

Beginning at least as early as September 3, 2011, and continuing until at least on or about December 18, 2014, in the Northern District of Ohio, Eastern Division, and elsewhere, GILBERT MENDEZ, JOSEPH VELEZ, ALEXANDER FEBRES, ISRAEL CORTES, ERICK MENDEZ, and PARIS VALLES, the defendants herein, did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree together and

with each other, and diverse others known and unknown to the Grand Jury, to possess with intent to distribute and to distribute a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance. As to defendants GILBERT MENDEZ, JOSEPH VELEZ, and ALEXANDER FEBRES, those defendants conspired to possess with intent to distribute and to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A). As to defendants ISRAEL CORTES, ERICK MENDEZ, and PARIS VALLES, those defendants conspired to possess with intent to distribute and to distribute a mixture or substance containing a detectable amount of cocaine in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

MANNER AND MEANS OF THE CONSPIRACY

A. It was part of the conspiracy for GILBERT MENDEZ to distribute cocaine purchased from suppliers.

B. It was further part of the conspiracy for GILBERT MENDEZ, JOSEPH VELEZ, ERICK MENDEZ, and PARIS VALLES to reconstitute or “re-rock” cocaine purchased from suppliers for redistribution.

C. It was further part of the conspiracy for ALEXANDER FEBRES to allow GILBERT MENDEZ to store cocaine at a house owned by FEBRES located on West 54th Street, Cleveland, Ohio.

D. It was further part of the conspiracy for PARIS VALLES to allow GILBERT MENDEZ and JOSEPH VELEZ to “re-rock” and store cocaine at a house owned by VALLES on Finn Avenue in Cleveland, Ohio.

E. It was further part of the conspiracy for ISRAEL CORTES to permit GILBERT MENDEZ to use his auto body shop, Mr. Chassis Auto Body, located on West 63rd Street, Cleveland, Ohio, to sell cocaine.

F. It was further part of the conspiracy that the conspirators conducted counter-surveillance while engaging in drug trafficking activity in order to identify the potential presence of law enforcement.

G. It was further part of the conspiracy that the conspirators conducted drug trafficking activity by using telephones to make and receive telephone calls and to send and receive text or other electronic messages. To reduce the risk of being detected by law enforcement, and to conceal the identity of the person using the device, co-conspirators often used cellular telephones that had been obtained in the names of other persons or in fictitious names.

H. It was further part of the conspiracy that the conspirators, when using cellular telephones or text messaging to conduct drug trafficking activity, used slang terms, street terminology, or code words or phrases to obscure and disguise the true nature of their activities and the true meaning of their conversations.

ACTS IN FURTHERANCE OF THE CONSPIRACY

In furtherance thereof, and to effect the goals and conceal the existence of the conspiracy, the defendants and others performed overt acts in the Northern District of Ohio and elsewhere, including, but not limited to, the following:

1. On September 3, 2011, persons cooperating with law enforcement (hereinafter "CS 1" and "CS 2") met with GILBERT MENDEZ at a now defunct club in downtown Cleveland, Ohio. The meeting between MENDEZ and CS 1 and CS 2 occurred inside of the "VIP" room at a now defunct club in downtown Cleveland. CS 1 and CS 2 spoke with MENDEZ about purchasing cocaine. MENDEZ told CS 1 and CS 2 to meet with him the next time they were at the bar.

2. On September 30, 2011, CS 1 and CS 2 met with GILBERT MENDEZ and ALEXANDER FEBRES at a now defunct club in downtown Cleveland, Ohio. CS 1 discussed purchasing cocaine with FEBRES. FEBRES attempted to have cocaine delivered to the establishment; however, the cocaine never arrived at this location. FEBRES told CS 1 that FEBRES would meet with CS 1 at a now defunct club in downtown Cleveland on October 1, 2011. FEBRES quoted CS 1 a price of \$1,200 for one ounce of cocaine.

3. On October 7, 2011, CS 1 and CS 2, under the direction of law enforcement, made a controlled purchase of 21.4 grams of cocaine from ALEXANDER FEBRES and an unidentified male. CS 1 gave FEBRES \$1,200 for the cocaine. The unidentified male handed CS 1 the cocaine. FEBRES told CS 1 that the cost of the cocaine was \$1,300 and that they would settle the remaining amount at a later date.

4. On or about November 20, 2011, CS 1, under the direction of law enforcement, met with ALEXANDER FEBRES and paid FEBRES the \$100 that CS 1 owed FEBRES for the cocaine transaction that occurred on October 7, 2011.

5. On August 19, 2013, at approximately 7:08 p.m., a person cooperating with law enforcement (hereinafter "CS 5") placed a consensually monitored and

recorded telephone call to GILBERT MENDEZ, during which CS 5 had a conversation with GILBERT MENDEZ. During the conversation, MENDEZ and CS 5 arranged to meet in Lakewood, Ohio, to discuss a cocaine purchase.

6. Shortly thereafter, on August 19, 2013, CS 5, at the direction of law enforcement, met with GILBERT MENDEZ at an apartment complex in Lakewood, Ohio. MENDEZ drove CS 5 around the Lakewood, Ohio, area. While driving, MENDEZ and CS 5 discussed the purchase of cocaine. CS 5 gave MENDEZ \$4,000 in law enforcement funds to purchase cocaine. MENDEZ informed CS 5 that he would have the cocaine for CS 5 the following day. MENDEZ returned to the same parking lot where MENDEZ picked up CS 5. MENDEZ dropped off CS 5 at CS 5's vehicle and left the area.

7. On August 21, 2013, at approximately 4:28 p.m., CS 5 received an incoming, monitored, and recorded telephone call from GILBERT MENDEZ. During the conversation, MENDEZ instructed CS 5 to pick him up at "Izzy's" (ISRAEL CORTES' shop located on West 63rd Street, Cleveland, Ohio). CS 5 told MENDEZ that CS 5 would meet MENDEZ in twenty minutes.

8. On August 21, 2013, at the direction of law enforcement, CS 5 entered Izzy's shop, as referenced in paragraph 7 above. CS 5 met with MENDEZ inside. MENDEZ gave CS 5 the cocaine and told CS 5 that when CS 5 wanted to purchase more cocaine, MENDEZ's supplier told him that he would give CS 5 "extras (more cocaine than what CS 5 was paying for)." MENDEZ told CS 5 that there were "five there (five ounces of cocaine)." The cocaine weighed approximately 143 grams.

9. On August 23, 2013, at approximately 3:35 p.m., CS 5 received an incoming, monitored, and recorded telephone call from GILBERT MENDEZ. During the conversation, CS 5 and MENDEZ arranged to meet on Monday, August 26, 2013, to conduct a drug sale.

10. On August 27, 2013, at approximately 9:35 a.m., CS 5 placed an outgoing, monitored, and recorded telephone call to GILBERT MENDEZ wherein CS 5 and MENDEZ had a conversation. During the conversation, MENDEZ offered to come and meet CS 5 to conduct a cocaine sale. CS 5 and MENDEZ agreed to talk later in the day.

11. On August 27, 2013, at approximately 4:52 p.m., CS 5 placed an outgoing, monitored, and recorded telephone call to GILBERT MENDEZ wherein CS 5 had a conversation with GILBERT MENDEZ. During the conversation, MENDEZ instructed CS 5 to meet him at "our buddy's spot" (ISRAEL CORTES' shop located on West 63rd Street, Cleveland, Ohio). MENDEZ and CS 5 agreed to meet in half an hour.

12. Shortly thereafter, at the direction of law enforcement, CS 5 traveled to West 63rd Street, Cleveland, Ohio. CS 5 entered ISRAEL CORTES' shop. A short time later, GILBERT MENDEZ arrived. MENDEZ told CS 5 to come with him. CS 5 entered MENDEZ's vehicle. MENDEZ drove CS 5 away from the West 63rd Street location. MENDEZ drove around the area in a manner consistent with someone conducting counter-surveillance. While driving, MENDEZ told CS 5 that he would sell CS 5 the cocaine either later that evening or early the following morning after he obtained the cocaine from his supplier. MENDEZ told CS 5 not to talk with him about money or drugs on the telephone. MENDEZ told CS 5 that he would give him extra cocaine during this sale. MENDEZ and CS 5 discussed where future cocaine sales would occur.

MENDEZ told CS 5 that he would call CS 5 once he had obtained the cocaine. MENDEZ told CS 5 that he would use coded language to indicate that MENDEZ and CS 5 could meet to complete the sale and that the coded language would be, "Let's go get some breakfast at Willie's." MENDEZ instructed CS 5 to place the money for the cocaine in the glove box of MENDEZ's car so that people would not know that MENDEZ and CS 5 were conducting a drug sale at the auto body shop. Per MENDEZ's instruction, CS 5 placed \$5,000 in the glove box of MENDEZ's car.

13. On August 28, 2013, at approximately 4:20 p.m., CS 5 received an incoming, monitored, and recorded telephone call from GILBERT MENDEZ wherein CS 5 had a conversation with GILBERT MENDEZ. During the conversation, MENDEZ, told CS 5, "When you get a chance, the sooner the better, go over my buddy's shop (ISRAEL CORTES' shop located at West 63rd Street, Cleveland, Ohio) over there. He will give you an estimate (MENDEZ's associate had the cocaine that CS 5 purchased). And then he will tell you when to fix it." CS 5 said, "Oh, okay." MENDEZ replied, "Yeah, just over there, just go holler at him. He will be over there waiting, he's waiting for you."

14. On August 28, 2013, at the direction of law enforcement, CS 5 traveled to West 63rd Street, Cleveland, Ohio. CS 5 met with ISRAEL CORTES. CS 5 told CORTES he was there for the "estimate." CORTES told CS 5 that the "estimate" was in the back of the black truck in a box. CORTES told CS 5 to get the "estimate" out of a black truck that was parked next to the autobody shop. Per the instructions of CORTES, CS 5 went to the black truck and retrieved the cocaine. The cocaine weighed 240.10 grams.

15. On September 4, 2013, at approximately 12:19 p.m., CS 5 placed an outgoing, monitored, and recorded telephone call to GILBERT MENDEZ, wherein CS 5

had a conversation with MENDEZ. During the conversation, MENDEZ and CS 5 arranged to meet on Friday, September 6, 2013, in order for CS 5 to make the final payment for the cocaine transaction that occurred on August 28, 2013.

16. On September 5, 2013, at approximately 5:37 p.m., CS 5 placed an outgoing, monitored, and recorded telephone call to GILBERT MENDEZ, wherein CS 5 had a conversation with MENDEZ. During the conversation, CS 5 told MENDEZ, "I would like to see you at the restaurant." (ISRAEL CORTES' shop on West 63rd Street, Cleveland, Ohio)." Later in the conversation, MENDEZ told CS 5, "I want to talk to you anyways. I wanted to come pick you up and talk to you for a while." CS 5 replied, "I mean, I will jump in the car with you. You want me to meet you down at the restaurant, at Willie's, and then I can jump in the car and ride with you?" MENDEZ told CS 5, "I will meet you in about a half hour and come pick you up."

17. On this same day, CS 5 traveled to the area of West 63rd Street, Cleveland, Ohio. CS 5 was provided with \$1,800 in law enforcement funds to give to MENDEZ to complete the payment for the cocaine purchased on August 28, 2013. MENDEZ passed by this location driving a black Mercedes-Benz. MENDEZ circled the area for several minutes. MENDEZ eventually ran to CS 5's vehicle and got into the passenger side. CS 5 paid MENDEZ \$1,800 for cocaine that was previously provided. CS 5 drove around with MENDEZ until MENDEZ was dropped off in the area of West 140th Street and Emery Avenue in Cleveland, Ohio.

18. On October 16, 2013, at approximately 7:11 p.m., CS 5 received an incoming, monitored, and recorded telephone call from GILBERT MENDEZ wherein CS 5 and GILBERT MENDEZ had a conversation. MENDEZ and CS 5 arranged to meet at

the Walgreens Pharmacy located at Pearl and State Roads in Cleveland, Ohio. The purpose of the meeting was for CS 5 to give MENDEZ \$12,160 for the purchase of a half kilogram of cocaine.

19. On October 16, 2013, at the direction of law enforcement, CS 5 traveled to the Walgreens Pharmacy at Pearl and State Roads in Cleveland, Ohio. CS 5 was provided with \$12,160 in law enforcement money to pay for cocaine. GILBERT MENDEZ arrived at this location. CS 5 got into MENDEZ's car. MENDEZ left the parking lot, drove a short distance, and pulled into a gas station where MENDEZ pumped some fuel into his vehicle. During the drive, CS 5 gave MENDEZ \$12,160 in law enforcement money to pay for cocaine. MENDEZ returned to the Walgreens Pharmacy. CS 5 got out of MENDEZ's car.

20. On October 17, 2013, at approximately 4:06 p.m., CS 5 received an incoming telephone call from GILBERT MENDEZ. During the conversation, MENDEZ asked CS 5, "How long can you be before you can pick me up at my buddy's shop over there (ISRAEL CORTES' shop at West 63rd Street, Cleveland, Ohio)?" CS 5 agreed to meet MENDEZ at this location.

21. On this same day, at approximately 4:23 p.m., CS 5 arrived at ISRAEL CORTES' shop on West 63rd Street, Cleveland, Ohio. GILBERT MENDEZ walked out of the shop and got into CS 5's car. CS 5 drove for awhile and then pulled into the parking lot of a cellular telephone store located at West 61st Street and Storer Avenue in Cleveland, Ohio. MENDEZ got out of CS 5's car and retrieved a brown paper bag from inside MENDEZ's silver Honda Accord. MENDEZ threw the bag onto the front

passenger seat of CS 5's vehicle. MENDEZ left the parking lot in his car. There was cocaine in the bag. It weighed approximately 583.50 grams.

22. On October 28, 2013, at approximately 2:50 p.m., CS 5 placed an outgoing telephone call to GILBERT MENDEZ wherein CS 5 had a conversation with GILBERT MENDEZ. During the conversation, CS 5 and MENDEZ arranged to meet at "Willie's Restaurant (CORTES' shop located at West 63rd Street, Cleveland, Ohio)" at 3:30 p.m. CS 5 was given \$4,800 in law enforcement money (for final payment of the cocaine as described in paragraphs 18-21 above).

23. On this same day, CS 5 traveled to the autobody shop located at West 63rd Street, Cleveland, Ohio. CS 5 met with GILBERT MENDEZ inside of this location. CS 5 gave \$4,800 to MENDEZ. CS 5 and MENDEZ discussed the future purchase of one kilogram of cocaine and being "fronted" a second kilogram of cocaine (meaning CS 5 wanted to purchase one kilogram of cocaine and receive one kilogram of cocaine on consignment). CS 5 told MENDEZ that CS 5 would call him when CS 5 was ready to purchase the cocaine.

24. On November 7, 2013, at approximately 7:22 p.m., GILBERT MENDEZ called JOSEPH VELEZ on the telephone. During this conversation, VELEZ said, "Why don't you go, um, I was going back to the house. You want to grab that joint (an amount of cocaine)? That f-----g thing, do whatever that shit is called? F-----g, um, I'll talk to you when I see you (VELEZ could not think of code words to use to communicate with MENDEZ over the telephone and wanted to meet in person to discuss a drug sale). I can't think of the name of that machine (hydraulic press used to re-press kilograms of cocaine). For the carpet cleaner, the carpet cleaner, whatever that f-----g thing is

called.” MENDEZ replied, “Yeah, yeah, yeah, yeah, I need to go over there (where the hydraulic press is located) anyway.” VELEZ stated, “Why don’t you meet me over there. I’ll give it to you, it still works, but it’s kinda broke a little bit. I mean you know what I mean?”

25. On November 7, 2013, at approximately 7:58 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. MENDEZ asked VELEZ, “What’s up?” VELEZ responded, “Yeah, come in.” MENDEZ stated, “I’m at the carpet spot (the location where the cocaine is stored).” VELEZ replied, “Carpet (VELEZ sounded confused and did not understand MENDEZ’s coded language)?” MENDEZ stated, “Yeah, you told me where you get the stuff for your carpet (MENDEZ was attempting to clarify the coded conversation with VELEZ).” VELEZ stated, “Right, naw, naw, I’m over here at the house. I mean over here, no the carpet. I already grabbed it (an amount of cocaine). I (stutters) already grabbed it. I got the carpet cleaner (hydraulic press) already.” MENDEZ asked, “Where you at?” VELEZ stated, “At the house, I’m messing with the carpet cleaner right now. You hear me (Do you understand the codes used in this conversation)?” MENDEZ replied, “Yeah, I’ll be there.” VELEZ replied, “I’m ‘bout to clean this carpet (re-press some cocaine). Hey, bring that solution (acetone) too” MENDEZ agreed.

26. On November 8, 2013, at approximately 5:36 p.m., GILBERT MENDEZ had a conversation with ALEXANDER FEBRES on the telephone. During this conversation, MENDEZ asked FEBRES, “You at home?” FEBRES replied, “Yeah, I’m at home.” MENDEZ stated, “Come down here real quick, I want to show you something (I

want to conduct a drug transaction with you)." FEBRES asked, "Down where?" MENDEZ stated, "In the back." FEBRES responded, "Alright, bye."

27. On November 8, 2013, at approximately 10:40 p.m., GILBERT MENDEZ had a conversation with ALEXANDER FEBRES. During this conversation, MENDEZ asked FEBRES, "Your boy come through with the bar (did FEBRES' customer have the money that the customer owes FEBRES for cocaine)?" FEBRES stated, "Not yet." MENDEZ asked, "Is he coming drop it off or no?" FEBRES replied, "Huh?" MENDEZ asked, "Is he coming or no?" FEBRES stated, "I don't know, I have to go meet him right now. He said he needs to talk to me so." MENDEZ replied, "Alright, go ahead. Give me a call back let me know." FEBRES stated, "See what the f--k he was talking about." MENDEZ replied, "Alright, I'll holler at you in a while."

28. On November 10, 2013, at approximately 11:07 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. During this conversation, VELEZ stated, "I just looked through fifty of them (an amount of cocaine), you know." MENDEZ replied, "Yep." VELEZ stated, "And that's just, just, not just don't hold nothing (the cocaine is not re-pressing properly). It's not holding you know what I mean . . . ?" MENDEZ replied, "Let me, let me, let me figure it out, I'll let you know by tomorrow, bro."

29. On November 11, 2013, at approximately 3:51 p.m., under the direction of law enforcement, CS 5 sent a text message to GILBERT MENDEZ which read, "Can you meet me at Willie's Restaurant" (coded conversation to meet at ISRAEL CORTES' shop located on West 63rd Street, Cleveland, Ohio, to discuss and/or conduct a drug sale). At approximately 4:02 p.m., CS 5 received an incoming text message from MENDEZ which

read, "When?" CS 5 sent an outgoing text message back to MENDEZ which read, "Twenty minutes."

30. On November 11, 2013, at approximately 4:19 p.m., CS 5 and GILBERT MENDEZ had a conversation on the telephone. CS 5 said, "Yeah, I'm down here (CS 5 had traveled to West 63rd Street, Cleveland, Ohio). I don't know if you got my last text or not?" MENDEZ replied, "I'll be there shortly." CS 5 stated, "Okay." At approximately 4:30 p.m., MENDEZ arrived on West 63rd Street, Cleveland, Ohio. CS 5 and MENDEZ met inside of MENDEZ's Chevy TrailBlazer. During the meeting, MENDEZ drove the vehicle around the neighborhood, circling the block as if conducting counter-surveillance. MENDEZ and CS 5 discussed the purchase of two kilograms of cocaine. CS 5 attempted to get MENDEZ to contact his supplier in order to determine when the cocaine would be delivered. MENDEZ told CS 5 that the transactions would be conducted in the same manner as the previous transactions were conducted with CS 5. CS 5 and MENDEZ agreed to meet at a later date to conduct the transaction.

31. On November 20, 2013, at approximately 1:52 p.m., CS 5 sent an outgoing text message to GILBERT MENDEZ that read, "I'm coming into town. Meet at Willie's Restaurant" (CS 5 wanted to meet with GILBERT MENDEZ to conduct a drug sale). CS 5 received an incoming text message from MENDEZ that read, "Sure." CS 5 sent an outgoing text message to MENDEZ that read, "Within the hour." CS 5 received an incoming text message from MENDEZ that read, "Ok."

32. On November 20, 2013, at approximately 2:59 p.m., GILBERT MENDEZ and CS 5 had a telephone conversation. MENDEZ asked CS 5 if CS 5 was on West 63rd

Street, Cleveland, Ohio. CS 5 stated CS 5 was at this location. MENDEZ told CS 5 that he would meet CS 5 in 15 minutes.

33. On November 20, 2013, at approximately 3:45 p.m., GILBERT MENDEZ arrived at the West 63rd Street location. MENDEZ got into CS 5's vehicle. CS 5 provided MENDEZ with \$27,000 in law enforcement money to purchase one kilogram of cocaine. CS 5 and MENDEZ discussed the purchase of a kilogram of cocaine. After meeting with MENDEZ, CS 5 dropped MENDEZ off at the corner of West 54th Street and Storer Avenue, in Cleveland, Ohio. MENDEZ entered the shop located at 5404 Storer Avenue, Cleveland, Ohio. MENDEZ was carrying the grey plastic bag containing the \$27,000 in law enforcement money that CS 5 had given him.

34. On November 21, 2013, at approximately 11:36 a.m., CS 5 sent an outgoing text message to GILBERT MENDEZ that read, "Give me a call or text about hour and a half before we meet at Willie's restaurant (to conduct a cocaine sale)." At approximately 2:20 p.m., CS 5 sent another outgoing text message to MENDEZ that read, "Hows things." At approximately 2:20 p.m., CS 5 received an incoming text message from MENDEZ that read, "Call you around 7."

35. On November 21, 2013, at approximately 3:49 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. MENDEZ asked VELEZ, "You over there (on West 60th Street, Cleveland, Ohio)?" VELEZ replied, "Yes, sir. I'll be there in a minute. I'm over on Ridge (Ridge Road) right now. I stopped and got a sandwich at this McDonald's. You hear me?" Later in the conversation, VELEZ told MENDEZ, "Okay I'll be over there in a minute." MENDEZ said, "Alright, bro."

36. On November 21, 2013, at approximately 6:11 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. During the conversation, MENDEZ told VELEZ he would meet him in a few minutes (in connection with a drug transaction).

37. On November 21, 2013, at approximately 7:15 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. MENDEZ asked VELEZ, "Where you at pa? You over there (on West 60th Street, Cleveland, Ohio, another known location used to process cocaine)?" VELEZ replied, "Yeah, I'm over here waiting for you. You hear?" MENDEZ said, "I'm on my way there now. I'll be there in a few minutes." VELEZ responded, "Alright, alright cool."

38. On November 21, 2013, at approximately 7:36 p.m., GILBERT MENDEZ arrived in the area of the West 60th Street, another narcotics processing location.

39. On November 21, 2013, at approximately 7:40 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. MENDEZ told VELEZ to "Tell him, Paris (PARIS VALLES), to come outside real quick. One of you guys."

40. On November 21, 2013, at approximately 7:48 p.m., CS 5 sent an outgoing text message to GILBERT MENDEZ that read, "i have 2 go 2 hosp fri morn." At approximately 7:55 p.m., CS 5 and GILBERT MENDEZ had a conversation on the telephone. MENDEZ asked CS 5, "What time do you have to go to the hospital in the morning?" CS 5 replied, "Ten o'clock." MENDEZ told CS 5, "I'll see you right before that. Is that okay? What hospital you going to be at?" CS 5 said, "Uh, Metro." MENDEZ replied, "Metro?" CS 5 stated, "Yeah. So tonight's a no go? Okay, tonight's a no go then? Tomorrow morning?" MENDEZ stated, "Yes, sir." CS 5 asked MENDEZ,

"Before I go to the hospital?" MENDEZ said, "Yeah, because dude it's been a crazy day for me you don't even want to." CS 5 replied, "I'll tell you what, I'll eat breakfast with you over there at Willie's (ISRAEL CORTES' shop) before I go then." MENDEZ said, "That's fine." CS 5 told MENDEZ, "I'll give you a call about nine o'clock when I get back in town then." MENDEZ responded, "That's perfect." CS 5 asked MENDEZ, "Is that perfect with you, man?" MENDEZ replied, "Perfect, I'll see you in the morning. Alright." CS 5 stated, "Because that way, yeah. I can take care of that and then you know go into the hospital."

41. On November 22, 2013, at approximately 9:00 a.m., GILBERT MENDEZ left his residence to conduct the previously arranged cocaine sale with CS 5.

42. On November 22, 2013, at approximately 9:05 a.m., GILBERT MENDEZ had a conversation with an ERICK MENDEZ on the telephone. During this conversation, GILBERT MENDEZ asked ERICK MENDEZ, "How long before? What time you back (GILBERT MENDEZ wanted to meet ERICK MENDEZ to conduct a drug transaction)?" ERICK MENDEZ replied, "Um, like in fifteen minutes. Fifteen, twenty minutes." GILBERT MENDEZ replied, "Okay, see ya."

43. On this same day, GILBERT MENDEZ traveled to ERICK MENDEZ's house. After arriving in the area of ERICK MENDEZ's house, GILBERT MENDEZ drove around several blocks numerous times, and changed directions numerous times in a manner consistent with someone conducting counter-surveillance.

44. At approximately 9:25 a.m., GILBERT MENDEZ parked on the street near ERICK MENDEZ's house. A short time later, ERICK MENDEZ arrived home. ERICK MENDEZ approached GILBERT MENDEZ's vehicle. ERICK MENDEZ and GILBERT

MENDEZ engaged in a short conversation. GILBERT MENDEZ got out of his car and followed ERICK MENDEZ to the rear of ERICK MENDEZ's home. A short time later, GILBERT MENDEZ emerged from the rear of the house. GILBERT MENDEZ was carrying a white plastic bag. ERICK MENDEZ entered ERICK MENDEZ's home and GILBERT MENDEZ returned to his car. At approximately 9:37 a.m., GILBERT MENDEZ placed the white plastic bag into GILBERT MENDEZ's vehicle and left this location. GILBERT MENDEZ was followed from the location, by ERICK MENDEZ and L.M. (a person known to the grand jury, but not indicted herein) who were in ERICK MENDEZ's car.

45. On November 22, 2013, at approximately 9:40 a.m., GILBERT MENDEZ and CS 5 had a conversation on the telephone. MENDEZ asked CS 5, "What's up, man? We gonna go get something to eat or what (meet on West 63rd Street, Cleveland, Ohio to conduct a drug sale)?" CS 5 replied, "Yeah, you want me to come on down and meet at the restaurant and we can eat before I run to the hospital real quick?" MENDEZ told CS 5, "Yeah, man, let's go, man, how long before?" CS 5 replied, "How long you gonna be? Give me 10 minutes at most probably." MENDEZ stated, "I'll see you shortly." CS 5 responded, "Alright, okay."

46. Shortly thereafter on this same day, GILBERT MENDEZ, ERICK MENDEZ, and L.M., traveled in their respective cars from ERICK MENDEZ's home on Emery Road, Cleveland, Ohio, to West 62nd Street, between Denison Avenue and Storer Avenue in Cleveland, Ohio. GILBERT MENDEZ parked his car on West 62nd Street and entered ERICK MENDEZ's car. ERICK MENDEZ drove to the area of West 63rd Street

and Stock Avenue with GILBERT MENDEZ and L.M. as passengers. A short time later, GILBERT MENDEZ, ERICK MENDEZ, and L.M. got out of ERICK MENDEZ's car.

47. On this same day, shortly thereafter, CS 5 traveled to West 63rd and Stock Avenue, Cleveland, Ohio. GILBERT MENDEZ got into the passenger seat of CS 5's car. CS 5 arrived on West 62nd Street between Denison Avenue and Storer Avenue in Cleveland, Ohio. GILBERT MENDEZ got out of CS 5's car. GILBERT MENDEZ went into GILBERT MENDEZ's car (a Chevy TrailBlazer) and retrieved a white plastic bag which was similar to the white plastic bag GILBERT MENDEZ had taken from ERICK MENDEZ's Emery Road home. GILBERT MENDEZ returned to CS 5's vehicle. CS 5 opened the rear driver side window. GILBERT MENDEZ placed the kilogram of cocaine in the rear of CS 5's vehicle. CS 5 left this location. GILBERT MENDEZ returned to his vehicle and left this location. The cocaine weighed approximately 1,030.9 grams.

48. On December 5, 2013, at the direction of law enforcement, CS 5 met with GILBERT MENDEZ for the purpose of arranging a cocaine sale. CS 5 and MENDEZ met in the area of West 63rd Street and Stock Avenue in Cleveland. CS 5 and MENDEZ met in CS 5's car and discussed the future sale of cocaine. MENDEZ agreed to sell CS 5 54 ounces of cocaine for \$700 an ounce. MENDEZ and CS 5 agreed to meet the following morning (December 6, 2013) to conduct the sale.

49. On December 6, 2013, at approximately 1:31 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. During the conversation, VELEZ asked MENDEZ, "You gonna stop by in a little while? I was downtown all morning you hear?" MENDEZ replied, "Yeah, give me a little bit." VELEZ told MENDEZ, "Don't take too long cause I've gotta run somewhere, you hear?"

50. On December 6, 2013, at approximately 1:52 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. During the conversation, MENDEZ asked VELEZ, "You, you at the house right?" VELEZ responded, "Yeah, I'm at the house, stop through." MENDEZ told VELEZ, "Hey, I was gonna bring your, what's it called (hydraulic press)?" VELEZ replied, "That's cool." Later in the conversation, VELEZ told MENDEZ, "Alright, I appreciate it, I just need the, okay. That's what's up." MENDEZ told VELEZ, "Alright. Give me about ten or fifteen minutes."

51. On December 6, 2013, at approximately 1:54 p.m., GILBERT MENDEZ and ERICK MENDEZ unloaded items from the trunk of GILBERT MENDEZ's car, while on Emery Road, Cleveland, Ohio (ERICK MENDEZ's residence). ERICK MENDEZ and GILBERT MENDEZ retrieved a large object with a base-like stand (consistent with the shape of a hydraulic press) from the garage at this location and placed it into the trunk of GILBERT MENDEZ's car. At approximately 1:57 p.m., GILBERT MENDEZ and ERICK MENDEZ got into GILBERT MENDEZ's car and left the Emery Road location.

52. On December 6, 2013, at approximately 3:39 p.m., GILBERT MENDEZ had a conversation with ERICK MENDEZ on the telephone. During the conversation, GILBERT MENDEZ told ERICK MENDEZ that he was on the way to ERICK MENDEZ's residence (on Emery Road, Cleveland, Ohio).

53. On December 6, 2013, at approximately 5:52 p.m. GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. GILBERT MENDEZ told VELEZ, "Hey, I'll just meet you back over there, you hear (on Finn Avenue, Cleveland, Ohio)?" VELEZ replied, "Yeah, yeah, I already left. Okay, cool, I'll see ya. Alright I'll see ya in a little bit. Alright?" GILBERT MENDEZ asked, "How long until you get there?"

54. On December 6, 2013, from approximately 4:59 p.m. until 6:21 p.m., GILBERT MENDEZ traveled in his vehicle in the area of Finn Avenue, Cleveland, Ohio, circling the blocks in the area several times and entering and exiting the freeway at different locations. At approximately 6:21 p.m., GILBERT MENDEZ arrived in the area of the Finn Avenue address, Cleveland, Ohio, previously discussed with Velez.

55. On December 6, 2013, at approximately 6:22 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. JOSEPH VELEZ asked GILBERT MENDEZ, "What's up?" GILBERT MENDEZ said, "I don't know, some long, hey tell "P (PARIS VALLES)" to come outside real quick with us." JOSEPH VELEZ replied, "He's coming, he's coming out, hang on. I'll just stay on the phone with you." GILBERT MENDEZ stated, "Yep." JOSEPH VELEZ asked, "See us?" GILBERT MENDEZ replied, "No, you see me?" JOSEPH VELEZ stated, "No, hang on, he's looking outside now." GILBERT MENDEZ replied, "Oh Lord." VELEZ stated, "You see him?" GILBERT MENDEZ replied, "No hell no, let me see where the f--k this n----r at? You see me or no?" VELEZ stated, "Um, um, he went outside, I might as well as be outside as cold as it is in here." GILBERT MENDEZ replied, "Okay alright, alright I know."

56. On December 6, 2013, at approximately 6:38 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. During this conversation VELEZ stated, "You got one of the f---n' lugs off of your car dude. You hear?" MENDEZ sounding confused replied, "Huh?" VELEZ stated, "You got one of the lugs off your front tire. You got seven of them. You don't got the eighth, I mean you can get away with it though. Just, just drive careful. You know what I mean?" MENDEZ

replied, "Okay." VELEZ stated, "You'll get a away with it cause I tried the, okay?" MENDEZ answered, "Okay."

57. On December 6, 2013, at approximately 6:53 p.m., GILBERT MENDEZ had a conversation with ALEXANDER FEBRES. During this conversation, GILBERT MENDEZ stated, "Open the door." FEBRES asked, "Open the door?" GILBERT MENDEZ stated, "Open it for me, 'cause I got one of your books (kilogram of cocaine) over here. I'll be there in a minute. I'm right here." FEBRES replied, "Alright."

58. On December 9, 2013, at approximately 12:42 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. During this conversation, VELEZ asked, "So, where you at?" GILBERT MENDEZ stated, "At the house." VELEZ replied, "I need a little old socket set you hear (an amount of cocaine or a tool)?" GILBERT MENDEZ stated, "Okay, that's fine, you gonna have to wait until four o'clock." VELEZ stated, "Oh man, I can't man. Damn." GILBERT MENDEZ replied, "No?" VELEZ stated, "I don't know." GILBERT MENDEZ replied, "I know he's at work right now. He don't get out 'till four, four thirty." VELEZ stated, "Alright." GILBERT MENDEZ replied, "Let me try to get in over there. I'll give you a holler in a little bit." VELEZ answered, "Okay."

59. On December 9, 2013, at approximately 4:06 p.m., GILBERT MENDEZ received an incoming text message from JOSEPH VELEZ that read, "I need these back tires fix it needs a special socket (VELEZ was having difficulty operating the hydraulic press)."

60. On December 9, 2013, at approximately 4:09 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. During this conversation,

GILBERT MENDEZ stated, "Hey what's up pa? He should be home pretty soon. You hear me? So, I'll call you here shortly. You hear me?" VELEZ replied, "Alright cool." GILBERT MENDEZ stated, "I'll call you here shortly." VELEZ responded, "These tires on the back. You should of seen the f-----g thing I don't understand the pattern. It's crazy (the cocaine is not re-rocking as expected)." GILBERT MENDEZ stated, "Yeah." VELEZ replied, "The front's fine. You know what I mean. Yeah. Alright well." Later in the conversation, GILBERT MENDEZ stated, "Hey yeah, I gotta get that toy (hydraulic press) to my uh, my daughter's toy, I had left at um, P's (PARIS VALLES' residence)." VELEZ responded, "Yeah, I'll grab it today when I go over there." GILBERT MENDEZ stated, "I'll holler at you shortly." VELEZ replied, "I'll see you shortly"

61. On December 9, 2013, at approximately 4:24 p.m., GILBERT MENDEZ had a conversation with ALEXANDER FEBRES on the telephone. FEBRES stated, "What's up homey?" GILBERT MENDEZ asked, "What's up? Are you at the house?" FEBRES answered, "Not yet." GILBERT MENDEZ asked, "How long before you get there?" FEBRES replied, "Probably about forty five minutes." GILBERT MENDEZ stated, "I'll see you there." FEBRES replied, "Alright bye."

62. On December 9, 2013, at approximately 4:37 p.m., GILBERT MENDEZ had a conversation with ALEXANDER FEBRES on the telephone. GILBERT MENDEZ asked, "Is uh your girl at the house?" FEBRES answered, "Yeah. She should be." GILBERT MENDEZ asked, "Can I stop over there real quick (to retrieve cocaine)?" FEBRES replied, "Go ahead." GILBERT MENDEZ stated, "Alright." FEBRES stated, "And um." GILBERT MENDEZ asked, "Where you at right now? You left work already or no?" FEBRES stated, "I'm in Bedford." Later in the conversation, FEBRES stated,

"If Jordan ain't there, Justin's right across the street from boot store working. Get the key for the house from him." GILBERT MENDEZ replied, "I'll call her now. Let me see if she's there." FEBRES stated, "Alright."

63. On December 9, 2013, at approximately 4:39 p.m., GILBERT MENDEZ had a conversation with J.P. (a person known to the grand jury, but not indicted herein). GILBERT MENDEZ stated, "Jordan?" J.P. replied, "Yes." GILBERT MENDEZ stated, "What's up with you? What you doing?" J.P. replied, "Nothing." GILBERT MENDEZ asked, "You at the house?" J.P. replied, "Yes." GILBERT MENDEZ stated, "I'm gonna stop by there. I just called Alex (ALEXANDER FEBRES) and told him I was gonna stop by. I wanna make sure you was there." J.P. replied, "Yeah." GILBERT MENDEZ stated, "Alright, I be there in probably in about ten minutes alright." J.P. replied, "Alright bye."

64. On December 9, 2013, at approximately 4:54 p.m., GILBERT MENDEZ had a conversation with JOSEPH VELEZ on the telephone. GILBERT MENDEZ asked, "You changing your tire (are you preparing cocaine)?" VELEZ stated, "Going somewhere else. Hear? Remember where we changed the tires last time (do you remember where we prepared cocaine last time)?" GILBERT MENDEZ stated, "Yeah, yeah, yeah." VELEZ replied, "I'm putting the back two on now you hear? I'm putting the front two on Friday. They're almost done though (I have prepared some cocaine and will prepare some later). Where you at?" GILBERT MENDEZ answered, "I'm over here. I'm by Storer. By Sam's." VELEZ responded, "By Sam's? You gonna come over here or you gonna wait there? I'll come over there? It don't matter." GILBERT MENDEZ answered, "I'll meet you over there (to conduct a drug transaction). Two minutes."

65. On December 9, 2013, at approximately 4:56 p.m., GILBERT MENDEZ called J.P. on the telephone and told J.P. to open the door.

66. On December 9, 2013, at approximately 5:10 p.m., GILBERT MENDEZ's vehicle backed out of the driveway of a home on West 54th Street, Cleveland, Ohio (home of ALEXANDER FEBRES). GILBERT MENDEZ drove the vehicle. MENDEZ then drove north on West 54th Street and west on Storer Avenue.

67. On December 9, 2013, at approximately 5:15 p.m., GILBERT MENDEZ and JOSEPH VELEZ had a telephone conversation. MENDEZ told VELEZ, "Hey just pull over there to the house, right around the corner (to conduct a drug transaction)." VELEZ said, "Alright, alright, alright, bye."

68. Shortly thereafter, on December 9, 2013, GILBERT MENDEZ pulled his car next to a Saab on West 60th Street in Cleveland, Ohio. After less than one minute, MENDEZ's vehicle and the Saab left the area.

69. On December 10, 2013, at approximately 12:29 p.m., GILBERT MENDEZ had a conversation with ALEXANDER FEBRES on the telephone. During the conversation, GILBERT MENDEZ told FEBRES, "Hey you going to be at the house (on West 54th Street, rear house, upstairs unit)?" FEBRES replied, "Yeah, I'll be there." GILBERT MENDEZ told FEBRES, "I'll stop over there in a little bit. I gotta go and go get some sugar (cocaine). I'll stop over there."

70. On December 12, 2013, ALEXANDER FEBRES possessed approximately a 470.54 grams of cocaine, a hydraulic press, a fabricated metal stand (part of cocaine press), and a hydraulic jack box containing a scale and set of red measuring spoons.

These items were stored in FEBRES' apartment located on West 54th Street, Cleveland, Ohio.

71. On December 19, 2013, PARIS VALLES was in possession of 167.49 grams of cocaine, a kilogram press, and baggies. These items were located at 5044 Finn Avenue, Cleveland, Ohio, a residence owned by PARIS VALLES.

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

COUNT 2

The Grand Jury further charges:

On or about October 7, 2011, in the Northern District of Ohio, Eastern Division, ALEXANDER FEBRES did knowingly and intentionally distribute approximately 21.4 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), United States Code.

COUNT 3

The Grand Jury further charges:

On or between August 19, 2013, and August 21, 2013, in the Northern District of Ohio, Eastern Division, GILBERT MENDEZ did knowingly and intentionally distribute approximately 143 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 4

The Grand Jury further charges:

On or between August 27, 2013, and August 28, 2013, in the Northern District of Ohio, Eastern Division, GILBERT MENDEZ and ISRAEL CORTES did knowingly and intentionally distribute approximately 240.10 grams of a mixture or substance containing a detectable amount of 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 5

The Grand Jury further charges:

On or between October 16, 2013, and October 17, 2013, in the Northern District of Ohio, Eastern Division, GILBERT MENDEZ did knowingly and intentionally distribute approximately 583.50 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT 6

The Grand Jury further charges:

On or between November 20, 2013, and November 22, 2013, in the Northern District of Ohio, Eastern Division, GILBERT MENDEZ did knowingly and intentionally distribute approximately 1,030.90 grams of a mixture or substance containing a

detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT 7

The Grand Jury further charges:

On or between December 6, 2013, and December 12, 2013, in the Northern District of Ohio, Eastern Division, ALEXANDER FEBRES did manage and control any place, permanently or temporarily, as an owner, lessee, occupant, mortgagagee and agent, namely the premises of 3434 West 54th Street, Cleveland, Ohio, and did knowingly and intentionally rent, lease, profit from and otherwise make available for use, with or without compensation, the premises of 3434 West 54th Street, Cleveland, Ohio, for the purpose of unlawfully manufacturing, storing, distributing and using a controlled substance, namely cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT 8

The Grand Jury further charges:

On or about December 12, 2013, in the Northern District of Ohio, Eastern Division, ALEXANDER FEBRES did knowingly and intentionally possess with intent distribute approximately 470.54 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 9

The Grand Jury further charges:

On or between August 21, 2013, and November 22, 2013, in the Northern District of Ohio, Eastern Division, ISRAEL CORTES did manage and control any place, permanently or temporarily, as an owner, lessee, occupant, mortgagagee and agent, namely the premises located at 3145 West 63rd Street, Cleveland, Ohio, and did knowingly and intentionally rent, lease, profit from and otherwise make available for use, with or without compensation, the premises located at 3145 West 63rd Street, Cleveland, Ohio, for the purpose of unlawfully manufacturing, storing, distributing and using a controlled substance, namely cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT 10

The Grand Jury further charges:

On or between December 6, 2013, to December 19, 2013, in the Northern District of Ohio, Eastern Division, PARIS VALLES did manage and control any place, permanently or temporarily, as an owner, lessee, occupant, mortgagagee and agent, namely the premises located at 5044 Finn Avenue, Cleveland, Ohio, and did knowingly and intentionally rent, lease, profit from and otherwise make available for use, with or without compensation, the premises located at 5044 Finn Avenue, Cleveland, Ohio, for the purpose of unlawfully manufacturing, storing, distributing and using a controlled substance, namely cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT 11

The Grand Jury charges:

On or about January 31, 2014, in the Northern District of Ohio, Eastern Division, IVAN SALCEDO TORRES did knowingly and intentionally distribute approximately 139.60 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance to GILBERT MENDEZ (named, but not indicted in this count), in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNTS 12-14

The Grand Jury further charges:

On or about the dates listed below, in the Northern District of Ohio, Eastern Division, and elsewhere, the defendants listed below did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony under Title 21, United States Code, Sections 846 and 841(a):

Count	Defendants	Date	Time
12	JOSEPH VELEZ and GILBERT MENDEZ	November 7, 2013	7:58 p.m.
13	ALEXANDER FEBRES and GILBERT MENDEZ	December 6, 2013	6:53 p.m.
14	ERICK MENDEZ and GILBERT MENDEZ	November 22, 2013	9:05 a.m.

All in violation of Title 21, United States Code, Section 843(b).

FORFEITURE

The Grand Jury further charges:

For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, the allegations of Counts 1 through 14 are incorporated herein by reference. As a result of the foregoing offenses, defendants GILBERT MENDEZ, JOSEPH VELEZ, ALEXANDER FEBRES, ISRAEL CORTES, ERICK MENDEZ, PARIS VALLES, and IVAN SALCEDO TORRES, shall forfeit to the United States any and all property constituting, or derived from, any proceeds they obtained, directly or indirectly, as the result of such violations; and any and all of their property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations.

A TRUE BILL.

Original document -- Signatures on file with the Clerk of Courts pursuant to the E-Government Act of 2002.