

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

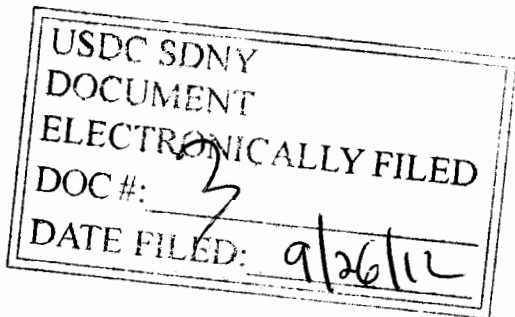
PAUL CALDER LEROUX,
a/k/a "Bernard John Bowlins,"
a/k/a "John Smith,"

Defendant.

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SEALED INDICTMENT

S1 12 Cr. 489



COUNT ONE

The Grand Jury charges:

1. From at least in or about April 2012 through the date of the filing of this Indictment, in Brazil, the Philippines, Liberia, and elsewhere, PAUL CALDER LEROUX, a/k/a "Bernard John Bowlins," a/k/a "John Smith," the defendant, who will be arrested and first brought to the Southern District of New York, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that PAUL CALDER LEROUX, a/k/a "Bernard John Bowlins," a/k/a "John Smith," the defendant, and others known and unknown, would and did import into the United States from a place outside thereof a controlled substance, to wit, five hundred grams and more of a mixture or substance containing a detectable amount of

methamphetamine, in violation of Sections 812, 952(a), and 960(b)(1)(H) of Title 21, United States Code.

3. It was further a part and an object of the conspiracy that PAUL CALDER LEROUX, a/k/a "Bernard John Bowlins," a/k/a "John Smith," the defendant, and others known and unknown, would and did distribute a controlled substance, to wit, five hundred grams and more of a mixture or substance containing a detectable amount of methamphetamine, intending and knowing that such substance would be imported into the United States from a place outside thereof, in violation of Sections 959, 960(a)(3) and 960(b)(1)(H) of Title 21, United States Code.

Overt Acts

4. In furtherance of the conspiracy, and to effect the illegal objects thereof, the following overt acts, among others, were committed:

a. In or about April 2012, PAUL CALDER LEROUX, a/k/a "Bernard John Bowlins," a/k/a "John Smith," the defendant, communicated with a confidential source acting at the direction of law enforcement (the "CS"). During these communications, the CS represented to LEROUX, in substance and in part, that the CS was in contact with representatives of a South American drug trafficking organization (the "DTO") that was interested in establishing facilities in Liberia for the production of

methamphetamine and cocaine, for importation to the United States.

b. On or about May 11, 2012, LEROUX attended a meeting with the CS in Barra da Tijuaca, Brazil, to discuss, among other things, LEROUX's supplying the DTO with chemicals, a chemist, and facilities to manufacture methamphetamine for importation to the United States, and to discuss LEROUX's purchase of cocaine from the DTO for LEROUX's customers in Europe.

c. On or about May 18, 2012, LEROUX provided the CS with bank account information so that the DTO could pay LEROUX for a sample of methamphetamine and for a sterile laboratory-type facility -- which LEROUX referred to as a "clean room" -- that LEROUX would supply to the DTO in Liberia for the production of methamphetamine and cocaine.

d. On or about May 19, 2012, LEROUX emailed the CS a tracking number for a package containing a sample of methamphetamine LEROUX caused to be shipped to the DTO. A package associated with the tracking number provided by LEROUX was later received by law enforcement agents in Liberia from the commercial carrier. The contents of the package were tested and found to contain approximately 24.2 grams of nearly pure methamphetamine.

e. On or about June 16, 2012, LEROUX sent the CS an email proposing, among other things, to sell the DTO 100 kilograms of methamphetamine in exchange for 100 kilograms of cocaine.

(Title 21, United States Code, Sections 952, 959, and 963, and Title 18, United States Code, Section 3238.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, PAUL CALDER LEROUX, a/k/a "Bernard John Bowlins," a/k/a "John Smith," the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

Substitute Asset Provision

5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant -

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;

- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code,
Sections 853 and 970.)

Karen Peels 9/24/2012
FOREPERSON

Preet Bhavara
PREET BHARARA (AS)
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SEALED
INDICTMENT

21 U.S.C. § 963

PREET BHARARA
United States Attorney.

[Handwritten signature]

Foreperson

9/26/12

FILED SEALED INDICTMENT. WARRANT ISSUED.

COTT, USM)