

U.S. DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
FILED

2019 SEP 10 P 4 07

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN C. DRIES

CLERK

Case No. 19 CR 151

[21 U.S.C. §§ 841(b)(1)(A),
(b)(1)(B), and 846; 18 U.S.C. §§
924(c)(1)(A), 1956, and 2]

RUBEN ORTIZ, JR.,
ALEJANDRO LOPEZ,
FRANCISCO MARTINEZ,
HECTOR M. GOMEZ-SALAS,
OSCAR ALONSO,
GABIEL Y. BONILLA,
CEDRIC D. COHEN,
TERRY A. JOHNSON,
RICHARD D. GUYETTE,
JAMES H. PARKINSON, and
STEPHANIE M. ORTIZ,

Green Bay Division

Defendants.

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. Beginning in approximately May 2017, and continuing until on or about August 2, 2019, in the State and Eastern District of Wisconsin and elsewhere,

**RUBEN NMI ORTIZ, JR.,
ALEJANDRO NMI LOPEZ,
FRANCISCO NMI MARTINEZ,
HECTOR M. GOMEZ-SALAS,
OSCAR NMI ALONSO,
GABIEL Y. BONILLA,
CEDRIC D. COHEN,
TERRY A. JOHNSON, and**

RICHARD D. GUYETTE

knowingly and intentionally conspired with each other and with persons known and unknown to the grand jury, to distribute and possess with the intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

2. The quantity of drugs involved in the conspiracy involved 1 kilogram or more of a mixture and substance containing heroin, a Schedule I controlled substance; 5 kilograms or more of a mixture and substance containing cocaine, a Schedule II controlled substance; 28 grams or more of a mixture and substance containing cocaine base, in the form of "crack" cocaine, a Schedule II controlled substance; in excess of 400 grams of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule I controlled substance; 50 grams or more of a mixture and substance containing methamphetamine, a Schedule II controlled substance; and a mixture and substance containing marijuana, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about January 14, 2019, in the State and Eastern District of Wisconsin and elsewhere,

**RUBEN ORTIZ, JR., and
STEPHANIE M. ORTIZ**

knowingly conducted, and caused to be conducted, a financial transaction, namely, the issuance of an Associated Bank cashier's check ending in 4798, payable to Driven Auto Sales in the amount of \$5,000, for purposes of purchasing a 2015 Tesla Model S automobile.

2. The transaction occurred through a financial institution and occurred in and affected interstate commerce.

3. The transaction involved the proceeds of and was committed in furtherance of a specified unlawful activity, namely, conspiracy to distribute controlled substances, in violation of Title 21, United States Code, Sections 841 and 846.

4. While conducting the financial transactions, Ruben Ortiz Jr. and Stephanie Ortiz knew that the money involved in the financial transaction represented proceeds of some form of unlawful activity.

5. While conducting the financial transaction, Ruben Ortiz Jr. and Stephanie Ortiz knew that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and the control of the proceeds of a specified unlawful activity.

All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 10, 2019, in the State and Eastern District of Wisconsin,

**OSCAR NMI ALONSO and
JAMES H. PARKINSON**

knowingly and intentionally attempted to possess with the intent to distribute 500 grams or more of a mixture and substance containing cocaine, a Schedule II controlled substance..

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), 846, and Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 10, 2019, in the State and Eastern District of Wisconsin,

**OSCAR NMI ALONSO and
JAMES H. PARKINSON**

knowingly and intentionally attempted to possess with the intent to distribute a mixture and substance containing at least 100 grams of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), 846, and Title 18, United States Code, Section 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 17, 2019, at XXXX Elm Street, Green Bay, in the State and Eastern
District of Wisconsin,

ALEJANDRO NMI LOPEZ

knowingly and intentionally possessed with the intent to distribute a mixture and substance
containing at least 500 grams or more of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), and Title
18, United States Code, Section 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about June 17, 2019, at XXXX Elm Street, Green Bay, in the State and Eastern District of Wisconsin,

ALEJANDRO NMI LOPEZ

knowingly possessed firearms in furtherance of the drug trafficking crimes charged in Counts One and Five of this indictment.

2. The firearms are more fully described as one Smith and Wesson handgun, model number PPK/S-1, serial number 8516BAT; one Anderson manufacturing AM-15 rifle, serial number 18262043; and one Remington 12 gauge shotgun, model number 870 Express, serial number RS13293-G.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 17, 2019, at XXX S. Webster Avenue, Green Bay, in the State and Eastern District of Wisconsin,

TERRY A. JOHNSON

knowingly and intentionally possessed with the intent to distribute 28 grams or more of cocaine base in the form of "crack cocaine," a Schedule II controlled substance, and a mixture and substance containing heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about June 17, 2019, at XXX S. Webster Avenue, Green Bay, in the State and Eastern District of Wisconsin,

TERRY A. JOHNSON

knowingly possessed firearms in furtherance of the drug trafficking crimes charged in Counts One and Seven of this indictment.

2. The firearms are more fully described as one ATI rifle, serial number A304026; one Leinad 9 mm handgun, model number M-11, serial number 94-0001673; and one Phoenix Arms .22 handgun, model number HP22, serial number 4028778.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 17, 2019, at XXXX Farlin Avenue, Green Bay, in the State and Eastern District of Wisconsin,

CEDRIC D. COHEN

knowingly and intentionally possessed with the intent to distribute a mixture and substance containing cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about June 17, 2019, at XXXX Farlin Avenue, Green Bay, in the State and Eastern District of Wisconsin,

CEDRIC D. COHEN

knowingly possessed a firearm in furtherance of the drug trafficking crimes charged in Count One and Nine of this indictment.

2. The firearm is more fully described as one FNH .40 caliber handgun, model number FNX-40, serial number FX2U029399.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

Between June 17, 2019, and August 2, 2019, in the State and Eastern District of Wisconsin and elsewhere,

RICHARD D. GUYETTE

knowingly and intentionally possessed with the intent to distribute in excess of 400 grams of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A), and Title 18, United States Code, Section 2.

NOTICE OF FORFEITURE

1. Upon conviction of any of the controlled substance offenses, the defendants shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violations, including but not limited to a sum of money representing the amount of proceeds obtained as a result of the offenses.

The property subject to forfeiture includes:

- a. One 2007 Mercedes Benz S550 Sedan, VIN WDDNG86Z77A136379;
- b. Approximately \$2,661.00 in U.S. currency seized on August 2, 2019, from Richard Guyette;
- c. Approximately \$1,664.00 in U.S. currency seized on June 17, 2019, from XXXX Farlin Street, Green Bay, Wisconsin, the residence of Cedric Cohen;
- d. Approximately \$13,701.00 in U.S. currency seized on June 17, 2019, from XXXX Elm Street, Green Bay, Wisconsin, the residence of Alejandro Lopez;
- e. One 2007 Cadillac Escalade, VIN 1GYFK63857R204589, seized on May 24, 2019, in Fond du Lac County, Wisconsin;
- f. Approximately \$7,548.00 in U.S. currency seized from Stephanie Martinez on June 20, 2019;
- g. One 2010 Buick Enclave, VIN 5GALRBED21J122138, seized on May 10, 2019, in Manitowoc County, Wisconsin;
- h. Approximately \$2,463.00 in U.S. currency seized on May 10, 2019, from James Parkinson in Manitowoc County, Wisconsin; and

i. Approximately \$2,373.00 in U.S. currency seized on June 17, 2019, from
XXX S. Webster Avenue, Green Bay, Wisconsin, the residence of Terry
Johnson.

2. If any of the property described above, as a result of any act or omission by a
defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to,
or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been
substantially diminished in value; or has been commingled with other property which cannot be
subdivided without difficulty, the United States of America shall be entitled to forfeiture of
substitute property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL:



FOREPERSON

Dated: Sept. 10th, 2019

for Kelly B. Krueger
MATTHEW D. KRUEGER
United States Attorney