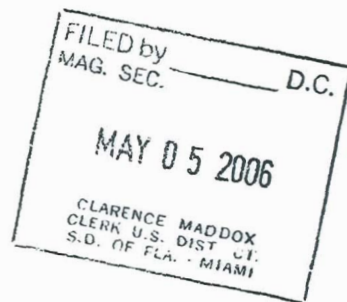


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 06-20139-CR-MIDDLEBROOKS(s)

21 U.S.C. § 963
21 U.S.C. § 846
46 U.S.C. App. § 1903(j)
18 U.S.C. § 1956(h)
18 U.S.C. § 982
21 U.S.C. § 853
46 U.S.C. App. § 1904



UNITED STATES OF AMERICA

vs.

PABLO JOAQUIN RAYO-MONTANO,

a/k/a "Don Pa,"

a/k/a "El Tio,"

a/k/a "El Loco,"

MARS MICOLTA-HURTADO,

a/k/a "Omar,"

a/k/a "Calvo,"

a/k/a "La Empleada,"

DOMINGO MICOLTA-HURTADO,

a/k/a "Tocayo,"

a/k/a "TK,"

JACKSON OROZCO-GIL,

a/k/a "Jake,"

a/k/a "J,"

a/k/a "Compadre,"

HECTOR EDUARDO AGUILAR,

a/k/a "Boludo,"

MONICA PATRICIA RUIZ-MATOREL,

a/k/a "La Doctora,"

JAIR CHANTRE-MORENO,

a/k/a "Armando,"

LUIS SEGUNDO POLANCO-GARCIA,

a/k/a "El Indio,"

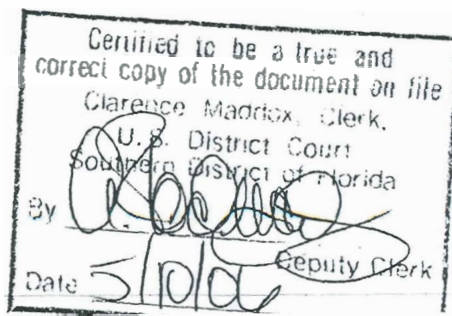
a/k/a "Quinto,"

IVAN GUSTAVO HURTADO-PAZ,

a/k/a "El Borracho,"

a/k/a "El Grandote,"

a/k/a "El Ronco,"



LUIS REINAL GRISALES-HERNANDEZ,
a/k/a "El Amigo,
a/k/a "Peluzo,"
VICTOR HUGO SERNA-RAYO,
SANDRA OROZCO-GIL,
YOHIBEL JOSE DUNN-AGUILERA,
RAMON EUSTURGIO MATAMBA-PORTOCARRERO,
JOSE MARIA BERMUDEZ,
a/k/a "Chepe,"
VICTOR FIDELTORRES-TORRES,
a/k/a "El Medico,"
EVER GIOVANNI HURTADO-PAZ,
a/k/a "Nano,"
EYDER XIOMARA BEJARANO-OLAYA,
a/k/a "La X,"
RUBEN MENACA,
a/k/a "Caliche,"
WILMAR PAZ-PRECIADO,
DEGUIS DAVID ROMERO-ACOSTA,
DAINER CAMACHO-BENITEZ,
a/k/a "Capuyo,"
a/k/a "Donk,"
JOSE ADOLFO HURTADO-PAZ,
a/k/a "Chepo,"
JOSE EDUARDO ARANGO-JARAMILLO,
a/k/a "Pocho,"
FIDEL SANDOVAL-ROSERO,
JORGE LUIS DUNN-AGUILERA,
GUSTAVO MELENDEZ-DIAZ,
a/k/a "El Mono,"
JHON JAIRO MORENO-BETANCOURT,
a/k/a "El Gordo,"
FNU LNU,
a/k/a "Torongil,"
YOVANY JARAMILLO-TOVAR,
MARIO LEONE-KAM, and
ADALBERTO PENA-CORDOBA,
a/k/a "Capi,"
a/k/a "Penin,"

Defendants.

INDICTMENT

The Grand Jury charges that:

COUNT 1

Beginning in or about January 2003, and continuing through the date of the return of this Superseding Indictment, the exact dates being unknown to the Grand Jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

PABLO JOAQUIN RAYO-MONTANO,
a/k/a "Don Pa,"
a/k/a "El Tio,"
a/k/a "El Loco,"
MARS MICOLTA-HURTADO,
a/k/a "Omar,"
a/k/a "Calvo,"
a/k/a "La Empleada,"
DOMINGO MICOLTA-HURTADO,
a/k/a "Tocayo,"
a/k/a "TK,"
JACKSON OROZCO-GIL,
a/k/a "Jake,"
a/k/a "J,"
a/k/a "Compadre,"
MONICA PATRICIA RUIZ-MATOREL,
a/k/a "La Doctora,"
JAIR CHANTRE-MORENO,
a/k/a "Armando,"
LUIS SEGUNDO POLANCO-GARCIA,
a/k/a "El Indio,"
a/k/a "Quinto,"
IVAN GUSTAVO HURTADO-PAZ,
a/k/a "El Borracho,"
a/k/a "El Grandote,"
a/k/a "El Ronco,"
LUIS REINAL GRISALES-HERNANDEZ,
a/k/a "El Amigo,"
a/k/a "Peluzo,"
SANDRA OROZCO-GIL,
YOHIBEL JOSE DUNN-AGUILERA,
RAMON EUSTURGIO MATAMBA-PORTOCARRERO,
JOSE MARIA BERMUDEZ,

a/k/a "Chepe,"
VICTOR FIDEL TORRES-TORRES,
a/k/a "El Medico,"
EVER GIOVANNI HURTADO-PAZ,
a/k/a "Nano,"
RUBEN MENACA,
a/k/a "Caliche,"
WILMAR PAZ-PRECIADO,
DEGUIS DAVID ROMERO-ACOSTA,
DAINER CAMACHO-BENITEZ,
a/k/a "Capuyo,"
a/k/a "Donk,"
JOSE ADOLFO HURTADO-PAZ,
a/k/a "Chepo,"
JORGE LUIS DUNN-AGUILERA,
GUSTAVO MELENDEZ-DIAZ,
a/k/a "El Mono," and
FNU LNU,
a/k/a "Torongil,"

did knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons both known and unknown to the Grand Jury to import into the United States, from a place outside thereof, a controlled substance, in violation of Title 21, United States Code, Section 952(a); all in violation of Title 21, United States Code, Section 963.

Pursuant to Title 21, United States Code, Section 960(b)(1)(B), it is further alleged that this violation involved five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine.

COUNT 2

Beginning in or about January 2003, and continuing through the date of the return of this Superseding Indictment, the exact dates being unknown to the Grand Jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

PABLO JOAQUIN RAYO-MONTANO,
a/k/a "Don Pa,"

a/k/a "El Tio,"
a/k/a "El Loco,"
MARS MICOLTA-HURTADO,
a/k/a "Omar,"
a/k/a "Calvo,"
a/k/a "La Empleada,"
DOMINGO MICOLTA-HURTADO,
a/k/a "Tocayo,"
a/k/a "TK,"
JACKSON OROZCO-GIL,
a/k/a "Jake,"
a/k/a "J,"
a/k/a "Compadre,"
MONICA PATRICIA RUIZ-MATOREL,
a/k/a "La Doctora,"
JAIR CHANTRE-MORENO,
a/k/a "Armando,"
LUIS SEGUNDO POLANCO-GARCIA,
a/k/a "El Indio,"
a/k/a "Quinto,"
IVAN GUSTAVO HURTADO-PAZ,
a/k/a "El Borracho,"
a/k/a "El Grandote,"
a/k/a "El Ronco,"
LUIS REINAL GRISALES-HERNANDEZ,
a/k/a "El Amigo,"
a/k/a "Peluzo,"
VICTOR HUGO SERNA-RAYO,
SANDRA OROZCO-GIL,
YOHIBEL JOSE DUNN-AGUILERA,
RAMON EUSTURGIO MATAMBA-PORTOCARRERO,
JOSE MARIA BERMUDEZ,
a/k/a "Chepe,"
VICTOR FIDEL TORRES-TORRES,
a/k/a "El Medico,"
EVER GIOVANNI HURTADO-PAZ,
a/k/a "Nano,"
RUBEN MENACA,
a/k/a "Caliche,"
WILMAR PAZ-PRECIADO,
DEGUIS DAVID ROMERO-ACOSTA,
DAINER CAMACHO-BENITEZ,
a/k/a "Capuyo,"
a/k/a "Donk,"

**JOSE ADOLFO HURTADO-PAZ,
a/k/a "Chepo,"
JORGE LUIS DUNN-AGUILERA,
GUSTAVO MELENDEZ-DIAZ,
a/k/a "El Mono," and
FNU LNU,
a/k/a "Torongil,"**

did knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons both known and unknown to the Grand Jury to possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1); all in violation of Title 21, United States Code, Section 846.

Pursuant to Title 21, United States Code, Section 841(b)(1)(A)(ii), it is further alleged that this violation involved five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine.

COUNT 3

Beginning in or about January 2003, and continuing through the date of the return of this Superseding Indictment, the exact dates being unknown to the Grand Jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**PABLO JOAQUIN RAYO-MONTANO,
a/k/a "Don Pa,"
a/k/a "El Tio,"
a/k/a "El Loco,"
MARS MICOLTA-HURTADO,
a/k/a "Omar,"
a/k/a "Calvo,"
a/k/a "La Empleada,"
DOMINGO MICOLTA-HURTADO,
a/k/a "Tocayo,"
a/k/a "TK,"
JACKSON OROZCO-GIL,
a/k/a "Jake,"
a/k/a "J,"**

a/k/a "Compadre,"
MONICA PATRICIA RUIZ-MATOREL,
a/k/a "La Doctora,"
JAIR CHANTRE-MORENO,
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LUIS SEGUNDO POLANCO-GARCIA,
a/k/a "El Indio,
a/k/a "Quinto,"
IVAN GUSTAVO HURTADO-PAZ,
a/k/a "El Borracho,"
a/k/a "El Grandote,"
a/k/a "El Ronco,"
LUIS REINAL GRISALES-HERNANDEZ,
a/k/a "El Amigo,
a/k/a "Pelusa,"
SANDRA OROZCO-GIL,
YOHIBEL JOSE DUNN-AGUILERA,
RAMON EUSTURGIO MATAMBA-PORTOCARRERO,
JOSE MARIA BERMUDEZ,
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VICTOR FIDEL TORRES-TORRES,
a/k/a "El Medico,"
EVER GIOVANNI HURTADO-PAZ,
a/k/a "Nano,"
RUBEN MENACA,
a/k/a "Caliche,"
WILMAR PAZ-PRECIADO,
DEGUIS DAVID ROMERO-ACOSTA,
DAINER CAMACHO-BENITEZ,
a/k/a "Capuyo,"
a/k/a "Donk,"
JOSE ADOLFO HURTADO-PAZ,
a/k/a "Chepo,"
JORGE LUIS DUNN-AGUILERA,
GUSTAVO MELENDEZ-DIAZ,
a/k/a "El Mono," and
FNU LNU,
a/k/a "Torongil,"

did knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons, known and unknown to the Grand Jury, to possess with intent to distribute a controlled substance that was on board motor vessels that were subject to the jurisdiction of the

United States, in violation of Title 46, United States Code Appendix, Section 1903(a); all in violation of Title 46, United States Code Appendix, Section 1903(j).

Pursuant to Title 46, United States Code Appendix, Section 1903(g) and Title 21, United States Code, Section 960(b)(1)(B), it is further alleged that this violation involved five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine.

COUNT 4

Beginning in or about January 2003, and continuing through the date of the return of this Superseding Indictment, the exact dates being unknown to the Grand Jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**PABLO JOAQUIN RAYO-MONTANO,
a/k/a "Don Pa,"
a/k/a "El Tio,"
a/k/a "El Loco,"
MARS MICOLTA-HURTADO,
a/k/a "Calvo,"
a/k/a "La Empleada,"
JACKSON OROZCO-GIL,
a/k/a "Jake,"
a/k/a "J,"
a/k/a "Compadre,"
HECTOR EDUARDO AGUILAR,
a/k/a "Boludo,"
MONICA PATRICIA RUIZ-MATOREL,
a/k/a "La Doctora,"
VICTOR HUGO SERNA-RAYO,
SANDRA OROZCO-GIL,
RAMON EUSTURGIO MATAMBA-PORTOCARRERO,
EYDER XIOMARA BEJARANO-OLAYA,
a/k/a "La X,"
RUBEN MENACA,
a/k/a "Caliche,"
JOSE EDUARDO ARANGO-JARAMILLO,
a/k/a "Pocho,"
FIDEL SANDOVAL-ROSERO,
JHON JAIRO MORENO-BETANCOURT,**

**a/k/a "El Gordo,"
FNU LNU
a/k/a "Torongil,"
YOVANY JARAMILLO-TOVAR,
MARIO LEONE-KAM, and
ADALBERTO PENA-CORDOBA,
a/k/a "Capi,"
a/k/a "Penin,"**

did willfully, that is with the specific intent to further the unlawful purpose, and knowingly, combine, conspire, confederate and agree 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 Title 18, United States Code, Section 1956, that is:

A. To knowingly conduct financial transactions, affecting interstate and foreign commerce, which transactions involved the proceeds of some specified unlawful activity, with the intent to promote the carrying on of said specified unlawful activity, and knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i); and

B. To knowingly conduct financial transactions, affecting interstate and foreign commerce, which transactions involved the proceeds of some specified unlawful activity, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of some specified unlawful activity, and knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

C. To knowingly transport, transmit and transfer a monetary instrument and funds from a place in the United States to and through a place outside of the United States, with the intent to

promote the carrying on of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(2)(A).

D. To knowingly transport, transmit and transfer a monetary instrument and funds to a place in the United States from and through a place outside the United States, with the intent to promote the carrying on of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(2)(A).

It is further alleged that the specified unlawful activity referred to above is the felonious importation, receiving, concealment, buying, selling, and otherwise dealing in a controlled substance, punishable under the laws of the United States.

All in violation of Title 18, United States Code, Section 1956(h).

FORFEITURE ALLEGATIONS

1. The allegations of Counts 1 through 4 of this Superseding Indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeitures to the United States of America of property in which the defendants have an interest.

2. Upon conviction of any violation of Title 21, United States Code, Section 963 and or any violation of Title 21, United States Code, Section 846, the defendants shall forfeit to the United States any property constituting or derived from any proceeds which the defendants obtained, directly or indirectly, as the result of such violations, and any property which the defendants used or intended to be used in any manner or part to commit or to facilitate the commission of such violations pursuant to the provisions of Title 21, United States Code, Section 853.

3. Upon conviction of any violation of Title 46, United States Code Appendix, Section 1903(j), the defendants shall forfeit to the United States any property that was used or intended to

be used to commit, or to facilitate the commission of such offense pursuant to Title 46, United States Code Appendix, Section 1904.

4. Upon conviction of any violation of Title 18, United States Code, Section 1956, the defendants shall forfeit to the United States any property real or personal, involved in such offense or any property traceable to such property pursuant to Title 18, United States Code, Section 982(a)(1).

5. The property which is subject to forfeiture includes, but is not limited to, the following:

A) U.S. Currency

A sum of money equal to \$150,000,000.00 in United States currency, representing the amount of money involved in the money laundering offense charged in Count 4 and/or proceeds obtained as a result of the narcotics offenses charged in Counts 1-3, for which the defendants are jointly and severally liable.

B) Real Property

1. 11343 SW 87th Terrace, Miami, Florida 33173;
2. Proceeds from sale of 4231 Justison Court, Miami, Florida 33133;
3. 313 NE 2nd Street, Unit #403, Ft. Lauderdale, Florida 33301;
4. 7441 Santa Monica Drive, Margate, Florida 33063;
5. 303 Racquet Club Road, Unit #301, Weston, Florida 33326;
6. 1401 SW 22nd St. (Coral Way) Apt. 1501, Miami, Florida 33145;
7. 1333 Sago Lane, Weston, Florida 33327;
8. 602 Pigeon Plum Way, Weston, Florida 33327;
9. 16500 Collins Avenue, Unit TH - 10, Sunny Isles, Florida 33160.

C) Automobiles

1. 2006 Chevrolet Silverado Pick-up truck, VIN: 3GCEC14X66G194676;
2. 2004 Toyota Camry, VIN: 4T1BE32KX4U903339;
3. 2003 Honda CR-V Station Wagon, VIN: SHSRD68443U101210;
4. 2003 Lexus IS300, VIN: JTHBD192130080225;
5. 2003 Jaguar, VIN: SAJDA14CX3LF56056;
6. 2001 Toyota Sequoia, VIN: 5TDZT34A71S031179;

D) Vessels

1. 65' Hatteras, "King of the Seas," Hull ID: HATDA374A393Z3344;
2. 35' Albin, "Dona Barbara," Hull ID: AUL35229E00J;
3. 35' "Mirage," Hull ID: HZJ40Y01B304.

E) Bank Accounts

1. all the contents of account # 009437902673, in the name of Mira Friedberg Felmanas at Bank of America, New York, New York;
 2. all the contents of account # 510083205 at Intercredit Bank, Miami, Florida;
 3. all the contents of account # 011278989506, in the name of Natural Beef Company, Inc., at TerraBank Miami, Florida;
 4. all the contents of account # 011287827806, in the name of Consolidated Boat Services, Inc., at TerraBank, Miami, Florida;
 5. all the contents of account # 011275365306, in the name of HECTOR AGUILAR at TerraBank, Miami, Florida;
 6. all the contents of account # 9600759907, in the name of Elizabeth Manrique Albear at Union Planters Bank, Miami, Florida.
6. Pursuant to Title 21 United States Code, Section 853(p), as incorporated by reference

by Title 18, United States Code, Section 982(b), if any of the forfeitable property, or any portion thereof, as a result of any act or omission of the defendants:

- (A) cannot be located upon the exercise of due diligence;
- (B) has been transferred, or sold to, or deposited with a third party;
- (C) has been placed beyond the jurisdiction of the Court;
- (D) has been substantially diminished in value; or
- (E) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek the forfeiture of other property of the defendants up to the value of the above-described forfeitable property.

All pursuant to Title 21, United States Code, Section 853, Title 46, United States Code Appendix, Section 1904 and Title 18, United States Code, Section 982(a)(1).

A TRUE BILL


FOREPERSON


R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY


ANDREA G. HOFFMAN
ASSISTANT UNITED STATES ATTORNEY