

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

UNITED STATES OF AMERICA)	CAUSE NO. 2:11 CR 77 PPS
)	
v.)	18 U.S.C. § 1962(d)
)	18 U.S.C. § 1959(a)
JUAN BRISENO a/k/a "Tito";)	18 U.S.C. § 924
JUSTIN WEAVER a/k/a "White Boy";)	21 U.S.C. § 846
MICHAEL ANTHONY CASTILLO;)	21 U.S.C. § 841(a)(1)
JASON MEDINA a/k/a "Burns";)	18 U.S.C. § 3
EDWARD RAYE SERNA a/k/a "Sern";)	18 U.S.C. § 2
ROBERT LOCKHART a/k/a "Jackson";)	
ARMANDO JOSE VELASQUEZ a/k/a)	
"Money";)	
ANTHONY BALDAZO a/k/a "Tall)	
Folks";)	
SALVADOR CHAVEZ a/k/a "Black")	
"Dirty Sal";)	
RAYMOND CAMPOS a/k/a "Cookie)	
Face";)	
ACE CORTEZ;)	
JULIAN GUILLERMO SERNA)	
a/k/a "Big Ju";)	
JULIUS SOLIS a/k/a "JuJu";)	
DARMAILE CORTEZ SUTTON a/k/a)	
"D-Money";)	
EDDIE TORRES a/k/a "Macho"; and)	
RICHARD REYES)	

-FILED-

NOV 07 2012

ROBERT N. TRGOVICH ^{CL} Clerk ^M
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

THIRD SUPERSEDING INDICTMENT

COUNT 1

(Conspiracy to Participate in Racketeering Activity)

THE GRAND JURY CHARGES:

Introduction

1. At various times relevant to this Third Superseding Indictment, the following defendants, and others known and unknown, were members of the “Almighty IMPERIAL GANGSTERS” Street Gang (hereinafter the “IMPERIAL GANGSTERS”), a criminal organization whose members and associates engaged in acts of violence, including murder, attempted murder, robbery, aggravated battery, aggravated assault and narcotics distribution, and which operated in the Northwest Indiana area, the Northern District of Indiana, Hammond Division, and elsewhere: **JUAN BRISENO a/k/a “Tito,” JUSTIN WEAVER a/k/a “White Boy,” MICHAEL ANTHONY CASTILLO, JASON MEDINA a/k/a “Burns,” EDWARD RAYE SERNA a/k/a “Sern,” ROBERT LOCKHART a/k/a “Jackson,” ARMANDO JOSE VELASQUEZ a/k/a “Money,” ANTHONY BALDAZO a/k/a “Tall Folks,” SALVADOR CHAVEZ a/k/a “Black,” “Dirty Sal,” RAYMOND CAMPOS a/k/a “Cookie Face,” ACE CORTEZ, JULIAN GUILLERMO SERNA a/k/a “Big Ju,” JULIUS SOLIS a/k/a “Ju Ju,” DARMAILE CORTEZ SUTTON a/k/a “D-Money,” EDDIE TORRES a/k/a “Macho,” and RICHARD REYES.**

General Background and Structure of the Enterprise

2. The IMPERIAL GANGSTERS are a nationally known criminal street organization whose members engage in drug trafficking and acts of violence. The 149th Street “No Love Side” IMPERIAL GANGSTERS are a local “set” or chapter of the IMPERIAL GANGSTERS, with local control and operation within East Chicago, Indiana. The other IMPERIAL GANGSTER set or chapter operating in Northwest Indiana is the 139th Street, or “Harbor” or “Tre Nine” set.

3. The 149th Street IMPERIAL GANGSTERS operate primarily on the South Side of

East Chicago. The 149th Street IMPERIAL GANGSTERS are involved in murder, attempted murder, robberies and drug trafficking. The 139th Street IMPERIAL GANGSTERS operate primarily in the Harbor Section of East Chicago. They are also involved in murder, attempted murder, robberies and drug trafficking.

4. Members of the IMPERIAL GANGSTERS greeted each other, and showed their membership in the gang using a set of hand-signs. In addition, IMPERIAL GANGSTERS often greeted one another, demonstrated their allegiance to the gang, or simply announced their arrival or presence in a particular area by exclaiming "Amor." The IMPERIAL GANGSTERS employed a robust symbology as well, often using depictions of the cartoon character The Pink Panther to demonstrate their affiliation. Members often had tattoos incorporating one or more of the aforementioned phrases or symbols, The Pink Panther being the most prominent. The colors associated with the IMPERIAL GANGSTERS are pink and black, and members of the IMPERIAL GANGSTERS often demonstrated their affiliation with the IMPERIAL GANGSTERS by wearing clothing containing these two colors, or incorporating some of the gang's other symbols or phrases.

5. The IMPERIAL GANGSTERS are affiliated with the "Folk Nation" of gangs. Rival street gangs of the IMPERIAL GANGSTERS have included the Spanish Gangster Disciples, The Two Six Nation, The Latin Kings, and the Black P-Stones.

6. The IMPERIAL GANGSTERS have a leadership structure, but do not always utilize official titles or ranks. They at all times have an individual who serves as the leader and makes decisions regarding gang business. The IMPERIAL GANGSTERS have one or two individuals who control and train the "shorties" or prospective members. They have an individual who

serves as a treasurer, who collects gang dues. They also have an individual who serves as the enforcer, who applies discipline for violations of the gang rules by meting out punishment.

The Racketeering Enterprise

7. The IMPERIAL GANGSTERS, including its leadership, membership, prospects (“shorties”) and associates, constitutes an enterprise as defined in 18 U.S.C. § 1961(4), that is, a group of individuals associated in fact. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise. This enterprise was engaged in, and its activities affected, interstate and foreign commerce.

Purposes of the Enterprise

8. The purposes of the enterprise included, but were not limited to, the following:
- a. Enriching the leaders, members, and associates of the enterprise through, among other things, the illegal trafficking of controlled substances.
 - b. Preserving and protecting the power, territory, operations, and proceeds of the enterprise through the use of threats, intimidation, violence and destruction including, but not limited to, acts of murder, attempted murder, assault with a dangerous weapon and other acts of violence.
 - c. Promoting and enhancing the enterprise and its members’ and associates’ activities.
 - d. Keeping victims in fear of the enterprise and in fear of its leaders, members, and associates through threats of violence and violence. The leaders, members, and associates of the enterprise undertook all steps necessary to prevent the detection of their criminal activities, and sought to prevent and resolve the imposition of any criminal liabilities upon their leaders,

members, and associates, by the use of murder, violence, and intimidation directed against witnesses, victims, and others. As part of this practice, the enterprise enforced what it referred to as a "SOS" or shoot on sight order, or also known as "KOS" or, kill on sight, against IMPERIAL GANGSTERS members who were suspected of having cooperated with law enforcement.

e. Providing support to gang members who were charged with, or incarcerated for, gang-related activities.

The Racketeering Conspiracy

9. Beginning on a date unknown to the Grand Jury, but at least as of in or about September, 2002, and continuing through on or about the date of this Third Superseding Indictment, in the Northern District of Indiana and elsewhere, the defendants,

**JUAN BRISENO a/k/a "Tito,"
JUSTIN WEAVER a/k/a "White Boy,"
MICHAEL ANTHONY CASTILLO,
JASON MEDINA a/k/a "Burns,"
EDWARD RAYE SERNA a/k/a "Sern,"
ROBERT LOCKHART a/k/a "Jackson"
ARMANDO JOSE VELASQUEZ a/k/a "Money,"
ANTHONY BALDAZO a/k/a "Tall Folks,"
SALVADOR CHAVEZ a/k/a "Black," "Dirty Sal,"
RAYMOND CAMPOS a/k/a "Cookie Face,"
ACE CORTEZ,
JULIAN GUILLERMO SERNA a/k/a "Big Ju,"
JULIUS SOLIS a/k/a "Ju Ju,"
DARMAILE CORTEZ SUTTON a/k/a "D-Money"
EDDIE TORRES a/k/a "Macho" and
RICHARD REYES**

each being a person employed by and associated with the IMPERIAL GANGSTERS, an enterprise engaged in, and the activities of which affected, interstate and foreign commerce, together with GALO BENJAMIN FELICIANO, GUILLERMO BRISENO, JOSEPH RENE

TORRES, DAVID ALMARAZ, ALEJANDRO BALBOA LARA, KELVIN JEFFERSON BELTRAN and others known and unknown to the Grand Jury, did knowingly and intentionally conspire to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity, as defined in Sections 1961(a) and (5) of Title 18, United States Code, consisting of multiple acts involving murder in violation of Indiana Code 35-42-1-1, 35-41-2-4, 35-41-5-1, multiple acts involving robbery in violation of Indiana Code 35-42-5-1 and 35-41-5-2, multiple acts indictable under 18 United States Code Section 1951 (Hobbs Act Robbery) and multiple acts involving narcotics trafficking in violation of 21 United States Code Sections 841(a)(1)(distribution and possession with the intent to distribute a controlled substance) and Section 846 (conspiracy to distribute and possess with the intent to distribute a controlled substance). It was part of this conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the enterprise.

Manner and Means of the Conspiracy

10. Each member of the enterprise agreed to facilitate a scheme that included the operation and management of the enterprise by a conspirator. Members of the enterprise and their associates operated and conducted their affairs through a series of laws and policies, some of which were codified in a constitution and a series of laws.

11. The members of the enterprise and their associates attended regular meetings at which they discussed, planned, and otherwise engaged in criminal activity, including murder, attempted murder, robberies, narcotics distribution, and obstruction of justice.

12. Members of the enterprise and their associates initiated new members through the

practice of causing them to endure physical assaults conducted by members of the enterprise at various gang-related gatherings.

13. To enforce discipline and the rules of the enterprise, members of the enterprise and their associates engaged in a system of "violations," in which members of the enterprise attempted to murder, conspired to murder, and physically beat and threatened those members of the enterprise who violated rules, questioned authority, or posed a threat to the leaders or purposes of the enterprise.

14. Members of the enterprise and their associates employed and used gang-related terminology, symbols, gestures, and color schemes.

15. To perpetuate the enterprise and maintain and extend their power, members of the enterprise and their associates committed illegal acts, including murder, attempted murder, aggravated battery, intimidation, and aggravated assault against individuals who posed a threat to the enterprise or jeopardized its operations, including rival gang members and witnesses to the illegal activities of the enterprise. Pursuant to gang policy, members of the enterprise and their associates were required to participate in such acts, received standing orders to shoot rival gang members, and were instructed to retaliate for gang-related attacks upon the members and associates of the enterprise.

16. Members of the enterprise and their associates were required to "post up" and patrol in their neighborhood. This entailed standing guard in their neighborhood and shooting at any rival gang member they saw, and also at any individual in their neighborhood who was selling drugs without their permission. A member or associate of the enterprise would be violated if they did not "post up" in the IMPERIAL GANGSTER neighborhood. On multiple occasions

during the course of the conspiracy members of the 139th Street IMPERIAL GANGSTERS would assist the 149th Street IMPERIAL GANGSTERS in “posting up” and patrolling in the 149th Street neighborhood. Similarly, on multiple occasions during the course of the conspiracy members of the 149th Street IMPERIAL GANGSTERS would assist the 139th Street IMPERIAL GANGSTERS by “posting up” and patrolling in the Harbor section of East Chicago, Indiana.

17. Members of the enterprise and their associates managed the procurement, transfer, use, concealment, and disposal of firearms and dangerous weapons within the enterprise to protect gang-related territory, personnel, and operations, and to deter, eliminate, and retaliate against competitors and other rival criminal organizations and persons. On multiple occasions during the course of the conspiracy this included trading firearms with Chicago-based IMPERIAL GANGSTERS, and selling guns to Chicago-based IMPERIAL GANGSTERS. On multiple occasions during the course of the conspiracy members of the 149th Street IMPERIAL GANGSTERS and members of the 139th Street IMPERIAL GANGSTERS would trade guns with each other. Often a gun would be traded with another faction after it had been used in a shooting.

18. Members of the enterprise and their associates earned money for their members and regularly financed their activities through funds obtained in the illegal trafficking of controlled substances, including the distribution and possession with intent to distribute marijuana, cocaine, cocaine base and ecstasy. On multiple occasions during the course of the conspiracy members of the 139th Street IMPERIAL GANGSTERS and members of the 149th Street IMPERIAL GANGSTERS would supply each other with narcotics.

19. Members of the enterprise and their associates operated and conducted their affairs,

in part, through a financial system in which the leadership of the IMPERIAL GANGSTERS and others possessed, controlled, and otherwise maintained a monetary stash on behalf of the enterprise. As part of this practice, members of the enterprise and their associates paid requisite weekly or bi-weekly dues into the pot, which, in turn, the enterprise used to bail gang members out of jail, to help pay for the defense attorneys of gang members who had been charged with crimes, to send to commissary accounts of incarcerated gang members, and to purchase and sell firearms and controlled substances. At times, the members of the enterprise and their associates paid money into the pot by selling narcotics supplied by members of the gang.

20. Members of the enterprise and their associates hid, misrepresented, concealed and caused to be misrepresented, concealed, and hidden, the objectives of acts done in furtherance of the conspiracy, and used coded language and other means to avoid detection and apprehension by law enforcement authorities.

21. Members of the enterprise recruited and used juveniles to commit acts for the benefit of the enterprise.

22. In order to join the IMPERIAL GANGSTERS prospective members or "shorties" are given the option of shooting someone at the direction of the leadership of the gang, or receiving a two minute "violation," which entails high-ranking members of the gang punching the prospective member seventy times in the chest. While a "shorty" is attempting to join the gang his conduct is observed by the members of the IMPERIAL GANGSTERS. While a "shorty" is attempting to join the gang, he is considered a part of the IMPERIAL GANGSTER family and entitled to the full protection of the enterprise. The "shorty" is also subject to the rules and orders of the enterprise.

Overt Acts

23. In furtherance of the conspiracy and to achieve the objects thereof, the conspirators performed or caused to be performed the following overt acts, among others, in the Northern District of Indiana and elsewhere:

- a. On September 22, 2002, **DARMAILE CORTEZ SUTTON** conducted a hand to hand narcotics transaction and possessed a loaded firearm.
- b. On October 27, 2002, **ACE CORTEZ** shot an individual.
- c. On November 10, 2002, **DARMAILE CORTEZ SUTTON** sprayed IMPERIAL GANGSTER-related gang graffiti.
- d. On November 11, 2002, **DARMAILE CORTEZ SUTTON** sprayed over rival gang graffiti.
- e. On March 5, 2004, **ARMANDO JOSE VELASQUEZ** possessed a stolen firearm and shot at who he believed to be members of a rival gang.
- f. On April 21, 2004, **DARMAILE CORTEZ SUTTON** possessed marijuana.
- g. On May 4, 2004, **RAYMOND CAMPOS** possessed marijuana.
- h. On June 7, 2004, members of the IMPERIAL GANGSTERS murdered Martin Navarro, who they believed to be a rival gang member.
- i. On June 13, 2004, **ARMANDO JOSE VELASQUEZ** shot at who he believed to be rival gang members. One of these shots struck a bystander, Wayne McNair, killing him.
- j. On July 24, 2004, **ACE CORTEZ** murdered Anuar David Paez a/k/a "Bronco," who he believed to be a rival gang member.
- k. On April 9, 2005, **JASON MEDINA** possessed a firearm.

l. On July 24, 2005 **JASON MEDINA** murdered Guadalupe Trevino, who he believed to be a rival gang member.

m. On August 31, 2005, **DARMAILE CORTEZ SUTTON** and other members of the IMPERIAL GANGSTERS beat an individual after he refused their offer to join their gang.

n. On September 1, 2005, **DARMAILE CORTEZ SUTTON** possessed marijuana.

o. On March 17, 2006, members of the IMPERIAL GANGSTERS firebombed the residence of an individual who they believed to be a rival gang member.

p. On May 6, 2006, **EDDIE SERNA** possessed marijuana.

q. On August 3, 2006, **JASON MEDINA** possessed a firearm and marijuana.

r. On November 25, 2006, **EDWARD RAYE SERNA** possessed a firearm.

s. On March 22, 2007, **GUILLERMO BRISENO** attempted to steal a snow blower.

When Juan Murillo Sr. and Juan Murillo Jr. attempted to thwart this robbery, **GALO BENJAMIN FELICIANO** and **ANTHONY BALDAZO** murdered Juan Murillo Sr. and shot and injured Juan Murillo Jr.

t. On June 2, 2007, **JASON MEDINA** pointed a firearm at an individual in a threatening manner.

u. On June 7, 2007, **JASON MEDINA** pointed a firearm at an individual in a threatening manner.

v. On August 11, 2007, **RAYMOND CAMPOS** beat up an individual coming out of a bar after telling the individual that **CAMPOS** was an IMPERIAL GANGSTER and asking the individual which gang the individual belonged to.

w. On August 12, 2007, **JUSTIN WEAVER** possessed marijuana.

- x. On September 16, 2007, **RICHARD REYES** murdered Rene Alonzo, who he believed to be a rival gang member. During the course of shooting Rene Alonzo, **RICHARD REYES** also shot a second individual in the calf and thigh.
- y. On September 26, 2007, **JUAN BRISENO** and DAVID ALMARAZ murdered Luis Ortiz a/k/a "Manolo," who they believed to be a rival gang member.
- z. On September 29, 2007, **JUAN BRISENO** possessed a firearm.
- aa. On October 20, 2007, **JUAN BRISENO** possessed a firearm.
- bb. On October 22, 2007, GALO BENJAMIN FELICIANO fired a gun at an individual who he believed to be a rival gang member, while DAVID ALMARAZ served as the getaway driver.
- cc. On February 27, 2008, **JULIUS SOLIS** sprayed IMPERIAL GANGSTER gang graffiti.
- dd. On February 28, 2008, **DARMAILE CORTEZ SUTTON** possessed marijuana and a firearm.
- ee. On March 25, 2008, **JULIAN GUILLERMO SERNA** murdered Mario Soriano, who he believed to be a member of a breakaway, "Renegade" faction of the 139th Street IMPERIAL GANGSTERS.
- ff. On April 14, 2008, **JUAN BRISENO** possessed marijuana.
- gg. On May 16, 2008, **JUAN BRISENO** possessed a firearm and shot at unknown individuals.
- hh. On May 24, 2008, **GUILLERMO BRISENO** possessed a firearm and shot at three individuals.

ii. On June 3, 2008, **JUAN BRISENO** murdered Michael Sessum and Miguel Mejias a/k/a “King Nelly,” who he believed to be rival gang members. Immediately after doing so, **JUAN BRISENO** shot into a residence, attempting to kill a third individual, (hereinafter “Victim 1”) who was struck in the arm with a bullet while holding a young child.

jj. On June 29, 2008, **DARMAILE CORTEZ SUTTON** possessed marijuana.

kk. On July 20, 2008, **JUAN BRISENO** possessed a firearm.

ll. On July 23, 2008, **ROBERT LOCKHART** possessed marijuana.

mm. On July 31, 2008, **DARMAILE CORTEZ SUTTON** possessed marijuana.

nn. On August 16, 2008, **JULIUS SOLIS** flashed gang signs and shouted “Imperial Gangster Nation” at a group of people. **SOLIS** also brandished a firearm during this incident.

oo. On August 26, 2008, **ROBERT LOCKHART**, **JUAN BRISENO** and another individual attempted to murder a person known to the Grand Jury, (hereinafter “Victim 2”), by shooting him with a firearm.

pp. On October 9, 2008, **JUAN BRISENO** murdered Harris Brown.

qq. On January 23, 2009, **JUAN BRISENO** and two other members of the **IMPERIAL GANGSTERS** attempted to murder an individual who they believed to be a rival gang member, by shooting him with a firearm.

rr. On February 10, 2009, members of the **IMPERIAL GANGSTERS** attempted to murder two individuals who they believed to be rival gang members by shooting them with a firearm.

ss. On February 18, 2009, **JUAN BRISENO** and **JULIUS SOLIS** flashed **IMPERIAL GANGSTER** gang signs to each other.

tt. On February 20, 2009, **JUAN BRISENO** attempted to murder a person known to the Grand Jury, (hereinafter "Victim 3"), by shooting him with a firearm.

uu. On March 28, 2009, **JULIUS SOLIS** ordered another member of the IMPERIAL GANGSTERS to attempt to murder a person known to the Grand Jury, (hereinafter "Victim 4"), by shooting him with a firearm.

vv. On April 24, 2009, **JUAN BRISENO** and **DARMAILE CORTEZ SUTTON** possessed marijuana.

ww. On May 3, 2009, **JULIUS SOLIS** murdered Alonzo Cavazos, who he believed to be a member of a breakaway, "Renegade" faction of the 139th Street IMPERIAL GANGSTERS.

xx. On July 13, 2009, **JUAN BRISENO** shot at Pete Santos and other individuals who he believed to be rival gang members.

yy. On July 13, 2009, **GALO BENJAMIN FELICIANO** possessed over 700 rounds of ammunition.

zz. On August 2, 2009, **JUAN BRISENO** attempted to murder a person known to the Grand Jury, (hereinafter Victim 5"), by shooting him with a firearm.

aaa. On September 10, 2009, **GALO BENJAMIN FELICIANO** and another individual attempted to murder a person known to the Grand Jury, by shooting at him with a firearm.

bbb. On September 23, 2009, **MICHAEL ANTHONY CASTILLO, JUSTIN WEAVER** and **ROBERT LOCKHART** shot Cornelius Jordan, Romelle Jackson and Thomas Delacruz, who they believed to be rival gang members.

ccc. On October 3, 2009, **JUAN BRISENO** possessed marijuana, a firearm, ammunition and a bulletproof vest.

ddd. On October 3, 2009, **MICHAEL ANTHONY CASTILLO** possessed marijuana, a scale and gang paraphernalia.

eee. On October 3, 2009, **JUSTIN WEAVER** possessed marijuana.

fff. On October 3, 2009, **DARMAILE CORTEZ SUTTON** possessed an assault rifle and sixty rounds of ammunition.

ggg. On February 7, 2010, **JUAN BRISENO, ROBERT LOCKHART** and **GALO BENJAMIN FELICIANO** murdered Miguel Colon, who they believed to be a rival gang member.

hhh. On February 9, 2010, **JULIAN GUILLERMO SERNA** possessed a firearm.

iii. On March 19, 2010, **JUAN BRISENO** shot an individual who he believed to be a rival gang member.

jjj. On March 26, 2010, **GALO BENJAMIN FELICIANO** and **JOSEPH RENE TORRES** murdered Jesus Alvarez, who they mistakenly believed to be a rival gang member.

kkk. On April 6, 2010, **JOSEPH RENE TORRES** shot Alejandro Sanchez, who he believed to be a rival gang member.

lll. On April 28, 2010, **MICHAEL ANTHONY CASTILLO** murdered Peter Santos, who he believed to be a rival gang member.

mmm. On May 24, 2010, **MICHAEL ANTHONY CASTILLO** possessed marijuana.

nnn. On June 16, 2010, **JUAN BRISENO** possessed a firearm.

ooo. On June 19, 2010, **JUAN BRISENO** murdered Latroy Howard, who he believed to be a rival gang member.

ppp. On July 1, 2010, **JUAN BRISENO** possessed marijuana.

qqq. On September 21, 2010, **JUAN BRISENO**, who was incarcerated, wrote a letter to **KELVIN JEFFERSON BELTRAN** telling him that “these Mudafukkers (Federal law enforcement) aint playing they trying to catch anybody up on sum shit.” He thanked **KELVIN JEFFERSON BELTRAN** for the money that **KELVIN JEFFERSON BELTRAN** and other **IMPERIAL GANGSTERS** had put on his jail commissary account. **BRISENO** told **BELTRAN** that he hoped that **BELTRAN** was keeping an eye on younger **IMPERIAL GANGSTERS** and taking care of them, just like **BRISENO** did for **BELTRAN**. **BRISENO** requested that **BELTRAN** provide him with some money to hire an attorney.

rrr. On October 6, 2010, **JUAN BRISENO**, who was incarcerated, wrote a letter to **KELVIN JEFFERSON BELTRAN** instructing him on how to recruit new young members to the **IMPERIAL GANGSTERS**. **JUAN BRISENO** told **KELVIN JEFFERSON BELTRAN** that he doesn’t want to see their gang fall to pieces. **BRISENO** also warned **BELTRAN** to be careful around the 139th Street **IMPERIAL GANGSTERS**, because “I’ve been hearing they on sum bull shit.”

sss. On February 1, 2011, **JUAN BRISENO**, who was incarcerated, wrote a letter to **KELVIN JEFFERSON BELTRAN** telling him not to worry that the cocaine out there is of poor quality, as hopefully **JUAN BRISENO** will meet a new source of supply for cocaine while incarcerated who can “plug” (supply) **BRISENO** when **BRISENO** is released from jail.

ttt. On February 22, 2011, **JULIAN GUILLERMO SERNA** and two other individuals robbed two people at gun point, taking from them marijuana, United States Currency, a watch and other items.

uuu. On March 14, 2011, **JUSTIN WEAVER** possessed marijuana.

vvv. On May 26, 2011, **ARMANDO JOSE VELASQUEZ** possessed a digital scale and gang-related drawings.

www. On June 6, 2011, **JASON MEDINA** and **EDWARD RAYE SERNA** attempted to murder a person known to the Grand Jury, (hereinafter "Victim 6"), by shooting at him with a firearm.

xxx. On June 7, 2011, **JULIAN GUILLERMO SERNA** assisted **JASON MEDINA** in looking for the gun that **MEDINA** discarded after using it to shoot at Victim 6.

yyy. On August 9, 2011, **JUAN BRISENO**, who was incarcerated, wrote a letter to **KELVIN JEFFERSON BELTRAN** telling him that he just wants all of the **IMPERIAL GANGSTERS** out there to come together and fix things. **BRISENO** warned **BELTRAN** that if **BELTRAN** writes back, don't put any "gang shit" in there because the authorities are watching him. **BRISENO** also warned **BELTRAN** to be careful because the "Feds" are out there.

zzz. On October 11, 2011, **EDWARD RAYE SERNA** sold a firearm to a convicted felon who had traveled from Illinois to Indiana to purchase the firearm.

aaaa. On October 18, 2011, **JUAN BRISENO**, who was incarcerated, wrote a letter to **KELVIN JEFFERSON BELTRAN** telling him that **BRISENO** was upset that Angel "Beef" Santos was killed while **JUAN BRISENO** was incarcerated and **BRISENO** "couldn't do shit about it."

bbbb. On October 26, 2011, **ARMANDO JOSE VELASQUEZ** conducted a hand to hand narcotics transaction.

cccc. On November 7, 2011, **EDWARD RAYE SERNA** possessed marijuana, ammunition, and gang-related clothing.

dddd. On December 3, 2011, **ARMANDO JOSE VELASQUEZ** attempted to murder a person known to the Grand Jury, (hereinafter "Victim 7"), by shooting him multiple times with a firearm.

eeee. On January 31, 2012, **ROBERT LOCKHART** possessed a firearm.

Notice of Enhanced Sentencing

24. On or about July 24, 2004, in the Northern District of Indiana, **ACE CORTEZ** knowingly and intentionally killed Anuar David Paez in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

25. On or about July 24, 2005, in the Northern District of Indiana, **JASON MEDINA** knowingly and intentionally killed Guadalupe Trevino in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

26. On or about March 22, 2007, in the Northern District of Indiana, **ANTHONY BALDAZO** knowingly and intentionally killed Juan Murillo Sr., in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

27. On or about September 16, 2007, in the Northern District of Indiana, **RICHARD REYES** knowingly and intentionally killed Rene Alonzo, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

28. On or about September 26, 2007, in the Northern District of Indiana, **JUAN BRISENO** knowingly and intentionally killed Luis Ortiz, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

29. On or about March 25, 2008, in the Northern District of Indiana, **JULIAN**

GUILLERMO SERNA knowingly and intentionally killed Mario Soriano, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

30. On or about June 3, 2008, in the Northern District of Indiana, **JUAN BRISENO** knowingly and intentionally killed Michael Sessum, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

31. On or about June 3, 2008, in the Northern District of Indiana, **JUAN BRISENO** knowingly and intentionally killed Miguel Mejias, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

32. On or about October 9, 2008, in the Northern District of Indiana, **JUAN BRISENO** knowingly and intentionally killed Harris Brown, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

33. On or about February 7, 2010, in the Northern District of Indiana, **JUAN BRISENO** and **ROBERT LOCKHART** knowingly and intentionally killed Miguel Colon, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

34. On or about June 19, 2010, in the Northern District of Indiana, **JUAN BRISENO** knowingly and intentionally killed Latroy Howard, in violation of Indiana Penal Code Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1962(d).

COUNT 2

(Conspiracy to Possess with Intent to Distribute and Distribute Cocaine and Marijuana)

THE GRAND JURY FURTHER CHARGES:

From at least September, 2002, the exact date being unknown to the Grand Jury, and continuing into at least the date of this Third Superseding Indictment, both dates being approximate and inclusive, in the Northern District of Indiana and elsewhere,

**JUAN BRISENO a/k/a "Tito,"
JUSTIN WEAVER a/k/a "White Boy,"
MICHAEL ANTHONY CASTILLO,
JASON MEDINA a/k/a "Burns,"
EDWARD RAYE SERNA a/k/a "Sern,"
ROBERT LOCKHART a/k/a "Jackson"
ARMANDO JOSE VELASQUEZ a/k/a "Money," and
ANTHONY BALDAZO a/k/a "Tall Folks,"
SALVADOR CHAVEZ a/k/a "Black," "Dirty Sal,"
RAYMOND CAMPOS a/k/a "Cookie Face,"
ACE CORTEZ,
JULIAN GUILLERMO SERNA a/k/a "Big Ju,"
JULIUS SOLIS a/k/a "Ju Ju,"
DARMAILE CORTEZ SUTTON a/k/a "D-Money,"
EDDIE TORRES a/k/a "Macho" and
RICHARD REYES**

defendants herein, did knowingly and intentionally combine, conspire, confederate and agree one with another together with GALO BENJAMIN FELICIANO, GUILLERMO BRISENO, JOSEPH RENE TORRES, DAVID ALMARAZ, ALEJANDRO BALBOA LARA, KELVIN JEFFERSON BELTRAN, and others known and unknown to the Grand Jury, to commit the following offense against the United States: to knowingly and intentionally possess with intent to distribute and distribute one hundred (100) kilograms or more of a mixture and substance containing a detectable amount of marijuana, a schedule I controlled substance and five (5)

kilograms or more of a mixture and substance containing a detectable amount of cocaine, a schedule II controlled substance;

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

COUNT 3

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. At all times relevant to this Third Superseding Indictment the IMPERIAL GANGSTERS, as more fully described in paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though fully set forth herein, constituted an enterprise as defined in 18 U.S.C. § 1959(b)(2), namely IMPERIAL GANGSTERS, that is, a group of individuals associated in fact which is engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

2. At all times relevant to this Third Superseding Indictment, the above-described enterprise, through its members and associates, engaged in racketeering activity as defined in 18 U.S.C. §§ 1959(b)(1) and 1961(1), namely, narcotics trafficking in violation of 21 U.S.C. §§ 841 and 846, and acts involving murder in violation of Indiana Penal Code, Section 35-42-1-1, 35-41-2-4, and 35-41-5-1.

3. On or about July 24, 2004, in the Northern District of Indiana,

ACE CORTEZ,

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Anuar David Paez a/k/a "Bronco," in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United

States Code, Section 2.

COUNT 4

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about July 24, 2004, in the Northern District of Indiana,

ACE CORTEZ,

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence and drug trafficking crime, that is, to murder in aid of racketeering activity, as set forth in Count 3 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment, all of which are incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Anuar David Paez a/k/a "Bronco," willfully, deliberately, and maliciously.

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

COUNT 5

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about July 24, 2005, in the Northern District of Indiana,

JASON MEDINA a/k/a "Burns,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Guadalupe Trevino in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 6

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about July 24, 2005, in the Northern District of Indiana,

JASON MEDINA a/k/a "Burns,"

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence and drug trafficking crime, that is, to murder in aid of racketeering activity, as set forth in Count 5 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment, all of which are incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Guadalupe Trevino, willfully, deliberately, and maliciously.

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

COUNT 7

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about March 22, 2007, in the Northern District of Indiana,

ANTHONY BALDAZO a/k/a "Tall Folks,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Juan Murillo Sr., in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 8

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a
Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about March 22, 2007, in the Northern District of Indiana,

ANTHONY BALDAZO a/k/a "Tall Folks,"

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence and drug trafficking crime, that is, to murder in aid of racketeering activity, as set forth in Count 7 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment, all of which are incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Juan Murillo Sr., willfully, deliberately, and maliciously.

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

COUNT 9

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about September 16, 2007, in the Northern District of Indiana,

RICHARD REYES,

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Rene Alonzo, in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 10

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about September 16, 2007, in the Northern District of Indiana,

RICHARD REYES,

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence and drug trafficking crime, that is, to murder in aid of racketeering activity, as set forth in Count 9 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment, all of which are incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Rene Alonzo, willfully, deliberately, and maliciously.

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

COUNT 11

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about September 26, 2007, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Luis Ortiz a/k/a "Manolo," in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 12

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a
Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-
alleged and incorporated by reference as though set forth fully herein.

2. On or about September 26, 2007, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a
crime of violence and drug trafficking crime, that is, to murder in aid of racketeering activity, as
set forth in Count 11 of this Third Superseding Indictment, conspiracy to commit racketeering
activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess
with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third
Superseding Indictment, all of which are incorporated here, did cause the death of a person
through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the
defendant, with malice aforethought, unlawfully killed a human being, that is Luis Ortiz a/k/a
"Manolo," willfully, deliberately, and maliciously.

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

COUNT 13

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about March 25, 2008, in the Northern District of Indiana,

JULIAN GUILLERMO SERNA,

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Mario Soriano, in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 14

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about March 25, 2008, in the Northern District of Indiana,

JULIAN GUILLERMO SERNA,

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence and drug trafficking crime, that is, to murder in aid of racketeering activity, as set forth in Count 13 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment, all of which are incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Mario Soriano, willfully, deliberately, and maliciously.

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

COUNT 15

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 3, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Michael Sessum, in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 16

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a
Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-
alleged and incorporated by reference as though set forth fully herein.

2. On or about June 3, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a
crime of violence and drug trafficking crime, that is, to murder in aid of racketeering activity, as
set forth in Count 15 of this Third Superseding Indictment, conspiracy to commit racketeering
activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess
with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third
Superseding Indictment, all of which are incorporated here, did cause the death of a person
through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the
defendant, with malice aforethought, unlawfully killed a human being, that is Michael Sessum,
willfully, deliberately, and maliciously.

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

COUNT 17

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 3, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Miguel Mejias a/k/a "King Nelly," in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 18

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 3, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence and drug trafficking crime, that is, to murder in aid of racketeering activity, as set forth in Count 17 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment, all of which are incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Miguel Mejias a/k/a "King Nelly," willfully, deliberately, and maliciously.

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

COUNT 19

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about October 9, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Harris Brown in violation of Indiana Penal Code, Sections 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 20

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are alleged and incorporated by reference as though set forth fully herein.

2. On or about October 9, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence and drug trafficking crime, that is, to murder in aid of racketeering activity, as set forth in Count 19 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment, all of which are incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Harris Brown, willfully, deliberately, and maliciously.

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

COUNT 21

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about February 7, 2010, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, and others known and unknown to the grand jury, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Miguel Colon a/k/a "Migs" in violation of Indiana Penal Code, Section 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Codes, Section 2.

COUNT 22

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a
Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-
alleged and incorporated by reference as though set forth fully herein.

2. On or about February 7, 2010, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, and others known and unknown to the grand jury, did knowingly carry, use,
and discharge firearms during and in relation to a crime of violence and drug trafficking crime,
that is, to murder in aid of racketeering activity, as set forth in Count 21 of this Third
Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of
this Third Superseding Indictment, and conspiracy to possess with intent to distribute and
distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment, all
of which are incorporated here, did cause the death of a person through the use of a firearm,
which killing is a murder defined in 18 U.S.C. § 1111, in that the defendants, with malice
aforethought, unlawfully killed a human being, that is Miguel Colon a/k/a "Migs," willfully,
deliberately, and maliciously.

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

COUNT 23

(Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 19, 2010, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, murdered Latroy Howard in violation of Indiana Penal Code, Section 35-42-1-1 and 35-41-2-4.

All in violation of Title 18, United States Code, Section 1959(a)(1), and Title 18, United States Code, Section 2.

COUNT 24

(Murder Resulting From the Use and Carrying of Firearm During and in Relation to a
Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 19, 2010, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly carry, use, and discharge firearms during and in relation to a crime of violence and drug trafficking crime, that is, to murder in aid of racketeering activity, as set forth in Count 23 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment, all of which are incorporated here, did cause the death of a person through the use of a firearm, which killing is a murder defined in 18 U.S.C. § 1111, in that the defendant, with malice aforethought, unlawfully killed a human being, that is Latroy Howard, willfully, deliberately, and maliciously.

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

COUNT 25

(Attempted Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about March 22, 2007, in the Northern District of Indiana,

ANTHONY BALDAZO a/k/a "Tall Folks,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, attempted to murder Juan Murillo, Jr., a person known to the Grand Jury, in violation of Indiana Penal Code, Sections 35-42-1-1, 35-41-2-4 and 35-41-5-1.

All in violation of Title 18, United States Code, Section 1959(a)(5), and Title 18, United States Code, Section 2.

COUNT 26

(Attempted Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 3, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, attempted to murder Victim 1, a person known to the Grand Jury, in violation of Indiana Penal Code, Sections 35-42-1-1, 35-41-2-4 and 35-41-5-1.

All in violation of Title 18, United States Code, Section 1959(a)(5), and Title 18, United States Code, Section 2.

COUNT 27

(Use of a Firearm During and in Relation to a Federal Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 3, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly and intentionally use a firearm during and in relation to a crime of violence and drug trafficking crime, for which he may be prosecuted in a court of the United States, to wit: attempted murder in aid of racketeering activity, as set forth in Count 26 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c), and Title 18, United States Code, Section 2.

COUNT 28

(Attempted Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about August 26, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, attempted to murder Victim 2, a person known to the Grand Jury, in violation of Indiana Penal Code, Sections 35-42-1-1, 35-41-2-4 and 35-41-5-1.

All in violation of Title 18, United States Code, Section 1959(a)(5), and Title 18, United States Code, Section 2.

COUNT 29

(Use of a Firearm During and in Relation to a Federal Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about August 26, 2008, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly and intentionally use a firearm during and in relation to a crime of violence and drug trafficking crime, for which he may be prosecuted in a court of the United States, to wit: attempted murder in aid of racketeering activity, as set forth in Count 28 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c), and Title 18, United States Code, Section 2.

COUNT 30

(Attempted Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about February 20, 2009, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, attempted to murder Victim 3, a person known to the Grand Jury, in violation of Indiana Penal Code, Sections 35-42-1-1, 35-41-2-4 and 35-41-5-1.

All in violation of Title 18, United States Code, Section 1959(a)(5), and Title 18, United States Code, Section 2.

COUNT 31

(Use of a Firearm During and in Relation to a Federal Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about February 20, 2009, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly and intentionally use a firearm during and in relation to a crime of violence and drug trafficking crime, for which he may be prosecuted in a court of the United States, to wit: attempted murder in aid of racketeering activity as set forth in Count 30 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c), and Title 18, United States Code, Section 2.

COUNT 32

(Attempted Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about March 28, 2009, in the Northern District of Indiana,

JULIUS SOLIS a/k/a "JuJu,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, attempted to murder Victim 4, a person known to the Grand Jury, in violation of Indiana Penal Code, Sections 35-42-1-1, 35-41-2-4 and 35-41-5-1.

All in violation of Title 18, United States Code, Section 1959(a)(5), and Title 18, United States Code, Section 2.

COUNT 33

(Use of a Firearm During and in Relation to a Federal Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about March 28, 2009, in the Northern District of Indiana,

JULIUS SOLIS a/k/a "JuJu,"

defendant herein, did knowingly and intentionally use a firearm during and in relation to a crime of violence and drug trafficking crime, for which he may be prosecuted in a court of the United States, to wit: attempted murder in aid of racketeering activity as set forth in Count 32 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c), and Title 18, United States Code, Section 2.

COUNT 34

(Attempted Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about August 2, 2009, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, attempted to murder Victim 5, a person known to the Grand Jury, in violation of Indiana Penal Code, Sections 35-42-1-1, 35-41-2-4 and 35-41-5-1.

All in violation of Title 18, United States Code, Section 1959(a)(5), and Title 18, United States Code, Section 2.

COUNT 35

(Use of a Firearm During and in Relation to a Federal Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about August 2, 2009, in the Northern District of Indiana,

JUAN BRISENO a/k/a "Tito,"

defendant herein, did knowingly and intentionally use a firearm during and in relation to a crime of violence and drug trafficking crime, for which he may be prosecuted in a court of the United States, to wit: attempted murder in aid of racketeering activity as set forth in Count 34 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c), and Title 18, United States Code, Section 2.

COUNT 36

(Attempted Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 6, 2011, in the Northern District of Indiana,

JASON MEDINA a/k/a "Burns"
and
EDWARD RAYE SERNA a/k/a "Sern,"

defendants herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, attempted to murder Victim 6, a person known to the Grand Jury, in violation of Indiana Penal Code, Sections 35-42-1-1, 35-41-2-4 and 35-41-5-1.

All in violation of Title 18, United States Code, Section 1959(a)(5) and Title 18, United States Code, Section 2.

COUNT 37

(Use of a Firearm During and in Relation to a Federal Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about June 6, 2011, in the Northern District of Indiana,

JASON MEDINA a/k/a "Burns"
and
EDWARD RAYE SERNA a/k/a "Sern,"

defendants herein, did knowingly and intentionally use a firearm during and in relation to a crime of violence and drug trafficking crime, for which they may be prosecuted in a court of the United States, to wit: attempted murder in aid of racketeering activity as set forth in Count 36 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c), and Title 18, United States Code, Section 2.

COUNT 38

(Attempted Murder in Aid of Racketeering Activity)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 2 of Count 3 of this Third Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about December 3, 2011, in the Northern District of Indiana,

ARMANDO JOSE VELASQUEZ,

defendant herein, for the purpose of maintaining and increasing position in the IMPERIAL GANGSTERS, an enterprise engaged in racketeering activity, attempted to murder Victim 7, a person known to the Grand Jury, in violation of Indiana Penal Code, Sections 35-42-1-1, 35-41-2-4 and 35-41-5-1.

All in violation of Title 18, United States Code, Section 1959(a)(5) and Title 18, United States Code, Section 2.

COUNT 39

(Use of a Firearm During and in Relation to a Federal Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 8 of Count 1 of this Third Superseding Indictment, which are re-alleged and incorporated by reference as though set forth fully herein.

2. On or about December 3, 2011, in the Northern District of Indiana,

ARMANDO JOSE VELASQUEZ,

defendant herein, did knowingly and intentionally use a firearm during and in relation to a crime of violence and drug trafficking crime, for which he may be prosecuted in a court of the United States, to wit: attempted murder in aid of racketeering activity as set forth in Count 38 of this Third Superseding Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment.

All in violation of Title 18, United States Code, Section 924(c), and Title 18, United States Code, Section 2.

COUNT 40

(Possession with Intent to Distribute Marijuana)

THE GRAND JURY FURTHER CHARGES:

On or about February 22, 2011, in the Northern District of Indiana,

JULIAN GUILLERMO SERNA,

defendant herein, did knowingly and intentionally possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of marijuana, a schedule I controlled substance;

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 41

(Use of a Firearm During and in Relation to a Federal Crime of Violence and Drug Trafficking Crime)

THE GRAND JURY FURTHER CHARGES:

On or about February 22, 2011, in the Northern District of Indiana,

JULIAN GUILLERMO SERNA,

defendant herein, did knowingly and intentionally use a firearm during and in relation to a crime of violence and drug trafficking crime, for which he may be prosecuted in a court of the United States, to wit: possession with intent to distribute marijuana, as described in Count 40 of the Indictment, conspiracy to commit racketeering activity, as set forth in Count 1 of this Third Superseding Indictment, and conspiracy to possess with intent to distribute and distribute marijuana and cocaine, as set forth in Count 2 of this Third Superseding Indictment.

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

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

1. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 3 and 4 of this Third Superseding Indictment and makes the following special findings as to Counts 3 and 4 the defendant:

ACE CORTEZ

- a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].
- b. intentionally killed the victim, Anuar David Paez. [Title 18, United States Code, Section 3591(a)(2)(A)].
- c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Anuar David Paez. [Title 18, United States Code, Section 3591(a)(2)(B)].
- d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Anuar David Paez, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(c)].
- e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Anuar David Paez, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)].
- f. in the commission of the offense, or in escaping apprehension for the violation of the

offense, knowingly created a grave risk of death to one or more persons, in addition to the victim of the offense. [Title 18, United States Code, Section 3592(c)(5)]; and

g. intentionally killed or attempted to kill more than one person in a single criminal episode. [Title 18, United States Code, Section 3592(c)(16)].

2. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 5 and 6 of this Third Superseding Indictment and makes the following special findings as to Counts 5 and 6, the defendant:

JASON MEDINA a/k/a "Burns,"

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Guadalupe Trevino [Title 18, United States Code, Section 3591(a)(2)(A)].

c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Guadalupe Trevino [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Guadalupe Trevino died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(c)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Guadalupe Trevino, died as a direct result of the act. [Title 18, United States Code, Section

3591(a)(2)(D)].

f. committed the offense after substantial planning and premeditation to cause the death of Guadalupe Trevino. [Title 18, United States Code, Section 3592(c)(9)]; and

g. in the commission of the offense, or in escaping apprehension for the violation of the offense, knowingly created a grave risk of death to one or more persons, in addition to the victim of the offense. [Title 18, United States Code, Section 3592(c)(5)].

3. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 9 and 10 of this Third Superseding Indictment and makes the following special findings as to Counts 9 and 10, the defendant:

RICHARD REYES

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Rene Alonzo. [Title 18, United States Code, Section 3591(a)(2)(A)].

c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Rene Alonzo. [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Rene Alonzo, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(c)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created

a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Rene Alonzo, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)].

f. in the commission of the offense, or in escaping apprehension for the violation of the offense, knowingly created a grave risk of death to one or more persons, in addition to the victim of the offense. [Title 18, United States Code, Section 3592(c)(5)].

g. intentionally killed or attempted to kill more than one person in a single criminal episode. [Title 18, United States Code, Section 3592(c)(16)]; and

h. committed the offense after substantial planning and premeditation to cause the death of Rene Alonzo. [Title 18, United States Code, Section 3592(c)(9)].

4. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 11 and 12 of this Third Superseding Indictment and makes the following special findings as to Counts 11 and 12, the defendant:

JUAN BRISENO a/k/a "Tito,"

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Luis Ortiz a/k/a "Manolo." [Title 18, United States Code, Section 3591(a)(2)(A)].

c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Luis Ortiz a/k/a "Manolo." [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken

and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Luis Ortiz a/k/a "Manolo," died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(c)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Luis Ortiz a/k/a "Manolo," died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)]; and

f. committed the offense after substantial planning and premeditation to cause the death of Luis Ortiz a/k/a "Manolo." [Title 18, United States Code, Section 3592(c)(9)].

5. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 13 and 14 of this Third Superseding Indictment and makes the following special findings as to Counts 13 and 14, the defendant:

JULIAN GUILLERMO SERNA a/k/a "Big Ju,"

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Mario Soriano. [Title 18, United States Code, Section 3591(a)(2)(A)].

c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Mario Soriano. [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of

the participants in the offense, and the victim, Mario Soriano, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(c)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Mario Soriano, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)]; and

f. committed the offense after substantial planning and premeditation to cause the death of Mario Soriano. [Title 18, United States Code, Section 3592(c)(9)].

6. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 15 and 16 of this Third Superseding Indictment and makes the following special findings as to Counts 15 and 16, the defendant:

JUAN BRISENO a/k/a "Tito,"

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Michael Sessum. [Title 18, United States Code, Section 3591(a)(2)(A)].

c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Michael Sessum. [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Michael Sessum, died as a direct result of the

acts. [Title 18, United States Code, Section 3591(a)(2)(c)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Michael Sessum, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)].

f. knowingly created a grave risk of death to one or more persons in the commission of the offense, in addition to Michael Sessum. [Title 18, United States Code, Section 3592(c)(5)].

g. intentionally killed or attempted to kill more than one person in a single criminal episode. [Title 18, United States Code, Section 3592(c)(16)]; and

h. committed the offense after substantial planning and premeditation to cause the death of Michael Sessum. [Title 18, United States Code, Section 3592(c)(9)].

7. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 17 and 18 of this Third Superseding Indictment and makes the following special findings as to Counts 17 and 18, the defendant:

JUAN BRISENO a/k/a "Tito,"

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Miguel Mejias. [Title 18, United States Code, Section 3591(a)(2)(A)].

c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Miguel Mejias. [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Miguel Mejias, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(c)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Miguel Mejias, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)].

f. in the commission of the offense, or in escaping apprehension for the violation of the offense, knowingly created a grave risk of death to one or more persons, in addition to the victim of the offense. [Title 18, United States Code, Section 3592(c)(5)].

g. intentionally killed or attempted to kill more than one person in a single criminal episode. [Title 18, United States Code, Section 3592(c)(16)]; and

h. committed the offense after substantial planning and premeditation to cause the death of Miguel Mejias. [Title 18, United States Code, Section 3592(c)(9)].

8. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 19 and 20 of this Third Superseding Indictment and makes the following special findings as to Counts 19 and 20, the defendant:

JUAN BRISENO a/k/a "Tito,"

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Harris Brown. [Title 18, United States Code, Section 3591(a)(2)(A)].

c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Harris Brown. [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Harris Brown, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(c)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Harris Brown, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)]; and

f. committed the offense after substantial planning and premeditation to cause the death of Harris Brown. [Title 18, United States Code, Section 3592(c)(9)].

9. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 21 and 22 of this Third Superseding Indictment and makes the following special findings as to Counts 21 and 22, the defendant:

JUAN BRISENO a/k/a "Tito,"

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Miguel Colon. [Title 18, United States Code, Section

3591(a)(2)(A)].

c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Miguel Colon. [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Miguel Colon, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(c)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Miguel Colon, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)].

f. knowingly created a grave risk of death to one or more persons in the commission of the offense, in addition to Miguel Colon. [Title 18, United States Code, Section 3592(c)(5)]; and

g. committed the offense after substantial planning and premeditation to cause the death of Miguel Colon. [Title 18, United States Code, Section 3592(c)(9)].

10. The Grand Jury incorporates by reference and realleges the allegations contained in Counts 23 and 24 of this Third Superseding Indictment and makes the following special findings as to Counts 23 and 24, the defendant:

JUAN BRISENO a/k/a "Tito,"

a. was 18 years of age or older at the time of the offenses. [Title 18, United States Code, Section 3591(a)].

b. intentionally killed the victim, Latroy Howard. [Title 18, United States Code, Section 3591(a)(2)(A)].

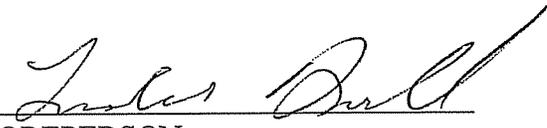
c. intentionally inflicted serious bodily injury that resulted in the death of the victim, Latroy Howard. [Title 18, United States Code, Section 3591(a)(2)(B)].

d. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim, Latroy Howard, died as a direct result of the acts. [Title 18, United States Code, Section 3591(a)(2)(c)].

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim, Latroy Howard, died as a direct result of the act. [Title 18, United States Code, Section 3591(a)(2)(D)]; and

f. committed the offense after substantial planning and premeditation to cause the death of Latroy Howard. [Title 18, United States Code, Section 3592(c)(9)].

A TRUE BILL:


FOREPERSON

DAVID CAPP
UNITED STATES ATTORNEY

By: 
David J. Nozick
Assistant United States Attorney