

## AFFIDAVIT

I, RACHEL BURKDOLL, being duly sworn, declare and state:

### Introduction, Purpose and Definitions

1) I am an investigative and law enforcement officer of the United States within the meaning of Title 18, U.S. Code, Section 2510 (7), who is empowered to conduct investigations of, and to make arrests for, the offenses enumerated in Title 18, U.S. Code, Section 2516.

2) I am a Special Agent ("SA") of the Drug Enforcement Administration ("DEA") and have been so employed since September of 2005. I am currently assigned to the Los Angeles Field Division, Ventura Resident Office ("Ventura RO" or "VRO"). I have received training in Quantico, Virginia pertaining to narcotics trafficking, money laundering, undercover operations, surveillance tactics, interviewing, informant handling as well as tactical searches and arrests. I have also been involved in several investigations regarding possession, manufacture, and distribution of controlled substances as well as related money laundering statutes involving the proceeds of specified unlawful activities and conspiracies associated with criminal narcotics, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b), 846, 848, 952(a), and 963, and Title 18, United States Code, Sections 1952, 1956, and 1957.

3) In my investigations, I have used a variety of investigative techniques and resources, including physical and electronic surveillance, the analysis of telephone records, and the use of various types of informants and confidential sources. I have participated and assisted in undercover operations, and I have executed various arrest and search warrants. Through these investigations, my training and experience, and my conversations with other law enforcement investigators, I have become familiar with the methods used by narcotics traffickers to smuggle and safeguard narcotics, to distribute



narcotics, and to collect and launder proceeds related to the sales of narcotics. I am familiar with the methods employed by large-scale narcotics organizations in attempts to thwart detection by law enforcement including but not limited to the use of cellular telephone technology, encrypted BlackBerry devices ("EBD")<sup>1</sup>, counter surveillance techniques, false or fictitious identities and addresses, money laundering techniques, and coded communications.

4) I make this affidavit in support of an application seeking authorization, pursuant to Title 18, United States Code, Section 2518, for an order authorizing the renewed interception of electronic communications to and from TARGET ACCOUNTS #5 and #13, and the initial interception of wire communications to and from TARGET TELEPHONES #5 and #6, specifically defined as follows:

a) The e-mail account address JFY5678@HaloSecure.ro, which is accessed using an EBD, with IMEI 3572 3803 5179 808, but no subscriber information, and service provided by CorCorp, Inc., located in Herndon, Virginia, believed to be used by Ismael ICHIRO Tomatani-Guzman ("ICHIRO"), or any changed e-mail address accessed through the above-referenced IMEI number or any IMEI number accessed through the above-referenced e-mail address, believed to be used by ICHIRO ("TARGET ACCOUNT #5");

b) The renewed interception of electronic communications (e-mail only) of e-mail account address GRP2468@HaloSecure.ro, which is accessed using an EBD,

<sup>1</sup> A BlackBerry is a wireless handheld device that supports, among other things, electronic mail. It delivers information over the wireless data networks of mobile phone service companies. Electronic mail ("e-mail") is a store-and-forward method of writing, sending, receiving, and saving messages over electronic communication systems. Pretty Good Privacy ("PGP") is a computer program that provides cryptographic privacy and authentication. PGP is often used for signing, encrypting, and decrypting e-mails to increase the security of e-mail communications. BlackBerry devices with PGP privacy used on e-mails are EBDs.

with IMEI 9800 4600 5310 997, but no subscriber information, and service provided by CorCorp, Inc., located in Herndon, Virginia, used by Carlos Javier VERDUGO-Miranda, aka Ricky or Ric, aka "El Cacheton" ("CACHETON"), or any changed e-mail address accessed through the above-referenced IMEI number or any IMEI number accessed through the above-referenced e-mail address, believed to be used by CACHETON ("TARGET ACCOUNT #13");

c) The initial interception of wire communications to and from a T-Mobile cellular telephone number (323) 206-1751, subscribed to "IN PREPAID none CUSTOMER" with no address listed bearing International Mobile Subscriber Identity ("IMSI") 310260445298362 and used by Eduardo OLIVARES, aka Lino Vega, aka Omar Edward Sepulveda, aka "Jerry", aka "Eddie", (hereinafter referred to as "TARGET TELEPHONE #5") or for any changed telephone number(s) subsequently assigned to any instrument bearing the same IMSI as TARGET TELEPHONE #5, or any changed IMSI(s) assigned to the same telephone number as TARGET TELEPHONE #5, and any background conversations intercepted in the vicinity of TARGET TELEPHONE #5 while TARGET TELEPHONE #5 is in use; and

d) The initial interception of wire communications to and from a Sprint/Nextel cellular phone number (949) 289-4247 with Push-To-Talk (PTT) 124\*853\*6978, bearing IMSI 316010169032610, which is subscribed to "Joe Montana" at 1645 West Holt Avenue, Pomona, California, 91768 used by FNU LNU, aka "Ringo," aka "Gordito," ("RINGO") (hereinafter referred to as "TARGET TELEPHONE #6") or for any changed telephone number(s) subsequently assigned to any instrument bearing the same IMSI as TARGET TELEPHONE #6, or any changed IMSI (s) assigned to the same telephone number as TARGET TELEPHONE #6, and any background conversations intercepted in the vicinity of TARGET TELEPHONE #6 while TARGET TELEPHONE #6

is in use (collectively the "TARGET FACILITIES").

5) The requested order seeks the interception of wire and/or electronic communications between: John Darrell Krokos, aka "Hulk," aka "yoyo hulk," aka "JJ," aka "Walter," aka "Lord of the Beaches," aka "Pilot," aka "Ape," aka "Captain," aka "Tutor," aka "Amy," aka "Heavydee," ("KROKOS"); Jesus Esteban Felix-Leon, aka "Tokotiyo," aka "Toko," aka "Maestro," aka "Metro," aka "Marquitos," aka "M," aka "Professor," aka "Captain," aka "Troy" ("FELIX"); Ismael Ichiro Tomatani-Guzman, aka "H," aka "Gilligan," aka "Harry," aka "Coach," aka "Firstblood," aka "Charlie" ("ICHIRO"); Jesus Felix-Alvarez, aka "Lil M," aka "Mr Howell," aka "Student," aka "Bully," aka "LiIG" ("ALVAREZ")<sup>2</sup>; FNU LNU, aka "The Mechanic," aka "Pawnstar," aka "Dirtytricks," aka "porkchop," aka "ninja" ("THE MECHANIC"); Roger Teigrob aka "pol" ("TEIGROB"); Larry Amero ("AMERO"); FNU LNU, aka "Chin" ("CHIN"), FNU LNU, aka "Tito" ("TITO"); FNU LNU, aka "Hammer" ("HAMMER"); FNU LNU aka "Smooth" ("SMOOTH"); Silveria Corazon-Redato ("CORAZON"); FNU LNU aka, "Pariente," aka "Tata" ("TATA"); FNU LNU aka "HOLDEM" aka "Power," aka "Powertrain" ("HOLDEM"); FNU LNU aka "Chavo" (CHAVO); FNU LNU, aka Mastiff ("MASTIFF"); FNU LNU, aka "gbd100" ("GBD100"); FNU LNU, aka "Trusted" aka "Bond" ("BOND"); FNU LNU, aka Congo, aka "Ninja" aka "Wayne" ("CONGO"); Richard Arthur Crawford, aka "the Kid" aka "Skinny" ("SKINNY"); FNU LNU aka "immortal," aka "GTA2470," aka "Roxy" ("IMMORTAL"); FNU LNU aka "kinetic," aka "Betty," aka "JCB1370," aka "MK," aka "SlowMonk" ("MK"); Antonio Akira-Tomatani ("AKIRA"); Ernesto Carlos Salcedo, aka "Ernie," aka "Aldo," aka "El Techo," aka "Sam"

<sup>2</sup> A confidential source cooperating with law enforcement (discussed herein) provided information that Jesus FELIX-Leon had a son by the name of "Jesus" and that the son's mother was Delia Alvarez. Based on my experience, I have learned that persons born in Mexico are given the last names of both of their parents: the father's first part of his last name is followed by the first part of the mother's last name.

("SALCEDO"); FNU LNU, aka "Cruz" ("CRUZ"); FNU LNU, aka "Crock" ("CROCK"); Karina Elizabeth VALENCIA-Luquin, aka Karina Elizabeth Santander, aka "K", ("VALENCIA"); Gabriel McFarland-Guerrero ("MCFARLAND"); Narcizo ESPINOZA-Zepeda, aka Crescenciano Espinoza-Zepeda, aka Narciso Z. Espinoza, ("ESPINOZA"); Marco Aurelio NAVARRO-Covarrubias, aka "Marquitos" ("NAVARRO"); Mario Arturo CUEVAS, aka "Chucky" ("CUEVAS"), FNU LNU, aka "Cowboy," aka "Blizzard," aka "Bucky" ("Bucky"), FNU LNU ("UM#3"), Javier LNU ("JAVIER"), FNU LNU aka "Tony" ("TONY"), FNU LNU aka "Jake" ("JAKE"), FNU LNU aka "SATAN" ("SATAN"), Rigoberto ORTEGA-Guzman, aka "Rigo," aka "Goldminer," aka "GM," aka "Jerry," aka "Uncle" ("ORTEGA"), Carlos Javier VERDUGO-Miranda, aka "El Cacheton," aka "Ricky," aka "Harry" ("VERDUGO"), Fausto MEDINA ("MEDINA"), Satinderpal Biling, aka "Roger" ("BILING"), FNU LNU, aka "Damian" ("DAMIAN"), Habib ENTEZARALMAHDI ("ENTEZARALMAHDI"), Fatemeh FOROOZAND ("FOROOZAND"), Emma KALES, aka "Jo" ("KALES"), Eduardo OLIVARES, aka Lino Vega, aka Omar Edward Sepulveda, aka "Jerry", aka "Eddie", aka "XTS4545" ("OLIVARES"), Darnell LNU, aka "D" ("DARNELL"), Faid Abdul WAKIL, aka Alvin Boatright, aka "Taliban", ("WAKIL"), Erick Axel ORTEGA ("ERICK"), FNU LNU, aka "Primo", ("PRIMO"), Joaquin MARTINEZ, aka "LACRA" ("MARTINEZ"), FNU LNU ("UM#4"), FNU LNU ("UM#5"), Mansour BOROUMAND, aka "Taliban", ("BOROUMAND"), Melton MONK ("MONK"), Frederico VERDUZCO, aka "Freddie" ("VERDUZCO"), FNU LNU, aka "Chencho" ("CHENCHO"), FNU LNU, aka "Guero", aka "Damian" ("GUERO"), Antonio CASTILLO-GUEVARA ("CASTILLO"), Kenneth ELLIS ("ELLIS"), Leticia OLIVARES ("OLIVARES"), Linda GONZALEZ ("GONZALEZ"), FNU LNU ("UF1"), Jose Adalberto SALINAS ("SALINAS"), Mauricio LEON-Torres ("LEON"), Luis CAZARES-Beltran, aka Luis Carlos Acosta ("CAZARES"), Adam Michael James HARLOCK, aka "Troy", aka "CNN33" ("HARLOCK"), Arthuro

CERVANTES ("CERVANTES"), Daniel VERDUGO, aka "STA", aka "Ricky", ("DANIEL") FNU LNU, aka "Ringo", aka "Gordito", ("RINGO"), Jason MERRITT, aka "Dave" ("MERRITT"), FNU LNU, aka "Mike" ("MIKE"), FNU LNU, aka "Ray" ("RAY"), FNU LNU, aka "Menace" ("MENACE"), Isaias Enrique GARCIA-Ortiz, aka "Kiké" ("GARCIA-ORTIZ"), and others yet unknown (hereinafter the "Target Subjects").

6) As set forth below, there is probable cause to believe that the communications to be intercepted, which relate to the offenses listed below, will concern, and will provide evidence pertaining to the goals of this investigation ("goals"), which include discovering the following:

a) The names, telephone numbers, and residences of the Target Subjects (described below) the associates of the Target Subjects and others unknown, including sources of supply, transporters, manufacturers, financiers, distributors, couriers and customers, and the extent of each individual's involvement;

b) The dates, times, and places of the commission of their drug trafficking activities;

c) The location, importation, receipt, administration, control, management, transshipment, and disposition of narcotics and narcotics trafficking proceeds;

d) The nature, scope, and methods of operation of the Target Subjects;

e) The existence and location of records that provide evidence of narcotics trafficking; and

f) Evidence beyond a reasonable doubt (that is, evidence that will support a conviction) against the Target Subjects and later identified individuals for the alleged violations of law set forth herein.

7) Based on the facts set forth in this affidavit, I believe the Target Subjects

and others as yet unknown, have committed, are committing, and will continue to commit offenses enumerated in 18 U.S.C. § 2516, namely:

a) Conspiracy to Possess With Intent to Distribute, and Distribution of Controlled Substances, in violation of Title 21 U.S.C. §§ 846 and 841; and Possession with Intent to Distribute, in violation of Title 21 U.S.C. § 841(a)(1);

b) Use of Communication Devices to Facilitate Drug Offenses, in violation of Title 21 U.S.C. § 843(b);

c) Money Laundering, in violation of Title 18 U.S.C. §§ 1956 and 1957;

d) Interstate and Foreign Travel or Transportation to Distribute Proceeds of Unlawful Activity or Carry on any Unlawful Activity, in violation of Title 18 U.S.C. § 1952;

e) Importation of Controlled Substances into the United States, in violation of Title 21 U.S.C. § 952(a);

f) Attempt and Conspiracy to Import Controlled Substances into the United States, in violation of Title 21 U.S.C. § 963;

g) Possession, manufacture or distribution of controlled substance in violation of Title 21 U.S.C. §§ 959-960;

h) Possession of a firearm in furtherance of a drug trafficking crime in violation of Title 18 U.S.C. §§ 924(c)(1)(A)(i) (collectively, the "Target Offenses") and that probable cause exists that communications in furtherance of these crimes will be intercepted over the TARGET FACILITIES.

8) The decisions that I have made and the conclusions that I have reached are based not only upon my own training and experience, but also on the training and experience of other agents and law enforcement personnel with whom I have discussed this case. Thus, when I say that something is based on my training and experience, it is



also based on my consultation with other agents and local officers.

9) I am familiar with the facts and circumstances described herein, and this affidavit is based upon the knowledge that I have derived from my participation in this investigation, conclusions that I have reached based upon my training and experience, my conversations with other federal and state law enforcement investigators with whom I have discussed this case, and what I believe to be reliable information obtained from the following sources:

a) Oral and written reports and other documentation about this investigation and others which I have received from other federal agents, and other law enforcement agencies;

b) Information provided by confidential reliable sources and other sources of information;

c) Physical surveillance conducted by federal agents or local law enforcement agencies, which has been reported to me either directly or indirectly;

d) Law enforcement databases;

e) A review of EBDs used by confidential sources and sources of information where electronic communications were stored; and

f) A review of telephone records.

10) Unless otherwise noted, in this affidavit, when I assert that a statement was made, the information was provided by a special agent and/or other personnel of the DEA or another law enforcement officer who may have had either direct or hearsay knowledge of the statement, to whom I have spoken, or whose report(s) I have reviewed. Because this affidavit is being submitted for the limited purpose of seeking authorization for the interception of electronic and wire communications, I have not set forth every fact learned during the course of this investigation.

11) As stated in my previous affidavits, sworn to on July 13, 2010 ("the 7/13/10 Aff."), August 6, 2010 ("the 8/6/10 Aff."), August 16, 2010 ("the 8/16/10 Aff."), September 14, 2010 ("the 9/14/10 Aff."), October 13, 2010 ("the 10/13/10 Aff."), and November 9, 2010 ("the 11/09/10 Aff."), February 9, 2011, ("the 02/09/11"), March 11, 2011 ("the 03/11/11 Aff."), April 8, 2011 ("the 04/08/11 Aff."), May 16, 2011 ("the 05/16/11 Aff."), May 25, 2011 ("the 05/25/11 Aff."), June 17, 2011 ("the 06/17/11 Aff."), July 29, 2011 ("the 07/29/11 Aff."), (collectively the "Prior Affidavits"), I have attempted to obtain information concerning the backgrounds of the Target Subjects from the following sources and criminal indices: The California Department of Motor Vehicles ("DMV"), National Law Enforcement Telecommunications System ("NLETS"), National Crime Information Center ("NCIC"), California Law Enforcement Telecommunication System ("CLETS"), DEA records, Bureau of Immigration and Customs Enforcement ("ICE") records, physical surveillance, conversations with other agents and officers participating in this investigation, and my own participation in the investigation. Information on individuals listed as Target Subjects in the prior affidavits will not be repeated herein as I incorporate them all by reference as if fully set forth herein. To date, based on the most recent period of intercepts, the new or additional identifying information that I have ascertained regarding new or previous Target Subjects is as follows:

a) On July 16, 2011, surveillance was conducted on OLIVARES and WAKIL as, based on interceptions over Target Telephones #3 and #4, WAKIL was attempting to acquire multiple kilograms of cocaine from OLIVARES. An Arizona rental car was identified as associated with WAKIL during the surveillance operation, and a slap-on tracking device was placed on the rental vehicle while it was parked in a publicly accessible hotel parking lot. On July 18, 2011, the rental vehicle left California in the morning and was heading eastbound towards Flagstaff, Arizona. A traffic stop was later

conducted on a white BMW purchased by WAKIL on July 17, 2011. The BMW had been driving in tandem with the Arizona rental car. A subsequent search of the vehicle revealed approximately 20 kilograms of cocaine in five FedEx boxes in the trunk of the car.

b) Based on intercepts obtained during a search warrant, VERDUGO met with HARLOCK, who was sent by CONGO, to meet and discuss future locations where they would exchange cocaine and money. The meeting between VERDUGO and HARLOCK occurred on July 23, 2011.

c) On July 29, 2011, I delivered another EBD to an unknown male at the request of KROKOS. The unknown male was a passenger in a vehicle that has been previously identified as VERDUGO's. Although I could not confirm that VERDUGO was the driver of the vehicle, GPS data for TARGET ACCOUNT #13 revealed that TARGET ACCOUNT #13 was in the same vicinity at the same time that I delivered the EBD to the unknown male. The e-mail address for the EBD that was delivered was [STA3737@tratamundos.co.ve], hereinafter referred to as the STA EBD. Based on intercepts and as stated herein, it was later confirmed that the STA EBD is used by VERDUGO's brother, DANIEL.

d) On August 4, 2011, OLIVARES was intercepted attempting to acquire approximately 30 kilograms of cocaine for one subject and another 40 kilograms of cocaine for another person. During surveillance, OLIVARES met with CERVANTES, who was identified as the customer seeking approximately 40 kilograms of cocaine from OLIVARES. Based on intercepts over Target Telephones #3 and #4, OLIVARES was stopped by law enforcement after leaving a club in Hollywood during the early morning hours of August 5, 2011. OLIVARES has told other associates of his that police searched his five cellular phones, but that they were unable to access one phone, as it

was locked.<sup>3</sup> OLIVARES stated that he was relieved that the fifth phone was locked, as it would have caused problems had law enforcement been able to view the contents of the phone. After this stop by law enforcement, use of Target Telephones #3 and #4 steadily decreased, and OLIVARES replaced these telephones with TARGET TELEPHONE #5. Investigating agents do not know whether the transactions for 30 or 40 kilograms of cocaine actually took place.

e) Based on GPS data, VERDUGO left California on or about August 3, 2011 and drove to Oklahoma City, Oklahoma. While VERDUGO was out of the state, DANIEL delivered cocaine to KROKOS' customers on two occasions and collected narcotics proceeds. Based on intercepts, RINGO delivered the cocaine to DANIEL.

f) On August 10, 2011, CONGO purchased approximately 23 kilograms of cocaine from VERDUGO via KROKOS. DANIEL was observed during surveillance delivering a suitcase to MERRITT. A traffic stop was conducted on MERRITT when he began travelling northbound on the 5 Freeway. A subsequent search of the vehicle revealed approximately 23 kilograms of cocaine in the suitcase in the trunk of MERRITT's vehicle.

g) On August 12, 2011, KROKOS informed VERDUGO about the seizure of cocaine and traffic stop. VERDUGO advised that he would change all of the cellular phones used by the organization and relocate the stash houses.

h) Based on intercepts over TARGET ACCOUNT #13, agents identified a PTT number (TARGET TELEPHONES # 6) which is used by RINGO. RINGO appears to be a courier, based on intercepts that he delivers cocaine and picks up narcotics proceeds from VERDUGO and DANIEL.

---

<sup>3</sup> It's possible that the fifth phone that OLIVARES was referring to was the XTS EBD, as they are designed to be locked after a few minutes of inactivity.

### Prior Applications

12) On September 2, 2011, the DEA Electronic Surveillance Unit (ELSUR) checked the oral, wire, and electronic surveillance indices of the DEA, ICE, and FBI. The indices indicate that, other than what is listed in Exhibit A, there have not been any known oral, wire, or electronic intercepts of the Target Subjects or the TARGET FACILITIES and I know of no other applications that have been made to any court for authorization to intercept wire, oral, or electronic communications involving any of the same persons, facilities, or places specified in this application.<sup>4</sup>

### Probable Cause

#### **Background and Summary of Prior Investigation**

13) In 2009, I began working with a confidential reliable source ("CS#1")<sup>5</sup> who provided information about the KROKOS drug trafficking organization ("DTO") that shipped cocaine from Mexico to Canada and used EBDs to facilitate their illegal

<sup>4</sup> The results of the ELSUR check on December 15, 2010 stated that a "Jesus Felix, not further identified, was named in a previous application authorizing the intercepts of wire communications signed by United States District Court Judge Judith Keep, of the Northern District of California, on 09/01/1995" with an extension on October 3, 1995. After several communications with FBI SA Leland Speth, on January 21, 2010, I received an e-mail from Tammi Reis, who holds a clerical position at the FBI and who was asked by SA Speth to contact me. Ms. Reis informed me that "Jesus Felix" was intercepted communicating with (619) 353-8579. The court order was 95-0586 and signed on September 1, 1995 with an extension order signed on October 3, 1995 by United States District Court Judge Judith Keep of the Southern District of California on October 3, 1995. Ms. Reis also informed me that there was no biographical information on "Jesus Felix" or any other identifiable information in the file regarding him. Therefore, I cannot state whether this was the same person that has been intercepted on our wires; however, I am disclosing this information in case I learn that they are the same individual.

<sup>5</sup> CS#1's background, reliability, criminal history, and limitations are found in the 7/13/10 Aff. at footnote 6 and paragraphs 13, 14, 16-23, 25-28 as well as below in the necessity section.

activities. The background of this investigation is also found in my prior affidavits which are incorporated by reference as if fully set forth herein and thus shall not be repeated.

14) In March and April 2010, acting in an undercover capacity, I delivered six EBDs to the KROKOS DTO. On July 5, 2010, KROKOS ordered additional EBDs from me. On July 13, 2010, I obtained authorization to intercept Target Account #1 to #3. Interception confirmed my belief that the Target Subjects were using the Target Accounts to facilitate the Target Offenses. However, on July 21, 2010, I received a communication from KROKOS that he would be changing Target Accounts, and shortly thereafter, additional interceptions confirmed that ICHIRO, FELIX, and ALVAREZ were also changing their Accounts.

15) On July 31, 2010, after KROKOS arrived in Canada, I began receiving e-mail messages from KROKOS using a new EBD ("LKS100 EBD") from another company that we are not able to intercept. Towards the end of his stay in Canada, KROKOS also began using another EBD with the e-mail address: marvel@4knox.net ("Marvel EBD"). During the time that KROKOS spent in Canada, we were only able to intercept his communications when KROKOS sent or received messages from the Target Accounts. KROKOS returned to Puerto Vallarta, Mexico, on or about October 21, 2010. Details regarding KROKOS' return were included in the 11/09/10 Aff. at paragraphs 21-26. See Appendix A.

16) In November of 2010, I intercepted e-mail messages over several of the EBDs, including TARGET ACCOUNT #5, where KROKOS was arranging to have EBDs from a Canadian company, later identified as Esoteric Communications, delivered to

ICHIRO in Guadalajara, Mexico. I was able to arrange for law enforcement to arrest ICHIRO and the representative from Esoteric Communications as well as others involved. For details regarding this arrest, see 04/08/11 Aff. at paragraph 16. As a result of the arrests, the Target Subjects decided not to switch their EBDs over to Esoteric Communications at that time. When ICHIRO was released, Target Account #5 was returned to ICHIRO, and on or around November 28, 2010, ICHIRO had the e-mail address for Target Account #5 changed from FNG3840@HaloSecure.ro to EJN4321@HaloSecure.ro<sup>6</sup>.

17) On or about February 12, 2011, a submersible vessel was seized by authorities in Colombia. News regarding the seizure was made public on or about February 15, 2011. On February 16, 2011, MK, using Target Account #9, participated in a message string with KROKOS regarding the seizure. MK stated that a "sub" was "nabbed" and that the submersible was associated with "Jr."

18) In March of 2011, KROKOS informed ALVAREZ and ICHIRO that he would be receiving a new shipment of EBDs which had a higher level of encryption on them. KROKOS had previously stated that the EBDs were shipped to Cancun, Mexico, and were being assembled there. KROKOS planned to have them arrive in Puerto Vallarta, Mexico on or about March 15, 2011. KROKOS contacted MK and asked him to give him the name of a person that they could use to receive the package of EBDs. MK, using Target Account #9, told KROKOS that he had a female that could be the

<sup>6</sup> On November 28, 2010, Target Account #5, which displayed the new "EJN4321" handle, sent the following e-mail to Target Account #6, "Hey brutha. I changed address to this one. See you soon. I got a great story to tell you. Lol."

recipient. On March 14 and 15, 2011, I again worked with SA Darrell Sobin, who arranged to have the DHL hub in Guadalajara checked for packages shipped from Cancun, Mexico to the DHL facility in Puerto Vallarta, that were for "pick up only." On March 15, 2011, SA Sobin contacted me and informed me that they had seized a box with 12 EBDs that was shipped from Cancun to Rosario Sanchez-Bernal for pick up at the DHL in Puerto Vallarta. On March 16, 2011, KROKOS contacted ALVAREZ via Target Account #12 for assistance in bribing law enforcement in Guadalajara, Mexico to obtain the EBDs. ALVAREZ responded that he did not know of anyone that could be bribed. KROKOS stated that he would instead have the EBDs shipped directly from Canada to Puerto Vallarta, and that they would ship two at a time to avoid arousing suspicion from Customs.

19) On March 2, 2011, KROKOS sent two messages that were intercepted over TARGET ACCOUNTS #5 and #9 from [sgt.hacker@cloakedcitadel.cc], hereinafter referred to as the "HACKER EBD".<sup>7</sup> The first message to ICHIRO read, "What's up charlie. Its [sic] me [sic] new pager..(EBD address)". The second message was to MK and simply said, "Hermano luce.. My new". I believe that KROKOS is the user of the HACKER EBD because he has told the undercover identity in the past to use the password "Hermano luce" to identify himself when he changes e-mail addresses. Furthermore, in his message to ICHIRO, KROKOS calls him "Charlie" which is a new nickname that KROKOS has been using to address ICHIRO.

---

<sup>7</sup> The HACKER EBD is provided by Esoteric Communications which houses its servers outside of the United States. Thus, we could not obtain any court order to obtain records or intercepts on this EBD.



20) On or about March 29, 2011, KROKOS again attempted to have EBDs shipped to him from Esoteric Communications. This time, KROKOS requested that only two be sent to him at a time, as KROKOS believed that a smaller shipment of EBDs would have a greater chance of passing through Customs without being seized. I again contacted SA Sobin to assist in confiscating the package. On or about March 30, 2011, KROKOS stated that he had now tried to have EBDs shipped to him on three occasions without success.

21) On April 21, 2011, Target Account #5 had technical problems which prevented CONGO from receiving 15 kilograms of cocaine from OLIVARES. KROKOS stated that he would obtain new EBDs from Esoteric Communications that were in Mexico City, Mexico.

22) On April 19, 2011, GPS coordinates revealed that ICHIRO had entered Mexico. Based on intercepts over Target Account #5, ICHIRO stated that he intended to stay in Mexico for two weeks during the Easter holiday. GPS coordinates and intercepts over Target Account #5 revealed that ICHIRO returned to the United States on May 6, 2011.

23) On May 19, 2011, KROKOS sent a message that he had changed his e-mail address to [voodoolord@obscurefortress.com] (hereinafter referred to as the "VOODOO EBD."<sup>8</sup>) On May 19, 2011, KROKOS sent a message from the VODOO EBD to TARGET ACCOUNT #13 which read, "On here now. Hermano." Based on the word, "Hermano" which KROKOS uses as a code word to identify himself, I believe that

---

<sup>8</sup> The VODOO EBD is provided by Esoteric Communications and is subject to the same limitations as previously discussed for the HACKER EBD.

KROKOS was telling VERDUGO of his new e-mail address. Shortly after receiving this message, ICHIRO, using Target Account #14 forwarded a message to TARGET ACCOUNTS #12 and #13 and EBDs used by AKIRA and FELIX from the VOODOO EBD which said, "Pass my address to everyone please bro.. Thanks..."

24) Towards the end of June, 2011, KROKOS made arrangements to meet with ICHIRO and ALVAREZ in Puerto Vallarta, Mexico so that KROKOS could tell them a new telephone replacement code and deliver the Esoteric EBDs to them. On June 29, 2011, KROKOS, ICHIRO, and ALVAREZ met at an Outback restaurant in Puerto Vallarta. Prior to the meeting, I was in contact with SA Sobin in an effort to intercept the EBDs from KROKOS while he was en route to the restaurant. However, authorities in Mexico were unable to locate KROKOS, and based on the intercepts over Target Accounts #12 and #14, it appeared that the meeting was successful. Shortly thereafter, use of Target Account #12 dropped significantly, and no intercepts that I know of occurred between Target Account #14 and KROKOS during the remainder of the interception period.

25) On August 18, 2011, ICHIRO returned to the United States on an Aero Mexico flight from Guadalajara, Mexico to Ontario, California. ICE SA Kessel arranged for ICHIRO to be searched upon return into the United States and to have any EBDs that he was carrying on his person to be seized. I believed that ICHIRO would be bringing Target Account #14 as well as the Esoteric EBD with him to the United States. However, a search of ICHIRO's luggage and person yielded only Target Account #14

and a cellular phone. Both were returned to ICHIRO; however, on August 19, 2011, ICHIRO began using Target Account #5 and had Target Account #14 erased.

**Interceptions over the TARGET ACCOUNTS**

**Communications Involving TARGET ACCOUNT #5**

26) On August 18, 2011, ICHIRO, using Target Account #14 participated in the following message string with VERDUGO on TARGET ACCOUNT #13.

-----Original Message-----

From: CHP [ICHIRO/ Target Account #14]  
To: grp2468 [VERDUGO/TARGET ACCOUNT #13]  
Subject:  
Sent: Aug 18, 2011 12:17 PM<sup>9</sup>

What's up bro,whatcha [sic] up to?

-----Original Message-----

From: grp2468 [VERDUGO/TARGET ACCOUNT #13]  
To: chp9312 [ICHIRO/ Target Account #14]  
Subject: Re:  
Sent: Aug 18, 2011 12:50 PM

Right here getting ready to take off again.. Wassup? [sic] Your [sc] back already??

-----Original Message-----

From: CHP [ICHIRO/ Target Account #14]  
To: grp2468 [VERDUGO/TARGET ACCOUNT #13]  
Subject: Re:  
Sent: Aug 18, 2011 12:52 PM

I fuckin [sic] missed my plane lastnight [sic] and it fucked up my program for today. Are you going outta [sic] town?

<sup>9</sup> The timestamp on the e-mail messages changes depending on what the user of the EBD has the time set to as well as communications that occur across different time zones. All times are approximate. Additionally, the names in the "to" and "from" sections differ depending on how the participants saved each other's information in their contacts folder on the EBDs.

-----Original Message-----

From: grp2468 [VERDUGO/TARGET ACCOUNT #13]

To: chp9312 [ICHIRO/ Target Account #14]

Subject: Re:

Sent: Aug 18, 2011 12:54 PM

Lol.. Yeah.. [sic] L&V have me setting shit up in the midwest.. [sic] They have me runnig [sic] back and forth.. [sic] I hate that shit.. [sic] But fuck it work is work.. [sic] I'll be back on the 30 th.. [sic]

-----Original Message-----

From: CHP [ICHIRO/ Target Account #14]

To: grp2468 [VERDUGO/TARGET ACCOUNT #13]

Subject: Re:

Sent: Aug 18, 2011 12:56 PM

Ok. I was gonna [sic] ask you for a favor(,) but I guess it's the wrong day,lol? [sic]

-----Original Message-----

From: grp2468 [VERDUGO/TARGET ACCOUNT #13]

To: chp9312 [ICHIRO/ Target Account #14]

Subject: Re:

Sent: Aug 18, 2011 1:00 PM

What's up bro? How can I help you? What's up?

-----Original Message-----

From: CHP [ICHIRO/ Target Account #14]

To: grp2468 [VERDUGO/TARGET ACCOUNT #13]

Subject: Re:

Sent: Aug 18, 2011 1:07 PM

I was supposed to receive a car today(,) and the ppl (people) are waiting on me and can't wait till tomorrow. If I don't do this(,) I'll make someone and myself look real bad(,) and I don't want that. I wanted to know if you can do me the favor of receiving that for me(,) and I'll pick it up first thing in the morning tomorrow. The ppl (people) are ready as we speak.

-----Original Message-----

From: grp2468 [VERDUGO/TARGET ACCOUNT #13]

To: chp9312 [ICHIRO/ Target Account #14]

Subject: Re:

Sent: Aug 18, 2011 1:09 PM

Ok np (no problem).. [sic] Yeah I'll do that np.. [sic] Just give me the details.. [sic]

-----Original Message-----

From: CHP [ICHIRO/ Target Account #14]  
To: grp2468 [VERDUGO/TARGET ACCOUNT #13]  
Subject: Re:  
Sent: Aug 18, 2011 1:15 PM

Ok thanks bro really, I can breathe now, lol. [sic] You'll need a garage too so they can fix the ride. Let me call the ppl (people) right now to tell them that you'll give them a call to give them directions. <Sas+oea-no57> call him on behalf of polo. Call in 10 min. Koo?

27) When ICHIRO told VERDUGO, "I was supposed to receive a car today" and then asks, "I wanted to know if you can do me the favor of receiving that for me," I believe, based on my training and experience, that the car that ICHIRO was supposed to "receive" on August 18, 2011 contained narcotics, likely cocaine. I believe s because ICHIRO asked VERDUGO to receive "that for me." If this was just a vehicle that ICHIRO had purchased, then he would have had it delivered to his residence. At the end of the message string, when ICHIRO typed, "You'll need a garage too so they can fix the ride", I believe that this statement reveals that the narcotics were concealed in a compartment and that a garage was necessary so that the cocaine could be removed from the trap without anyone watching.

28) At 1:45 P.M.,<sup>10</sup> VERDUGO told ICHIRO, "I made cotact [sic] with him already.. I'll se [sic] him in 30 minutes.." At 2:31 P.M., ICHIRO asked, "H e you seen him bro?" To which VERDUGO replied with, "Yeah,, [sic] he's l'm (in) my office changing oil.." Then in the Spanish language, VERDUGO asked, "How many should there be?"

---

<sup>10</sup> All times are approximate.

ICHIRO did not answer, but at 2:44 P.M., VERDUGO told ICHIRO, "He gave me ten parts bro.. [sic] He's cleaning up and leaving in (a) couple (of) minutes.. [sic] I'm gonna [sic] move them to the other office.. [sic] Thanks bro.. [sic] All done.. [sic]" ICHIRO replied with, "Ok bro thanks. That's correct 10pk."

29) Based on my training and experience, I believe that when VERDUGO told ICHIRO, "he's I'm (in) my office changing oil" that "office" is a code for stash location and "changing oil" refers to removing the narcotics from the compartment. This is further confirmed when VERDUGO asks, "How many should there be?" I also know, based on my experience on this investigation, that "parts" is a common term used by the organization when they refer to kilograms of cocaine. Therefore, when VERDUGO told ICHIRO, "He gave me ten parts" that VERDUGO is informing ICHIRO that he received ten kilograms of cocaine. ICHIRO confirms that this is correct when he answers VERDUGO with, "That's correct 10pk." I know, based on my training and experience that "10pk" is short for a "ten pack" or ten kilograms of cocaine.

30) On August 19, 2011, ICHIRO, using TARGET ACCOUNT #5 sent the following message to VERDUGO on TARGET ACCOUNT #13, "I'm home, Hit [sic] me up on this one bro. Let you know more tomorrow." VERDUGO did not reply as the message was sent during the early morning hours. However, later on August 19, 2011, VERDUGO and ICHIRO participated in the following message string. Parts of the message string were in Spanish and translated into English by a bilingual monitor.

-----Original Message-----

From: jfy [ICHIRO/ TARGET ACCOUNT #5]  
To: grp2468 [VERDUGO/TARGET ACCOUNT #13]  
Subject:

Sent: Aug 19, 2011 9:47 AM

Good morning bro.

-----Original Message-----

From: Ironman [VERDUGO/TARGET ACCOUNT #13]  
To: jfy5678 [ICHIRO/ TARGET ACCOUNT #5]  
Subject: Re:  
Sent: Aug 19, 2011 9:49 AM

Goodmorning [sic] bro.. [sic] I partied a little last night, that's why I didn't answer.  
Lol. What's up? Everything ok?

-----Original Message-----

From: jfy [ICHIRO/ TARGET ACCOUNT #5]  
To: grp2468 [VERDUGO/TARGET ACCOUNT #13]  
Subject: Re:  
Sent: Aug 19, 2011 9:52 AM

Lol. Yeah everything cool bro. I'm here already. I'm going to get myself ready right now to work. I'll call you in a bit.

-----Original Message-----

From: Ironman [VERDUGO/TARGET ACCOUNT #13]  
To: jfy5678 [ICHIRO/ TARGET ACCOUNT #5]  
Subject: Re:  
Sent: Aug 19, 2011 9:53 AM

Ok, then.

-----Original Message-----

From: jfy [ICHIRO/ TARGET ACCOUNT #5]  
To: grp2468 [VERDUGO/TARGET ACCOUNT #13]  
Subject: Re:  
Sent: Aug 19, 2011 10:18 AM

Bro by any chance do you know what brand the weights from yesterday were?

-----Original Message-----

From: Ironman [VERDUGO/TARGET ACCOUNT #13]  
To: jfy5678 [ICHIRO/ TARGET ACCOUNT #5]  
Subject: Re:  
Sent: Aug 19, 2011 11:13 AM

I didn't open them bro.. [sic] I can check!!

31) After several other messages between VERDUGO and ICHIRO, VERDUGO told ICHIRO, "Bro.. [sic] 8 spiders, and two 5's.." Based on the previous message strings, I know that ICHIRO is now using TARGET ACCOUNT #5 for several reasons. TARGET ACCOUNT #5 was last used by ICHIRO's brother, AKIRA. After ICHIRO was stopped and searched at Ontario Airport, I believe that he no longer wanted to use Target Account #14, but upon returning to his residence, he was able to acquire TARGET ACCOUNT #5 from his brother. Furthermore, the previous message strings between VERDUGO and ICHIRO over Target Account #14 involved the discussion of a load vehicle that had been delivered to VERDUGO on ICHIRO's behalf on August 18, 2011 with approximately ten kilograms of cocaine inside. Therefore, when VERDUGO tells ICHIRO that there were "8 spiders, and two 5's", I know that "spiders" and "5" refer to the stamp or impression on each kilogram of cocaine and that "8" and "two" refer to amount kilograms, equaling ten kilograms of cocaine.

**Communications Involving TARGET ACCOUNT #13 and the Seizure of  
Approximately 23 Kilograms of Cocaine on August 10, 2011**

32) For approximately one week leading up to August 10, 2011, KROKOS and VERDUGO had been discussing conducting a narcotics transaction of approximately 23 kilograms of cocaine. KROKOS had previously sent a courier to deliver the money for the 23 kilograms, so surveillance units only observed the meeting between DANIEL and MERRITT for the transfer of the cocaine. KROKOS forwarded a message from CONGO to VERDUGO on TARGET ACCOUNT #13, which read, "562 519 4166 Call



now plz. (please.) Say ur (you're) ricky [sic] even if its [sic] lil c". I know, based on my knowledge of this investigation, that "lil c" is a reference to DANIEL.

33) Prior to the meeting, VERDUGO, using TARGET ACCOUNT #13, told DANIEL on the STA EBD, "Hey rent a cheap momo. And give him that address.. [sic] Its [sic] gonna look better cuz [sic] you guys have a suitcase.. [sic] Go get yourself a cheap momo.. [sic] And get this shit overwith..[sic]" This message was sent to DANIEL at 3:55 P.M. During this time, myself, along with members of Glendale Police Department's (GPD) Vice/Narcotics Unit and Pomona Police Department's Major Narcotics Unit (MNU) were conducting surveillance on DANIEL. At 3:57 P.M., MNU Ofc. Pagtakhan observed DANIEL exit his residence at 6147 Main Street in South Gate, California and leave the area. Surveillance units lost DANIEL shortly thereafter, but relocated him using GPS data sent from the STA EBD. At 4:25 P.M., GPD Det. Hess observed DANIEL leaving the Bellflower Travel Inn at 16400 Lakewood Boulevard, Bellflower, California.

34) Based on VERDUGO's previous message and the observations made during surveillance, I believe that when VERDUGO told DANIEL, "Hey rent a cheap momo" that "momo" referred to a motel room. VERDUGO advised that this would "look better" as "you guys have a suitcase."

35) Surveillance units followed DANIEL back to his residence and noted that this time, DANIEL pulled his vehicle into the driveway behind the residence which is accessed via a rear alley. At 5:53 P.M., GPD. Det. Aguillon observed DANIEL rolling a

suitcase and place the suitcase inside of the trunk of DANIEL's car. Another Hispanic male was now with DANIEL. Both of them entered the vehicle and left the area.

36) At 6:12 P.M., GPD Det. Hess observed DANIEL and the unknown male return to the Bellflower Travel Inn. A male, later identified as MERRITT was observed by GPD Det. Darby sitting in the driver's seat of a silver Toyota Yaris. DANIEL made contact with MERRITT, and Det. Darby observed MERRITT give DANIEL a dollar bill (denomination unknown.) At 6:20 P.M., VERDUGO, using TARGET ACCOUNT #13, told KROKOS, "My lil bro (DANIEL) is with dave (MERRITT) right now(,) and the serial nubur [sic] is not the same??" I know that in the past, KROKOS will send the serial number from a dollar bill from one courier to another, so that when the couriers meet in person to either deliver narcotics or money, they know that they are meeting the correct person, and not an undercover agent. However, in this case, the dollar bill that was given to DANIEL did not match the number that was provided to DANIEL earlier that day. Because of this error, VERDUGO did not want to continue with the delivery of approximately 23 kilograms of cocaine to MERRITT; however, KROKOS told VERDUGO, "Something got crossed yes tell ur (your) bro to leave it with dave .[sic]" KROKOS sent this last message to VERDUGO on TARGET ACCOUNT #13 at 6:27 P.M.

37) During this time, GPD Det. Darby observed DANIEL and the unknown male remove the suitcase from the trunk of DANIEL's vehicle. DANIEL then began rolling the suitcase through the parking lot towards the motel. At the same time, MERRITT drove his Toyota Yaris around the motel to the front of the building. DANIEL

continued through a walkway in the middle of the motel and met MERRITT at the front of the establishment. Surveillance units observed MERRITT open the trunk of the vehicle, and DANIEL placed the suitcase inside. MERRITT then left the area in his vehicle.

38) At 6:43 P.M., KROKOS forwarded a message from CONGO to VERDUGO on TARGET ACCOUNT #13, in which CONGO had told KROKOS, "All done bro ty (thank you) very much for all of that." Surveillance units remained with MERRITT as he left the area. MERRITT drove directly to a street in Beverly Hills, California and parked there for approximately 17 minutes. During this time, MERRITT did not meet with anyone and remained inside of his vehicle. MERRITT then drove directly to his residence in West Hollywood, California. MERRITT parked the vehicle in a gated parking lot in the back of his apartment building and entered his apartment, leaving the suitcase in the trunk. At 9:05 P.M., GPD Detectives Darby and Prokosch observed a female (later identified as Nicole Gannion<sup>11</sup>) exit the apartment with a coat and purse. She had previously been seen earlier during the surveillance loading additional bags into MERRITT's Toyota Yaris. Ms. Gannion entered the driver's seat, and MERRITT was then observed entering the passenger seat. The vehicle left the area, and was followed away. As the vehicle left, surveillance units began coordinating with the California Highway Patrol (CHP) to conduct a traffic stop on the Toyota Yaris.

39) At 9:45 P.M., CHP Ofc. Cheever initiated a traffic stop on MERRITT and Ms. Gannion. A narcotic detection K-9 gave a positive alert to the odor of narcotics

---

<sup>11</sup> Nicole Gannion is currently not being listed as a target subject. Based on interviews following her arrest, it appears that she was unaware of what was in the trunk of the Toyota Yaris and had been misled about the trip to Seattle, Washington.

emanating from the suitcase in the trunk of MERRITT's vehicle. A search of the suitcase revealed approximately 23 kilograms of cocaine. MERRITT and Ms. Gannion were subsequently placed under arrest. Also inputted in a GPS device in the car was an address in Seattle, Washington.

40) KROKOS either did not learn about the traffic stop or did not notify VERDUGO about it until August 12, 2011. During multiple message strings on the subject, KROKOS told VERDUGO, on TARGET ACCOUNT #13, "KROKOS told VERDUGO, "Ok bro. No worries sometime(s) taxi(s) get hit we have many.. [sic] No need to panic just watch yourselves keep [sic]the [sic] using new phones all the time... Watch your tails and stuff...." VERDUGO then asked, "But how did it happen?" KROKOS replied with, "Just got pulled over awhile after on the road.. [sic] Cops came out with dogs.." VERDUGO continued with, "Ok.. [sic] Did he get pulled over first? He got nervous? Did they call K9 after he got pulled over? Or did he get pulled over by k9 [sic] in the first place?? My bros [sic] think that foo(l) was being tailed.. [sic] Maybe a snitch?? [sic] It kinda [sic] looked strange.. [sic] And he was also asking lil chop (DANIEL) for an adress!! [sic] That's why lil C (DANIEL) rented a motel.. [sic] And the bill wasn't the same one.. [sic] You know? It started bad.. [sic] We should take some time off.."

41) Based on my experience, I know that the term "taxi" is commonly used by members of this organization when referring to couriers or those who transport narcotics across the country. Therefore when KROKOS typed, "No worries sometime(s) taxi(s) get hit" that he was not concerned about the loss of approximately 23 kilograms of

cocaine as "we have many" refers to KROKOS having a lot more couriers who are making it into Canada with cocaine. When KROKOS also added, "Watch your tails and stuff" I know, based on my training and experience, that KROKOS was warning VERDUGO to watch for surveillance vehicles. KROKOS later told VERDUGO that the seizure occurred during a traffic stop when he typed, "Just got pulled over". VERDUGO then launched into a series of questions about how the traffic stop occurred such as, "Did he get pulled over first? He got nervous? Did they call K9 after he got pulled over? Or did he get pulled over by k9 [sic] in the first place??" When VERDUGO refers to a "K9," I believe that VERDUGO is discussing a narcotics detection dog utilized by law enforcement. I also believe that VERDUGO's line of questioning was to determine whether a narcotics detection K9 was involved in the traffic stop or requested after the stop had occurred. I believe that this piece of information was important to VERDUGO to determine whether the traffic stop was random or part of a larger investigation.

**Seizure of Approximately 20 Kilograms of Cocaine and the Identification of  
TARGET TELEPHONE #5**

42) Beginning on or about July 11, 2011, WAKIL began calling OLIVARES to acquire another load of cocaine from him. Several surveillance operations were conducted from July 12<sup>th</sup> to the 16<sup>th</sup>; however, that interception period concluded on July 16, 2011, and at the point of the last call, WAKIL had still not acquired the cocaine from OLIVARES.

43) On July 15, 2011, OLIVARES received an incoming call from (818) 299-2099 on Target Telephone #3, which was a telephone number used by WAKIL. During the call, WAKIL was arguing that OLIVARES had held onto his money for several

weeks, and he had not received any cocaine from him. WAKIL asked, "How many you got for me?" OLIVARES replied with, "Uh, I think like 16, something like 16." After a brief discussion about the "16," WAKIL said, "All right. Bring me 16 and then just bring me the rest of the money. Can you do that?" OLIVARES and WAKIL then began discussing how long OLIVARES had kept WAKIL's money. WAKIL said, "I understand that but you can't do that because...I mean he didn't have the money for three weeks." Then later, WAKIL added, "Today is the fifteenth. You had the money since before the beginning of this month, you've had it since I went to my last, the last court hearing."

44) Based on my knowledge of this investigation, I know that WAKIL lives on the east coast and travels to California to purchase cocaine from OLIVARES. Therefore, I believe that WAKIL gave OLIVARES an unknown amount of money to purchase multiple kilograms of cocaine when OLIVARES found the quantity that WAKIL wanted at the predetermined price. During the call, where WAKIL said, "Bring me 16 and then just bring me the rest of the money," I believe that "16" represented 16 kilograms of cocaine that OLIVARES had available for WAKIL.

45) Then on July 16, 2011, OLIVARES received another incoming call on Target Telephone #3 from WAKIL on (818) 299-2099. During the call, WAKIL asked, "How long are you guys going to take? Another couple of hours?" OLIVARES replied, "Then I got, I got, um, well, I got two guys. The one guy going to come with the nine and then this one was supposed to grab...I told him seven that's why. For right now, so I can get you out of the way. My other buddy, he told me he, he would come in the morning."

46) Based on this call, I believe, based on my training and experience, that when OLIVARES said that he had "two guys" that he was informing WAKIL that he was obtaining the cocaine from two different people. "One guy" or source of supply was supposed "to come with the nine" or nine kilograms of cocaine, and "this one was supposed to grab...I told him seven that's why." Therefore, I believe that two different people were scheduled to arrive at OLIVARES' with nine kilograms and seven kilograms of cocaine for WAKIL.

47) During this time, we were conducting a surveillance operation on WAKIL. GPD Det. Hess observed a light colored Ford Focus SUV with Arizona license plates parked in the lot of a hotel where WAKIL had been identified as staying in Stevenson Ranch, California. Later during the surveillance, I observed an unknown male, believed to be a relative of WAKIL's, walking to and from the vehicle. The license plate on the vehicle was identified as 629 ZTS, and an inquiry with the Arizona DMV revealed that this vehicle was a rental car.

48) Shortly before the wire room closed for the evening, I learned that one of the couriers (who was supposed to bring seven or nine kilograms of cocaine) arrived at the White Oak Location; however, OLIVARES was not there. The courier did not wait for OLIVARES and left without delivering the cocaine. Despite this event, WAKIL drove to the White Oak Location and arrived there at 10:16 P.M after the courier had left. GPD Det. Darby observed WAKIL leave at 10:44 P.M. A traffic stop was conducted on WAKIL to determine if he'd acquired any cocaine from OLIVARES after the wire room

had closed, but a search of the vehicle yielded negative results. Det. Hess later told me that he observed two or three black Sentry safes in boxes in the vehicle.

49) After the cocaine transaction between OLIVARES and WAKIL did not come to fruition on July 16, 2011, I placed a slap-on tracking device on the Arizona rental car on that same night. Since the interceptions for Target Telephone #3 terminated that evening, I decided to install the tracker so that the vehicle could be stopped if it left the state of California and began driving east across the country.

50) On July 18, 2011, while reviewing the data from the GPS tracker on the rental car, I observed that the vehicle was on Interstate 40 and had just crossed into the state of Arizona. I contacted DEA SA Christopher Jacobsen in Flagstaff, Arizona, as he had been involved in the seizure of approximately 12 kilograms of cocaine from WAKIL on May 29, 2011. I advised SA Jacobsen that I believed that WAKIL would be driving by Flagstaff shortly, and that he had been attempting to acquire multiple kilograms of cocaine from OLIVARES before our wire interceptions were terminated. Based on conversations with SA Jacobsen, I learned that the rental vehicle was located at a gas station off of Interstate 40 near Flagstaff, Arizona. Surveillance units observed that WAKIL was not the driver of the rental car, but rather that the driver was the young relative that I had observed with WAKIL on July 16, 2011. WAKIL pulled up behind the rental car at the gas station, exited a white four door BMW with paper plates, paid for gas for the rental car, and then continued driving eastbound along Interstate 40. The rental car remained in the area of Flagstaff. At 2:09 P.M., Arizona Department of Public Safety Officer McMains initiated a traffic stop on WAKIL in the BMW. During the traffic



stop, WAKIL signed a consent form to search his vehicle, and Ofc. McMains began searching the BMW with his narcotics detection K-9 "Pete." While searching the vehicle, K-9 "Pete" gave a positive alert to the odor of narcotics. Inside of the trunk of WAKIL's BMW were five boxes with FedEx shipping labels on them. Inside of the boxes were black Sentry safes. WAKIL stated that safes had been shipped to his company in California and that he was driving them back to North Carolina. WAKIL initially stated that the safes contained "people's personal stuff" and then later said that they contained "securities" relating to his business, Tabig Logistics. WAKIL also told Ofc. McMains that he did not have a key to the safes and refused to grant consent to Ofc. McMains to open the safes. A state search warrant was obtained to open the safes (SW2011-00052 authorized by Coconino County Superior Court Judge D. Slayton.) A subsequent search of the safes revealed that each one contained four kilograms of cocaine for a total of approximately 20 kilograms of cocaine. WAKIL was subsequently placed under arrest. After the arrest, an unknown female contacted the DEA Flagstaff office and stated that WAKIL wanted to provide information to DEA; however, while arrangements were being made to interview WAKIL, WAKIL decided that he did not want to speak with law enforcement.

51) On August 12, 2011, at 3:57 P.M., OLIVARES received a call from FNU LNU, aka "Ray" on telephone number (323) 218-6012. During the call, "Ray" asked if OLIVARES had just called him from a different telephone number. OLIVARES stated that he did and would call him back. On August 16, 2011, I/A Dalo obtained tolls for (323) 218-6012 and learned that TARGET TELEPHONE #5 first called "Ray" at 3:08

P.M. on August 12, 2011. "Ray" then called OLIVARES back on Target Telephone #3 at 3:57 P.M., then at 3:58 P.M. "Ray" received an incoming call from TARGET TELEPHONE #5. Based on this conversation as well as toll records discussed herein, I believe that OLIVARES is now using TARGET TELEPHONE #5 to facilitate his narcotics trafficking activities.

52) Furthermore, on August 26, 2011, at 11:06 A.M., OLIVARES, using Target Telephone #4, placed an outgoing call to "MENACE" on (714) 478-7612. During the call, MENACE said that he would text information to Target Telephone #4 to OLIVARES. OLIVARES then told MENACE "Hey, look, this phone (referring to Target Telephone #4) I usually leave at the house, dude. Write down this number." Then OLIVARES says, "323...206...1751" which is the telephone number for TARGET TELEPHONE #5.

#### **Communications Involving TARGET TELEPHONE #6**

53) On August 7, 2011, KROKOS, using the HEAVYWEIGHT EBD, contacted VERDUGO on TARGET ACCOUNT #13, and asked, "U got 5 nokias for tomorrow morning?" Based on my knowledge of this investigation, I know that "Nokia" refers to a specific stamp on a kilogram of cocaine, therefore, I know that KROKOS was asking for five kilograms of cocaine for August 8, 2011. VERDUGO replied with, "Yeah bro we got nokias for sure.. [sic] But my bros are still doing some work in the office.. [sic] I don't know at white (what) time their [sic] gonna [sic] open the office.. [sic] But I can do 5 sometime tomorrow [sic] tho.. [sic] Probably not in the morning tho.. [sic]" I also know based on my experience, that "office" refers to a stash location, and based on VERDUGO's description that "their [sic] gonna [sic] open the office" reveals that

VERDUGO does not control the cocaine when it arrives in the United States and is delivered to VERDUGO as needed. As discussed further herein, I believe that RINGO either controls the stash location or delivers the cocaine from the stash location to others, such as DANIEL and VERDUGO. KROKOS then told VERDUGO, "Ok ill [sic] send ya [sic] the number now.. [sic] U [sic] can call her in the morning and tell the chick her name is susan what's up.. [sic] She will COD 5 nokias." I know that when KROKOS uses the term "COD" that it means "cash on delivery," and that he was informing VERDUGO that "Susan" will be exchanging the money for five kilograms of cocaine at the same time as she receives them. Surveillance was established on DANIEL on August 8, 2011, as not only was the transaction for five kilograms scheduled to occur, but also the 23 kilograms. Neither actually occurred on August 8, 2011. As discussed herein, the five kilograms occurred on August 9, 2011, and the 23 kilograms were seized on August 10, 2011.

54) On August 8, 2011, DANIEL was waiting for a delivery of cocaine to arrive from a courier, RINGO. VERDUGO, using TARGET ACCOUNT #13, asked DANIEL on the STA EBD, "Let me know once you make contact with her.. (referring to Susan) Also send me ringo's frequency coded.. [sic] Thanks.. [sic]" I know, based on my training and experience, that "frequency" refers to a PTT cellular phone. Shortly thereafter, DANIEL replied with, "Mao\*ins\*wthi... Ringo." Based on my knowledge of this investigation, I recognized that the letters and asterisks that DANIEL sent are a PTT number that was encrypted with the MASON WHITE code. The decoded number is 124\*853\*6978, and the PTT number for TARGET TELEPHONE #6.

55) At 7:14 P.M., VERDUGO told DANIEL, "Hey ringo is gonna [sic] take you a hand of nokias right now.. [sic] So be ready at the office.. [sic] Call me as soon as he gets there.. [sic] He's only gonna [sic] get you a hand.. [sic] And that's for susan.. [sic]"

Based on my training and experience, I know that "a hand" represents the number five for narcotics traffickers due to five digits on a hand. Because of this, when VERDUGO typed, "ringo is gonna [sic] take you a hand of nokias", I know that VERDUGO was actually telling DANIEL that RINGO was going to deliver five kilograms of cocaine to him. Based on intercepts, the five kilogram transaction with DANIEL and "Susan" did not actually occur until August 9, 2011; however, I believe that "Susan" was KALES for the following reasons. KROKOS rarely arranges narcotics transactions for amounts as small as five kilograms of cocaine. I believe that the last deal that was for five kilograms was back on April 14, 2011, during which KALES was identified as the recipient of the cocaine. After the meeting on August 9, 2011, DANIEL told VERDUGO, "She was by herself, no [sic] one followed us. She was alright [sic] short hair. That's the only thing that sucked.." VERDUGO then asked, "What kind was she? White or Taliban?" And DANIEL replied, "White." I have observed KALES' driver's license picture, and I know that she is a white female with short hair. I am attempting to acquire more evidence revealing that she was in the Los Angeles area during this transaction.

///

**Recent Intercepts over the TARGET FACILITIES**

56) On August 26, 2011, 2011, VERDUGO on TARGET ACCOUNT #13 participated in the following message string with KROKOS, using the HEAVYWEIGHT EBD<sup>12</sup>:

-----Original Message-----

From: Grp [VERDUGO/TARGET ACCOUNT #13]  
To: Heavyweight [KROKOS/ HEAVYWEIGHT EBD]  
Subject:  
Sent: Aug 26, 2011 4:00 PM

So what's up bro?

-----Original Message-----

From: Heavyweight [KROKOS/ HEAVYWEIGHT EBD]  
To: grp2468 [VERDUGO/TARGET ACCOUNT #13]  
Subject: Re:  
Sent: Aug 26, 2011 4:02 PM

I'm trying dog.. [sic] Prb (probably) nothing today.. [sic] My guy working wire for paper still.. [sic]

-----Original Message-----

From: Grp [VERDUGO/TARGET ACCOUNT #13]  
To: Heavyweight [KROKOS/ HEAVYWEIGHT EBD]  
Subject: Re:  
Sent: Aug 26, 2011 4:04 PM

Did your guy get those test results tho? [sic] For the TH?

-----Original Message-----

From: Heavyweight [KROKOS/ HEAVYWEIGHT EBD]  
To: grp2468 [VERDUGO/TARGET ACCOUNT #13]  
Subject: Re:  
Sent: Aug 26, 2011 4:05 PM

He said very soon he just got to (the) office..

-----Original Message-----

---

12 Previously identified in prior affidavits as being used by KROKOS.

From: Grp [VERDUGO/TARGET ACCOUNT #13]  
To: Heavyweight [KROKOS/ HEAVYWEIGHT EBD]  
Subject: Re:  
Sent: Aug 26, 2011 4:07 PM

Ok cool.. [sic] So I'm just gonna [sic] return these then bro.. [sic] I ordered them thinking your tester was gonna [sic] be ready for today.. But I guess not huh?? Ok bro [sic] np.. (no problem) Let me know whenever your [sic] ready.. [sic] Thanks..

-----Original Message-----

From: Heavyweight [KROKOS/ HEAVYWEIGHT EBD]  
To: grp2468 [VERDUGO/TARGET ACCOUNT #13]  
Subject: Re:  
Sent: Aug 26, 2011 4:08 PM

Fuck sorry dog.. [sic] He was supposed to be..ill (I'll) let u [sic] know asap.. [sic]

57) Based on my training and experience, I believe that when KROKOS typed, "My guy working wire for paper still" that "paper" is a common term used by the organization in reference to money. During this time, KROKOS and VERDUGO had been communicating back and forth about a person coming to test the kilograms of cocaine that VERDUGO had on hand. Therefore, when VERDUGO asked, "Did your guy get those test results tho?" I believe that he was asking KROKOS whether the cocaine that had previously been given to the "tester" had passed their quality checks. Furthermore, at the end of the message string when VERDUGO typed, "So I'm just gonna [sic] return these then bro.. [sic] I ordered them thinking your tester was gonna [sic] be ready for today.." that VERDUGO was informing KROKOS that his tester was taking too long, and that the cocaine that VERDUGO had "ordered" was going to be returned to the stash location.

58) I believe that the Target Subjects are using the TARGET FACILITIES in furtherance of narcotics trafficking based on, among other things:

- a) the narcotics-related e-mails and conversations that were intercepted during the monitoring periods or as the result of search warrants, during which the Target Subjects have discussed moving large quantities of cocaine and millions of dollars;
- b) previous narcotics related conversations that I participated in, while acting in an undercover capacity, with KROKOS;
- c) the information provided by CS#1 + including the narcotics related e-mails I had previously observed on CS#1's EBD;
- d) surveillance and undercover operations;
- e) toll analysis of the TARGET FACILITIES; and
- f) the money and cocaine seizures that have been made during this investigation.

#### **TOLL ANALYSIS FOR TARGET TELEPHONES**

59) I have summarized toll data information. Where I have stated that a certain number of e-mail communications occurred between two dates, the later date is the last day on which I know that an e-mail was transmitted.

60) On August 25, 2011, TARGET ACCOUNT #5 sent or received approximately two messages to the HEAVYWEIGHT EBD. As identified in prior affidavits, the HEAVYWEIGHT EBD is used by KROKOS.

61) From August 1, 2011, through August 29, 2011, TARGET TELEPHONE #5 called or was called by 52-667-786-8203 approximately 16 times.

a) Based on prior intercepts in this investigation, I know that 52-667-786-8203 is the telephone number for a Mexico phone for CHENCHO, OLIVARES' superior in the organization.

b) On July 12, 2011, OLIVARES, using TARGET TELEPHONE #4, placed an outgoing call to CHENCHO. During the call, CHENCHO and OLIVARES discussed distributing cocaine from different parts of the U.S. OLIVARES said "Besides that we were thinking if they could send all the way out there to Atlanta or North Carolina. He said that at any state they are, we will save him more than half of the way and the time. If we could take it to him, we could double the order because he would go and come back instead of every two weeks, every week. He can go on Monday and come back on Friday. It can be done in one week" CHENCHO replied with, "Let me find out how those dudes...to see where they can go over there. But for sure Guero told me that they're in Phoenix, over there yes. They are over there."

c) Based on my knowledge of this investigation, I believe that the "he" that CHENCHO and OLIVARES are referring to in the above conversation is WAKIL. I believe this because I know that WAKIL distributes cocaine on the East coast and has properties associated to him in North Carolina. Since agents seized the 48 kilograms of cocaine that WAKIL shipped via FedEx, WAKIL has been driving across the country, such as when he was stopped on May 29, 2011 in Arizona with 12 kilograms of cocaine in his vehicle. See the 06/17/11 Aff. When OLIVARES continued with, "If we could take it to him, we could double the order" I believe that OLIVARES was informing CHENCHO that if the cocaine could be delivered to WAKIL somewhere closer to him on



the east coast of the United States, then WAKIL would be able to purchase twice as many kilograms of cocaine. When CHENCHO stated, "Guero told me that they're in Phoenix," I believe that CHENCHO is referring to Target Subject GUERO as I know that they are associates, and "they're in Phoenix" means that the cocaine is located in Phoenix, Arizona.

62) On August 21, 2011, TARGET TELEPHONE #6 called or was called by PTT 125\*148\*7880 approximately nine times.

a) Subscriber information for (760) 222-1626/PTT 125\*148\*7880 revealed that this number is subscribed to Carlos GARCIA, P.O Box 54988, Irvine, California 92619.

b) On August 24, 2011, I reviewed an affidavit by DEA TFO Iran Martinez regarding PTT 125\*148\*7880, which he has identified as being used by Isaias Enrique GARCIA-Ortiz, aka "Kiké" ("GARCIA-ORTIZ.") On August 14, 2011, TFO Martinez intercepted a call where GARCIA-ORTIZ was being directed by another individual to smuggle narcotics proceeds from the United States into Mexico. GARCIA-ORTIZ stated that he would use the pedestrian lane at the Calexico Border Crossing; however, the person who was instructing GARCIA-ORTIZ wanted him to drive the money into Mexico instead. Later GARCIA-ORTIZ was told that the current rate to smuggle money into Mexico was one percent of the total amount transported.

63) The investigation involving GARCIA-ORTIZ is being conducted in the Southern District of California and is focused on the Sinaloa Cartel's distribution of methamphetamine and cocaine. At this time, I do not know if GARCIA-ORTIZ

smuggles narcotics across the border, although based on the intercepts that I have read, I believe that he has been hired by the organization to transport narcotics proceeds into Mexico.

### **NECESSITY FOR INTERCEPTION**

#### **Generally**

64) Based upon my training, experience, and the facts of the case as stated herein, I believe that the renewed interception of electronic communications of TARGET ACCOUNTS #5 and #13, and the initial interception of wire communications of TARGET TELEPHONES #5 and #6 are necessary to gather evidence against the Target Subjects and achieve the goals of this investigation because normal investigative techniques have failed, appear reasonably likely to fail if tried, or are too dangerous to attempt. To date, interceptions over the current wiretaps have yielded valuable information regarding the organization's narcotics trafficking activities as well as the DTO's knowledge and familiarity with law enforcement's techniques and methods used to apprehend narcotics traffickers. These intercepts have also allowed agents to strategically seize large amounts of cocaine and money.

65) After an encounter with law enforcement on or about August 4, 2011, OLIVARES steadily decreased the use of Target Telephones #3 and #4. Through the limited number of telephone calls that were intercepted after this time, OLIVARES was intercepted talking on another cellular phone in the background and instructing a customer that he would call him back on another telephone. Because of these

intercepts, agents were able to identify that OLIVARES is now using TARGET TELEPHONE #5.

66) ICHIRO recently partnered with OLIVARES to supply larger amounts of cocaine to KROKOS' customers. Based on intercepts over Target Account #14, ICHIRO met with OLIVARES' source of supply for cocaine, CHENCHO in Culiacan, Mexico, while ICHIRO was in the country. I know based on my training and experience that often when new narcotics traffickers begin working for a different source of supply, they will have to meet face to face in order to prove that they are legitimate and are viewed as "insurance" should any loads be lost or stolen, the source of supply knows the person who is responsible. KROKOS has often stated that this is the reason that he lives in Puerto Vallarta, Mexico, since his sources of supply are in Mexico, they are more comfortable providing large quantities of cocaine to KROKOS' customers in the U.S. and Canada as KROKOS is in the same country and can be held accountable.

67) On June 29, 2011, KROKOS delivered new EBDs from Esoteric Communications to ICHIRO and ALVAREZ. Shortly thereafter, ICHIRO and ALVAREZ began using these new EBDs to communicate with KROKOS. Because agents were unable to intercept the EBDs before they reached ICHIRO and ALVAREZ in Puerto Vallarta, Mexico, agents searched ICHIRO when he reentered the U.S. in order to remove all of the EBDs that he was carrying. However, the only EBD that ICHIRO had in his possession was Target Account #14. After the search, ICHIRO discontinued use of Target Account #14 and resumed use of TARGET ACCOUNT #5. I believe that TARGET ACCOUNT #5 will continued to be used to further the organization's narcotics

trafficking plans, and without the interception of Target Accounts #12 and #14, the interception of TARGET ACCOUNT #5 is necessary to further the goals of this investigation.

68) The interception of TARGET ACCOUNT #13 has furthered this investigation by leading to another seizure of approximately 23 kilograms of cocaine on August 10, 2011, the identification of MERRITT as well as some insight into his superior, MIKE, and the DTO's reaction in the aftermath of the seizure. TARGET ACCOUNT #13 has also provided agents with enough evidence to indict VERDUGO and also his brother, DANIEL, among others. While VERDUGO and DANIEL use the EBDs, such as TARGET ACCOUNT #13 to communicate with KROKOS and ICHIRO, they are using PTT communications to speak with those who are delivering the cocaine to them as well as VERDUGO's superior in Mexico. Through intercepts over TARGET ACCOUNT #13, agents were able to identify TARGET TELEPHONE #6, used by a courier for the organization, RINGO. From my conversations with SA Curry regarding CASTRO, I have learned that he is involved in the trafficking of multi-hundred kilogram quantities of cocaine into the United States.

69) I believe that the information gleaned to date, reveals that continued interception will be successful and is necessary to enable the government to achieve the objectives of this investigation and to obtain direct evidence that will convince a jury beyond reasonable doubt of:

a) The scope of the Target Subjects' narcotics trafficking and related activities, such as how frequently cocaine and other narcotics cross into the United States;

b) The identity and role of the Target Subjects, many of whom still remain unknown such as RINGO, GUERO, and their locations;

c) The identity and role of the Target Subjects' suppliers; such as TATA and CHENCHO;

d) The identity and role of the Target Subjects' main customers; KROKOS has three main customers: CHIN, HOLDEM, and CONGO. ICHIRO also supplies to the MECHANIC. At this time, none of these people have been identified;

e) The Target Subjects' method of distribution and/or importation of narcotics; at this time, I do not know how the cocaine is delivered to RINGO, ICHIRO, or OLIVARES or the couriers who brings the narcotics to them; and

f) The management and disposition of the Target Subjects' narcotic proceeds, including the location of their assets; I believe that ICHIRO delivered large amounts of money to an unknown person in San Diego, California and delivers money to "CHAVO." Additional interception is necessary in order to identify the money couriers.

70) I also believe that interception of the TARGET FACILITIES is necessary in this matter because normal investigative techniques cannot be tried, or have been tried and have failed to fully achieve the objectives of this investigation, appear reasonably unlikely to succeed if tried, or are too dangerous to be tried. These other investigative techniques are described below.

### **Confidential Sources, Sources of Information and Undercover Agents**

71) As discussed in the prior affidavits, CS#1 was used at the beginning of this investigation to provide information regarding the narcotics trafficking activities of KROKOS and FELIX. CS#1 is believed to be reliable, and I corroborated as much information as possible regarding the two seizures that s/he informed us about. See the 7/13/10 Aff. Additionally, pictures that s/he provided which included Gordon Kendall, FELIX, and KROKOS were verified and GPS locations provided by CS#1 later corresponded with the GPS data obtained via court order. CS#1 was used to infiltrate the KROKOS Organization and provide law enforcement with valuable intelligence and information. For example, CS#1 was able to identify KROKOS, connect significant seizures of cocaine and MDMA to the DTO, and provide information regarding KROKOS' source of supply, FELIX.

72) In the past, CS#1 has provided information to Det. Fontecchio in exchange for consideration of a reduction in sentence for prior narcotics related crimes. From January 2009 to approximately May 2010, CS#1 provided this information to Det. Fontecchio in the hopes of obtaining lawful entry and permanent residence in the United States. CS#1 was also paid by local law enforcement agencies including at least the SLOSD for expenses (including but not limited to phone services) related to necessities for his/her cooperation. CS#1 also has a conviction for lewd and lascivious acts with a child. In May of 2010, a committee at ICE Headquarters denied CS#1's request for permanent residency. In August of 2011, CS#1 was granted a temporary VISA to enter the United States by ICE officials.

73) CS#1's involvement was limited because, around the time that Gordon Kendall and Jeffrey Ivans were assassinated (September 2009), FELIX threatened to kill CS#1. Thereafter, CS#1 went into hiding, and since the threat on CS#1's life, s/he is no longer in contact with FELIX or KROKOS, although s/he still hears some information regarding both of them. CS#1 has provided this information to law enforcement, and I have been able to corroborate it. On September 28, 2010, Det. Fontecchio told me that he had spoken with CS#1, who had told him that KROKOS' girlfriend, VALENCIA, would be flying to Canada to visit him soon thereafter. I had intercepted several messages regarding this matter prior to Det. Fontecchio's call. However, CS#1 provided VALENCIA's full name to Det. Fontecchio. Previously, we had intercepted information that VALENCIA maintained a bank account under the name Karina Elizabeth Santander. We had used this name to search for any scheduled flights to Canada from Puerto Vallarta, but we could not locate her reservation. When we searched using the name provided by CS#1, we located her on the commercial carrier Westjet flying into Canada on October 4, 2010 and returning to Puerto Vallarta on October 21, 2010. It was her return flight on the 21<sup>st</sup> that allowed us to find KROKOS' reservation, as his sister, Zoey Ware had booked the flight for him. Additionally, on October 14, 2010, I spoke with CS#1, who told me that s/he had heard that FELIX had recently purchased two lots of land and that TATA had acquired two helicopters and was making updates to his soccer stadium. Although I am unable to verify the information regarding TATA, intercepts over Target Account #5 confirmed that FELIX had instructed ICHIRO to have \$50,000 transported to FELIX in Mexico so that he could buy land.

74) During the customs inspection of KROKOS on October 21, 2010, KROKOS stated that he worked at a supplement store named, "RK Supplements" in Puerto Vallarta, Mexico, at Pablo Picasso, Zona Hotelera. I received the report from this stop on January 7, 2011, and on January 10, 2011, I contacted DEA SA Darrell Sobin to corroborate some of the information that KROKOS provided. On February 14, 2011, I received a phone call from CS#1 who had also contacted Det. Fontecchio on that same date. CS#1 stated that s/he had learned that KROKOS had taken a job at the Gran Vela Vallarta where he sold timeshares to tourists. I forwarded the information regarding KROKOS to SA Sobin, and I am waiting for a response as to what SA Sobin can corroborate.

75) During the initial interception of Target Account #1, I obtained e-mail messages, in which KROKOS was asked to find out CS#1's full name by an unknown source. I have not been able to fully identify who was inquiring about CS#1. However, this interception was particularly alarming as KROKOS had not inquired about CS#1 for many months, and agents had hoped that the DTO had ceased searching for him/her. As a result of the renewed interest in CS#1, Det. Fontecchio drafted an emergency waiver for CS#1 to stay in the United States for a predetermined amount of time. A decision regarding this waiver was recently granted. Although CS#1 has provided additional pieces of information regarding the organization, I have advised him/her that s/he has done so at his/her own jeopardy and to discontinue attempting to acquire any intelligence regarding the DTO. I have also intercepted recently a discussion between two of the Target Subjects plotting to kidnap and torture the CS for several days prior to



killing him/her. I believe that the threat to CS#1 would be fulfilled if the DTO were to find him/her because of the intercepts confirming ORTEGA's torture. Due to the death threat and that the DTO continues to search for CS#1, I believe that any future attempts by CS#1 to reestablish contact with KROKOS, FELIX, ALVAREZ, or any other member of the DTO would result in his/her assassination.

76) CS#1 also contacted me in April 2011 and provided information regarding a person that TATA had sent to the United States to facilitate his narcotics trafficking. Based on the information provided by CS#1, I was able to identify this individual and corroborate what CS#1 had told me. I forwarded this information to another DEA office as the person of interest resides in another part of the U.S.

77) I have also provided pictures that I believed might have been of ALVAREZ and sent these to CS#1; however, CS#1 stated that neither of the people in the photos were ALVAREZ. If I am able to identify CHIN, I will provide a picture to CS#1 to determine if this is the same individual that s/he met. However, at this time, I do not believe that it is safe or feasible for CS#1 to assist in this investigation in any greater capacity than providing these identifications.

78) Furthermore, I know that when CS#1 was able to assist law enforcement, that the KROKOS Organization compartmentalized its methods and techniques. For example, CS#1 knew when money was arriving at a counting house in Tijuana, Mexico; however, s/he was not privy as to the location of the house or how the money arrived there. CS#1 provided information regarding the DTO's methods of transportation in the United States but did not know who facilitated the mode of transportation, when narcotics

would be smuggled into the country, where they would be delivered in Los Angeles, California, or when they would be transported to Canada. Based on the intercepted e-mail messages, agents were able to determine that the cocaine was delivered to ICHIRO via an unknown courier, and that ICHIRO appeared to maintain custody of the cocaine until it was delivered to a customer. ICHIRO also appeared to transport all of the narcotics proceeds to other couriers for the DTO or to the border where another person smuggled it into Mexico. If CS#1 is granted a temporary residency in the United States, I intend to conduct additional debriefings with him/her in order to identify some of the members of the DTO. Many of the interceptions reference other members of the organization by nicknames only. I believe that CS#1 may be able to identify additional people based on these aliases if they were involved in the organization at the same time that CS#1 was working for them. Aside from continuing to assist investigators with historical information, due to the aforementioned limitations, I believe that it is not safe or feasible for CS#1 to provide sufficient real-time assistance to the government to accomplish the stated goals of this investigation.

79) I have also had conversations with Royal Canadian Mounted Police ("RCMP") Constable Aaron Hendsbee who has informed me that he has a Source of Information ("SOI") who has been in communication with KROKOS.<sup>13</sup> Based on my discussions with Constable Hendsbee, I know that the SOI used an EBD to contact KROKOS, and that the SOI is in Canada. The SOI provided information that KROKOS

---

<sup>13</sup> Although we are working with Canadian authorities, we do not give them direct access to individuals cooperating with us and the same is true of them. For that reason, we have not interviewed the SOI.

was being forced to stay in Mexico until a narcotics debt was paid off. However, the SOI has no information regarding FELIX, ICHIRO, or ALVAREZ.

80) On September 3, 2010, I learned that West Covina Police Department had a Confidential Source ("CS#2") who had provided a phone number for CRUZ to investigators. Since that time, agents have made numerous requests to interview the CS, but to date, agents have not been granted access to him/her.

81) On February 23, 2011, I spoke with DEA SA Tiffani Corley, who has a Confidential Source ("CS#3") who provided information regarding a person, known as "Mike" and "J.J.," that ICHIRO called in July 2010. CS#3 stated that Mike/JJ was responsible for coordinating the transportation of cocaine to Canada. CS#3 has been cooperating with law enforcement since October 2010, but s/he has not been able to contact or meet with Mike/J.J. SA Corley informed me that Mike/JJ severed all communications with the CS after a seizure of cocaine at the U.S./Canada border in September 2010. CS#3 is cooperating with DEA in consideration on a pending narcotics arrest. SA Corley said that CS#3 has been cooperating since October 2010, and that CS#3 has provided information which SA Corley corroborated that ultimately led to the seizures of 17 kilograms and 22 kilograms of cocaine on separate occasions. CS#3 has no criminal history involving fraud or providing false or misleading statements. Because of all of this information, I believe that CS#3 is reliable. Based on what I learned from MERRITT, I believe that the "Mike" that CS#3 provided information to SA Corley about maybe the same "MIKE" that hired MERRITT.

82) An undercover identity was introduced to KROKOS, and KROKOS believes that the undercover identity is also a narcotics trafficker, known as "the Italian." This identity has been used to confirm that KROKOS is continuing to traffic narcotics, and I have used it in several attempts to elicit as much information as I can from KROKOS without arousing suspicion from him. However, on May 26, 2011, KROKOS sent me an e-mail from Target Account #8 stating that he was going to be traveling through customs and would be leaving Target Account #8 behind. KROKOS instructed me to use e-mail address [skn105@berrylogic.net] in the future if I needed to reach him, as he would be "shutting" Target Account #8 "off for little bit". Although I know that KROKOS is now using the HEAVYWEIGHT EBD, he did not provide me with this e-mail address. In July of 2011, I was unable to reach KROKOS at the e-mail address that he had provided. He later contacted me using the HEAVYWEIGHT EBD but pretended to be a friend of KROKOS' who was relaying information to me. In August of 2011, KROKOS contacted me using the HEAVYWEIGHT EBD to acquire a new EBD for ICHIRO.

83) In November and December 2009, I attempted to arrange a purchase of 8,000 MDMA tablets from the DTO. In February 2010, I was able to increase the agreed upon amount to 20,000 MDMA tablets. To date, KROKOS has not been able to complete this transaction and stated that the DTO needed orders of 50,000 tablets or more. Neither Det. Fontecchio nor I have ever met KROKOS face to face, and we do not communicate on a daily basis. KROKOS is limited in the information that he has so far provided to the undercover identity. On August 24, 2010, KROKOS, using the

LKS100 EBD contacted me through the undercover EBD. KROKOS stated that he may be acquiring a new EBD in the future and wanted to pass me the code word "hombre" should he e-mail me from an address that I do not recognize. During the message string, KROKOS and I discussed meeting in the future in Las Vegas, Nevada. Although I do not believe that KROKOS actually has any interest in meeting with the undercover identity, I will attempt to arrange such a meeting if KROKOS were to enter the United States.

84) In December 2010, KROKOS provided to me the e-mail address for Target Account #9 and told me to contact this person if I had any problems delivering Target Account #11 to CUEVAS. I was able to contact MK over Target Account #9, but he immediately told me to contact KROKOS to resolve the matter. At this time, I have no plausible story where I could contact MK asking for narcotics, as my undercover identity has not been told any information by KROKOS indicating that MK is involved in narcotics trafficking. Furthermore, such a maneuver could potentially alarm KROKOS causing him to become suspicious of the undercover identity. I know based on my training and experience that narcotics traffickers will not supply narcotics to people with whom they are unfamiliar based off of a "cold call," or in this case e-mail. Therefore, I believe any attempt at ordering cocaine or MDMA from MK would result in MK informing KROKOS of the unusual behavior.

85) In the past, KROKOS has kept his primary EBDs concealed from the undercover identity, such as the ISIS and HACKER EBDs. Accordingly, I have not used either address to communicate with KROKOS. Furthermore, during the December 2,

2010 delivery of Target Account #11, KROKOS sent an e-mail from the ISIS EBD to MK on Target Account #9 informing him that I (undercover identity) might contact MK. KROKOS then sent another e-mail informing MK on Target Account #9 that the "berry guy" knew KROKOS only on Target Account #8. Because of this, I believe that KROKOS was purposely concealing these EBDs from the undercover identity. Although I intend to continue and attempt to further the undercover operations, I do not believe that solely relying on them will achieve the goals of this investigation due to the aforementioned reasons.

86) KROKOS has also discussed having members of the organization use hidden compartments in their vehicles when they transport money or cocaine. In an effort to elicit additional conversations with KROKOS other than just obtaining EBDs for him, I sent KROKOS a message on Target Account #8 if he ever needed "some work done on a car". KROKOS eventually replied and asked some questions about installing compartments in vehicles, and he has not contacted me since then. Although, I intend to continue and attempt to further the undercover operations, I do not believe that solely relying on them will achieve the goals of this investigation due to the aforementioned reasons.

#### **Use of Precise Location Information/GPS**

87) I am also requesting, based on the facts in this affidavit, that the Court authorize the remote use of the GPS function contained within TARGET ACCOUNTS #5 and #13 in order to assist in the surveillance of ICHIRO and CACHETON. Because I know that ICHIRO has traveled both locally and internationally to conduct narcotics

transactions (such as from the United States to Mexico), I believe the use of GPS will be a continued asset in this investigation. This GPS software is inherently located on TARGET ACCOUNTS #5 and #13, although it is typically not used by the Target Subjects. However, agents can remotely acquire precise location information concerning TARGET ACCOUNTS #5 and #13 to obtain their locations. This tool has been especially useful during surveillance operations. In the past, GPS locations sent from Target Account #11 allowed surveillance units to identify ENTEZARALMAHDI and FOROOZAND. Surveillance also located ORTEGA after he picked up 44 kilograms of cocaine from a courier on May 3, 2011, and I observed ORTEGA unloading the boxes of cocaine from his vehicle into the backyard of the Devenir Location. ICHIRO conducts extensive counter-surveillance maneuvers when he is participating in illegal activities. Because of this, surveillance units have had to briefly terminate surveillance on ICHIRO and use GPS coordinates to relocate him at a later time. Furthermore, when ICHIRO has lost surveillance units, GPS allows the team to resume the operation quickly.

88) On August 3, 2011, I obtained order 11-1827M which allowed for the use of GPS pings on Target Account #14 as well as the STA EBD used by DANIEL. I requested the use of GPS on Target Account #14 in case ICHIRO or KROKOS did not inform VERDUGO of ICHIRO's plans to return to the United States. On August 17, 2011, ICHIRO had booked an Aero Mexico flight to return to the United States. ICE SA Kessel was monitoring the cell tower data sent from Target Account #14 during this time, and observed Target Account #14 in the vicinity of the airport in Guadalajara, Mexico, only to leave shortly thereafter and return to Guadalajara. Because of this, SA Kessel

was able to notify ICE agents waiting at the Ontario Airport for ICHIRO's arrival and confirmed that ICHIRO had not boarded the plane.

89) GPS data was also critical in obtaining the seizure of approximately 23 kilograms of cocaine from MERRITT on August 10, 2011. During the surveillance of DANIEL, the team lost the vehicle that he was in prior to the meeting with MERRITT. Due to GPS pings, the surveillance team was able to relocate DANIEL at a motel, where he was renting a room for the upcoming narcotics transaction.

90) Although GPS has been a valuable tool when used in conjunction with wire and electronic intercepts, it does have its limitations. For example, TARGET ACCOUNT #13 only sends cell tower data, and agents are unable to acquire actual GPS pings on the device. Because of this, when VERDUGO drove to Oklahoma City, Oklahoma, agents were unable to identify where VERDUGO was staying. Had I known where VERDUGO was spending the majority of his time in Oklahoma City, I would have notified the local DEA office to conduct surveillance on VERDUGO in order to identify the members of the distribution cell that VERDUGO was attempting to establish there.

91) As stated herein, GPS locations allowed agents to positively identify OLIVARES as the user of Target Telephones #3, #4, and the XTS4545 EBD. However, on June 3, 2011, surveillance units were dispatched to locate OLIVARES in Los Angeles, California. While GPS coordinates were useful in identifying OLIVARES on May 24, 2011, the success of locating Target Subjects solely relying on GPS is "hit or miss" at best. On June 3, 2011, surveillance units were unable to locate OLIVARES at a possible stash location which per intercepts contained 100 kilograms of cocaine.



Surveillance units spent a couple of hours trying to locate OLIVARES but were unable to do so until OLIVARES returned to the Lochinvar Location.

92) However, on July 6, 2011, Glendale Police Department's Vice and Narcotics Unit was able to locate OLIVARES at a residence in Montebello, California using GPS data. Furthermore, GPS data was used to locate SALINAS on June 27 and 28, 2011, which subsequently led to the identification of himself and CASTILLO.

93) I obtained a GPS order for a cellular phone used by SALINAS on June 17, 2011 (11-1382M) from the Honorable Alica G. Rosenberg, United States Magistrate Judge. Unfortunately, while GPS data revealed that SALINAS drove in the early morning of June 27, 2011 to the Los Angeles area, which I believe was done to pick up an unknown amount of cocaine, agents were not able to seize the narcotics as there was no forewarning of when the transaction was going to occur. For example, on June 28, 2011, when I observed that SALINAS was again mobile, I contacted MNU Cpl. Ramos who was in the vicinity of where SALINAS had stopped. However, Cpl. Ramos arrived on scene just before SALINAS and CASTILLO left the area. Therefore, it is uncertain whether SALINAS had delivered cocaine to another courier to drive to Canada or if SALINAS was there for other reasons. A subsequent traffic stop on SALINAS and search of the vehicle yielded negative results, although a K-9 did alert to the odor of narcotics in Toyota Tundra, which could possibly mean that SALINAS had recently delivered them to an unknown person in the Home Depot parking lot.

94) Relying on GPS data will not assist investigators in identifying RINGO or GUERO as agents do not know what they look like. Therefore, surveillance units will

have to attempt a trial and error process in order to identify vehicles that are leaving at the same time as GPS data indicating that a Target Telephone has left. This was attempted on July 15, 2011 in order to identify VERDUGO. MNU Cpl. Ramos had previously located a vehicle used by VERDUGO on July 14, 2011 parked on Main Street. What investigators didn't know was that the vehicle was parked down the street away from VERDUGO's actual residence. During this time, I notified Cpl. Ramos when I observed TARGET ACCOUNT #13 leave the area and return throughout the day; however, surveillance units had not observed anyone leave the residences near the parked Honda Accord. Therefore, without interception, it is likely that attempts to identify GUERO or RINGO relying solely on GPS data will not be successful.

#### **Physical Surveillance**

95) Since July of 2010, numerous surveillance operations have been conducted in order to identify additional Target Subjects, vehicles and locations used by the organization, attempted seizures of narcotics, and installation of slap-on tracking devices. For details regarding previous operations not discussed herein see the prior affidavits.

96) Surveillance coupled with electronic and wire intercepts have been extremely successful in this investigation leading to the identification of several members of the organization such as MERRITT, LEON, CAZAREZ, KALES, ENTEZARALMAHDI, and FOROOZAND. It has also been used to identify multiple stash locations used by the DTO such at the White Oak Location and the Budlong Location, where multi-kilogram quantities of cocaine are distributed out of latter residence on a daily basis.

97) As stated in the 05/16/11 Aff., surveillance was conducted in conjunction with interception of Target Account #11 on April 29<sup>th</sup>, May 3<sup>rd</sup>, May 4<sup>th</sup>, and May 5<sup>th</sup>, 2011 which led to the seizure of 29 kilograms of cocaine on May 5, 2011.

98) During the interception period which began on May 16, 2011, agents and investigators conducted surveillance operations on OLIVARES and WAKIL which ultimately led to the seizure of approximately 48 kilograms of cocaine on May 19-20, 2011.

99) On July 6, 2011, a GPD surveillance team was dispatched to a location from which Target Telephone #3 was sending coordinates. Based on intercepts over Target Telephone #4, OLIVARES was to meet with a courier to deliver the remainder of a narcotics debt. As a result of this operation, GPD surveillance units were able to identify LEON which subsequently led to the seizure of approximately \$361,392 and five kilograms of cocaine.

100) On August 4 and 5, 2011, GPD surveillance units conducted surveillance on OLIVARES as some intercepts over his telephones revealed that he was attempting to acquire 30 and 40 kilograms of cocaine to give to two customers. However, after the stop by law enforcement on August 4, 2011, OLIVARES decreased use of his telephones. During the surveillance on August 5, 2011, the team was following OLIVARES to locations where there were no intercepts informing agents of what OLIVARES was doing. After the calls on August 4, 2011, I was unable to determine whether OLIVARES actually conducted either the 30 or 40 kilograms transactions.

101) As discussed herein, surveillance was used to seize approximately 23 kilograms of cocaine from MERRITT on August 10, 2011. Surveillance operations were also conducted in anticipation of confirming whether "Susan" was KALES on August 8, 2011, however, the meeting was postponed until August 9, 2011.

102) At this time, I cannot conduct surveillance operations on RINGO or GUERO as I do not know where they live.

103) Although surveillance in conjunction with T-III interception has been successful in identifying additional Target Subjects, it still has its limitations and relying on this method solely will not achieve the goals of this investigation. Without GPS coordinates, VERDUGO was able to lose surveillance teams on two separate occasions in April of 2011. During the second time, investigators incorrectly believed that VERDUGO's residence had been identified and attempted to relocate him there without success. This resulted in agents missing the delivery of 19 kilograms of cocaine to CONGO's courier later that day.

104) The identification of law enforcement during two earlier surveillance operations has also caused the organization to change the way that the Target Subjects plan to meet. KROKOS informed several members of the organization that all meetings in the future need to occur in enclosed parking structures, underground garages, or in car washes to prevent law enforcement from viewing the transactions in an open parking lot. KROKOS also insisted that all meetings utilize "spotters" in the future. This is further confirmed when KROKOS told VERDUGO on TARGET ACCOUNT #13, "Plz (please) make sure no tails etc... Drive around residential areas(.) make sure no tails. If

any tails(,) abort mission ok(?)” During the meeting when VERDUGO obtained 18 kilograms of cocaine from ORTEGA, he brought another person with him in the vehicle. I believe that VERDUGO used this person to watch for law enforcement. Because of these changes, surveillance operations will become increasingly more difficult and will be extremely risky without the aid of interception.

105) This was also evident during the delivery of approximately 23 kilograms of cocaine to MERRITT. Earlier that day, DANIEL had been observed driving by himself; however, when he placed the suitcase in his vehicle, another Hispanic male was now with him. I believe that DANIEL brought this person with him in case MERRITT tried to rob him of the cocaine, and to help identify surveillance vehicles that may have been following him. Because agents had intercepted communications that the transaction was supposed to occur in a motel room, and surveillance units were able to identify the motel prior to the meet, GPD detectives were set up in the parking lot of the motel, awaiting DANIEL’s arrival. This significantly reduced the risk of the surveillance teams being identified en route to the motel, as when it was determined that DANIEL was driving in the direction of the motel, the rest of the surveillance team was able to distance themselves from DANIEL.

106) Moreover, as stated in previous affidavits, VERDUGO and ICHIRO have, in the past, considering driving around carrying large duffel bags filled with books to simulate the appearance that they were loaded with kilograms of cocaine. Because of this tactic, surveillance alone will not achieve the goals of this investigation, because

agents will not know whether one of the Target Subjects is transporting books or cocaine.

107) Surveillance was dispatched on July 6, 2011, in an effort to identify OLIVARES' source, GUERO; however, GUERO decided to send a courier, LEON, instead. Because I do not know where GUERO lives, surveillance alone will not achieve the objectives of this investigation. I believe that the interception of TARGET TELEPHONE #5 will assist and reveal more information about how the organization conducts its narcotics trafficking activities.

108) Despite the limitations of surveillance listed above and the organization's attempts to thwart surveillance units, I believe that through the continued interception over the TARGET FACILITIES combined with surveillance operations will continue to be successful in identifying stash locations, additional members of the organization, as well as intercepting cocaine and narcotics proceeds. However, I believe, based on the sophistication demonstrated by this DTO that surveillance, unaided by wire interception, will not be successful or achieve the stated investigative goals.

**Pen Registers, Trap and Trace Devices, Toll Analysis, and Subscriber Information**

109) To date, agents have obtained subscriber and toll information via administrative subpoenas, as well as pen registers, and trap and trace devices for several cellular phones used by the KROKOS Organization. Agents will continue to use these tools during this investigation as telephone numbers are identified. Agents have also been able to obtain a pen register and trap and trace device for some of the TARGET ACCOUNTS identified in this investigation so far.

110) On September 25, 2009, San Luis Obispo County Superior Court Judge Jack Crawford authorized court order 09SO111 for installation and use of a pen register and trap and trace devices and authorizing the release of subscriber information and cell site information for telephone (213) 446-0129. The court order was authorized for a period of sixty days. According to CS#1 this cellular phone was used by an unknown member of KROKOS' Organization and was activated on September 22, 2009 under a prepaid account to a generic subscriber address. The phone was used from September 23, 2009 through September 28, 2009 and only called one other number, (213) 440-3396 was a prepaid cellular phone. Thus, the pen register did not provide us with information leading to the fulfillment of our goals.

111) In April 2009, I requested toll information for cellular phone (213) 321-8503, a number that CS#1 had provided to Det. Fontecchio, who in turn, contacted me to obtain the subscriber and toll information. Upon return of the subpoena, I learned that this phone number was also used for a brief period of time: April 15, 2009 through April 20, 2009. According to CS#1, this phone was used by CORAZON, who was wiring money to Kendall and TEIGROB from Canada to Mexico. The tolls for this number primarily consisted of routing numbers and pre-paid cellular phones, thus, the tolls did not assist me in the investigation.

112) On January 13, 2010, San Luis Obispo County Superior Court Judge Michael Duffy authorized court order 09SO115 for the installation and use of a pen register and trap and trace devices and authorizing the release of subscriber information and cell site information for telephone (949) 228-7893. The court order was authorized

for a period of sixty days. This was a pre-paid T-Mobile phone used by ICHIRO. I attempted to intercept this telephone number; however, use of the phone was discontinued before an affidavit was submitted.

113) On April 5, 2010, United States Magistrate Judge Margaret A. Nagle authorized court order 100773M for the installation and use of a pen register and trap and trace devices and authorizing the release of subscriber information and cell site information for the Target Accounts #2 and #3 as well as e-mail addresses slice@HaloSecure.ro and flash@HaloSecure.ro. The court order was authorized for a period of sixty days. While this monitoring period revealed the extensive reliance that this organization has on the EBDs, I was unable to determine when transfers of narcotics or money were occurring.

114) On June 2, 2010, the Honorable Suzanne H. Segal, United States Magistrate Judge authorized court order 10-773(A)-M for the installation and use of a pen register and trap and trace devices on Target Account #1 and #7 as well as platinum@halosecure.ro and rockstar@halosecure.ro, and the continuation of a pen register and trap and trace devices on Target Accounts #2 and #3 as well as flash@halosecure.ro and slice@halosecure.ro. The court order was authorized for a period of sixty days. As with the previous pen register for the Target Accounts, this sixty day period was also met with the same obstacles. The pen register was useful for determining when the EBDs were being used, and it helped developed patterns of when we expected that the users were awake or asleep, but it did not assist in achieving any of the goals of this investigation.



115) Since CS#1 is no longer in a position to provide law enforcement with telephone numbers being used by the DTO, the ability to intercept these telephone numbers via the EBDs would enable investigators to identify telephones to exploit either through the use of pen registers, toll information, subscriber information, and trap and trace devices, or voice interceptions. Although all of these options will continue to be explored and employed, there are several limitations to each one.

116) Pen register and toll information provide identifying information regarding calls made from a particular telephone and at what frequency. This technique, however, will only provide agents with a list of the numbers called and will not establish the identities of the persons called or the content of the conversations. Pen registers on BlackBerry devices would only provide identifying information regarding electronic communications to or from a particular TARGET ACCOUNT; however, this technique would only provide agents with a list of Pins/e-mail addresses contacted, and would not establish the identities of all the persons called or the contents of the communications. Furthermore, the e-mail names used by the Target Subjects are randomly assigned and meaningless names. They are not created by the user, and bear no association or indication as to who is using the EBD. Simply stated, an active pen register on the TARGET ACCOUNTS currently only shows agents that the TARGET ACCOUNTS are contacting or being contacted by other EBDs. This information, in and of itself, is virtually useless for the purpose of gaining intelligence on the Target Organization and obtaining information regarding narcotics transactions. For example, before I obtained the messages seized during the search warrant referenced herein, I did not know who

pawnstar@SecureLock.tv might be or how he was connected to the DTO. I observed that the e-mail address was frequently communicating with Target Account #2, but I did not know for what purpose that ICHIRO was communicating with THE MECHANIC; I did not even know his moniker at the time. Target Telephones #1 and #2 are both provided service by AT&T, and I know based on my experience that AT&T is able to send the most recent 30 days worth of tolls within a matter of minutes of an agent's request. Because of this, I was able to observe who ICHIRO and ESPINOZA had called whenever I need to. However, ESPINOZA discontinued use of Target Telephone #1. Toll information did reveal that ORTEGA has been in contact with CUEVAS' grandmother, at a telephone number that ESPINOZA has also called. At this time, besides the connection between KROKOS, I have not been able to establish the relationship that would explain how both ORTEGA and ESPINOZA are calling the same person.

117) I know that ICHIRO uses multiple methods of communication in order to send pertinent messages to other Target Subjects. Continuing to obtain toll data or establishing a pen register will not achieve the goals of this investigation, as I have been able to confirm through toll analysis that when ICHIRO said that he would send information to AKIRA via Target Telephone #2 that the tolls confirmed that he did so, but it does not reveal the contents of the message that was delivered.

118) Regarding administrative subpoenas requesting subscriber information, based on my training and experience, I know that narcotics traffickers frequently use false subscriber information for their telephones. This is a common method used by narcotics traffickers in order to elude law enforcement and to make it difficult for law

enforcement to find a residence or business. It is clearly a technique employed by this organization as of the two cellular phones that were provided by CS#1, both were prepaid phones and listed generic subscriber information. Additionally, EBDs are paid for upfront, and therefore, there is no subscriber information assigned to them. During the brief interception when KROKOS was using Target Account #1 or ICHIRO and ALVAREZ on Target Accounts #2 and #3, eight cellular phone numbers were passed in the e-mail messages. Subscriber information revealed that these were pre-paid cellular phones that did not contain any actionable information as to the identity of the user. On July 16, 2010, prior to meeting the UF to collect money from her, KROKOS, using Target Account #1, asked ICHIRO on Target Account #2, "Have your phone on this morning bro.. Do u have a new numb?" To which ICHIRO replied, "Yes I got a new one. Toss old one?" KROKOS instructed ICHIRO, "Ya toss it bro. Let's have the number then To work today.. Just safer.." Although this is only one example, it appeared to be typical of how the DTO operates when it came to the use of telephones. There were also several messages intercepted where ICHIRO was changing cellular phone numbers almost every day. Target Telephone #2, which is used by ICHIRO, is subscribed to "Michel Jonesssss" of 14324 Valley Boulevard, City of Industry, California. This address is a cellular phone store where ICHIRO purchases the majority of his disposable phones. The exception to this was Target Telephone #1 which was subscribed in ESPINOZA's name; however, even use of this phone was discontinued prior to interception and additional possible phones used by ESPINOZA have thus far contained bogus subscriber information.

119) Target Telephone #3 is subscribed to "Mr Black" using a PO Box number that is shared by hundreds of other people. Therefore, the subscribed information was not useful in identifying OLIVARES. It was through surveillance operations that we were able to identify OLIVARES. Toll analysis of Target Telephone #3 far revealed that it is being used to facilitate cocaine trafficking, and it was a phone used by OLIVARES'; however, toll analysis or pen register information would not have resulted in the seizures and evidence obtained against OLIVARES and his customers to indict them. Like Target Telephone #3 and #4, TARGET TELEPHONE #5 does not have subscriber information on it that will assist agents in this investigation. It is also a prepaid cellular phone which do not require credit checks or billing information.

120) TARGET TELEPHONE #6 is subscribed to "Joe Montana" at 1645 West Holt Avenue in Pomona, California. This address is for Cardenas Market, a grocery store.

121) A trap and trace device is simply the complement of a pen register. It identifies the number of the telephone that has called the subject phone and is subject to the same limitations. Trap and trace devices, like pen registers, do not identify the speakers or contents of a telephone conversation.

122) I had been monitoring the pen register on Target Account #7 and FELIX's EBD. While the information from the pen register was helpful in that I knew that the EBDs were being used, I have not been able to learn additional information about the Target Organization as a result of it.

123) For all of the reasons stated above, pen registers, trap and traces, subscriber information, and toll analysis are all valuable investigative tools, but even in conjunction with other conventional investigative methods, they will not enable the government to achieve the goals of this investigation without the contents of these illicit communications.

#### **Search Warrants**

124) At this time, I know of several locations associated with the KROKOS DTO where I would be able to serve a search warrant; however, I do not believe that doing so will achieve the goals of this investigation. Previous messages on TARGET ACCOUNT #5 between ICHIRO and his brother, AKIRA, revealed that ICHIRO had approximately \$180,000 hidden in a freezer at his residence. Although \$180,000 is a substantial amount of money, executing a search warrant at ICHIRO's residence in order to seize this money would cause ICHIRO to flee again and would compromise the investigation. Recent intercepts revealed that ICHIRO has been trying to borrow money from OLIVARES and VERDUGO since his return to Mexico. Because of this, I do not believe that ICHIRO still possesses the \$180,000. While seizing bulk currency is helpful in proving that the organization smuggles and maintains narcotics proceeds, it will not achieve the goals of this investigation. During another intercept between ICHIRO, using Target Account #14, and VERDUGO, ICHIRO mentioned that if they were stopped with the duffel bags of books that it would be trouble for their families, but that nothing would be found, indicating that ICHIRO was not storing any contraband at his residence in LaPuente, California.

125) I had previously believed that ORTEGA lived at 7235 Luxor Street in Downey, California; however, ORTEGA actually lived at 7237 Luxor Street, which is located behind 7235. A consensual warrant was conducted at 7237 Luxor Street on May 5, 2011 and was met with negative results. On May 5, 2011, as discussed in the 05/16/11 Aff., a search warrant was executed at the Devenir Location which resulted in the seizure of approximately 29 kilograms of cocaine; however, this search warrant resulted in ICHIRO changing from TARGET ACCOUNT #5 to Target Account #14 (although now he is back to TARGET ACCOUNT #5.)

126) Agents were able to identify 6918 ½ South Main Street, Los Angeles, California on March 24, 2011 which is the location that MEDINA drove to immediately after collecting \$20,000 from ORTEGA. On March 25, 2011, a surveillance operation was conducted at this location as intercepts revealed that a load of cocaine was scheduled to arrive. Based on the previous day's surveillance, I believed that the cocaine would initially be delivered to this apartment. I had intended to stop a load vehicle once it was identified after leaving this residence and then execute a search warrant at the location. However, the surveillance team did not observe anything suspicious at this apartment building or other facts demonstrating sufficient cause to obtain a warrant.

127) On March 25, 2011, agents and Pomona PD detectives seized approximately \$497,500 from MEDINA on a traffic stop. I decided not to execute a search warrant at MEDINA's residence on Peach Street after the seizure for the following reason. MEDINA left the apartment, and surveillance observed an older

woman remain at the location, likely a grandmother for the children. The Honda Civic contained personal items and luggage indicating that the family planned to stay in Mexico, at least for one night. I do not believe that MEDINA had a significant amount of contraband at his residence, such as cocaine or additional narcotics proceeds, as he was leaving the country, and would be gone at least overnight with only an elderly woman left behind to guard anything of value. Furthermore, there was additional room in the natural void on the passenger side of the Honda Civic to hold more money if MEDINA needed to transport more to Mexico. On May 24, 2011, Pomona MNU members attempted to conduct surveillance at this location; however, it appeared to be vacant.

128) Agents were also able to identify 11330 Quail Creek Road, Porter Ranch, California as the residence of an unknown associate of ICHIRO's; however, at this time, I do not have the probable cause necessary to execute a search warrant at this location. Det. Fontecchio had planned to conduct some surveillance operations with the aid of a tracking device at 11330 Quail Creek Road. However, I and other agents tried to locate the vehicle that was previously observed by our surveillance team at this location, but we have not observed the vehicle at the residence as of late. Because of this, I do not know if the same unknown male that was observed in September, 2010 at the residence is still living at this location. While I know that SALCEDO lives at 1518 E. Rio Verde, West Covina, California, and that ICHIRO used him to pick up the ransom money from ERICK, I believe that SALCEDO delivered the money to AKIRA and was kept at the Vanderwell Location.

129) Although I have identified the Budlong Location as a building where cocaine is stored, I have learned that it is kept there prior to distribution and for less than 24 hours. Therefore, executing a search warrant would be risky as agents could enter the location when all of the cocaine has already been sold, or it has not arrived at the location yet for distribution. I had a pole camera installed to monitor OLIVARES' activities at the Budlong Location. It has also been useful during surveillance operations so that surveillance units do not have to obtain a viewpoint of the residence and risk being identified by the lookouts such as MONK that OLIVARES uses. The interception of Target Telephones #3 and #4 has so far corroborated information gleaned from the pole camera, as well as provide agents with the information needed to monitor and also actively pursuing the numerous vehicles that have visited the Budlong Location to identify how they are connected to OLIVARES. For example, on June 6, 2011, I observed a vehicle with California license plate PHLW985. An inquiry to the DMV revealed that this vehicle is registered to Sergio Madalupe Bermudez of 2110 East 6th Street, Compton, California. The vehicle was last registered on July 7, 2011. Although the license plate was faded because of this, I was able to connect both of these vehicles to GUER

130) Through surveillance operations, agents identified 9760 White Oak in Northridge or Los Angeles, California, (the White Oak Location) which is another stash location used by OLIVARES to facilitate narcotics transactions. On May 19, 2011,



based on intercepts and surveillance operations, PRIMO delivered 18 kilograms of cocaine which were later given to WAKIL. The cocaine was at this location for only a few hours. Therefore, I believe that executing a search warrant at this location would jeopardize this investigation as OLIVARES would know that law enforcement had identified the White Oak Location, but it would be unlikely that agents would find narcotics there unless through the interceptions of TARGET TELEPHONE #5, that agents had prior knowledge of cocaine being kept there.

131) On July 7, 2011, members of the GPD surveillance team executed search warrants at the Berendo Location as well as the Old River School Road Location, which resulted in the seizure of approximately \$204,260, one gun, and three kilograms of cocaine.<sup>14</sup> I will continue to strategically execute search warrants in this investigation when possible.

132) Based on my training and experience, I know that records (i.e. pay/owe sheets, telephone/address books) kept by drug trafficking organizations are often vague and/or coded and therefore difficult to interpret. This DTO is also predisposed to encrypting items such as telephone numbers as discussed in previous affidavits regarding the "MASON WHITE" and "BLACK WHITE" replacement codes. Furthermore, the organization's reliance on expensive off-the-market EBDs as their primary means of communications also indicates their dependence on coded conversations and records. Therefore, even if items such as large amounts of currency were seized pursuant to a search warrant, they generally have far less prosecutorial

---

<sup>14</sup> The other \$157,132 and two kilograms of cocaine were seized from the Volkswagen Beetle driven by LEON.

value standing alone than they would if introduced in conjunction with other evidence such as surveillance observations and/or intercepted electronic communications, which serve to provide context for the evidence obtained through the search warrant.

133) In addition to the limited benefits that could be reaped by serving search warrants at this time, I believe that search warrants would likely compromise this investigation by alerting the Target Subjects and other cell members not yet identified to the ongoing investigation, thereby severely restricting law enforcement's ability to fully expose the workings of the organization. I believe that the continued electronic interception will enable me to determine when the members of the DTO will transport narcotics and/or narcotics proceeds, and will allow me to identify the locations that they will use to store those narcotics and/or narcotics proceeds.

134) The execution of the search warrant at the Devenir Location also confirmed the Target Subjects' suspicions regarding the presence of law enforcement. Previously, while they were apprehensive that law enforcement had been following ICHIRO, they still continued to distribute large amounts of cocaine. At this time, they have not determined how law enforcement knows that ORTEGA received 44 kilograms of cocaine, but they believe that he was identified via surveillance operations only and possibly through an informant. Intercepts have revealed that the organization hired an attorney to research the search warrant, and they learned that the affiant was a member of Pomona Police Department. They previously believed that ORTEGA sold narcotics on the side to an informant for Pomona PD; however, once they learned that ORTEGA tried to steal \$342,000 from them, they also believe that he stole the 29 kilograms which

were seized by law enforcement. If I executed additional search warrants now, I believe that the Target Subjects would discontinue use of the Target Facilities and flee. I believe that the continued interceptions will enable me to determine when the members of the DTO will transport narcotics and/or narcotics proceeds, and will allow me to identify the locations that they will use to store those narcotics and/or narcotics proceeds.

135) On March 22, 2010, the Honorable Stephen J. Hillman, United States Magistrate Judge authorized four search warrants (10-0597M, 10-0598M, 10-0599M, 10-0600M) for four EBDs delivered to ICHIRO, including Target Accounts #2 and #3. Unfortunately, there were no messages that had been sent from March 11, 2010 through March 22, 2010 (the timeframe allowed in the search warrant.)

136) On May 4, 2010, the Honorable Victor B. Kenton, United States Magistrate Judge authorized six search warrants (10-1048M) for the six EBDs including Target Account #1 and Target Accounts #2, #3, and #7. As described herein, this search warrant revealed vital information relating to the organization's scope of narcotics trafficking, as well as prices of cocaine, identifying relationships such as between ICHIRO and THE MECHANIC, and ALVAREZ and FELIX. However, the information gleaned from the execution of these warrants only provided me with evidence of events that have already occurred, preventing me from attempting to seize narcotics or narcotics proceeds as they are being stored or transferred.

137) Moreover, I served the aforementioned search warrant on CorCorp, INC. on May 4, 2010. On May 14, 2010, SA Kalies (who was the filter team) received the

requested data from CorCorp, INC. and began reviewing the e-mails to determine which met the criteria specified in the warrant. SA Kalies completed his review of the data on June 2, 2010 at which point, it still took me several weeks to thoroughly review all of the information contained in the messages. Due to the lengthy ongoing process that it took to obtain and review the data obtained in the search warrants, I do not believe that this is an effective method in which to dismantle the KROKOS DTO.

138) On August 24, 2010, the Honorable Stephen J. Hillman, United States Magistrate Judge authorized one search warrant (10-2101M) for Havoc@HaloSecure.ro which is used by FELIX. I had requested the search warrant as there was a communication between KROKOS and FELIX regarding expanding their narcotics trafficking activities to China and Australia. However, when I obtained the information requested in the warrant, the messages revealed that neither KROKOS nor FELIX could communicate with each other as neither of them had a translator available at the time.

139) On November 16, 2010, the Honorable Stephen J. Hillman, United States Magistrate Judge authorized search warrant 10-2803M for multiple accounts used by the Target Subjects including Target Account #9.

140) On December 6, 2010, the Honorable Alicia G. Rosenberg, United States Magistrate Judge authorized search warrant 10-2959M for four accounts, including Target Account #9. As a result of this search warrant, I was able to identify CUEVAS as the user of the account, as he took several pictures of himself and sent them to friends. When I observed the attachment, I recognized CUEVAS as the passenger that I delivered the Target Account #11 to on December 2, 2010.

141) On January 24, 2011, the Honorable Victor B. Kenton, United States Magistrate Judge authorized search warrant 11-0186M for six accounts including TARGET ACCOUNTS #5 and #9. I requested information over the Target Accounts to determine what has transpired from December 8, 2010. I also requested information for the accounts, ninja@HaloSecure.ro used by THE MECHANIC, lbc4433@HaloSecure.ro, used by FELIX, and trojan@HaloSecure.ro. However, since the information was historical, I was only able to learn about what the DTO had done.

142) I do believe that search warrants are an effective means of targeting this organization and identifying more Target Subjects and learning more information about the organization's operations and intentions. Several months ago, KROKOS had been switching from the HACKER EBD to Target Account #8. Because of this, on May 20, 2011, the Honorable Frederick F. Mumm, United States Magistrate Judge authorized search warrant 11-1156M for five accounts including TARGET ACCOUNTS #5, #8, #12, #13, and #14. On June 15, 2011, the Honorable John E. McDermott, United States Magistrate Judge authorized search warrant 11-1362M for trojan@HaloSecure.ro which was obtained to determine if ORTEGA was still alive. After reviewing the e-mails, I learned that ORTEGA was alive but was still being held against his will. It was through T-III interceptions over Target Account #14, however, that I learned that ORTEGA had been released.

143) On July 27, 2011, I obtained search warrants for TARGET ACCOUNTS #13 and #14 (11-1790M and 11-1791M, respectively) for the time period of July 16 through 27, 2011. Upon review of these e-mails, I learned that VERDUGO had supplied

another courier that KROKOS sent from one of his customers with approximately 40 kilograms of cocaine. Because I learned of this information after the fact, I was unable to identify the courier or seize a substantial amount of cocaine.

144) However, despite the success in learning historical information on the DTO, I submit that because of the lengthy process in which to obtain and receive the information requested in the search warrants, and the inability to act on any of the seized messages as they have occurred days or weeks in the past, I believe that real-time interception and the seizure of narcotics, money and other contraband in transit is the only viable means in which to fully achieve the goals of this investigation. I will continue to employ the use of search warrants in this investigation to learn about historical events as needed.

#### **Trash Searches**

145) The use of trash searches is not likely to further the goals of this investigation. At this time, I know of ICHIRO's residence, ESPINOZA's residence, CUEVAS' residence, ORTEGA's residence, MEDINA's residence, the apartment at 6918 ½ South Main Street, Los Angeles, California, the house at 11330 Quail Creek Road, Porter Ranch, California (the Quail Creek Residence,) the White Oak Location, 9211 Lochinvar, Pico Rivera, the Berendo Location, the Budlong Locations, and VERDUGO's residence where I could conduct trash searches.

146) I do not believe that a trash search would be successful at SALCEDO's and the Quail Creek residences for the same reasons as stated in the search warrant section herein. Furthermore, for the Quail Creek Location, because I have not been

able to confirm that the subject previously observed at that residence is still living there, I do not believe a trash search would be beneficial to this investigation. Furthermore, since I do not have a name of this person, a trash search, would not inform me as to whether he was still living at the residence. Also, for the same reasons as stated in the section above concerning search warrants and in the surveillance section, I do not believe that conducting a trash search at MEDINA's residence would be beneficial at this time as it does not appear that MEDINA is still residing at this location.

147) Additionally, ICHIRO's residence is located on a residential street with a low volume of vehicle and foot traffic. I believe that law enforcement would risk detection if they were to attempt a search at this location. I also believe that conducting a trash search at ICHIRO's residence would be too risky due to the proximity of the trash receptacles which are placed at the curb directly in front of the residence.

148) Moreover, I know that AKIRA warned ICHIRO about the potential for pole cameras near their residence, which was a device that agents were considering to assist with this investigation. Based on their knowledge of trackers, cellular phone susceptibility, surveillance techniques, and now pole cameras, I believe that it is unlikely that ICHIRO or AKIRA will dispose of anything incriminating in their trash receptacles.

149) As stated herein, the same reasons which prohibit agents from conducting search warrants at CUEVAS' residence exists for trash searches too. I do not believe that CUEVAS is allowed to keep any significant evidence at his grandmother's house that would assist this investigation, as he is low level member of the organization. Furthermore, CUEVAS lives with his grandmother in a gated senior living community. I

have not seen individual trash cans at this location, and I believe that the complex likely uses dumpsters instead. Messages from the Target Accounts revealed that CUEVAS and ESPINOZA's stash house is located in Compton, California, although I do not know where. Prior to learning this information, RAC Quinn attempted to conduct a trash search at ESPINOZA's residence on Dune Street in Norwalk. I had previously located a guide that listed the scheduled trash collection day at this address as occurring on Mondays. Because of this, on the evening of February 13, 2011, RAC Quinn attempted to conduct a trash search; however, RAC Quinn did not observe any garbage containers in the street or on the side of the house where trash may be left for collection. However, this attempted trash run was conducted before I learned about the Compton stash house. Because of the existence of this location and based on my training and experience, I do not believe that ESPINOZA will maintain any incriminating evidence at his residence. Furthermore, it does not appear that the organization is continuing to use ESPINOZA or CUEVAS to provide them with cocaine.

150) The consensual warrant conducted at ORTEGA's residence also revealed that he does not keep incriminating evidence at this location. RAC Quinn has conducted checks at both the business owned by ORTEGA's son ERICK and at ORTEGA's residence on multiple occasions. RAC Quinn has not observed ORTEGA at either of these locations. It is likely that ORTEGA has not returned to the United States.

151) At this time, I do not believe that conducting a trash search at 6918 ½ South Main Street, Los Angeles, California would be feasible. This residence is located in South Central, Los Angeles, and the area has a high volume of foot traffic at all hours,



making surveillance operations difficult. The complex is also extremely small with approximately eight units located behind a fence and electronic gate. I do not know if this gate is shut at night. I also do not know if the complex uses a dumpster instead of trash cans. At this time, I believe that the risks outweigh the benefits of attempting to conduct a trash search at this location.

152) On May 25, 2011, during the late evening hours, agents from the DEA VRO attempted to conduct a trash search at the Budlong Location, as during surveillance operations on May 19, 2011, I observed that trash was being collected on Thursdays in the neighborhood. Upon arrival, SA LaRock informed me that while other residences in the neighborhood had placed their trash cans on the curb, there were no garbage bins associated with the Budlong Location on the street. SA LaRock also advised that there were no lights on inside of the residence that he observed. Because OLIVARES does not live at the Budlong Location, I believe that he only places trash outside when he needs to and therefore, may not put garbage cans outside for collection if they are not full. I will attempt to conduct another trash search at this location in the future, if possible. I have not learned on what date garbage is placed outside at the White Oak Location; however, agents will attempt to conduct a trash search there in the future. While I do not believe that it will achieve the goals of this investigation, I do believe that it may assist in identifying the people who are using that location. It may also provide other useful information to this investigation such as paperwork from cellular phone activations or cocaine wrappers. A trash search was conducted when surveillance observed ORTEGA throw away the paperwork that he had received from

activating a cellular phone on April 19, 2011. On this paperwork was the telephone number that he passed to KROKOS on that same date which ENTEZARALMAHDI used to make arrangements to deliver \$300,000 to ORTEGA.

153) Search warrants were conducted at the Old River School Road Location and the Berendo Location on July 7, 2011. Therefore, law enforcement seized any incriminating items that may have been thrown out in the trash. Furthermore, since the execution of these warrants, I do not believe that the organization will continue to use these locations.

154) On July 16, 2011, I observed WAKIL throw a garbage bag into a dumpster outside of one of his fictitious businesses after meeting with OLIVARES. Member of the GPD surveillance team, including Det. Darby located the bag in the dumpster, and searched the contents. Det. Darby informed me that the bag contained no incriminating evidence.

155) I have observed that trash cans have been placed outside of VERDUGO and DANIEL's residence; however, at this time, I do not believe that agents will be able to safely extract a trash bag from them. The residence is located near a busy fast food restaurant and a strip mall. The traffic on the street also drives at a higher rate of speed than usual residential streets, which would draw attention to a vehicle slowing to grab garbage bags. If an opportunity presents itself, such as with WAKIL and ORTEGA in the past to conduct trash searches, I will attempt to seize the garbage.

156) Furthermore, I know that drug traffickers typically go to great lengths to destroy possibly incriminating evidence and frequently will not use their trash containers

to dispose of valuable information. I know that it is not uncommon for traffickers to carry trash away from their residences or places of business and place it in other commercial dumpsters to avoid its examination by law enforcement. Additionally, there has been no information that ICHIRO cuts the cocaine or repackages at his residence, creating trash such as used kilogram wrappers. Also, I do not believe that useful information would be found therein based upon the Target Subjects' awareness of law enforcement activity and the extensive lengths that they go to avoid apprehension, i.e. use of EBDs, passing of coded telephone numbers, counter-surveillance maneuvers.

#### **Interviews, Grand Jury Subpoenas, and Immunity**

157) I believe that interviews of witnesses will not be successful in developing sufficient evidence to prosecute the entire Target Organization. Interviews with narcotics traffickers and their customers are generally not productive because of such individuals' fear for their physical safety or because of their anticipated unwillingness to incriminate themselves.

158) To date investigators have only identified CS#1 as a potential witness. Other than CS#1, investigators have not identified any additional witnesses that will be able to or willing to provide any valuable information that would lead to fully identifying and dismantling the Target Organization.

159) In addition, individuals are generally not willing to testify in grand juries or at criminal trials. Based on my training and experience, I also know that it is unlikely that a member of the Target Organization high enough on the chain of command to provide much information about the Target Organization would do so at trial, even if given

immunity, out of fear of retribution against him/herself or his/her family. Given the propensity of violence already displayed by this DTO with the assassinations of Kendall and Jeffrey Ivans, and the more recent abduction and torture of ORTEGA, I believe that this is a legitimate concern.

160) Furthermore, agents have not fully identified members of the DTO that are residing in the United States aside from MERRITT, HARLOCK, DANIEL, KALES, MEDINA, ESPINOZA, AKIRA, SALCEDO, CUEVAS, VERDUGO, OLIVARES, and ICHIRO. KROKOS, MK, and ROXY are living in or near Puerto Vallarta, Mexico (based on GPS data.) ALVAREZ and FELIX reside in Culiacan, Mexico further impeding any attempt to subpoena them to testify. Also, MK and ROXY are not fully identified, further impeding any attempt to subpoena them. Moreover, because KROKOS and FELIX appear to be higher level members of the Target Organization, agents do not want to miss the opportunity to climb the ladder and target KROKOS' Canadian bosses, such as CONGO, CHIN, TATA, or FELIX's source(s) of supply, by exploiting their EBD use. Although agents have enough information to subpoena or interview ICHIRO, it is highly likely ICHIRO would refuse to cooperate with law enforcement and flee as he has previously done. AKIRA, ORTEGA, ESPINOZA, VERDUGO, DANIEL, and CUEVAS are relatives of other members of the organization and are therefore unlikely to cooperate in any interview process. OLIVARES has an outstanding warrant, and has an extensive criminal history. Because of this, I do not believe that OLIVARES would cooperate with law enforcement. Moreover, I do not believe that they know enough about the inner workings of the organization to provide significant or useful information.

Furthermore, any attempt to subpoena these subjects would alert the DTO to law enforcement's interest in the organization. ICHIRO has identified surveillance on two occasions now; therefore, I believe that if subpoenas were served on either himself or his brother, I believe that this would confirm ICHIRO's suspicions and that he would likely discontinue use of TARGET ACCOUNT #5 and flee the United States. SALCEDO was used to facilitate one narcotics transaction and collect money while ICHIRO was out of the country; however, I do not believe that SALCEDO has more information about the organization than what agents already know. Agents have considered the effectiveness of interviewing KROKOS, FELIX, and ALVAREZ, and when the time arises, agents may employ this technique. I have identified several new members of the organization, such as KALES, ENTEZARALMAHDI, and FOROOZAND. However, based on their role in the organization (they are all low level couriers,) I believe that they do not have enough knowledge of the inner workings of the organization to be helpful to this investigation. It is highly probable that agents know more about the DTO based on the interceptions than any information that the couriers could provide, as, based on my training and experience, I know that couriers' knowledge of the DTO is generally limited to what their superiors tell them. Intercepts have revealed that ALVAREZ and FELIX frequently lie to their couriers. I also believe that if a new member of the Target Organization is fully identified in the United States and was interviewed at this point, s/he would likely inform other members of the Target Organization and jeopardize the investigation.

161) ORTEGA was interviewed after the search warrant at the Devenir Location on May 5, 2011; however, ORTEGA lied throughout most of the interview providing agents with false or misleading information. Agents did not want to confront ORTEGA with his lies as it could potentially reveal the larger scope of this investigation.

162) I attempted to interview members of ORTEGA's family, including ERICK and ORTEGA's wife. However, neither of them were willing to cooperate and lied repeatedly during the interview. I believe that they were scared of the DTO and believe that they would be harmed, or ORTEGA would not be returned to them if they were to cooperate. Based on intercepts over Target Account #12, their concerns were legitimate as ALVAREZ has discussed sending people to hurt or kill ERICK and ORTEGA's wife.

163) BOROUMAND was interviewed by SA Zarrabi on June 24, 2011 pending his return to Canada to face his prior narcotics charges. I spoke with SA Zarrabi after the interview, and SA Zarrabi informed me that he believed that BOROUMAND lied to him about the cocaine that was in his vehicle. BOROUMAND stated that he was given a disposable cellular phone and that he was to go meet with a male named "Steve" who would give him a box. BOROUMAND believed that he was "set up" because when he met "Steve," "Steve" took the cellular phone from BOROUMAND and did not give it back. BOROUMAND said that the box came out of a black SUV and BOROUMAND placed it into the white SUV and left the area. IA Dalo obtained subscriber information for three of the telephone numbers that BOROUMAND used to call OLIVARES and learned that they were pay phones. Conversations between OLIVARES and BOROUMAND

indicated that BOROUMAND has been purchasing cocaine from OLIVARES for a substantial period of time. During one call BOROUMAND stated that he had spoke with OLIVARES' father, so it is likely that if BOROUMAND knew OLIVARES' father, than he probably knew OLIVARES as "Eddie" not "Steve." He also omitted that the box came from the Budlong Location.

164) On July 8, 2011, I attempted to interview LEON; however, he did not wish to speak with me without the presence of an attorney. I also interviewed CAZARES, who spoke with me briefly about his involvement in drug trafficking. CAZARES stated that he had been delivering cocaine to unknown couriers and collecting narcotics proceeds for approximately three years. CAZARES estimated that he was only asked to do this once a month. CAZARES refused to identify who he worked for in the organization citing fear for the safety of his family. On July 7, 2011, CAZARES said that he picked up the Volkswagen Beetle from LEON, drove it to his house and removed two kilograms out of four from a hidden compartment in the dashboard. CAZARES then placed the approximately \$156,319 inside the compartment to return it to LEON. During this point of the interview, CAZARES stated that he no longer wished to speak with me without the presence of his attorney.

165) I will attempt to interview BILING; however, I have been told by the arresting agents that he is not willing to speak with law enforcement. However, I do believe should BILING conduct an interview with me, that I would learn valuable information about CONGO's operation and his true identity.

166) I interviewed MERRITT and Ms. Gannion following their arrests on August 10, 2011 in connection with the seizure of approximately 23 kilograms of cocaine. MERRITT stated that he had been homeless until May of 2011, when he posted an ad on Craigslist offering his services as a driver. MERRITT stated that he was hired for several legitimate jobs, but on May 6, 2011, MERRITT picked up "Mike," who he described as a well-dressed Israeli or Jewish male in Beverly Hills. MERRITT picked up "Mike" at the Wilshire Hotel and drove him to another location within the city. "Mike" paid MERRITT \$1,000 for the trip, and hired him after that to drive and pick up bags and suitcases. MERRITT said that he was hired by "Mike" to collect money (although MERRITT claimed that it was not more than \$10,000) from wealthy customers who did not want to wire the money across the U.S. and incur taxes. MERRITT stated that he believed that it was a legal loophole. However, while MERRITT's rehearsed statements about "Mike's" business appeared to satisfy MERRITT's conscience, it was clear that MERRITT knew that he was picking up much more than \$10,000 and that what he was doing was illegal. The suitcase that MERRITT acquired from DANIEL on August 10, 2011, weighed over 50 pounds. When confronted with this information, MERRITT claimed that he'd never seen \$10,000 before and didn't know how much it would weigh. However, MERRITT knew what \$1,000 looked like since this is what "MIKE" had initially paid him; therefore, it is conceivable that MERRITT could have estimated the difference in weight between \$1,000 and \$10,000. MERRITT did not appear to care what he was transporting as this business had now afforded MERRITT an apartment in West Hollywood, and it was easy money requiring very little work from him. "Mike" coached



MERRITT on how to park in lots during meetings in order to watch for people who may try to rob him and what to say to law enforcement if he were ever pulled over. MERRITT said that he had delivered one suitcase previously to Seattle, Washington to a Hispanic male at a Denny's restaurant. During this second trip, MERRITT did not want to drive alone, so he met Ms. Gannion online the week before. MERRITT then picked her up on August 9, 2011, and told her that he had to drive to Washington to deliver a suitcase containing costumes and scripts for a film production company which employed him. Ms. Gannion never saw the suitcase, and based on both interviews, was merely used by MERRITT to split the responsibilities of a long drive across three states. Ms. Gannion had agreed to the trip because she'd never been to Seattle before and was hoping to start a romantic relationship with MERRITT.

167) MERRITT stated that when he was "hired" by "Mike" that he filled out an "application." I asked him if this was on a form or a document with an official appearance, and MERRITT responded that he just wrote out the names and addresses of his family, friends, and himself on a notebook style piece of paper. MERRITT said that "Mike" asked for this information in case MERRITT ever stole any of the money, "Mike" would know how to find MERRITT. "Mike" would also provide MERRITT with a disposable phone on almost a weekly basis. "Mike" number would be programmed into it.

168) Prior to the meeting on August 10, 2011, MERRITT was told to call "Ricky" and state that his name was "Dave." MERRITT was also supposed to bring a dollar bill with him to give to "Ricky" as confirmation. This is what lead to the delay in the

transaction that Det. Darby observed as the serial number on the bill that MERRITT gave to DANIEL did not match the number that had previously been sent to DANIEL on the STA EBD. Based on the information provided by MERRITT, I believe that he was hired by "MIKE" and that "MIKE" works for CONGO. I am also attempting to confirm if "MIKE" is the same person who was a transportation coordinator (also used by CONGO in 2010 that CS#3 had met.)

169) After WAKIL's arrest on July 18, 2011, an unknown female contacted the DEA Flagstaff office and stated that WAKIL wanted to provide information to DEA; however, while arrangements were being made to interview WAKIL, WAKIL decided that he did not want to speak with law enforcement.

170) I do not believe that grants of immunity would be particularly successful in this case because the Target Organization has shown itself to be compartmentalized and sophisticated. In fact, the Target Organization has implemented a communications policy to include the utilization of various EBDs, the acquisition of prepaid cellular telephones for specific narcotics shipment, the abandoning of devices when compromised, compartmentalizing communications with particular coconspirators to particular devices, and the use of coded language in conversations.

#### **Consensual Recordings and E-mails**

171) Since consensual recordings and e-mails are merely recorded or documented conversations of an undercover agent or confidential informant, they are subject to the same limitations pertaining to confidential informants and undercover agents discussed above. Several consensual recordings have been placed between

Det. Fontecchio and KROKOS as well as one with TITO. The main focus of the conversations between KROKOS and Det. Fontecchio pertained to the acquisition of the EBDs. The only recorded call with TITO and Det. Fontecchio related to setting up a cocaine purchase which never occurred. I also obtained recorded calls to Target Telephone #1 and (562) 416-5515; however, since the nature of these calls was limited to the purpose of distributing Target Account #11, I was unable to elicit the information that is likely to be obtained via interception of Target Telephone #1 had the phone remained active.

172) When KROKOS received the original PS EBDs, numerous e-mails were captured utilizing the undercover identity. I have continued to maintain a relationship with KROKOS since that time; however, the message strings that I participate in with KROKOS are limited to his perception of the undercover identity as a narcotics customer which restricts the nature of discussions that I could initiate with KROKOS without arousing suspicion. Additionally, as stated herein, I have no plausible reason in which to contact any of the other Target Subjects which eliminates the possibility of obtaining any recorded e-mail messages. Because of this, I believe that future attempts to obtain consensual recordings or encrypted e-mails with regard to KROKOS, ICHIRO, or other members of the DTO will be impeded for the aforementioned reasons.

#### **Other Interceptions**

173) As listed in Attachment A, herein, prior interceptions have been conducted in this investigation. Because KROKOS, ICHIRO, VERDUGO, and other members of

the DTO use multiple facilities in which to communicate with each other, this investigation has also had to exploit each of these communications.

174) KROKOS, MK, and ICHIRO, as well as others, have been identified as using some or all of these methods to deliver pertinent information to other Target Subjects in this investigation: SMS messaging, Pin to Pin communications, encrypted e-mail messages, messages sent through Facebook, conference calls conducted through Skype, and frequent and revolving use of disposable telephones.

175) A subpoena that I served upon Facebook using a personal e-mail address that KROKOS provided to customs officers during his stop on October 21, 2010, yielded negative results on February 16, 2011. I also requested any Facebook account information based on KROKOS' name and date of birth, which also did not produce any results.

176) Without MK providing further details regarding his use of Skype, I am unable at this time to identify his account. I know that he sometimes frequents internet cafés in and around the Puerto Vallarta area, therefore, if SA Sobin is able to identify MK, I may be able to access his account either through surveillance operations which may reveal which internet cafés that he uses or through subscriber information, if the account is in his name (although this is less likely.)

177) To date, I have attempted to acquire authorization for two telephones which were both discontinued prior to receiving approval. I was able to receive authorization to intercept Target Telephones #1 and #2; however, use of Target Telephone #1 ceased before interception began. Target Telephone #2 only intercepted

incoming calls while ICHIRO was in Mexico consequently eliminating half of ICHIRO's communications. Furthermore, interception revealed that Target Telephone #2 is used primarily as a personal telephone for ICHIRO, with a few pertinent calls being intercepted, but none that have so far discussed the DTO's plans or illegal activities in as much detail as is obtained via the TARGET ACCOUNTS. Therefore, while some illegal communications were intercepted over Target Telephone #2, and ICHIRO was using this to facilitate his narcotics trafficking activities, the intercepts obtained via the TARGET ACCOUNTS have been far more useful in furthering the goals of this investigation.

178) As stated herein, interceptions over TARGET ACCOUNTS have been impeded for several reasons. ICHIRO left the United States from August 2010 until February 2011. This hindered the investigation from making seizures of money or narcotics from ICHIRO, conducting surveillance, or learning more about the organization's cocaine trafficking activities as ICHIRO had been in Mexico. I have coordinated some enforcement activities, as necessary, while ICHIRO was out of the country to prevent ICHIRO from acquiring EBDs from other companies which we cannot intercept. However, I was unsuccessful in intercepting the Esoteric EBDs that KROKOS delivered to ICHIRO and ALVAREZ personally in Puerto Vallarta, Mexico. I am also working with authorities in Mexico to identify MK. I know that MK coordinated with BUCKY in order to supply cocaine to KROKOS; however, the last sample that they brought to JAKE on behalf of KROKOS did not meet the quality standards and was therefore rejected. Such rejection also occurred in January of 2011, prior to interception of Target Account #9, but I did not learn about that meeting until after the fact through the

execution of search warrants. MK's use of Target Account #9 has further impeded this investigation as, during the first half of the February, 2011 interception period, agents were only intercepting one side of the conversation.

179) The interceptions of Target Telephones #3 and #4 have been extremely productive, although they have revealed how large OLIVARES' narcotics trafficking activities currently are. Recently, agents learned that OLIVARES began using TARGET TELEPHONE #5 to conduct his cocaine trafficking activities. To date, agents have not been able to identify all of OLIVARES' sources of supply, such as CHENCHO.

180) I know of no other electronic or wire interceptions currently being conducted by law enforcement involving the TARGET FACILITIES or OLIVARES, VERDUGO, RINGO, GUERO, and ICHIRO or the other Target Subjects other than what has been discussed herein. Interception of the TARGET FACILITIES is necessary to determine the full scope of the Target Organization's narcotics trafficking operations and to identify its members in and around Los Angeles County.

#### **Financial Investigations**

181) To date, I have attempted to identify any assets that ICHIRO or the other Target Subjects might possess within the United States without success. During interviews with CS#1, s/he informed me that s/he was only aware of bulk currency transactions between members of the DTO and their sources of supply in Mexico. CS#1 was not privy as to when the bulk currency would arrive but would simply be instructed to meet at a location during which the bulk currency would have already been laid out on a table. CS#1 stated that the money was stacked on the table, and that s/he

never saw the packaging material used to carry the narcotics proceeds. This prevented CS#1 from surmising as to how the money arrived at the location. For example, if CS#1 had to remove vacuum sealed bags that emitted the odor of gasoline, CS#1 would know that the money was concealed in gasoline tanks while crossing the U.S./Mexico border.

182) Additionally, since most members of the DTO fully identified to date are not United States citizens, they are not assigned social security numbers, pay taxes, or have credit reports. I received salary and employment information for ICHIRO through 2009 which indicated that he worked for Action Youth America and made approximately \$7,500 in 2009. Based on the GPS data from Target Account #2, the surveillance operations on ICHIRO, and intercepted communications, I do not believe that ICHIRO is currently employed. I have not observed any coordinates on a regular basis at a business location where I could determine that it was a place of employment for ICHIRO. Both ICHIRO (in the e-mails from the search warrants) and KROKOS have stated that he attends school. I have observed that Target Account #2 has sent GPS coordinates from Lassalette Elementary School in LaPuente, California. The GPS data typically places Target Account #2 on the playing fields behind the school. Additionally, ICHIRO is 30 years old, and Lassalette Elementary School teaches students up until the eighth grade. I have not observed Target Account #2 send a GPS coordinate from a college or university. Furthermore, since ICHIRO was in Mexico for six months, he has likely lost any legitimate means of employment that he may have had while he was living in the United States.

183) I also obtained results back from an inquiry on AKIRA, SALCEDO, CUEVAS, and ESPINOZA's possible employment status. The inquiry revealed that the database was unable to locate records of salary or employment information for SALCEDO, CUEVAS, or ESPINOZA. It did return that AKIRA was once employed by FedEx. Additionally, I know that, based on my training and experience, obtaining tax returns or credit reports may be helpful in tracing legitimate proceeds collected by the Target Subjects for lawful employment, it is highly unlikely that the information will lead to the identification of the Target Subjects' transporters, financiers, distributors, and customers and achieve the goals of this investigation. I know that ORTEGA used to work for his son at Axel Advanced Exterminators through surveillance operations; however, even though he maintained a legitimate means of employment, this did not prevent ORTEGA from making money through illegal measures. On April 20, 2011, ALVAREZ sent ORTEGA a message via Target Account #12, which outlined the payment that ALVAREZ, KROKOS, and ORTEGA were supposed to make from the 19 kilogram cocaine transaction on April 18, 2011. The message read, "Yes no prob. Just one question did. You [sic] receive [sic] my other message about the paper things. Was that understandable??? So in others [sic] words there's. [sic] 84,600 that is up fronted [sic] for us to save for next load and. [sic] 10 is for you and 8,900 mine and 9,500 our buddy. And left over is 84,600 for next load witch [sic] is net week cus (because) its [sic] vacation". When ALVAREZ wrote, "10 is for you and 8,900 mine and 9,500 our buddy", I know, based on my knowledge of this investigation, that "10" represents



\$10,000 for ORTEGA, "8,900" is for \$8,900 for ALVAREZ, and "9,500" is KROKOS' broker fee of \$9,500 for arranging the transaction.

184) Previously, SLO Det. Wells and ICE agents were working on a financial investigation into ICHIRO's family based on several SARs and CTRs that DEA's Financial Investigation Group supplied to me. The SARs and CTRs indicated that ICHIRO's mother, Estella was depositing money into Maria Hernandez's bank accounts. Over the course of a few months, over \$100,000 was deposited. However, there has been little progress in the financial investigation, and I believe, it is because this organization primarily relies on bulk currency smuggling as opposed to money laundering techniques involving the banking systems.

185) The seizures on March 25, 2011 and July 7, 2011 of approximately \$497,795 and \$361,392 respectively confirmed agents' theories that the organization is utilizing bulk smuggling methods in order to transport the money back into Mexico. Because of this, a financial investigation will not achieve the goals of this investigation as this seizure confirmed that this is the organization's primary method for laundering money.

186) To date, FIG Analyst Platt has conducted a large financial investigation into the money laundering and structuring activities of WAKIL. However, until agents intercepted WAKIL ordering cocaine from OLIVARES, Analyst Platt had a circumstantial case against WAKIL's involvement in narcotics trafficking. Although Analyst Platt knew that WAKIL would fly into the Los Angeles area, stay for a few days, and then leave typically in conjunction with a FedEx overnight shipment, all of this information was

historical. Thereby preventing Analyst Platt from acting on this intelligence as WAKIL's activities were random and did not follow a specific schedule. Therefore, without the interception of WAKIL over Target Telephone #3 and the subsequent seizure of approximately 48 kilograms, Analyst Platt would have had a structuring case to indict WAKIL on, and possibly some money laundering charges.

187) Analyst Platt has also been attempting to locate employment, banking, or other financial records pertaining to OLIVARES; however, he has not been able to identify any accounts as of yet. Based on intercepts over Target Telephones #3 and #4, OLIVARES purchased a Porsche Panamera for somewhere between \$120,000 and \$130,000 cash and a watch for \$125,000. Analyst Platt is also conducting a financial investigation on SALINAS; however, based on the June 9<sup>th</sup> and 10<sup>th</sup> cocaine transaction with ICHIRO, where ICHIRO picked up money from UF1, I do not believe that a financial investigation will reveal the identities of who SALINAS works for, nor how or when he delivers cocaine to other couriers to take it to Canada.

188) During the course of electronic interception, agents believe they will determine additional insight into the organization's money laundering and money transporting methods, as well as identify crucial assets. Agents will continue to investigate the financial dealings of the Target Organization and attempt to exploit the Target Subjects' money laundering methods as a function of their narcotics dealings.

#### **Police Reports/Arrest Records/Record Checks**

189) I have reviewed the criminal histories and myself and other investigators participating in this investigation have queried additional databases for each of the fully

identified Target Subjects. I have incorporated any relevant information obtained herein. However, at this time, since I do not have several of the Target Subjects fully identified, there are no other police reports or records checks that I can conduct that will assist in meeting the goals of this investigation.

#### MINIMIZATION

190) Pursuant to 18 U.S.C. § 2518(5), the interception may be conducted in whole or in part by government personnel (full or part-time), or by an individual operating under a contract with the government, acting under the supervision of investigative or law enforcement officers authorized to conduct the interception.

191) The review shall be conducted in such a way as to minimize the interception of communications not otherwise subject to interception pursuant to the Order. All electronic messages will be reviewed, in the first instance, by one or more monitors contracted to DEA, who will read all of the messages. The monitors will be located in the Central District of California. The monitors will review the contents of messages in accordance with the standards set forth in the preceding paragraph, and will forward only the pertinent, non-privileged passages to the rest of the agents and prosecutors. The monitors will not be used in the investigation of the substantive crimes or otherwise participate in the Title III interceptions of the Target Subjects. Although all electronic target communications will be intercepted, both pertinent and non-pertinent, and minimization will occur after-the-fact, not in real time, the monitors will be instructed not to pass minimized information to the other agents or prosecutors. The minimized messages will be retained and filed under seal with the Court. A memorandum outlining

all of the guidelines for minimization and application of privileges, as well as a copy of the application and Order, will be provided to all monitors. The server which houses the data for the TARGET ACCOUNTS is located in Herndon, Virginia.

192) All intercepted electronic communications will be recorded and all recordings will be securely preserved. Reports detailing the course of the interception will be filed with the Court after the 15th day following the commencement of interception pursuant to the Court's order.

193) All wire interceptions will be minimized in accordance with Chapter 119, Title 18, United States Code. Interception of wire communications will be suspended immediately when it is determined through voice identification, physical surveillance, or otherwise, that the Target Subjects or other co-conspirators are not participants in the conversation. Agents will monitor all wire communications to determine if a party to a conversation is a conspirator. Monitoring will be discontinued if, while making this identification, agents determine that the conversation does not involve the Target Subjects, is not criminal in nature, or constitutes a privileged communication. If monitoring is discontinued, monitoring agents will spot check the conversation in order to determine whether the conversation becomes criminal in nature.

194) It is anticipated that messages intercepted will be in English and Spanish. I expect to use English and Spanish speaking DEA agents, task force officers, and contract personnel, acting under the supervision of the investigative or law enforcement officers who are authorized to conduct interception. Therefore, it is expected that experts in the Spanish language will be available for translation and for

monitoring purposes during the proposed interceptions. Pursuant to 18 U.S.C. 2518(5), the following after-the-fact minimization procedures will be established:

a. If a Spanish translator is reasonably unavailable to minimize conversations as they occur, all such conversations will be intercepted in their entirety;

b. In the event the translator is not a federal agent or task force officer (TFO), the translator will be under the supervision of a federal agent or TFO; conversations will be minimized by the translator and an English translation of the pertinent criminal conversations will be furnished to the supervising federal agent or TFO;

c. Conversations which include suspected coded language will be recorded in their entirety until experienced federal agents or TFOs have eliminated suspected coded language as being unrelated to the offenses giving rise to this interception;

d. Intercepted wire conversations will be recorded and all recordings will be securely preserved. Logs will be prepared regarding the date and time of calls, the particulars involved, the subject of the call, and if and when minimization occurred;

e. Reports detailing the course of the interception will be filed with the Court on or about the 15<sup>th</sup> day following the commencement of the interception pursuant to the Court's Order.

195) The requested order is sought for a period of time until the interception fully reveals the manner in which the Target Subjects participate in the Target Offenses, or for a period of 30 days, whichever is earlier. For TARGET ACCOUNT #13, pursuant to 18

U.S.C. § 2518(5), the 30 day interception period will run from the date of the Court's Order (defined as 24 hour periods). For TARGET ACCOUNT #5 and TARGET TELEPHONES #5 and #6, the 30 day interception period will run from the date interception begins or ten days after the Court's order is entered, whichever is earlier, (the "Interception Period").

196) Because officers, detectives, and investigators from the other law enforcement officers work closely with the DEA and ICE, and their further participation would aid this investigation, it is requested that they be authorized to assist investigative and law enforcement officers of the United States in conducting this electronic surveillance, including monitoring and receiving disclosure of intercepted communications. These participating officers, detectives and investigators may be deputized by the DEA and ICE to make arrests for offenses enumerated in Title 18, Section 2516, pursuant to Title 18, Section 2510(7).

197) Pursuant to 18 U.S.C. § 2518(5), it is requested that, if necessary, government personnel or other individuals operating under a contact with the government, such as monitors or interpreters and acting under the supervision of an investigative or law enforcement officer authorized to conduct the interception, be authorized to assist in conducting this electronic surveillance and to receive disclosure of intercepted communications. The custody of the disks, once sealed, will be maintained by the Drug Enforcement Administration.