

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

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UNITED STATES OF AMERICA,

Plaintiff,

v.

**ERIC ANAYA,
JAVIER SANCHEZ,
MICHELLE ARCHULETA,
ROSEANNA BARRERAS,
IDA MUÑOZ,
JOHN GARCIA,
CHRISTINA BROWN, and
JESSICA SANTIAGO,**

Defendants.

CRIMINAL NO. 12-316

Count 1: 21 U.S.C. § 846: Conspiracy

Counts 2 - 23: 21 U.S.C. §§ 841(a)(1) and
(b)(1)(C): Distribution of Oxycodone and
Hydrocodone

Counts 24 - 31: 21 U.S.C. § 843(b): Use of a
Telephone to Facilitate a Drug Trafficking
Offense

INDICTMENT

The Grand Jury charges:

Count 1

Between on or about December 2, 2010 through on or about November 25, 2011, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendants, **ERIC ANAYA, JAVIER SANCHEZ, MICHELLE ARCHULETA, JOHN GARCIA, and CHRISTINA BROWN**, unlawfully, knowingly and intentionally did combine, conspire, confederate 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, to wit: distribution of Oxycodone and Hydrocodone, contrary to 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

In violation of 21 U.S.C. § 846.

Count 2

On or about December 2, 2010, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Hydrocodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 3

On or about January 11, 2011, in Bernalillo County, in the District of New Mexico, the defendants, **ERIC ANAYA** and **JAVIER SANCHEZ**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 4

On or about February 4, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 5

On or about February 24, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 6

On or about March 10, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 7

On or about March 22, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 8

On or about April 5, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 9

On or about April 13, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 10

On or about April 20, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 11

On or about April 20, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Hydrocodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 12

On or about April 29, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 13

On or about May 6, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Hydrocodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 14

On or about May 13, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ERIC ANAYA**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 15

On or about June 1, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **MICHELLE ARCHULETA**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 16

On or about June 15, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **MICHELLE ARCHULETA**, unlawfully, knowingly and intentionally distributed a controlled substance, Hydrocodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 17

On or about June 27, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **MICHELLE ARCHULETA**, unlawfully, knowingly and intentionally distributed a controlled substance, Hydrocodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 18

On or about August 5, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **JAVIER SANCHEZ**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 19

On or about August 17, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ROSEANNA BARRERAS**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 20

On or about September 9, 2011, in Bernalillo County, in the District of New Mexico, the defendants, **ROSEANNA BARRERAS** and **IDA MUÑOZ**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 21

On or about October 11, 2011, in Bernalillo County, in the District of New Mexico, the defendants, **ROSEANNA BARRERAS** and **IDA MUÑOZ**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 22

On or about November 8, 2011, in Bernalillo County, in the District of New Mexico, the defendants, **ROSEANNA BARRERAS** and **IDA MUÑOZ**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Count 23

On or about December 9, 2011, in Bernalillo County, in the District of New Mexico, the defendant, **ROSEANNA BARRERAS**, unlawfully, knowingly and intentionally distributed a controlled substance, Oxycodone.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

Counts 24 through 31

For each of Counts 24 through 31, on or about the date specified for each Count, in the District of New Mexico, the defendants named in each Count did unlawfully, knowingly, and intentionally use a communication facility, that is a telephone, in facilitating the commission of any act or acts constituting a felony under Title 21, United States Code, Sections 841(a)(1) and 846, that is conspiracy as charged in Count 1 of this Indictment, which is incorporated herein by reference, and distribution of a controlled substance:

Count	Date	Defendants	Session #	Telephone
24	June 25, 2011	ERIC ANAYA and JESSICA SANTIAGO	128, 129 131, 132, 134, 135 137, 138, 139, 141 142, 143 159, 161	505-321-1510

Count	Date	Defendants	Session #	Telephone
25	June 26, 2011	ERIC ANAYA and JOHN GARCIA	273, 276, 280, 284, 285, 286, 288, 290	505-321-1510
26	June 27, 2011	ERIC ANAYA and JOHN GARCIA	412, 441, 442, 443	505-321-1510
27	June 27, 2011	ERIC ANAYA and MICHELLE ARCHULETA	415, 424, 439, 440, 446, 450 453, 454	505-321-1510
28	June 27, 2011	ERIC ANAYA and JESSICA SANTIAGO	420, 422, 429, 431, 433, 435, 456, 457, 458, 463	505-321-1510
29	June 27, 2011	ERIC ANAYA, CHRISTINA BROWN, and JOHN GARCIA	620	505-321-1510
30	July 1, 2011	ERIC ANAYA and JOHN GARCIA	1304, 1309 1312, 1470, 1473	505-321-1510
31	August 18, 2011	ERIC ANAYA and ROSEANNA BARRERAS	7266	505-321-1510

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

FORFEITURE ALLEGATIONS

Counts 1 through 31 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.

Upon conviction of any offense in violation of 21 U.S.C. §§ 841 or 846, the defendants, **ERIC ANAYA, JAVIER SANCHEZ, MICHELLE ARCHULETA, JOHN GARCIA, and CHRISTINA BROWN**, 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. The property to be forfeited to the United States includes but is not limited to the following:

MONEY JUDGMENT

A sum of money equal to at least \$23,512 in United States 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.

Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendants', **ROSEANNA BARRERAS and IDA MUÑOZ**, 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. The property to be forfeited to the United States includes but is not limited to the following:

MONEY JUDGMENT

A sum of money equal to at least \$2,740 in United States 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.

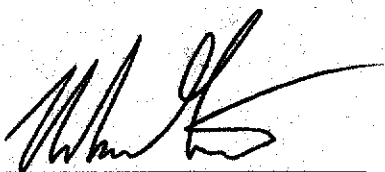
SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- 1) cannot be located upon the exercise of due diligence;
- 2) has been transferred or sold to, or deposited with, a third party;
- 3) has been placed beyond the jurisdiction of the Court;
- 4) has been substantially diminished in value; or
- 5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), 18 U.S.C. § 982(b) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described above.

A TRUE BILL:



Assistant United States Attorney

NJB
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FOREPERSON OF THE GRAND JURY