

09/11/2030 08:28

CR-12-00833-LHK

#0687 P 012021 **FILED**

United States District Court

APR 17 2013

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

VENUE: SAN JOSE

FILED
2013 FEB 28 P 3 21
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

Salvador Espinoza-Palino,
Pedro Carbajal-Ruvalcaba,
Alejandro Espinoza Deltoro,
Omar Gonzalez,
Marco Antonio Farias,

Juan Figueroa Garcia,
Julio Garcia,
Jose Corona-Mata,

Vianey Naranjo Arandas,
Alondra Nayali Torres-Sanchez

DEFENDANT(S).

**SEALED
BY COURT ORDER**

Redacted

SECOND SUPERSEDING INDICTMENT

COUNT ONE: 21 U.S.C. § 846 - Conspiracy to Possess with Intent to Distribute and to Distribute Methamphetamine; COUNTS TWO & SIX: 18 U.S.C. § 1956(h) - Conspiracy to Commit Money Laundering; COUNTS THREE & FIVE: 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2 - Distribution of Methamphetamine and Aiding and Abetting; COUNT FOUR: 8 U.S.C. § 1326- Illegal Re-entry
FORFEITURE ALLEGATION: 21 U.S.C. § 853(a) - Drug Forfeiture; 18 U.S.C. § 982(a)(1) - Money Laundering Forfeiture

A true bill

[Signature]
Foreman

Filed in open court this 28th day of

February, 2013

[Signature] 2-28-13
Clerk

ROSE MAHER

Elena James
United States Chief Magistrate Judge

NO BAIL ARREST WARRANT

for all defendants

09/11/2030 08:28

#0887 P.013/021

1 MELINDA HAAG (CABN 132612)
2 United States Attorney

FILED

APR 17 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

FILED
2013 FEB 28 P 3 21
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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6 UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION

**SEALED
BY COURT ORDER**

9
10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.

No. CR-12-833-LHK

13 SALVADOR ESPINOZA-PATINO,
14 a/k/a "Chava,"
15 a/k/a "Salvador,"
16 a/k/a "Primito,"
17 PEDRO CARBAJAL-RUVALCABA,
18 a/k/a "Guero,"
19 ALEJANDRO ESPINOZA DELTORO,
20 a/k/a "Marco Andres Arrollo,"
21 a/k/a "Marco Ortuno Del Toro,"
22 a/k/a "Primaso,"
23 OMAR GONZALEZ,
24 MARCO ANTONIO FARIAS,
25 a/k/a "Cantante,"
26 JUAN FIGUEROA GARCIA,
27 a/k/a "Antonio Figueroa,"
28 JULIO GARCIA,
a/k/a "Julio Alfonso Arias,"
a/k/a "Majano Augustino,"
a/k/a "Julio Alfonso Garcia,"
a/k/a "Julio Garcia-Arias,"
a/k/a "Augustino Majano,"
a/k/a "Virjam Irbin Moreno,"
a/k/a "Virjam Irbin Cota Moreno,"
a/k/a "Julio Duran Rodriguez,"
JOSE CORONA-MATA,
a/k/a "Monroy,"
a/k/a "Jose Luis Loya,"

VIOLATIONS: 21 U.S.C. § 846 -
Conspiracy to Possess with Intent to
Distribute and to Distribute
Methamphetamine; 21 U.S.C. § 841(a)(1) -
Distribution of Methamphetamine; 18
U.S.C. § 1956(h) - Conspiracy to Commit
Money Laundering; 18 U.S.C. § 2 - Aiding
and Abetting; 8 U.S.C. § 1326 - Illegal Re-
Entry Following Deportation; 21 U.S.C. §
853(a) - Drug Forfeiture; 18 U.S.C. §
982(a)(1) - Money Laundering Forfeiture

SAN JOSE VENUE

UNDER SEAL OF COURT

SECOND SUPERSEDING INDICTMENT

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#0687 P.014/021

1 a/k/a "Luis Jose Loya,"
2 a/k/a "Jose Corona Mara,"
3 a/k/a "Evaristo Aguilar Rodriguez,"

4 VIANEY NARANJO ARANDAS,
5 a/k/a "Naranjo," and
6 ALONDRA NAYALI TORRES-
7 SANCHEZ,
8 a/k/a "Jessica,"

9 Defendants.

10 SECOND SUPERSEDING INDICTMENT

11 The Grand Jury charges:

12 COUNT ONE: (21 U.S.C. § 846 - Conspiracy to Possess with Intent to Distribute and to
13 Distribute Methamphetamine)
14 Beginning on a date unknown to the Grand Jury but no later than on or about May 25, 2012, and
15 continuing through at least on or about November 30, 2012, in the Northern District of
16 California, and elsewhere, the defendants,

17 SALVADOR ESPINOZA-PATINO,

18 a/k/a "Chava,"

19 a/k/a "Salvador,"

20 a/k/a "Primito,"

21 PEDRO CARBAJAL-RUVALCABA,

22 a/k/a "Guero,"

23 ALEJANDRO ESPINOZA DEL TORO,

24 a/k/a "Marco Andres Arrollo,"

25 a/k/a "Marco Ortuno Del Toro,"

26 a/k/a "Primaso,"

27 OMAR GONZALEZ,

28 MARCO ANTONIO FARIAS,

a/k/a "Cantante,"

JUAN FIGUEROA GARCIA,

a/k/a "Antonio Figueroa,"

JULIO GARCIA,

a/k/a "Julio Alfonso Arias,"

a/k/a "Majano Augustino,"

a/k/a "Julio Alfonso Garcia,"

a/k/a "Julio Garcia-Arias,"

a/k/a "Augustino Majano,"

a/k/a "Virjam Irbin Moreno,"

a/k/a "Virjam Irbin Cota Moreno,"

a/k/a "Julio Duran Rodriguez,"

JOSE CORONA-MATA,

a/k/a "Monroy,"

a/k/a "Jose Luis Loya,"

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#0687 P.015/021

1 a/k/a "Luis Jose Loya,"
 2 a/k/a "Jose Corona Mara,"
 3 a/k/a "Evaristo Aguilar Rodriguez,"

4 and
 5 ALONDRA NAYALI TORRES SANCHEZ,
 6 a/k/a "Jessica,"

7 did knowingly and intentionally conspire with each other, and with other persons both known
 8 and unknown to the Grand Jury, to possess with intent to distribute and to distribute a Schedule II
 9 controlled substance, to wit: 500 grams or more of a mixture and substance containing a
 10 detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of
 11 Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(A)(viii).

12 COUNT TWO: (18 U.S.C. § 1956(h) – Conspiracy to Commit Money Laundering)

13 Beginning on a date unknown to the Grand Jury but no later than on or about May 25,
 14 2012, and continuing through at least on or about October 12, 2012, in the Northern District of
 15 California, and elsewhere, the defendants,

16 SALVADOR ESPINOZA-PATINO,
 17 a/k/a "Chava,"
 18 a/k/a "Salvador,"
 19 a/k/a "Primito."

20 PEDRO CARBAJAL-RUVALCABA,
 21 a/k/a "Guero."

22 ALEJANDRO ESPINOZA DELTORO,
 23 a/k/a "Marco Andres Arrollo,"
 24 a/k/a "Marco Ortuno Del Toro,"

25 a/k/a "Primaso," and
 26 MARCO ANTONIO FARIAS,
 27 a/k/a "Cantante,"

28 did knowingly conspire with each other, and with other persons both known and unknown to the
 Grand Jury, to commit offenses against the United States in violation of 18 U.S.C. § 1956(h),
 namely, that they transported and attempted to transport monetary instruments and funds from a
 place in the United States, to wit, the Northern District of California, to a place outside the
 United States, to wit, Mexico, knowing that the monetary instruments and funds represented the
 proceeds of some form of unlawful activity, and knowing that such transportation was designed
 in whole and in part to conceal and disguise the nature, location, source, ownership, and control
 of the proceeds of specified unlawful activity, in violation of Title 18, United States Code,
 Sections 1956(a)(2)(B)(i).

SECOND SUPERSEDING INDICTMENT 3

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1 COUNT THREE: (21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2 - Distribution of
2 Methamphetamine and Aiding and Abetting)
3 On or about October 19, 2012, in the Northern District of California, the defendants,

4 SALVADOR ESPINOZA-PATINO,
5 a/k/a "Chava,"
6 a/k/a "Salvador,"
7 a/k/a "Primito,"
8 PEDRO CARBAJAL-RUVALCABA,
9 a/k/a "Guero,"
10 OMAR GONZALEZ, and
11 [REDACTED]

12 each aided and abetted by the other, did knowingly and intentionally distribute a Schedule II
13 controlled substance, to wit: 500 grams or more of a mixture and substance containing a
14 detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of
15 Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii) and Title 18, United
16 States Code, Section 2.

17 COUNT FOUR (8 U.S.C. § 1326- Illegal Re-entry)

18 On or about November 30, 2012, the defendant,

19 JOSE CORONA-MATA,

20 an alien, previously having been excluded, deported, and removed from the United States on or
21 about May 16, 2011, November 19, 2009, September 23, 2005, September 4, 2003, and August
22 27, 2003, was found in the Northern District of California, the Attorney General of the United
23 States and the Secretary for Homeland Security not having expressly consented to a re-
24 application by the defendant for admission into the United States, in violation of Title 8, United
25 States Code, Section 1326.

26 COUNT FIVE: (21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2 - Distribution of
27 Methamphetamine and Aiding and Abetting)

28 On or about August 9, 2012, in the Northern District of California, the defendants,

29 SALVADOR ESPINOZA-PATINO,
30 a/k/a "Chava,"
31 a/k/a "Salvador,"
32 a/k/a "Primito,"
33 ALEJANDRO ESPINOZA DELTORO,
34 a/k/a "Marco Andres Arrollo,"
35 a/k/a "Marco Ortuno Del Toro,"
36 a/k/a "Primaso," and

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1 ALONDRA NAYALI TORRES SANCHEZ,
 2 a/k/a "Jessica,"
 3 each aided and abetted by the other, did knowingly and intentionally distribute a Schedule II
 4 controlled substance, to wit: 500 grams or more of a mixture and substance containing a
 5 detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of
 6 Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii) and Title 18, United
 7 States Code, Section 2.

8 COUNT SIX: (18 U.S.C. § 1956(h) – Conspiracy to Commit Money Laundering)

9 Beginning on a date unknown to the Grand Jury but no later than on or about September
 10 4, 2012, and continuing through at least on or about November 29, 2012, in the Northern District
 11 of California, and elsewhere, the defendants,

12 SALVADOR ESPINOZA-PATINO,
 13 a/k/a "Chava,"
 14 a/k/a "Salvador,"
 15 a/k/a "Primito," and
 16 VIANEY NARANJO ARANDAS,
 17 a/k/a "Naranjo,"

18 did knowingly conspire with each other, and with other persons both known and unknown to the
 19 Grand Jury, to commit offenses against the United States in violation of 18 U.S.C. § 1956(h),
 20 namely, that they transmitted and transported and attempted to transmit and transport monetary
 21 instruments and funds from a place in the United States, to wit, the Northern District of
 22 California, to a place outside the United States, to wit, Mexico, knowing that the monetary
 23 instruments and funds represented the proceeds of some form of unlawful activity, and knowing
 24 that such transmission and transportation was designed in whole and in part to conceal and
 25 disguise the nature, location, source, ownership, and control of the proceeds of specified
 26 unlawful activity, in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(I).

27 FIRST FORFEITURE ALLEGATION: (21 U.S.C. § 853(a) - Drug Forfeiture)

28 The allegations contained in Counts One, Two, Three, and Five of this Second
 Superseding Indictment are hereby realleged and by this reference fully incorporated herein.

Upon conviction of the any of the offenses alleged in Counts One, Two, Three, and Five
 of this Superseding Indictment, the defendants,

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SALVADOR ESPINOZA-PATINO,
a/k/a "Chava,"
a/k/a "Salvador,"
a/k/a "Primito,"

PEDRO CARBAJAL-RUVALCABA,
a/k/a "Guero,"

ALEJANDRO ESPINOZA DELTORO,
a/k/a "Marco Andres Arrollo,"
a/k/a "Marco Ortuno Del Toro,"
a/k/a "Primaso,"

OMAR GONZALEZ.
MARCO ANTONIO FARIAS,
a/k/a "Cantante."

JUAN FIGUEROA GARCIA,
a/k/a "Antonio Figueroa,"

JULIO GARCIA.
a/k/a "Julio Alfonso Arias,"
a/k/a "Majano Augustino,"

a/k/a "Julio Alfonso Garcia,"
a/k/a "Julio Garcia-Arias,"
a/k/a "Augustino Majano."

a/k/a "Virjam Irbin Moreno."
a/k/a "Virjam Irbin Cota Moreno,"
a/k/a "Julio Duran Rodriguez," and

JOSE CORONA-MATA,
a/k/a "Monroy."

a/k/a "Jose Luis Loya,"
a/k/a "Luis Jose Loya."

a/k/a "Jose Corona Mara,"
a/k/a "Evaristo Aguilar Rodriguez,"

ALONDRA NAYALI TORRES SANCHEZ,
a/k/a "Jessica,"

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853(a)(1) and (2), any property constituting, or derived from any proceeds obtained, directly or indirectly as a result of said violations, including but not limited to the following:

- a. \$240,099 in U.S. currency, seized on or about October 12, 2012;
- b. \$121,775 in U.S. currency, seized on or about November 30, 2012;
- c. \$92,574 in U.S. currency, seized on or about November 30, 2012
- d. \$19,769 in U.S. currency, seized on or about November 30, 2012;
- e. \$9,180 in U.S. currency, seized on or about November 30, 2012;
- f. Freedom Arms .22 caliber pistol, Serial Number A76730;
- g. Davis Industries Derringer handgun, Serial Number 068300;
- h. Smith and Wesson 9 mm pistol, Serial Number RAW5523;

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- 1 i. Smith and Wesson .22 caliber revolver, Serial Number BKD3843;
 2 j. Florida Firearms .38 caliber revolver, Serial Number FF305149;
 3 k. Beretta Model 950 .25 caliber handgun, Serial Number DAA038371;
 4 l. Beretta Model 92FS 9mm pistol, Serial Number BER412403Z;
 5 m. Springfield Arms Model XD 9 mm pistol, Serial Number MG916820;
 6 n. Smith and Wesson Model 3906 9mm handgun, Serial Number TCY8727.

7 If, as a result of any act or omission of the defendants, any of said property

- 8 a. cannot be located upon the exercise of due diligence;
 9 b. has been transferred or sold to or deposited with, a third person;
 10 c. has been placed beyond the jurisdiction of the Court;
 11 d. has been substantially diminished in value; or
 12 e. has been commingled with other property which cannot be divided without
 13 difficulty;

14 any and all interest defendants have in any other property, up to value of the property described
 15 in Paragraph 2 above, shall be forfeited to the United States, pursuant to Title 21, United States
 16 Code, Section 853(p). All in violation of Title 21, United States Code, Section 853(a)(1), (a)(2),
 17 and Rule 32.2 of the Federal Rules of Criminal Procedure.

18 SECOND FORFEITURE ALLEGATION: (18 U.S.C. § 982(a)(1) – Money Laundering
 19 Forfeiture)

20 The allegations contained in Count Two of this Second Superseding Indictment are
 21 hereby realleged and by this reference fully incorporated herein.

22 Upon conviction of the offense alleged in Count Two of this Superseding Indictment, the
 23 defendants,

23 SALVADOR ESPINOZA-PATINO,
 a/k/a "Chava,"
 a/k/a "Salvador,"
 24 a/k/a "Primito,"
 PEDRO CARBAJAL-RUVALCABA,
 25 a/k/a "Guero,"
 ALEJANDRO ESPINOZA DELTORO,
 26 a/k/a "Marco Andres Arrollo,"
 a/k/a "Marco Ortuño Del Toro,"
 27 a/k/a "Primaso," and
 MARCO ANTONIO FARIAS,
 28 a/k/a "Cantante,"

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1 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1) any
 2 property, real and personal, involved in said violations, or any property traceable to such
 3 property, including but not limited to the following:

- 4 a. \$240,099 in U.S. currency, seized on or about October 12, 2012;
- 5 b. \$121,775 in U.S. currency, seized on or about November 30, 2012;
- 6 c. \$19,769 in U.S. currency, seized on or about November 30, 2012;
- 7 d. \$9,180 in U.S. currency, seized on or about November 30, 2012;

8 If, as a result of any act or omission of the defendant, any of said property

- 9 a. cannot be located upon the exercise of due diligence;
- 10 b. has been transferred or sold to or deposited with a third person;
- 11 c. has been placed beyond the jurisdiction of the Court;
- 12 d. has been substantially diminished in value; or
- 13 e. has been commingled with other property which cannot be divided without
 14 difficulty;

15 any and all interest defendants have in any other property, up to value of the property described
 16 in the preceding paragraph, shall be forfeited to the United States, pursuant to Title 21, United
 17 States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), and
 18 Rule 32.2 of the Federal Rules of Criminal Procedure.

19 THIRD FORFEITURE ALLEGATION: (18 U.S.C. § 982(a)(1) – Money Laundering
 20 Forfeiture)

21 The allegations contained in Count Six of this Second Superseding Indictment are hereby
 22 realleged and by this reference fully incorporated herein.

23 Upon conviction of the offense alleged in Count Two of this Superseding Indictment, the
 24 defendants,

25 SALVADOR ESPINOZA-PATINO,
 a/k/a "Chava,"
 a/k/a "Salvador,"
 a/k/a "Primito," and
 26 VIANEY NARANJO ARANDAS,
 a/k/a "Naranjo,"

27 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1) any
 28 property, real and personal, involved in said violations, or any property traceable to such

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1 property, including but not limited to the following:

- 2 a. \$240,099 in U.S. currency, seized on or about October 12, 2012;
- 3 b. \$121,775 in U.S. currency, seized on or about November 30, 2012;
- 4 c. \$19,769 in U.S. currency, seized on or about November 30, 2012;
- 5 d. \$9,180 in U.S. currency, seized on or about November 30, 2012;

6 If, as a result of any act or omission of the defendant, any of said property

- 7 a. cannot be located upon the exercise of due diligence;
- 8 b. has been transferred or sold to or deposited with a third person;
- 9 c. has been placed beyond the jurisdiction of the Court;
- 10 d. has been substantially diminished in value; or
- 11 e. has been commingled with other property which cannot be divided without
- 12 difficulty;

13 any and all interest defendants have in any other property, up to value of the property described
 14 in the preceding paragraph, shall be forfeited to the United States, pursuant to Title 21, United
 15 States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), and
 16 Rule 32.2 of the Federal Rules of Criminal Procedure.

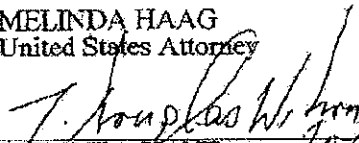
17
18 DATED:

A TRUE BILL

19 February 28, 2013

20 
 21 FOREPERSON

22 MELINDA HAAG
United States Attorney

23 
 24 MIRANDA KANE
 25 Criminal Chief, Criminal Division

26 (Approved as to form: )
 27 RICHARD C. CHENG, AUSA
 28 GRANT FONDO, AUSA

AO 257 (Rev. 6/78)

SEAL BY ORDER OF COURT

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION, DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED See Attached Penalty Sheet Petty Minor Misdemeanor Felony PENALTY: Mandatory Minimum of 10 years to life imprisonment; a \$10,000,000 fine; 5 years to life on supervised release; a \$100 special assessment; and denial of federal benefits. See Attached Penalty Sheet

Name of District Court, and/or Judge/Magistrate Location NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

DEFENDANT - U.S. SALVADOR ESPINOZA-PATINO, a/k/a DISTRICT COURT NUMBER CR-12-833-LHK FILED FEB 28 2013 RICHARD W. WIENING CLERK U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE

PROCEEDING Name of Complainant Agency, or Person (& Title, if any) Drug Enforcement Administration person is awaiting trial in another Federal or State Court, give name of court this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. ATTORNEY DEFENSE SHOW DOCKET NO. this prosecution relates to a pending case involving this same defendant MAGISTRATE CASE NO. prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

DEFENDANT IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding. 1) If not detained give date any prior summons was served on above charges 2) Is a Fugitive 3) Is on Bail or Release from (show District) IS IN CUSTODY 4) On this charge 5) On another conviction } Federal State 6) Awaiting trial on other charges If answer to (6) is "Yes", show name of institution Has detainer been filed? Yes No } If "Yes" give date filed DATE OF ARREST Month/Day/Year Or... if Arresting Agency & Warrant were not DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year FILED APR 17 2013 RICHARD W. WIENING CLERK U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE

Name and Office of Person Furnishing Information on this form Melinda Haag U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Richard Cheng

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS PROCESS: SUMMONS NO PROCESS* [] WARRANT Bail Amount: If Summons, complete following: Arraignment Initial Appearance Defendant Address: Date/Time: Before Judge: Comments: * Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment A1

SECOND SUPERSEDING INDICTMENT

United States v. Salvador Espinoza Patino, et.al.

ATTACHMENT TO PENALTY SHEET

Defendant: **SALVADOR ESPINOZA-PATINO**, a/k/a "Chava," a/k/a "Salvador," a/k/a "Primito"

Count Five: 21 U.S.C. §§ 841(a)(1) and 18 U.S.C. § 2 - Distribution of Methamphetamine and Aiding and Abetting

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment, \$500,000 fine (or twice the amount of the criminally derived property involved in the transaction)

\$100 mandatory special assessment per count

Count Six: 18 U.S.C. § 1956(h) and 1956(a)(2)(B)(i) - Conspiracy to Commit Money Laundering

Maximum Penalties:

10 years imprisonment;

3 years supervised release;

\$500,000 fine (or twice the amount of the criminally derived property involved in the transaction);

\$100 mandatory special assessment

AO 257 (Rev. 6/78)

SEALED BY ORDER OF THE COURT

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FILED FEB 28 2013 RICHARD W. WILKING U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE

OFFENSE CHARGED

See Attached Penalty Sheet

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: Mandatory Minimum of 10 years to life imprisonment; a \$10,000,000 fine; 5 years to life on supervised release; a \$100 special assessment; and denial of federal benefits.

See Attached Penalty Sheet

DEFENDANT - U.S.

ALEJANDRO ESPINOZA DEL TORO

DISTRICT COURT NUMBER

CR-12-833-LHK

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) If not detained give date any prior summons was served on above person

2) Is a Fugitive

3) Is on Bail or Released from Show District

IS IN CUSTODY

4) On this charge

5) On another conviction

6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Administration

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Melinda Haag

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Richard Cheng

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* [] WARRANT

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

Bail Amount:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

13

SECOND SUPERSEDING INDICTMENT

United States v. Salvador Espinoza Patino, et.al.

ATTACHMENT TO PENALTY SHEET

Defendant: **ALEJANDRO ESPINOZA DELTORO**, a/k/a "Marco Andres Arrollo," a/k/a "Marco Ortuno Del Toro," a/k/a "Primaso"

Count Five: 21 U.S.C. §§ 841(a)(1) and 18 U.S.C. § 2 - Distribution of Methamphetamine and Aiding and Abetting

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment, \$500,000 fine (or twice the amount of the criminally derived property involved in the transaction)

\$100 mandatory special assessment per count

FILED BY ORDER OF COURT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: [] COMPLAINT [] INFORMATION [X] INDICTMENT [X] SUPERSEDING

OFFENSE CHARGED

See Attached Penalty Sheet

- [] Petty
[] Minor
[] Misdemeanor
[X] Felony

PENALTY: Mandatory Minimum of 10 years to life in prison; a \$10,000,000 fine; at least 5 years to life on supervised release; a \$100 special assessment; and denial of federal benefits.

See Attached Penalty Sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

DISTRICT COURT NUMBER CR-12-833-LHK

FILED FEB 28 2013 RICHARD W. WIENING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Administration

[] person is awaiting trial in another Federal or State Court, give name of court

[] this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

[] this is a reprosecution of charges previously dismissed which were dismissed on motion of:

[] U.S. ATTORNEY [] DEFENSE

SHOW DOCKET NO.

[] this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

[] prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form Melinda Haag

[X] U.S. Attorney [] Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Richard Cheng

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) [X] If not detained give date any prior summons was served on above charges
2) [] Is a Fugitive
3) [] Is on Bail or Release from (show District)

FILED APR 17 2013 RICHARD W. WIENING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE

IS IN CUSTODY

- 4) [] On this charge
5) [] On another conviction } [] Federal [] State
6) [] Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer been filed? [] Yes [] No If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

[] This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

[] SUMMONS [] NO PROCESS* [X] WARRANT

Bail Amount: No bail

If Summons, complete following:

[] Arraignment [] Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: Before Judge:

Comments:

Delta 9

SECOND SUPERSEDING INDICTMENT

United States v. Salvador Espinoza Patino, et.al.

ATTACHMENT TO PENALTY SHEET

Defendant:

Count 1: 21 U.S.C. § 846, 841(a)(1) and 841(b)(1)(A)(viii) - Conspiracy To Possess with Intent to Distribute and to Distribute Methamphetamine

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment;
\$10,000,000 fine;
Minimum 5 years to an available lifetime supervised release;
\$100 mandatory special assessment.

Count 3: 21 U.S.C. §§ 841(a)(1) and 18 U.S.C. § 2 - Distribution of Methamphetamine and Aiding and Abetting

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment;
\$10,000,000 fine;
Minimum 5 years to an available life time supervised release;
\$100 mandatory special assessment.

SEAL OF DISTRICT COURT OF CALIFORNIA

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: [] COMPLAINT [] INFORMATION [X] INDICTMENT [X] SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

OFFENSE CHARGED

See Attached Penalty Sheet

- [] Petty
[] Minor
[] Misdemeanor
[X] Felony

PENALTY: Maximum 10 years imprisonment; a \$500,000 fine; 3 years supervised release; a \$100 special assessment; and denial of federal benefits.

See Attached Penalty Sheet

DEFENDANT - U.S.

VIANEY NARANJO ARANDAS, a/k/a "Naranjo"

DISTRICT COURT NUMBER CR-12-833-LHK

FILED FEB 28 2013 RICHARD W. WIEKING CLERK U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE

DEFENDANT

IS NOT IN CUSTODY

- [X] Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges

- [] Is a Fugitive

- [] Is on Bail or Release from (show District)

FILED APR 17 2013 RICHARD W. WIEKING CLERK U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE

IS IN CUSTODY

- [] On this charge
[] On another conviction
[] Awaiting trial on other charges

Has detainer been filed? [] Yes [] No

If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

[] This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Administration

[] person is awaiting trial in another Federal or State Court, give name of court

[] this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

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[] U.S. ATTORNEY [] DEFENSE

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[] this prosecution relates to a pending case involving this same defendant

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[] prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form Melinda Haag

[X] U.S. Attorney [] Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Richard Cheng

PROCESS:

[] SUMMONS [] NO PROCESS* [X] WARRANT

Bail Amount: No bail

If Summons, complete following:

[] Arraignment [] Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: Before Judge:

Comments:

Delta 10

SECOND SUPERSEDING INDICTMENT

United States v. Salvador Espinoza Patino, et.al.

ATTACHMENT TO PENALTY SHEET

Defendant: **VIANEY NARANJO ARANDAS**, a/k/a "Naranjo"

Count Six: 18 U.S.C. § 1956(h) and 1956(a)(2)(B)(i) - Conspiracy to Commit Money Laundering

Maximum Penalties:

10 years imprisonment;

3 years supervised release;

\$500,000 fine (or twice the amount of the criminally derived property involved in the transaction);

\$100 mandatory special assessment

110

AO 257 (Rev. 6/78)

SEARCHED INDEXED
SERIALIZED FILED
FEB 28 2013
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

OFFENSE CHARGED

SUPERSEDING

See Attached Penalty Sheet

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: Mandatory Minimum of 10 years to life in prison; a \$10,000,000 fine; at least 5 years to life on supervised release; a \$100 special assessment; and denial of federal benefits.

See Attached Penalty Sheet

DEFENDANT - U.S.

ALONDRA NAYALI TORRES SANCHEZ, a/k/a "Jessica"

DISTRICT COURT NUMBER
CR-12-833-LHK

FILED
FEB 28 2013
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Administration

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form Melinda Haag

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Richard Cheng

IS NOT IN CUSTODY

Has not been arrested, pending or proceeding. If not detained give date any prior summons was served on above charges

Is a Fugitive

Is on Bail or Release from (show District)

FILED
APR 17 2013
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IS IN CUSTODY

On this charge

On another conviction

Federal State

Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

This report amends AO 257 previously submitted

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: No bail

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

11

SECOND SUPERSEDING INDICTMENT

United States v. Salvador Espinoza Patino, et.al.

ATTACHMENT TO PENALTY SHEET

Defendant: **ALONDRA NAYALI TORRES SANCHEZ**, a/k/a "Jessica"

Count 1: 21 U.S.C. § 846, 841(a)(1) and 841(b)(1)(A)(viii) - Conspiracy To Possess with Intent to Distribute and to Distribute Methamphetamine

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment;
\$10,000,000 fine;

Minimum 5 years to an available life time supervised release;
\$100 mandatory special assessment.

Count 5: 21 U.S.C. §§ 841(a)(1) and 18 U.S.C. § 2 - Distribution of Methamphetamine and Aiding and Abetting

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment,
\$500,000 fine (or twice the amount of the criminally derived property involved in the transaction)

\$100 mandatory special assessment per count

FILED

APR 17 2013

RICHARD W. WICKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

**United States District Court
Northern District of California**

CRIMINAL COVER SHEET

FILED

2013 FEB 28 P 3 21

RICHARD W. WICKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case. Please place this form on top of the Defendant Information Form.

**SEALED
BY COURT ORDER**

Case Name:

USA v. Espinoza-Patino et al.

Case Number:

5:12-cr-00833-LHK

Total Number of Defendants:

1 _____ 2-7 _____ 8 or more

Is This Case Under Seal?

Yes No _____

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes _____ No

Venue (Per Crim. L.R. 18-1):

SF _____ OAK _____ SJ

Is this a death-penalty-eligible RICO Act gang case?

Yes _____ No

Assigned AUSA (Lead Attorney):

Richard C. Cheng

Comments:

[Empty rectangular box for comments]

Date Submitted:

2/28/2013

PRINT