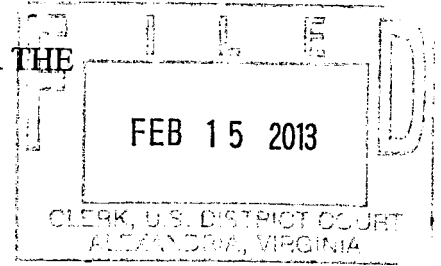


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)

v.)

FRANCISCO CIRILIO VARGAS-AQUINO)
a.k.a. "Francisco C. Vargas,")
a.k.a. "Miguel,")

RICARDO AVELAR VALDEZ,)

Defendants.)

Criminal Case No. 1:13MJ89

UNDER SEAL

UNDER SEAL

AFFIDAVIT IN SUPPORT OF ARREST WARRANTS AND CRIMINAL COMPLAINT

I, Maurice Haughton, being first duly sworn depose and state the following:

I. Introduction

1. I am a Special Agent with the Department of Homeland Security, U.S. Immigration and Customs Enforcement ("ICE"). I have been employed with ICE since April 2009. I have successfully completed twelve weeks of law enforcement training at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. I attended the ten weeks of Immigration and Customs Enforcement, Special Agent Training (ICE-SAT) at FLETC, and a U.S. Department of Homeland Security classroom and field training program. As an ICE Special Agent, my primary duties include, but are not limited to, investigating violations of the Immigration and Nationality Act, United States Customs Laws and the Federal Criminal Code, seeking, where applicable and appropriate, prosecution and deportation for those violations. I have also received training in general law enforcement, including training in enforcing, and investigating violations of, Title 21 of the United States Code.

2. This affidavit is submitted in support of a criminal complaint and arrest warrants charging Francisco Cirilo VARGAS-AQUINO (a.k.a. “Francisco C. Vargas” and “Miguel”) (hereinafter referred to as “VARGAS”) and Ricardo Avelar VALDEZ (hereinafter referred to as “VALDEZ”) with conspiracy to import 1,000 kilograms or more of marijuana in violation of Title 21, United States Code, Sections 952, 960(a)(1), and 963.

3. This affidavit is based on my training and participation in law enforcement investigations involving narcotics smuggling, my personal knowledge and observations during the course of the investigation and information provided to me by other law enforcement officials. This affidavit contains information necessary to support probable cause. The information contained in this affidavit does not set forth all information known to the government about this case and is being submitted solely for the purpose of providing sufficient information to support the criminal complaint and arrest warrant, to which this affidavit is attached.

II. Probable Cause

A. Background of the Investigation

4. On December 5, 2011, HSI, Office of the Assistant Special Agent in Charge in McAllen, Texas received information that a U.S. Customs broker/freight forwarder in Hidalgo, Texas had discovered suspected marijuana within a tractor-trailer. Based on this information, HSI McAllen special agents responded to the U.S. Customs broker/freight forwarder and searched the tractor-trailer. HSI McAllen agents seized a total of 552 bundles of marijuana, weighing approximately 1,816 kilograms, from the tractor-trailer. The marijuana was concealed inside 1,130 five-gallon plastic containers of frozen fruit pulp. The shipment had originated in Mexico and was destined for Surtidora Mexicana Inc., 13732 Jefferson Davis Highway, Woodbridge Virginia 22191, the address of a business within the Eastern District of Virginia.

5. In February 2012, HSI, Office of the Special Agent in Charge, Washington, D.C. received information from a cooperating source (“CS-1”) concerning the drug trafficking activities of VARGAS and VALDEZ.¹ Specifically, CS-1 reported that VALDEZ and VARGAS, along with the registered agent of Surtidora Mexicana, Inc. in Woodbridge, Virginia (hereinafter “UCC-1”) had asked for his² assistance in gathering documentation regarding the December 5, 2011 seizure of a shipment of marijuana destined for UCC-1’s business. Initially, VARGAS claimed that an individual named “Miguel” had used UCC-1’s company to import marijuana without the knowledge of VARGAS or UCC-1. At a subsequent meeting, however, VARGAS and VALDEZ admitted to CS-1 that they were responsible for importing the marijuana that was seized on December 5th. They further disclosed to CS-1 that they had been shipping marijuana and cocaine from Mexico to various companies in the Eastern District of Virginia, and they asked for CS-1’s assistance in smuggling future loads. Specifically, VARGAS and VALDEZ sought CS-1’s assistance in securing and interacting with U.S. customs brokers to ensure that the tractor-trailer loads containing marijuana cleared customs inspection in the United States. VALDEZ offered to pay CS-1 \$20,000 for CS-1’s assistance in importing their next shipment of marijuana from Mexico to Anmara, Inc., D.B.A. “La Guadalupana,” 13642 Jefferson Davis Highway, Woodbridge, Virginia 22191.

6. Based on CS-1’s information, HSI DC initiated a joint investigation with the Drug Enforcement Administration (“DEA”) into the drug trafficking activities of VARGAS, VALDEZ

¹ CS-1 has a criminal history which includes prior arrests for fraud and firearms charges. Most recently, CS-1 has pleaded guilty to three felony fraud charges in Virginia state court. CS-1 has provided law enforcement with information regarding the drug trafficking activities of VARGAS and VALDEZ in return for possible consideration in his current criminal case(s). When possible, the information provided by CS-1 has been corroborated through independent investigation and other sources. To my knowledge, the information provided to me or any other members of law enforcement by CS-1 has not proved to be false or inaccurate in any material respect.

² For purposes of this affidavit, CS-1 will be referred to in the masculine gender regardless of whether CS-1 is, in fact, male or female.

and others. As part of this investigation, CS-1 participated in a series of telephone calls and meetings with VALDEZ and VARGAS. These telephone calls and meetings are detailed in this affidavit. Where noted, the calls and meetings were monitored and audio and/or video recorded by law enforcement. All calls and meetings were conducted in the Spanish language, and the summaries contained in this affidavit are based on draft translations of the recorded calls and meetings. Where a call or meeting was not monitored and recorded, the summary contained herein is based on the information provided by CS-1.

7. To date, three seizures of marijuana have been tied to this conspiracy. The first seizure, on December 5, 2012, which is described in paragraph 4, involved a shipment of marijuana destined for Surtidora Mexicana Inc., 13732 Jefferson Davis Highway, Woodbridge Virginia 22191. The second seizure, on May 3, 2012, which is described in paragraph 38, involved a shipment of marijuana sent to Anmara, Inc., D.B.A. "La Guadalupana" Supermarket, 13642 Jefferson Davis Highway, Woodbridge Virginia 22191. Finally, the third seizure, on September 18, 2012, which is described in paragraph 43, involved a shipment of marijuana destined for Macedo Corp., D.B.A. "Blanca's Shop," 8088 Sudley Road, #202 Manassas Virginia 20109.

B. The Investigation

8. On February 24, 2012, VARGAS met with CS-1 at a location in Fairfax County, Virginia, within the Eastern District of Virginia. When VARGAS arrived at the meeting, he told CS-1 that he needed a broker to handle an upcoming shipment of three trucks containing marijuana being sent from Mexico to the United States. VARGAS stated that one truck would contain approximately four thousand (4,000) pounds of marijuana hidden within a shipment of frozen pulp, and would be destined for La Guadalupana store on Jefferson Davis Highway in Woodbridge, Virginia. The second truck would carry approximately 100 pounds of marijuana

concealed within a shipment of lamps, and would be destined for Blanca's Shop on Sudley Road in Manassas, Virginia. The third truck would carry approximately 100 pounds of marijuana concealed within a shipment of lamps, and would be sent to La Guadalupana store on Jefferson Davis Highway in Woodbridge, Virginia. VARGAS told CS-1 that VALDEZ had direct contact with the drug traffickers in Mexico, and that VALDEZ's role was to ensure that the Mexican drug trafficking organization received payment for the drug loads. While meeting with VARGAS, CS-1 placed a call to a U.S. customs broker to discuss the logistics of importing a shipment of goods from Mexico into the United States. CS-1 asked VARGAS if CS-1 would be paid for his (CS-1's) services and VARGAS agreed that CS-1 would be paid his share once the drugs arrived in the United States. This meeting was monitored and recorded by law enforcement.

7. On March 12, 2012, at approximately 1:30 p.m., VARGAS met CS-1 at a location in Fairfax County, Virginia to finalize plans to import a load of marijuana from Mexico by commercial tractor-trailer. During this meeting, CS-1 and VARGAS called a U.S. customs broker in Hidalgo, Texas to discuss the logistics of importing a shipment of goods from Mexico into the United States. After finishing the call with the customs broker, VARGAS informed CS-1 that the plan now was to smuggle 500 pounds of marijuana into the United States in one truck. The marijuana would be hidden within a shipment of frozen fruit pulp. VARGAS specified that this next load of marijuana would be sent to "La Guadalupana." VARGAS stated that the arrangements for this next load of marijuana would be complete within four to five days. VARGAS stated that he wanted CS-1 to set up a code word to talk over the phone about the smuggling operation. VARGAS also discussed the possibility of laundering drug proceeds to

Mexico. VARGAS told CS-1 that the money would be given to CS-1 in bulk cash for him to deposit. This meeting was monitored and recorded by law enforcement.

8. Several days later, on March 19, 2012, VALDEZ met with CS-1 at a location in Fairfax County, Virginia to discuss the importation of narcotics into the United States from Mexico as well as efforts to launder money. VALDEZ told CS-1 that approximately \$500,000 was owed to the Mexican drug traffickers for the marijuana load that was seized in December 2011.

VALDEZ explained that he (VALDEZ) was responsible for insuring that the December load arrived in Woodbridge, Virginia, and that he had to put his land in Mexico up as collateral to ensure there were no issues with the Mexican drug suppliers. VALDEZ explained to CS-1 how drug proceeds were laundered to Mexico through bank accounts. CS-1 expressed an interest in laundering money to Mexico through CS-1's company. At the end of the meeting, VALDEZ disclosed that in December 2010, he imported eleven tons of marijuana from Mexico to Chicago by train, and that this shipment was seized by law enforcement. This meeting was monitored and recorded by law enforcement.

9. On March 20, 2012, CS-1 contacted HSI agents and reported that VALDEZ had called CS-1 to inform him that two individuals were flying in from Mexico to meet CS-1 and discuss future money laundering ventures.

10. On March 22, 2012 at approximately 5:00 p.m., CS-1 reported to law enforcement that he had just received a call (at approximately 4:45 p.m.) from VALDEZ. During the call, VALDEZ told CS-1 to expect a phone call from Mexico early the following morning regarding the pending marijuana shipment that CS-1 was helping to broker.

11. On March 23, 2012, at approximately 2:59 p.m., VALDEZ called CS-1. During the call, CS-1 asked VALDEZ when he (CS-1) should expect to receive a call from the man in Mexico

because the he needed to call the broker with the final details of the shipment. VALDEZ stated that he would arrange an appointment between CS-1 and the man in Mexico. This call was monitored and recorded by law enforcement.

12. On March 24, 2012, VALDEZ met CS-1 at a location in Fairfax County, Virginia to discuss the upcoming shipment of marijuana. VALDEZ stated that on Monday, March 26, 2012, he would be meeting with VARGAS and VARGAS would provide CS-1 with a telephone to communicate directly with Mexico regarding the shipment. This meeting was partially recorded.

13. On March 25, 2012 at approximately 10:35 a.m., VALDEZ called CS-1 and advised that he and VARGAS could not meet that afternoon, and would meet instead on Monday (referring to 3/26/12) evening. This phone call was not monitored or recorded.

14. On March 26, 2012 at approximately 10:55 a.m., VALDEZ called CS-1 and instructed CS-1 to contact the customs broker and prepare for three shipments. CS-1 asked VALDEZ what CS-1 should tell the broker about the goods contained in the two additional trucks. VALDEZ responded that CS-1 should tell the broker to add one more truck with fruit and that the other truck contained miscellaneous items. This call was not monitored or recorded. Shortly thereafter, at approximately 11:14 a.m., VARGAS called CS-1 and asked if VALDEZ had spoken to CS-1 yet. CS-1 confirmed that he had spoken with VALDEZ. VARGAS instructed CS-1 to fix everything and then VARGAS would give CS-1 money to pay the broker. VARGAS also told CS-1 that he is bringing in different products in the next shipment and that those products are very good. This call was not monitored or recorded.

15. On March 29, 2012, VARGAS and VALDEZ met with CS-1 at a location in Fairfax County, Virginia. Prior to the meeting, at approximately 11:25 a.m., agents conducting surveillance observed VARGAS arrive in a grey Ford pickup truck in the area of the meeting

location. A few minutes later, VARGAS entered a nearby bank. At approximately 11:32 a.m., VARGAS departed the bank and got back into his truck. At approximately 11:53 a.m., VARGAS drove to a restaurant located across the street from the meeting location where he remained in his vehicle. At approximately 12:11 p.m., VARGAS drove his vehicle into the parking lot of the meeting location and remained in the vehicle. At 12:18 p.m., VALDEZ arrived at the meeting location driving a silver Ford F150 pickup truck. Shortly thereafter, VARGAS and VALDEZ entered the meeting location and met with CS-1.

16. During the meeting, VARGAS and VALDEZ told CS-1 that the shipments are set and that VARGAS will meet with CS-1 on Monday or Tuesday (referring to 4/2/12 and 4/3/12). VARGAS said he would call Mexico and CS-1 and VARGAS would discuss the shipments at which time the product inventory would be provided to CS-1. VARGAS stated that they want the shipments to be shipped by Tuesday to ensure that there is no delay and to avoid the shipments remaining in the broker's warehouse over the weekend. VALDEZ then told CS-1 that from today's meeting on, CS-1 was not to talk to him (VALDEZ) until the shipments arrived safely. VALDEZ handed VARGAS a Boost mobile phone which was given to CS-1 with instructions that CS-1 should use this phone for communication with Mexico. VALDEZ said that his new code name is "Barba" and that the codename for narcotics is "concrete. CS-1 was to use these codenames when speaking over the phone. In addition, CS-1 was instructed that calls to Mexico during the shipment process was limited to only three calls. This meeting was monitored and recorded.

17. On April 1, 2012, CS-1 spoke to VARGAS, who stated that he was waiting for some paperwork from Mexico, but would meet with CS-1 on Monday (referring to 4/2/12) to finalize the shipment. This phone call was not monitored or recorded.

18. On April 2, 2012, CS-1 received a call from VARGAS on the Boost mobile phone he was provided. The call was made via direct connect and during the call VARGAS told CS-1 that he (CS-1) should expect a call from an individual from Mexico, "Bolanos", with the details. This call was not monitored or recorded.

20. On April 4, 2012, at approximately 12:00 p.m., law enforcement officers met with CS-1 at a location in Fairfax County, Virginia. At approximately 12:32 p.m., CS-1 received a direct connect phone call originating in Mexico from number 62*XXXXXX*2. The individual on the line identified himself to CS-1 and stated that he was calling on behalf of "Bolanos." The individual provided CS-1 with an email address and told CS-1 to e-mail the company information, receiver address, and tax ID number to complete the shipment manifest for the broker. The individual stated that the "sugar" should arrive no later than Monday or Tuesday (4/9/12 or 4/10/12). The individual told CS-1 to wait for a reply and then they could finish processing the shipment. After sending the email per the individual's instructions, CS-1 called the individual via direct connect and the individual confirmed receipt of CS-1's email. The individual told CS-1 that CS-1 should be receiving the manifest later this evening or tomorrow so it could be sent to the broker in the United States. These calls were not monitored or recorded.

21. Shortly after speaking with the individual in Mexico, CS-1 called VALDEZ via direct connect at (XXX*XXXX*6110) to confirm that CS-1 sent the information to Mexico. This call was not monitored or recorded.

22. On April 5, 2012, VARGAS called CS-1 and asked him to set up a meeting to further discuss the shipment. VARGAS and CS-1 met on the following day at a location in Fairfax County, Virginia. During this meeting, VARGAS told CS-1 that CS-1's new codename is now

“Barbitas.” VARGAS instructed CS-1 to keep calling the Mexican broker day and night to get the shipment manifest complete. CS-1 then called the Mexican broker, who stated that since it was Good Friday, the paperwork would be completed on Monday, April 9, 2012. The Mexican broker stated that the shipment will leave Mexico on Tuesday (referring to 4/10/12) and will arrive in Woodbridge, Virginia on Friday (referring to 4/13/12). Once the shipment arrived in Woodbridge, it would be unloaded on Saturday (referring to 4/14/12). VARGAS stated that the load would be divided into other trucks to be distributed by his people who have been working for him for fifteen years. VARGAS instructed CS-1 to ensure that the U.S. Customs broker in Texas did not open the shipment. VARGAS told CS-1 that he (VARGAS) had to send personal documentation to the people in Mexico to guarantee this shipment. VARGAS stated that he would only make \$100,000 on the upcoming shipment after paying drivers and others, but that the narcotics are valued at \$1,200,000, with a street value of \$3,000,000. VARGAS said that the December shipment that was seized in Texas created problems for him, but since VALDEZ smoothed things over and guaranteed the next shipment, the people in Mexico were satisfied. VARGAS also told CS-1 that VALDEZ previously lost a large load in Chicago which was the largest seizure in history. VARGAS asked CS-1 what he (CS-1) would say to law enforcement if the load is seized. CS-1 replied that he would tell law enforcement that he had no idea and was only hired to broker a legitimate shipment. VARGAS asked CS-1 to help him create a document that states that the owner of the La Guadalupana store in Woodbridge, Virginia (where the marijuana was supposed to be delivered) had been subleasing the back half of grocery store to an uncharged co-conspirator (“UCC-2”) since November 30, 2011 for \$2,000 per month. VARGAS said that once the document was complete, he (VARGAS) would take it to be notarized. VARGAS told CS-1 that this is how you wash your hands of the shipment if it is

seized. CS-1 asked if UCC-2 was aware of the plan and VARGAS stated that UCC-2 was aware. This meeting was monitored and recorded by law enforcement.

24. On April 10, 2012, at approximately 11:30 a.m., CS-1 he received a call from VALDEZ asking if he (CS-1) has heard anything from Mexico. CS-1 informed VALDEZ that he had not heard from Mexico. Ten minutes later, at approximately 11:40 a.m., CS-1 received a direct connect call from an individual in Mexico. The individual told CS-1 that there was a delay with the shipment because the "sugar" would not fit in one truck and a second truck was needed. The individual instructed CS-1 to call "Barba" (the code name for VALDEZ) and have "Barba" set up a second truck with the U.S. broker. At approximately 12:45 p.m., CS-1 contacted VALDEZ and relayed the information provided by the caller from Mexico, that there was a delay with the shipment. VALDEZ informed CS-1 that he already knew about the delay. CS-1 told VALDEZ that he needed to arrange for a second truck with the U.S. broker, but VALDEZ told CS-1 to allow VALDEZ to finish with Mexico and then he (VALDEZ) will let CS-1 know when the shipment will be ready. At approximately 3:33p.m., VARGAS called CS-1 and told him about the delay with the shipment. CS-1 told VARGAS that he was tired of dealing with all of the problems and delays, and VARGAS told CS-1 to be patient, and assured CS-1 that VARGAS and VALDEZ would work out the problems. These calls were not monitored or recorded.

25. On April 11, 2012, at approximately 10:00 p.m., VALDEZ sent a text message to CS-1 in Spanish advising that he was on special mission and that he will contact CS-1 in two days. CS-1 responded, "do not leave me alone with our stuff." VALDEZ replied to CS-1, "no sir, I am on that taking care of it." A check of border crossing and travel records revealed that VALDEZ took a flight from the Washington, D.C. area through Houston, Texas, which arrived at its final destination in Manzanillo, Mexico at 2:15 p.m. on April 12, 2012.

27. On April 12, 2012, an individual in Mexico called CS-1 and advised that the shipments were ready and CS-1 needed arrange for two trucks. The individual in Mexico also stated that the shipping manifest would be ready tomorrow (meaning April 13, 2012). This call was not monitored or recorded.
28. On the same day, at approximately 12:42 p.m., "Bolanos" called CS-1 from Mexico and inquired about who was going to pay the U.S. customs broker. CS-1 told "Bolanos" that the broker had already been paid. "Bolanos" stated that his Mexican broker was asking who was going to pay for all of this "stuff" and wanted to insure that the U.S. broker was paid in full. "Bolanos" also told CS-1 that the Mexican broker was concerned about the exportation rules and wanted to make sure they were all covered. CS-1 confirmed with "Bolanos" that everything was in order. "Bolanos" told CS-1 that the manifest could be ready tomorrow. CS-1 replied that would be perfect and inquired about when the "stuff" would be sent. "Bolanos" advised CS-1 that the shipment would be sent on Wednesday or Thursday of next week (April 18, 2012 or April 19, 2012). This call was recorded.
29. On April 16, 2012, at approximately 7:48 p.m., CS-1 called "Bolanos" in Mexico to get a status update on the shipment. "Bolanos" told CS-1 there was law enforcement activity in the area so they had to move their operation, resulting in a short delay. CS-1 asked if the merchandise was okay and "Bolanos" stated that it was okay. "Bolanos" told CS-1 to expect to receive the shipping manifest by Thursday or Friday (April 19, 2012 or April 20, 2012). This call was recorded.
30. On April 17, 2012 at approximately 7:16 p.m., CS-1 called VALDEZ's phone, returning a prior phone call. VARGAS answered VALDEZ's phone and told CS-1 that everything is okay, there was a just delay with the permits. VARGAS stated that after tomorrow, the shipment(s)

should start. CS-1 asked if there is anything wrong with the merchandise and VARGAS repeated that everything is fine and the delay is related to company permits. CS-1 informed VARGAS that if the number of trucks is altered, he would need to know so he (CS-1) could make the changes with the U.S. broker. VARGAS again reiterated that things were fine and that CS-1 should not worry. This call was recorded.

31. On April 18, 2012, there were a series of telephone calls among CS-1, VARGAS and VALDEZ. During these calls, VARGAS and VALDEZ instructed CS-1 that they needed to see him immediately, and that it was an emergency. They arranged to meet at a restaurant later that evening.

32. On the evening of April 18, 2012, VARGAS and VALDEZ met CS-1 at a restaurant in Fairfax County, Virginia. During this meeting, VALDEZ and VARGAS informed CS-1 that an individual in Mexico had been trying, unsuccessfully, to reach CS-1 all day. VALDEZ and VARGAS told CS-1 that the marijuana shipment was scheduled to arrive on Monday in Texas. They advised CS-1 that he must cancel all of his appointments for Monday, April 19, 2012, because VARGAS would be at CS-1's office to arrange the manifest. VARGAS stated that he was unsure about how many trucks would be arriving, but that they would both find out at the meeting the next day. CS-1 told VALDEZ and VARGAS that he was going to be out of town over the weekend, but VALDEZ and VARGAS told CS-1 that he was not to leave, and that he had to be ready for any problems with the shipment. This meeting was monitored and recorded.

34. On April 19, 2012, at approximately 11:44 a.m., VARGAS met CS-1 at a location in Fairfax County, Virginia to discuss the impending shipment of marijuana from Mexico. VARGAS told CS-1 it would take 14 - 18 hours to get the drugs to the U.S.-Mexico border, and another 48 hours to transport the drugs from the border to Virginia. VARGAS stated that the

load would depart no later than early Tuesday morning. VARGAS stated that he had been sending money every week and he had a balance of over one million dollars. VARGAS stated that he and VALDEZ traveled to Mexico last week on different flights. VARGAS stated that an uncharged co-conspirator is the owner of La Guadalupana in Woodbridge Virginia and that UCC-2 was renting the rear of property. VARGAS stated that UCC-2 and his crew were responsible for off-loading the narcotics and transporting it to other locations. VARGAS added that UCC-2 and his crew usually take around one hour to off load and the crew would be armed. VARGAS told CS-1 that it takes 2 - 3 weeks to distribute the load. VARGAS said he had distributed 100 pounds of marijuana at a time, and his customers have one week to pay him for the drugs. VARGAS told CS-1 that the Mexican tractor trailer drivers are unaware that they are transporting narcotics. VARGAS advised that they had two trucks in Mexico that were ready to transport the drugs, and that the plan was to ship one per week. VARGAS told CS-1 that an individual in Mexico would have the manifest ready by April 19, 2012 at 5:00 p.m. This meeting was monitored and recorded.

35. On April 20, 2012, at approximately 2:45 p.m., agents went to CS-1's office to retrieve an email sent by an individual in Mexico to CS-1. The email had an attachment with a manifest from Comercializadora De Frutas Rig's, Pavo # 223, colona Centro cp. 44100, Guadalajara, Jalisco, México for frozen mango puree to be billed and shipped to Anmara, Inc., D.B.A. La Guadalupana Supermarket, 13642 Jefferson Davis Highway, Woodbridge Virginia 22191. At approximately 5:15 p.m., CS-1 contacted the U.S. customs broker in Texas regarding the information provided on the manifest. The broker told CS-1 to email the manifest to the broker and stated that the port of entry will be Reynosa Pharr, Texas. At approximately 5:24 p.m., CS-1 contacted an individual in Mexico using the phone supplied to him by VARGAS and

VALDEZ. The individual told CS-1 that he would call CS-1 over the weekend and give him the license plates and details of the truck carrying the "sugar." CS-1 stated the truck should be passing through the port of entry on Tuesday or Wednesday (April 24, 2012 or April 25, 2012). The telephone call was recorded.

36. On April 24, 2012 at approximately 12:00 p.m., CS-1 received a call from VALDEZ who said he needed to meet with CS-1 immediately. Later that afternoon, CS-1 met VALDEZ at a location in Fairfax County, Virginia. During the meeting, VALDEZ informed CS-1 that there was a delay in the shipment and that the "Zetas" in Mexico were blocking the routes for the trucks. VALDEZ advised that the delay could be up to one week and that CS-1 needed to tell the U.S. broker to standby. VALDEZ instructed CS-1 to try not to answer the Boost mobile direct connect calls from Mexico because the "Zetas" were listening to calls. This meeting was monitored and recorded.

37. On May 1, 2012 at approximately 11:18 a.m., VALDEZ met CS-1 at a location in Prince William County, Virginia. During this meeting, VALDEZ informed CS-1 that the shipment would occur either Monday or Tuesday and would arrive in Virginia on Thursday or Friday. This meeting was not successfully recorded due to technical errors.

38. On May 3, 2012, HSI agents in Laredo, Texas agents were contacted by U.S. Customs and Border Protection (CBP) officers assigned to the Colombia Solidarity Bridge in Laredo, Texas regarding the seizure of marijuana from a commercial tractor-trailer. A search of this tractor-trailer revealed marijuana hidden within plastic containers. In total, approximately 572 bundles of marijuana was seized. The total weight of the marijuana was approximately 1866.40 kilograms. The narcotics were concealed within plastic containers of frozen mango puree

destined for Anmara, Inc., D.B.A. La Guadalupana Supermarket, 13642 Jefferson Davis Highway, Woodbridge Virginia 22191.

40. On May 7, 2012 at approximately 2:15 p.m., CS-1 placed a call to VARGAS. During this call, VARGAS told CS-1 that he was ready and needed to meet with CS-1, and that had been trying to reach him all weekend about the shipment paperwork. CS-1 told VARGAS that he would check his schedule and get back to VARGAS. At approximately 2:21 p.m., CS-1 called VARGAS back to arrange the meeting for May 8, 2012. VARGAS informed CS-1 that the paperwork for the shipment was ready and that he would provide it to CS-1 at the meeting. These calls were monitored and recorded.

41. On May 8, 2012 at approximately 12:30 p.m., VARGAS called to inform CS-1 that he was in an important meeting and could not meet CS-1. This call was not monitored or recorded.

42. On May 9, 2012, VARGAS met CS-1 at a location in Fairfax County, Virginia. During this meeting, VARGAS informed CS-1 that there was a delay in the shipment because of the violence in Mexico and that the narcotics shipment was on hold in Jalisco, Mexico. VARGAS further stated that they would need to use another Port of Entry, and that the clients in the United States were angry and therefore they needed to send three more shipments in one truck. VARGAS wanted to meet Monday, May 14, 2012 to provide details on the new Port of Entry. VARGAS stated that all the phones and direct connect cellular phones were dropped. The conversation was monitored and recorded.

C. The September 2012 Seizure

43. On September 18, 2012, HSI agents in Laredo, Texas responded to a call from U.S. Custom and Border Protection (CBP) at World Trade Bridge regarding marijuana seized from a commercial tractor trailer carrying a shipment of metal furniture pieces. During the search of the

trailer, a total of 1,015 bundles were located and seized weighing approximately 1,659 pounds. The shipment was imported by the Macedo Corporation, 8088 Sudley Road, #202 Manassas Virginia 20109. Macedo Corp's address is the same address as Blanca's Shop.

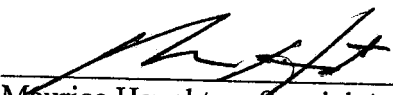
44. On October 5, 2012, law enforcement agents conducted a non-custodial interview of VARGAS. During the interview, VARGAS advised that he is the sole owner of Blanca's Shop in Manassas, Virginia, which is owned through the Limited Liability Corporation (LLC) Macedo Corp. VARGAS also stated that he works for Semer Construction, Inc., located at 12072 Prickly Ash Way, Gainesville, Virginia 20155, and owned by VALDEZ. VARGAS denied any knowledge of the shipment to Blanca's Shop seized on September 18, 2012.

45. Virginia State Corporation Commission records reveal that VARGAS is the registered agent of Macedo Corp., with a registered office located at "13738 Jeff Davis Hwy, Woodbridge, VA 22191."

III. Conclusion

46. Based on the facts outlined above, I respectfully submit there is probable cause to believe that from in and around December 2011 through in and around September 2012, within the Eastern District of Virginia and elsewhere, that Francisco Cirilo VARGAS-AQUINO and Ricardo Avelar VALDEZ, knowingly, unlawfully, and intentionally combined, conspired, confederated, and agreed with others, both known and unknown, to unlawfully, knowingly, and intentionally import 1,000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance, into the United States from a place outside the United States, in violation of Title 21, United States Code, Sections 952, 960(a)(1), and 963.

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.


Maurice Haughton, Special Agent
Department of Homeland Security
U.S. Immigration & Customs Enforcement
Homeland Security Investigations

Sworn and subscribed to before me this 15th of February, 2013.

/s/Thomas Rawles Jones, Jr.

Honorable T. Rawles Jones, Jr.
United States Magistrate Judge