

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

JAN 24 2012 *add*

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,	)	CRIMINAL NO. <u>12-128</u> MATTHEW J. DYKMAN
	)	CLERK
Plaintiff,	)	Count 1: 21 U.S.C. § 846: Conspiracy to
	)	Distribute Controlled Substances;
vs.)	
	)	Counts 2 - 4: 21 U.S.C. §§ 841(a)(1) and
HOMERO VARELA,	)	(b)(1)(A): Distribution of 50 grams and more of
RAMON GONZALEZ, SR.,	)	Methamphetamine;
RAMON GONZALEZ, JR.,)	
ANDRES GONZALEZ,	)	Count 5: 18 U.S.C. § 1956(h): Conspiracy to
MANUEL VILLA-MAYORQUIN,	)	Launder Money;
STEVE CHAVEZ,)	
EUGENIO MENDOZA-RENTERIA,	)	Count 6: 18 U.S.C. § 1957: Money Laundering;
a/k/a "Juan",)	
JESUS RAMOS CASTILLO,	)	Counts 7 - 14: 31 U.S.C. § 5324(a)(1); (a)(3)
GABRIEL GUERRA-GONZALEZ,	)	and (d)(1); (d)(2): Structuring Transactions to
PROCORO NOBERTO ALVAREZ,	)	Evade Reporting Requirement;
ANTONIO MUNOZ-HERNANDEZ,)	
BENITO CASTILLO-NAVA,	)	Counts 15 - 29: 21 U.S.C. § 843(b): Use of a
ROY MADRID,	)	Telephone to Facilitate a Drug Trafficking
ADALBERTO VALENZUELA-FLORES,	)	Offense.
and,)	
MIGUEL BOLIVAR.	)	18 U.S.C. § 2: Aiding and Abetting
)	
Defendants.	)	Criminal Forfeiture

INDICTMENT

The Grand Jury charges:

Count 1

Between in or about May 2011 and continuing to in or about January 2012, in Bernalillo County, in the District of New Mexico, and elsewhere, the Defendants, **HOMERO VARELA, RAMON GONZALEZ, SR., RAMON GONZALEZ, JR., ANDRES GONZALEZ, MANUEL VILLA-MAYORQUIN, STEVE CHAVEZ, EUGENIO**

MENDOZA-RENTERIA, JESUS RAMOS-CASTILLO, GABRIEL

GUERRA-GONZALEZ, PROCORO NOBERTO ALVAREZ, ANTONIO

MUNOZ-HERNANDEZ, BENITO CASTILLO-NAVA, ROY MADRID, ADALBERTO

VALENZUELA-FLORES, and MIGUEL BOLIVAR, did unlawfully, knowingly and intentionally conspire and agree with each other and with other persons whose names are known and unknown to the grand jury to commit the following offenses against the United States, that is, distribution of controlled substances, to include but not necessarily limited to, 50 grams and more of methamphetamine, 5 kilograms and more of cocaine, and 100 kilograms and more of marijuana, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(B), and (b)(1)(A).

In violation of 21 U.S.C. § 846.

Count 2

On or about June 28, 2011, in Bernalillo County, in District of New Mexico, the Defendant, **HOMERO VARELA**, unlawfully, knowingly and intentionally distributed a controlled substance, 50 grams and more of methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A).

Count 3

On or about July 21, 2011, in Bernalillo County, in District of New Mexico, the Defendant, **HOMERO VARELA**, unlawfully, knowingly and intentionally distributed a controlled substance, 50 grams and more of methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A).

Count 4

On or about September 21, 2011, in Bernalillo County, in District of New Mexico, the Defendant, **HOMERO VARELA**, unlawfully, knowingly and intentionally distributed a controlled substance, 50 grams and more of methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A).

Count 5

From in or about July 2011 through November 2011, in the District of New Mexico and elsewhere, the defendants, **HOMERO VARELA, ROY MADRID, and MANUEL VILLA-MAYORQUIN**, did unlawfully, knowingly and intentionally conspire and agree together and with each other and with other persons whose names are known and unknown to the grand jury to commit the following offenses against the United States, that is, laundering of monetary instruments, in violation of 18 U.S.C. §§ 1956(a)(1)(A)(i).

In violation of 18 U.S.C. § 1956(h).

Count 6

On or about October 11, 2011, in the District of New Mexico, defendant **HOMERO VARELA**, did knowingly engage and attempt to engage in a monetary transaction by through or to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, that is deposit \$40,000.00 of United States Currency into a Bank of America account held in the name of M.G. and **RAMON GONZALEZ, SR.**, such property having been derived from a specified unlawful activity, namely, drug trafficking.

In violation of 18 U.S.C. §§ 1957 and 2.

Counts 7 through 13

On or about the dates listed below, in the District of New Mexico, and elsewhere, the Defendant **RAMON GONZALEZ, JR.**, for the purpose of evading the reporting requirements of section 5313(a) and 5325 and any regulation prescribed under any such section, caused and attempted to cause a domestic financial institution to fail to file a report required under 31 U.S.C. § 5313(a) and § 5325 and any regulation prescribed under any such section, by engaging in cash deposits of domestic coin and currency transactions of the amounts listed below:

Count	Date	Amount	Type of Transaction	Bank	Type of Account	Last Four Digits of Account Number/Name
7	4/13/2009	\$9,000	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
	4/13/2009	\$6,000	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
8	10/28/2009	\$9,000	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
	10/28/2009	\$9,000	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
	10/28/2009	\$9,500	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
9	6/04/2010	\$7,500	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
	6/04/2010	\$8,000	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
	6/04/2010	\$9,000	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)

	6/04/2010	\$9,000	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
10	9/24/2010	\$8,000	Cash Withdrawal	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
	9/24/2010	\$5,000	Cash Withdrawal	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
11	11/19/2010	\$4,000	Cash Withdrawal	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
	11/19/2010	\$7,500	Cash Withdrawal	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
12	4/04/2011	\$9,000	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
	4/04/2011	\$8,000	Cash Deposit	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
	4/04/2011	\$9,000	Cash Withdrawal	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
	4/04/2011	\$8,000	Cash Withdrawal	Wells Fargo	Checking	5418 (Account of Gonzalez, Jr.)
13	8/22/2011	\$3,200	Cash Deposit	Wells Fargo	Checking	1855 (Account of Andres Gonzalez)
	8/22/2011	\$9,500	Cash Deposit	Wells Fargo	Checking	1855 (Account of Andres Gonzalez)
	8/22/2011	\$4,500	Cash Deposit	Wells Fargo	Checking	1855 (Account of Andres Gonzalez)
	8/22/2011	\$2,000	Cash Deposit	Wells Fargo	Checking	1855 (Account of Andres Gonzalez)

	8/23/2011	\$1,600	Cash Deposit	Wells Fargo	Checking	1855 (Account of Andres Gonzalez)
	8/23/2011	\$8,500	Cash Deposit	Wells Fargo	Checking	1855 (Account of Andres Gonzalez)
	8/23/2011	\$2,500	Cash Deposit	Wells Fargo	Checking	1855 (Account of Andres Gonzalez)

In violation of 31 U.S.C. § 5324(a)(1) and (d)(1), and 18 U.S.C. § 2.

Count 14

During a period of approximately 55 days between on or about July 1, 2011, through on or about August 25, 2011, the activity on any single date being sufficient for conviction, in the District of New Mexico, and elsewhere, the Defendant **STEVE CHAVEZ**, for the purpose of evading the reporting requirements of section 5313(a) and 5325 of Title 31, United States Code, and the regulations promulgated thereunder, structured and assisted in structuring, and attempted to structure and assist in structuring, any transaction with one or more domestic financial institution, by engaging in approximately 37 cash deposits and withdrawals, of domestic coin and currency transactions listed below, as a pattern of illegal activity involving more than \$100,000 in a 12-month period:

Date	Amount	Type Of Transaction	Bank	Type of Account	Last Four Digits of Account Number
7/01/2011	\$10,000	Cash Deposit	Bank Of America	Checking	4053
7/01/2011	\$10,000	Cash Deposit	Bank Of America	Checking	4053

7/01/2011	\$10,000	Cash Withdrawal	Bank Of America	Checking	4053
7/01/2011	\$10,000	Cash Withdrawal	Bank Of America	Checking	4053
7/05/2011	\$10,000	Cash Deposit	Bank Of America	Checking	4053
7/05/2011	\$10,000	Cash Deposit	Bank Of America	Checking	4053
7/05/2011	\$9,900	Cash Deposit	Wells Fargo	Checking	3190
7/05/2011	\$100	Cash Deposit	Wells Fargo	Checking	3190
7/05/2011	\$10,000	Cash Deposit	Wells Fargo	Savings	3412
7/06/2011	\$10,000	Cash Deposit	Bank Of America	Checking	4053
7/06/2011	\$10,000	Cash Deposit	Wells Fargo	Savings	3412
7/07/2011	\$10,000	Cash Withdrawal	Wells Fargo	Savings	3412
7/07/2011	\$7,500	Cash Withdrawal	Wells Fargo	Savings	3412
7/07/2011	\$2,600	Cash Withdrawal	Wells Fargo	Savings	3412
7/07/2011	\$8,000	Cash Withdrawal	Wells Fargo	Checking	3190
7/07/2011	\$1,400	Cash Withdrawal	Wells Fargo	Checking	3190
7/07/2011	\$10,000	Cash Withdrawal	Bank Of America	Checking	4053
7/07/2011	\$10,000	Cash Withdrawal	Bank Of America	Checking	4053
7/07/2011	\$8,000	Cash Withdrawal	Bank Of America	Checking	4053
8/08/2011	\$10,000	Cash Deposit	Bank Of America	Checking	4053
8/08/2011	\$10,000	Cash Deposit	Wells Fargo	Checking	3190
8/08/2011	\$10,000	Cash Withdrawal	Wells Fargo	Checking	3190
8/08/2011	\$10,000	Cash Deposit	Bank Of America	Checking	4053
8/08/2011	\$10,000	Cash Deposit	Wells Fargo	Checking	3190
8/08/2011	\$10,000	Cash Withdrawal	Bank Of America	Checking	4053
8/09/2011	\$10,000	Cash Withdrawal	Wells Fargo	Checking	3190

8/09/2011	\$10,000	Cash Deposit	Well Fargo	Checking	3190
8/09/2011	\$10,000	Cash Deposit	Bank Of America	Checking	4053
8/09/2011	\$10,000	Cash Withdrawal	Bank Of America	Checking	4053
8/09/2011	\$10,000	Cash Withdrawal	Bank Of America	Savings	4625
8/09/2011	\$4,000	Cash Withdrawal	Bank Of America	Savings	4625
8/10/2011	\$9,000	Cash Withdrawal	Wells Fargo	Checking	3190
8/10/2011	\$7,000	Cash Deposit	Bank Of America	Savings	4625
8/10/2011	\$8,000	Cash Deposit	Bank Of America	Checking	4053
8/22/2011	\$9,000	Cash Deposit	Bank Of America	Checking	4053
8/22/2011	\$9,000	Cash Deposit	Wells Fargo	Checking	3190
8/22/2011	\$8,500	Cash Withdrawal	Wells Fargo	Checking	3190
8/22/2011	\$8,500	Cash Withdrawal	Bank Of America	Checking	4053
8/25/2011	\$9,000	Cash Deposit	Bank Of America	Savings	4625
8/25/2011	\$9,000	Cash Withdrawal	Bank Of America	Savings	4625
TOTAL	\$348,500.00				

In violation of 31 U.S.C. § 5324(a)(3) and (d)(1); (d)(2), and 18 U.S.C. § 2.

Counts 15 through 29

For each of Counts 15 through 29, on or about the date specified for each Count, in the District of New Mexico, and elsewhere, the defendants named in each Count did unlawfully, knowingly, and intentionally use a communication facility, that is a telephone, in facilitating the conspiracy charged in Count 1 of this Indictment, which are incorporated herein by reference:

Count	Date	Call #	Line	Defendants
15	7/23/2011	472	(915) 727-8973	HOMERO VARELA and "Jaime" LNU

16	11/9/2011	994	(505) 991-9665	RAMON GONZALEZ, SR. and HOMERO VARELA
17	11/9/2011	895	(505) 991-9665	RAMON GONZALEZ, JR. and HOMERO VARELA
18	11/16/2011	1483	(505) 991-9665	ANDRES GONZALEZ and HOMERO VARELA
19	7/28/2011	897	(915) 727-8973	MANUEL VILLA-MAYORQUIN and HOMERO VARELA
20	11/8/2011	688	(505) 991-9665	STEVE CHAVEZ and HOMERO VARELA
21	7/29/2011	1036	(915) 727-8973	EUGENIO MENDOZA-RENTERIA and HOMERO VARELA
22	7/24/2011	566	(915) 727-8973	JESUS RAMOS CASTILLO and HOMERO VARELA
23	7/31/2011	1142	(915) 727-8973	GABRIEL GUERRA-GONZALEZ and HOMERO VARELA
24	7/29/2011	1043	(915) 727-8973	PROCORO NOBERTO ALVAREZ and HOMERO VARELA
25	7/25/2011	705	(915) 727-8973	ANTONIO MUNOZ-HERNANDEZ and HOMERO VARELA
26	8/25/2011	766	(808) 450-7041	BENITO CASTILLO-NAVA and HOMERO VARELA
27	8/19/2011	240	(808) 450-7041	ROY MADRID and HOMERO VARELA
28	8/24/2011	695	(808) 450-7041	ADALBERTO VALENZUELA-FLORES and HOMERO VARELA
29	8/31/2011	4212	(505) 228-8041	MIGUEL BOLIVAR and HOMERO VARELA

Each in violation of 21 U.S.C. § 843(b).

FORFEITURE ALLEGATION

Counts 1 through 29 of this Indictment are incorporated as part of this section of the indictment as if fully re-alleged herein for the purpose of alleging forfeiture to the United States pursuant to 21 U.S.C. § 853, 18 U.S.C. § 982(a)(1) and 31 U.S.C. § 5317(c)(1).

Upon conviction of any offense in violation of 21 U.S.C. §§ 841, 846, or 848, the defendants, **HOMERO VARELA, RAMON GONZALEZ, SR., RAMON GONZALEZ, JR., ANDRES GONZALEZ, MANUEL VILLA-MAYORQUIN, STEVE CHAVEZ, EUGENIO MENDOZA-RENTERIA, JESUS RAMOS-CASTILLO, GABRIEL GUERRA-GONZALEZ, PROCORO NOBERTO ALVAREZ, ANTONIO MUNOZ-HERNANDEZ, BENITO CASTILLO-NAVA, ROY MADRID, ADALBERTO VALENZUELA-FLORES, and MIGUEL BOLIVAR**, shall forfeit to the United States pursuant to 21 U.S.C. § 853 any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of each offense for which the Defendants are convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offenses.

Upon conviction of any offense in violation of 18 U.S.C. § 1956 or 18 U.S.C. § 1957, the defendants, **HOMERO VARELA, RAMON GONZALEZ, SR., RAMON GONZALEZ, JR., ANDRES GONZALEZ, MANUEL VILLA-MAYORQUIN, STEVE CHAVEZ, EUGENIO MENDOZA-RENTERIA, JESUS RAMOS-CASTILLO, GABRIEL GUERRA-GONZALEZ, PROCORO NOBERTO ALVAREZ, ANTONIO MUNOZ-HERNANDEZ, BENITO CASTILLO-NAVA, ROY MADRID, ADALBERTO VALENZUELA-FLORES, and MIGUEL BOLIVAR** shall forfeit to the United States pursuant to 18 U.S.C. § 982(a)(1) all property, real and personal, involved in such offense, or conspiracy to commit such offense, for which the Defendants are convicted, and all property traceable to such property.

Upon conviction of any offense in violation of 31 U.S.C. § 5324, the defendants, **HOMERO VARELA, RAMON GONZALEZ, SR., RAMON GONZALEZ, JR., ANDRES GONZALEZ, MANUEL VILLA-MAYORQUIN, STEVE CHAVEZ, EUGENIO MENDOZA-RENTERIA, JESUS RAMOS-CASTILLO, GABRIEL GUERRA-GONZALEZ, PROCORO NOBERTO ALVAREZ, ANTONIO MUNOZ-HERNANDEZ, BENITO CASTILLO-NAVA, ROY MADRID, ADALBERTO VALENZUELA-FLORES, and MIGUEL BOLIVAR** shall forfeit to the United States pursuant to 31 U.S.C. § 5317(c)(1) any property, real or personal, involved in the offense and any property traceable thereto.

The property to be forfeited to the United States includes but is not limited to the following:

1. MONEY JUDGMENT

A sum of money equal to at least \$15,000,000 in U.S. currency, including any interest accruing to the date of the judgment, representing the amount of money derived from or involved in the offenses, or traceable to property involved in the offenses, for which the Defendants are jointly and severally liable.

2. BANK ACCOUNTS

- a. All United States currency, funds, or other monetary instruments credited to account number 439004174053, in the name of Steve R. Chavez, located at Bank of America, NA.
- b. All United States currency, funds, or other monetary instruments credited to account number 439004104625, in the name of Steve R. Chavez, located at Bank of America, NA.
- c. All United States currency, funds, or other monetary instruments credited to account number 127119899, in the name of M.G. and Ramon O. Gonzalez, located at Bank of America, NA.
- d. All United States currency, funds, or other monetary instruments credited to account number 1351992751, in the names of Homero M. Varela, B.V., and J.V., located at Wells Fargo Bank.

- e. All United States currency, funds, or other monetary instruments credited to account number 9295741855, in the name of Andres S. Gonzalez, located at Wells Fargo Bank.
- f. All United States currency, funds, or other monetary instruments credited to account number 5815415418, in the name of Ramon Gonzalez, Jr., located at Wells Fargo Bank.
- g. All United States currency, funds, or other monetary instruments credited to account number 8045873190, in the name of Steve R. Chavez, located at Wells Fargo Bank.
- h. All United States currency, funds, or other monetary instruments credited to account number 6045673412, in the name of Steve R. Chavez, located at Wells Fargo Bank.

3. REAL PROPERTY

- a. 2510 Garner Road SW, Albuquerque, New Mexico 87105, more particularly described as: Lot 10 of Casa Adobe Subdivision, within Section 22 and 23 Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, as the same is shown and designated on the plat thereof, filed in the office of the County Clerk of said Bernalillo County, New Mexico. Assessor's parcel number 101005149902840306.
- b. 6704 Coors Blvd. SW, Albuquerque, New Mexico 87121, more particularly described as: Lot 1B of Hesselden's Replat of Lot 2 Valle Grande, filed in the office of the County Clerk of Bernalillo County, New Mexico, on February 5, 1960, in Plat Book B3, Folio 136. Assessor's parcel number 101005027301740216.
- c. 177 and 215 CE Solomon, McIntosh, New Mexico, more particularly described as: The Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) and the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section Eighteen (18), Township Seven (7) North, Range Eight (8) East, as the same is shown and designated on that certain plat entitled "Plat of Survey", dated June 17, 1994, filed for record on July 5, 1994, as document number 5866, and filed in Cabinet C, Slide 88, Plat records of Torrance County, New Mexico.
- d. Vacant Land, McIntosh, New Mexico, more particularly described as: The Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Seventeen (17), Township Seven (7) North, Range Eight (8) East of Torrance County, New Mexico.
- e. Vacant Land, McIntosh, New Mexico, more particularly described as: The West Half of the South Half of the Southeast Quarter (W1/2S1/2SE1/4) of Section Eighteen (18), Township Seven (7) North, Range Seven (7) East of Torrance County, New Mexico.

