE MORALES-DELGADO, a/k/a "Beto," the defendants, together with Co-Conspirator #2, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly commit, and aid and abet the commission of, robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would thereby have obstructed, delayed, and affected 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, the defendants and others committed, and aided and abetted the commission of, a robbery of a check-cashing establishment known as "Best Way," located at 4915 King Hill Avenue, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT TWENTY-FIVE

(Possession of a Firearm in Furtherance of a Crime of Violence)

53. On or about June 29, 2012, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," the defendant, during and in

relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the robbery conspiracy charged in Count Twenty-Three of this Indictment, and the robbery charged in Court Twenty-Four of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, to wit, MATIAS-TORRES gave a firearm to Co-Conspirator #2.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) and 924(c)(1)(C)(i).

COUNT TWENTY-SIX

(Robbery Conspiracy: "Sack-N-Save")

54. On or about September 28, 2012, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," the defendant, together with Luis Calderon-Oliveras, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly combine, conspire, confederate and agree together and with each other 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, MATIAS-TORRES and his co-conspirators agreed to commit a robbery of a grocery store known as "Sack-N-Save," located at 4913 Lake Avenue, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWENTY-SEVEN

(Robbery of "Sack-N-Save")

55. On or about September 28, 2012, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," the defendant,

together with Luis Calderon-Oliveras, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly commit, and aid and abet the commission of, robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would thereby have obstructed, delayed, and affected 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, MATIAS-TORRES and others committed, and aided and abetted the commission of, a robbery of a grocery store known as "Sack-N-Save," located at 4913 Lake Avenue, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT TWENTY-EIGHT

(Robbery Conspiracy: "Money On Time")

56. On or about December 28, 2012, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," the defendant, together with Angel Rios-Rosa, a/k/a "Gato," and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly combine, conspire, confederate and agree together and with each other 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, MATIAS-TORRES and his co-conspirators agreed to commit a robbery of a check-cashing establishment known as "Money On Time," located at 2243 N. Belt Highway, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWENTY-NINE

(Robbery Conspiracy: "Check Into Cash")

57. On or about January 19, 2013, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," and ANGEL RIOS-ROSA, a/k/a "Gato," the defendants, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly combine, conspire, confederate and agree together and with each other 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, the defendants and their co-conspirators agreed to commit a robbery of a check-cashing establishment known as "Check Into Cash," located at 3302 S. Belt Highway, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT THIRTY

(Robbery of "Check Into Cash")

58. On or about January 19, 2013, in the Western District of Missouri and elsewhere, ANGEL RIOS-ROSA, a/k/a "Gato," the defendant, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly commit, and aid and abet the commission of, robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would thereby have obstructed, delayed, and affected 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, RIOS-ROSA and others committed, and aided and abetted the commission of, a robbery of a check-cashing establishment known as "Check Into Cash," located at 3302 S. Belt Highway, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THIRTY-ONE

(Robbery Conspiracy: "King of Kash")

59. On or about January 25, 2013, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," and ANGEL RIOS-ROSA, a/k/a "Gato," the defendants, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly combine, conspire, confederate and agree together and with each other 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, the defendants and their co-conspirators agreed to commit a robbery of a check-cashing establishment known as "King of Kash," located at 2308 N. Belt Highway, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 1951(a).

COUNT THIRTY-TWO

(Robbery of "King of Kash")

60. On or about January 25, 2013, in the Western District of Missouri and elsewhere, ANGEL RIOS-ROSA, a/k/a "Gato," the defendant, and other members and associates of the Matias-Torres Gang known and unknown to the Grand Jury, did knowingly commit, and aid and abet the commission of, robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would thereby have obstructed, delayed, and affected 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, RIOS-ROSA and others committed, and aided and abetted the commission of, a robbery of a check-cashing establishment known as "King of

Kash,” located at 2308 N. Belt Highway, St. Joseph, Missouri.

All in violation of Title 18, United States Code, Sections 1951(a) and 2.

ADDITIONAL FIREARM CHARGES

COUNT THIRTY-THREE

(Possession of a Firearm by a Convicted Felon)

61. On or about February 9, 2016, in the Western District of Missouri and elsewhere, VICTOR MATIAS-TORRES, a/k/a “Papo,” a/k/a “King Fenese,” the defendant, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, a firearm, to wit, a Jimenez Arms, Model J.A. Nine, 9-milimeter pistol, bearing serial number 170254.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT THIRTY-FOUR

(Possession of a Firearm by a Convicted Felon)

62. On or about February 5, 2015, in the Western District of Missouri and elsewhere, LUIS ALFREDO VILLEGAS-ROSA, a/k/a “Puerto Rico,” a/k/a “Rico,” the defendant, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, a firearm, to wit, a Taurus, Model TCP PT738, .380-caliber semiautomatic pistol, bearing serial number 54424B.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

FORFEITURE ALLEGATION

(Count One: Racketeering Conspiracy)

63. The allegations contained in Count One of this Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 1963. Pursuant to Rule 32.2

of the Federal Rules of Criminal Procedure, notice is hereby given to the defendant that the United States will seek forfeiture as part of any sentence in accordance with Title 18, United States Code, Section 1963 in the event of the defendant's conviction under Count One of this Indictment.

64. VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," LUIS ALFREDO VILLEGAS-ROSA, a/k/a "Puerto Rico," a/k/a "Rico," LUIS GABRIEL VILLEGAS-ROSA, a/k/a "Conan," ANGEL ANTONIO MARTINEZ-TORRES, a/k/a "Tony," ANGEL RIOS-ROSA, a/k/a "Gato," JOSE MORALES-DELGADO, a/k/a "Beto," LUIS CALDERON-OLIVERAS and ISMAEL MARQUEZ, the defendants:

64.1. have acquired and maintained interests in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1);

64.2. have an interest in, security of, claim against, and property and contractual rights which afford a source of influence over, the enterprise named and described herein, which the defendant established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962, which interests, securities, claims, and rights are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(2); and/or

64.3. have property constituting and derived from proceeds obtained, directly and indirectly, from aforesaid racketeering activity, in violation of Title 18, United States Code, Section 1962, which property is subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(3).

65. The interests of the defendant subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a) include the amount of gross proceeds received by

the defendant derived from racketeering activities as alleged in Count One of this Indictment.

Substitute Assets

66. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

66.1. cannot be located upon the exercise of due diligence;

66.2. has been transferred or sold to, or deposited with, a third party;

66.3. has been placed beyond the jurisdiction of the Court;

66.4. has been substantially diminished in value; or

66.5. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

All in accordance with Title 18, United States Code, Section 1963.

FORFEITURE ALLEGATION

(Count Twenty: Narcotics Trafficking Conspiracy)

67. The allegations contained in Count Twenty of this Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 853.

68. As a result of committing the controlled substance offense alleged in Count Twenty of this Indictment, VICTOR MATIAS-TORRES, a/k/a "Papo," a/k/a "King Fenese," LUIS ALFREDO VILLEGAS-ROSA, a/k/a "Puerto Rico," a/k/a "Rico," ANGEL ANTONIO MARTINEZ-TORRES, a/k/a "Tony," JOSE MORALES-DELGADO, a/k/a "Beto," and ISMAEL MARQUEZ shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, all property, real and personal, constituting or derived from any proceeds said

defendant obtained directly and indirectly as a result of the violation of Title 21, United States Code, Section 846, as charged in Count Twenty of this Indictment, and all property used, or intended to be used, in any manner or part, to commit, and to facilitate the commission of the said violation, including but not limited to:

68.1. A sum in United States currency representing the amount of all proceeds obtained as a result of the controlled substance offense alleged in in Count Twenty of this Indictment.

Substitute Assets

69. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

69.1. cannot be located upon the exercise of due diligence;

69.2. has been transferred or sold to, or deposited with, a third party;

69.3. has been placed beyond the jurisdiction of the court;

69.4. has been substantially diminished in value; or

69.5. has been commingled with other property which cannot be divided without difficulty;

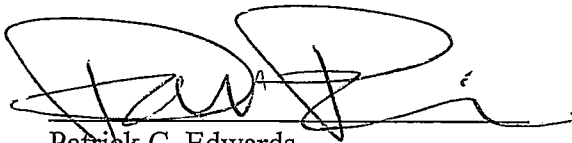
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

All in accordance with Title 18, United States Code, Section 981(a)(1)(C); Title 28,
United States Code, Section 2461(c); and Rule 32.2(a) Federal Rules of Criminal Procedure.

A TRUE BILL.

1/11/17
DATE

Carla J Eye
FOREPERSON OF THE GRAND JURY


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Western District of Missouri