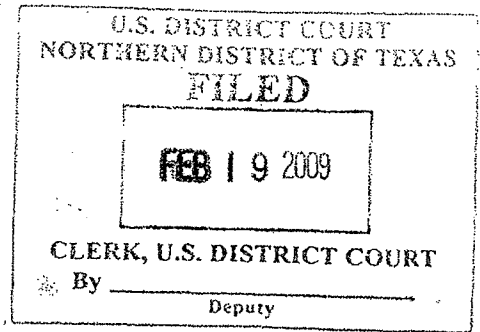


~~SEALED~~

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

UNITED STATES OF AMERICA §
 §
 v. §
 §
 JOSE ROBLEDO NAVA (1) §
 a/k/a Chino §
 LUIS NAVA (2) §
 a/k/a Flaco §
 REYNALDO NAVA (3) §
 a/k/a Rat §
 ROBERT ALLEN RAMIREZ (4) §
 a/k/a Nesyo §
 MARIE CHAVEZ (5) §
 a/k/a Shorty §
 CAROL ANN RIVAS NAVA (6) §
 CECILY DOMINIQUE JUAREZ (7) §
 JESUS MARTINEZ (8) §
 a/k/a Solid §
 DAVID HELLUMS (9) §
 a/k/a CutThroat §
 JAMES JOHNATHAN COLE (10) §
 a/k/a Blitz §
 EDUARDO DANIEL MARES (11) §
 a/k/a Pitt §
 GABRIEL LEE GONZALES (12) §
 MICHAEL CONDE (13) §
 a/k/a Psycho §
 GUERRERO OLIVAS (14) §
 a/k/a Screech §
 JOHN GUZMAN (15) §
 HILUTERIO CHAVEZ (16) §
 a/k/a Zeus §
 ELISEO PEREZ (17) §
 a/k/a Wicked §

No. 5:09-CR-004
(supersedes indictment filed 1/6/09)



SUPERSEDING INDICTMENT

The Grand Jury Charges:

Count One

Conspiracy to Distribute and Possess with Intent to Distribute Five
Kilograms or More of Cocaine and 100 Kilograms or More of Marijuana
(Violation of 21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A)(ii), 841(b)(1)(C))

From in and around 2001 and continuing through on or about December 13, 2008, in the Lubbock, Abilene, San Angelo, Dallas, and Fort Worth Divisions of the Northern District of Texas, and elsewhere, **Jose Robledo Nava, a/k/a Chino, Luis Nava, a/k/a Flaco, Reynaldo Nava, a/k/a Rat, Robert Allen Ramirez, a/k/a Nesyo, Marie Chavez, a/k/a Shorty, Carol Ann Rivas Nava, Cecily Dominique Juarez, Jesus Martinez, a/k/a Solid, David Hellums, a/k/a CutThroat, James Johnathan Cole, a/k/a Blitz, Eduardo Daniel Mares, a/k/a Pitt, Gabriel Lee Gonzales, Michael Conde, a/k/a Psycho, Guerrero Olivas, a/k/a Screech, John Guzman, Hiluterio Chavez, a/k/a Zeus, and Eliseo Perez, a/k/a Wicked**, defendants, did knowingly and intentionally combine, conspire, confederate, and agree with persons known and unknown to the grand jury to commit offenses against the United States; that is, to knowingly and intentionally 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, and 100 kilograms and more of marihuana, a schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(ii), and 841(b)(1)(B)(vii).

MANNER AND MEANS & OVERT ACTS

In furtherance of this conspiracy and to effect the objects thereof, one or more of the defendants and conspirators, as members and associates of the Almighty Latin King and Queen Nation criminal organization, would and did:

1. Organize, manage, and otherwise arrange for the acquisition of cocaine and marijuana throughout the Northern District of Texas;
2. Transport and cause others to transport cocaine and marijuana to and through the Northern District of Texas and other locations;
3. Divide, package, and distribute cocaine and marijuana at various locations within the Northern District of Texas and other locations;
4. Store cocaine, marijuana, and United States currency at various locations within the Northern District of Texas;
5. Commit numerous acts of violence, including murder, aggravated assault, and arson; and
6. The remaining counts of this indictment are hereby incorporated as overt acts of this conspiracy and of this Count One.

All in violation of Title 21, United States Code, Section 846, and Title 18, United States Code, Section 2.

Count Two

Possession with Intent to Distribute 500 Grams or More of Cocaine
(Violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B)(ii))

On or about December 13, 2008, in the San Angelo Division of the Northern District of Texas, and elsewhere, **Jose Robledo Nava, a/k/a Chino, Reynaldo Nava, a/k/a Rat, Marie Chavez, a/k/a Shorty, and Carol Ann Rivas Nava**, defendants, did knowingly and intentionally possess with intent to distribute 500 grams and more, but less than five kilograms, 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), 841(b)(1)(B)(ii), Title 18, United States Code, Section 2, and *Pinkerton v. United States*, 328 U.S. 640 (1946).

Count Three
Convicted Felon in Possession of Firearms
(Violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

On or about July 12, 2005, in the Lubbock and Abilene Divisions of the Northern District of Texas, and elsewhere, **Hiluterio Chavez, a/k/a Zeus**, who had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, and **Jose Robledo Nava, a/k/a Chino**, defendants, did knowingly possess in and affecting interstate and foreign commerce firearms, to wit: an Intratec, Model TEC-DC9, 9mm caliber pistol, serial number D055134; a Smith and Wesson, Model 10, .38 caliber revolver, serial number 429507; a Rohm, Model RG10, .22 caliber revolver, serial number 1301731; a Charter Arms, Model Undercover, .38 caliber revolver, serial number 415705; a Colt, Model Trooper MKIII, .357 caliber revolver, serial number 8982L; a Ruger, Model Blackhawk, .357 caliber revolver, serial number 35-06917; a Ram-Line Inc., Model Exactor, .22 caliber pistol, serial number P5-31-09596; a Llama, Model MAX-I, .45 caliber pistol, serial number 71-04-03135-04; a Raven Arms, Model MP-25, .25 caliber pistol, serial number 1719673; a Colt, Model 1911 A1, .45 caliber pistol, serial number C177259; a High Standard, Model Sport King, .22 caliber pistol, serial number 450840SK-100; an Astra, Model A-75, 9mm caliber pistol, serial number 65-04-19207-97A; a Ruger, Model Redhawk, .44 caliber revolver, serial number 503-14850; and a Llama, Model MAX-I, .45 caliber pistol, serial number 71-04-09658-02.

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

Count Four
Receipt of Firearms While Under Felony Indictment
(Violation of 18 U.S.C. §§ 922(n), 924(a)(1)(D))

In or about July 12, 2005, in the Abilene Division of the Northern District of Texas, and elsewhere, **Jose Robledo Nava, a/k/a Chino**, defendant, who was under indictment for a crime punishable by a term of imprisonment exceeding one year, did willfully receive firearms that had been shipped and transported in interstate and foreign commerce, to wit: an Intratec, Model TEC-DC9, 9mm caliber pistol, serial number D055134; a Smith and Wesson, Model 10, .38 caliber revolver, serial number 429507; a Rohm, Model RG10, .22 caliber revolver, serial number 1301731; a Charter Arms, Model Undercover, .38 caliber revolver, serial number 415705; a Colt, Model Trooper MKIII, .357 caliber revolver, serial number 8982L; a Ruger, Model Blackhawk, .357 caliber revolver, serial number 35-06917; a Ram-Line Inc., Model Exactor, .22 caliber pistol, serial number P5-31-09596; a Llama, Model MAX-I, .45 caliber pistol, serial number 71-04-03135-04; a Raven Arms, Model MP-25, .25 caliber pistol, serial number 1719673; a Colt, Model 1911 A1, .45 caliber pistol, serial number C177259; a High Standard, Model Sport King, .22 caliber pistol, serial number 450840SK-100; an Astra, Model A-75, 9mm caliber pistol, serial number 65-04-19207-97A; a Ruger, Model Redhawk, .44 caliber revolver, serial number 503-14850; and a Llama, Model MAX-I, .45 caliber pistol, serial number 71-04-09658-02.

In violation of Title 18, United States Code, Sections 922(n) and 924(a)(1)(D).

Count Five
Possession of Stolen Firearms
(Violation of 18 U.S.C. §§ 922(j) and 924(a)(2))

On or about July 12, 2005, in the Lubbock and Abilene Divisions of the Northern District of Texas, and elsewhere, **Hiluterio Chavez, a/k/a Zeus** and **Jose Robledo Nava, a/k/a Chino**, defendants, did knowingly possess stolen firearms which had been shipped and transported in interstate and foreign commerce, before said firearms were stolen, to wit: a Ruger, Model Redhawk, .44 caliber revolver, serial number 503-14850; and a Llama, Model MAX-I, .45 caliber pistol, serial number 71-04-09658-02, defendant knowing and having reasonable cause to believe that said firearms were stolen.

In violation of Title 18, United States Code, Sections 922(j), 924(a)(2) and 2.

Count Six
Conspiracy to Engage in the Business of Dealing in Firearms
(Violation of 18 U.S.C. § 371)

From in and around 2004, and continuing through on or about July 12, 2005, in the Abilene Division of the Northern District of Texas, and elsewhere, **Jose Robledo Nava, a/k/a Chino, Jesus Martinez, a/k/a Solid, and Hiluterio Chavez, a/k/a Zeus,** defendants, did knowingly and intentionally combine, conspire, confederate, and agree with each other and with persons known and unknown to the grand jury to commit an offense against the United States, that is, to engage in the business of dealing in firearms.

In violation of Title 18, United States Code, Section 922(a)(1)(A).

MANNER AND MEANS & OVERT ACTS

In furtherance of this conspiracy and to effect the objects thereof, one or more of the defendants and conspirators, as members and associates of the Almighty Latin King and Queen Nation criminal organization, would and did:

1. Organize, manage, and otherwise arrange for the acquisition of firearms throughout the Northern District of Texas;
2. Transport and cause others to transport firearms to and through the Northern District of Texas and other locations;
3. Store firearms at various locations within the Northern District of Texas;
4. Trade cocaine for firearms; and
5. The remaining counts of this indictment are hereby incorporated as overt acts of this conspiracy and of this Count Six.

All in violation of Title 18, United States Code, Section 371.

Count Seven

Convicted Felon in Possession of a Firearm
(Violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

On or about May 4, 2008, in the Abilene Division of the Northern District of Texas, and elsewhere, **Robert Allen Ramirez, a/k/a Nesyo**, who had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, and **Jose Robledo Nava, a/k/a Chino**, defendants, did knowingly possess in and affecting interstate and foreign commerce a firearm, to wit: a 7.62 x 39mm caliber AK-47 rifle.

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

Count Eight

Possession of a Firearm in Furtherance of a Drug Trafficking Crime
(Violation of 18 U.S.C. § 924(c))

On or about May 4, 2008, in the Abilene Division of the Northern District of Texas, and elsewhere, **Jose Robledo Nava, a/k/a Chino, James Johnathan Cole, a/k/a Blitz, Robert Allen Ramirez, a/k/a Nesyo, Gabriel Lee Gonzales, and Eduardo Daniel Mares, a/k/a Pitt**, defendants, did knowingly possess a firearm, to wit: a 7.62 x 39mm caliber AK-47 rifle, in furtherance of a drug trafficking crime, that is, conspiracy to distribute and possess with intent to distribute cocaine and marijuana, in violation of Title 21, United States Code, Section 846, as charged in Count One of this Superseding Indictment, an offense for which the defendants may be prosecuted in a Court of the United States.

In violation of Title 18, United States Code, Sections 924(c) and 2.

Count Nine
Using and Carrying a Firearm
During and in Relation to a Drug Trafficking Crime
(Violation of 18 U.S.C. § 924(c))

On or about May 4, 2008, in the Abilene Division of the Northern District of Texas, and elsewhere, **Jose Robledo Nava, a/k/a Chino, James Johnathan Cole, a/k/a Blitz, Robert Allen Ramirez, a/k/a Nesyo, Gabriel Lee Gonzales, and Eduardo Daniel Mares, a/k/a Pitt**, defendants, did knowingly use and carry a firearm, to wit: a 7.62 x 39mm caliber AK-47 rifle, during and in relation to a drug trafficking crime, that is, conspiracy to distribute and possess with intent to distribute cocaine and marijuana, in violation of Title 21, United States Code, Section 846, as charged in Count One of this Superseding Indictment, an offense for which the defendants may be prosecuted in a Court of the United States.

In violation of Title 18, United States Code, Sections 924(c) and 2.

Count Ten
Using and Carrying a Firearm to Commit Murder
During and in Relation to a Drug Trafficking Crime
(Violation of 18 U.S.C. § 924(j))

On or about May 4, 2008, in the Abilene Division of the Northern District of Texas, and elsewhere, **Jose Robledo Nava, a/k/a Chino, James Johnathan Cole, a/k/a Blitz, Robert Allen Ramirez, a/k/a Nesyo, Gabriel Lee Gonzales, and Eduardo Daniel Mares, a/k/a Pitt**, defendants, did knowingly use and carry a firearm, that is, a 7.62 x 39mm caliber AK-47 rifle, during and in relation to a drug trafficking crime, an offense for which the defendants may be prosecuted in a Court of the United States, that is, a violation of Title 21, United States Code, Sections 841(a)(1) and 846, as charged in Count One of this Superseding Indictment, which is realleged and incorporated by reference herein, in violation of Title 18, United States Code, Section 924(c)(1), and in the course of this violation caused the death of a person through the use of a firearm, which killing is a murder as defined in Title 18, United States Code, Section 1111, in that the defendants did unlawfully kill Valerie Garcia, a human being, by shooting her with the firearm during the perpetration of a willful, deliberate, malicious, and premeditated murder, and the attempted perpetration of a willful, deliberate, malicious, and premeditated murder.

In violation of Title 18, United States Code, Sections 924(j), and 2.

Count Eleven
Using and Carrying a Firearm to Commit Murder
During and in Relation to a Drug Trafficking Crime
(Violation of 18 U.S.C. § 924(j))

On or about May 4, 2008, in the Abilene Division of the Northern District of Texas, and elsewhere, **Jose Robledo Nava, a/k/a Chino, James Johnathan Cole, a/k/a Blitz, Robert Allen Ramirez, a/k/a Nesyo, Gabriel Lee Gonzales, and Eduardo Daniel Mares, a/k/a Pitt**, defendants, did knowingly use and carry a firearm, that is, a 7.62 x 39mm caliber AK-47 rifle, during and in relation to a drug trafficking crime, an offense for which the defendants may be prosecuted in a Court of the United States, that is, a violation of Title 21, United States Code, Sections 841(a)(1) and 846, as charged in Count One of this Superseding Indictment, which is realleged and incorporated by reference herein, in violation of Title 18, United States Code, Section 924(c)(1), and in the course of this violation caused the death of a person through the use of a firearm, which killing is a murder as defined in Title 18, United States Code, Section 1111, in that the defendants did unlawfully kill Michael Cardona, a human being, by shooting him with the firearm during the perpetration of a willful, deliberate, malicious, and premeditated murder, and the attempted perpetration of a willful, deliberate, malicious, and premeditated murder.

In violation of Title 18, United States Code, Section 924(j) and 2.

FORFEITURE ALLEGATIONS
(18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c))

1. Upon conviction of the offense alleged in Count Three, defendants, **Hiluterio Chavez, a/k/a Zeus, and Jose Robledo Nava, a/k/a Chino**, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the commission of the offense, including but not limited to the following:

- a) an Intratec, Model TEC-DC9, 9mm caliber pistol, serial number D055134;
- b) a Smith and Wesson, Model 10, .38 caliber revolver, serial number 429507;
- c) a Rohm, Model RG10, .22 caliber revolver, serial number 1301731;
- d) a Charter Arms, Model Undercover, .38 caliber revolver, serial number 415705;
- e) a Colt, Model Trooper MKIII, .357 caliber revolver, serial number 8982L;
- f) a Ruger, Model Blackhawk, .357 caliber revolver, serial number 35-06917;
- g) a Ram-Line Inc., Model Exactor, .22 caliber pistol, serial number P5-31-09596;
- h) a Llama, Model MAX-I, .45 caliber pistol, serial number 71-04-03135-04;
- i) a Raven Arms, Model MP-25, .25 caliber pistol, serial number 1719673;
- j) a Colt, Model 1911 A1, .45 caliber pistol, serial number C177259;
- k) a High Standard, Model Sport King, .22 caliber pistol, serial number 450840SK-100;
- l) an Astra, Model A-75, 9mm caliber pistol, serial number 65-04-19207-97A;
- m) a Ruger, Model Redhawk, .44 caliber revolver, serial number 503-14850; and
- n) a Llama, Model MAX-I, .45 caliber pistol, serial number 71-04-09658-02.

2. Upon conviction of the offense alleged in Count Four, defendant, **Jose Robledo Nava, a/k/a Chino**, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the commission of the offense, including but not limited to the following:

- a) an Intratec, Model TEC-DC9, 9mm caliber pistol, serial number D055134;
- b) a Smith and Wesson, Model 10, .38 caliber revolver, serial number 429507;
- c) a Rohm, Model RG10, .22 caliber revolver, serial number 1301731;
- d) a Charter Arms, Model Undercover, .38 caliber revolver, serial number 415705;
- e) a Colt, Model Trooper MKIII, .357 caliber revolver, serial number 8982L;
- f) a Ruger, Model Blackhawk, .357 caliber revolver, serial number 35-06917;
- g) a Ram-Line Inc., Model Exactor, .22 caliber pistol, serial number P5-31-09596;
- h) a Llama, Model MAX-I, .45 caliber pistol, serial number 71-04-03135-04;
- i) a Raven Arms, Model MP-25, .25 caliber pistol, serial number 1719673;
- j) a Colt, Model 1911 A1, .45 caliber pistol, serial number C177259;
- k) a High Standard, Model Sport King, .22 caliber pistol, serial number 450840SK-100;
- l) an Astra, Model A-75, 9mm caliber pistol, serial number 65-04-19207-97A;
- m) a Ruger, Model Redhawk, .44 caliber revolver, serial number 503-14850; and
- n) a Llama, Model MAX-I, .45 caliber pistol, serial number 71-04-09658-02.

3. Upon conviction of the offense alleged in Count Five, defendants, **Hiluterio Chavez, a/k/a Zeus, and Jose Robledo Nava, a/k/a Chino**, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the commission of the offense, including but not limited to the following:

- a) a Ruger, Model Redhawk, .44 caliber revolver, serial number 503-14850; and
- b) a Llama, Model MAX-I, .45 caliber pistol, serial number 71-04-09658-02.

NOTICE OF SPECIAL FINDINGS
(18 U.S.C. §§ 3591 and 3592)

The Grand Jury incorporates by reference and realleges the allegations contained in Counts Ten and Eleven and makes the following special findings:

1. As to Counts Ten and Eleven, **Jose Robledo Nava, a/k/a Chino, James Johnathan Cole, a/k/a Blitz, Robert Allen Ramirez, a/k/a Nesyo, Gabriel Lee Gonzales, and Eduardo Daniel Mares, a/k/a Pitt**, defendants,

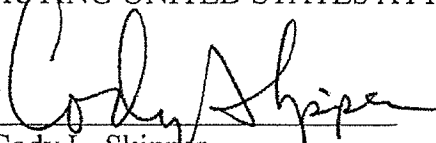
- a. were 18 years of age or older at the time of the offenses;
- b. intentionally killed Valerie Garcia and Michael Cardona (18 U.S.C. § 3591(a)(2)(A));
- c. intentionally inflicted serious bodily injury that resulted in the death of Valerie Garcia and Michael Cardona (18 U.S.C. § 3591(a)(2)(B));
- d. intentionally participated in one or more acts, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than a participant in the offense, and Valerie Garcia and Michael Cardona died as a direct result of such act or acts (18 U.S.C. § 3591(a)(2)(C));
- e. intentionally and specifically engaged in one or more acts of violence, knowing that the act or acts created a grave risk of death to a person, other than one of the participants in the offense, such that participation in such act or acts constituted a reckless disregard for human life, and Valerie Garcia and Michael Cardona died as a direct result of such act or acts (18 U.S.C. § 3591(a)(2)(D));
- f. knowingly created a grave risk of death to 1 or more persons in the commission of the offense, in addition to Valerie Garcia and Michael Cardona (18 U.S.C. § 3592(c)(5));
- g. committed the offense in an especially heinous, cruel, or depraved manner in that it involved torture or serious physical abuse to Valerie

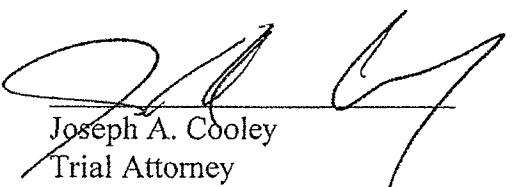
Garcia and Michael Cardona (18 U.S.C. § 3592(c)(6));

- h. committed the offense after substantial planning and premeditation to cause the death of Valerie Garcia and Michael Cardona (18 U.S.C. § 3592(c)(9));
- i. committed the offense against a particularly vulnerable victim in Valerie Garcia, in that she was five months pregnant (18 U.S.C. § 3592(c)(11)); and
- j. intentionally killed or attempted to kill more than one person in a single criminal episode (18 U.S.C. § 3592(c)(16).

A TRUE BILL:

JAMES T. JACKS
ACTING UNITED STATES ATTORNEY


Cody L. Skipper
Assistant United States Attorney
Northern District of Texas
Texas State Bar No. 24041928
1205 Texas Avenue, Suite 700
Lubbock, Texas 79401
Telephone: 806.472.7351
Facsimile: 806.472.7394
E-mail: cody.skipper@usdoj.gov


Joseph A. Cooley
Trial Attorney
United States Department of Justice
Criminal Division, Gang Unit
Florida State Bar No. 0966460
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
Telephone: 202.307.1289
Facsimile: 202.307.3944
E-mail: joseph.cooley@usdoj.gov