



Department of Justice

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MEMBERS OF "K-E-S" STREET GANG PLEAD GUILTY TO FEDERAL RICO INDICTMENT

Gainesville, GA - DAVID RAMIREZ, 24, and ADAM CRUZ, 24, both of Gainesville, Georgia; pleaded guilty today in federal district court, before United States District Judge Richard W. Story, on charges of violating the federal Racketeer Influenced and Corrupt Organizations (RICO) statute. Two weeks ago, three others, CARLOS ALVARADO-CASTILLO, 22, RENE ANTONIO ORTIZ-PENADO, 22, and JUAN RAMIREZ, 28, all also from Gainesville, entered pleas to the RICO charge before the United States Magistrate Judge Susan Cole.

United States Attorney David E. Nahmias said of the pleas, "This is gang activity that divided and multiplied and threatened the peace in Gainesville and all over Hall County. We will use every tool available to us to stop the gang activity and violence not only with these gangs, but anywhere in North Georgia. There's no doubt that the local, state and federal law enforcement officers working together in a Task Force supplied the key to attacking these gangs. But make no mistake, this is an ongoing effort, and we will not let up."

According to Nahmias and the information presented in court. The street gang "Killing Every Spot" (KES) was formed in late 1998, by individuals who had been associated with another street gang, "BSV." The split resulted from a dispute between two senior members of BSV, which grew out of their arrests in October 1998 for stealing tire rims.

DAVID RAMIREZ was the recognized leader of KES. After KES was formed, the remaining members of BSV formed a rival gang, SUR-13. The gangs advertised their existence and marked their territory with graffiti which defaced many parts of the community.

The two rival gangs engaged in warfare. KES allied itself with a larger street gang, "18th Street," and members of the two gangs joined forces in Gainesville against the members of SUR-13. They fought with each other, using fists and, on occasion, the fights escalated to involve gunfire, which also threatened the safety of innocent bystanders and neighborhood. The violent incidents included:

●On February 18, 2000, near Northeast Georgia Medical Center, members of KES shot the leader of SUR-13, wounding him in the leg.

●On August 19, 2000, members of the two gangs engaged in a fight which began with fists, but ended with the leader of KES, DAVID RAMIREZ, pulling a pistol and firing at his opponent.

●On November 11, 2000, a group from KES and 18th Street hid behind Mount Calvary Church, on EE Butler Parkway, and fired on several members of SUR-13, who were standing in a common area of the Atlanta Street Apartments.

●On July 16, 2002, members of KES and SUR-13 fought at the Citgo Station across EE Butler Parkway from the Atlanta Street Apartments. When the proprietor called the police, the KES members fled. But, in doing so, they struck a bystander, the sister of a SUR-13 member, with their car. When they realized who the victim was, the driver of the car started to back over the victim, who was pulled to safety by a member of SUR-13.

●On May 10, 2003, members of KES encountered members of SUR-13. After exchanging insults, the two gangs agreed to fight. However, the KES members, as they drove away, fired several shots at the SUR-13 members.

During the investigation, law enforcement agents seized a Colt 9mm pistol from JUAN RAMIREZ on February 18, 2000; and a Colt 45 pistol from the bedroom of DAVID RAMIREZ on February 21, 2000, which was stolen and had an obliterated serial number. On November 26, 2002, DAVID RAMIREZ sold a pistol which had been originally purchased by a Dahlonga resident from the North Georgia College Rod & Gun Club. On March 26, 2003, agents seized a shotgun and four handguns at a house, where they learned that DAVID RAMIREZ, CARLOS ALVARADO and RENE ORTIZ had hidden them.

During the investigation, law enforcement agents and persons working with them witnessed members of KES in possession of, or dealing marijuana, crack cocaine, powder cocaine, and methamphetamine.

All of the defendants were indicted in September 2004. As a result of DAVID RAMIREZ, CARLOS ALVARADO-CASTILLO, ADAM CRUZ, RENE ANTONIO ORTIZ-PENADO and JUAN RAMIREZ all pleading guilty to the RICO charge, each could receive a maximum sentence of 20 years in prison and a fine of up to \$250,000. A co-defendant, IGNACIO CHAVEZ-OLIVAREZ, 42, of Gainesville, who was charged only in connection with the drug offenses, pleaded guilty to Count Nine of the indictment, charging him with possession of methamphetamine with the intent to distribute it. He could receive a maximum sentence of 20 years in prison and a fine of up to \$1 million. The government dismissed the charges against a seventh defendant, JORGE SANCHEZ, Jr., 22, of Gainesville. The eighth defendant, RUBEN BERNAL CUEVAS, is a fugitive and is believed to be in Mexico.

Sentencing dates for the defendants will be scheduled in coming weeks before Judge Story.

This case is being investigated by agents and officers of the Hall County Gang Task Force, comprised of Gainesville Police, Hall County Sheriffs Deputies and agents from FBI and ICE.

Assistant United States Attorney Allen Moye, and Special Assistant U.S. Attorney Thomas W. Hayes, of the Prosecuting Attorneys Council of Georgia, are prosecuting the case.

For further information, please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.