

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

SEALED
INDICTMENT

09 CRIM.

- 83

JOSE JOAQUIN MONTES-OVALLES, :
a/k/a "Jaco," and :
MARIA LILIAN CASTELLANOS-POVEDA, :
a/k/a "Lilian," :
a/k/a "Lili," :
Defendants. :

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COUNT ONE

(Conspiracy to Distribute Cocaine
Knowing And Intending That It Would Be
Imported Into The United States)

The Grand Jury charges:

1. From at least in or about April 2006 up to and including in or about January 2009, JOSE JOAQUIN MONTES-OVALLES, a/k/a "Jaco," and MARIA LILIAN CASTELLANOS-POVEDA, a/k/a "Lilian," a/k/a "Lili," the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of said conspiracy that JOSE JOAQUIN MONTES-OVALLES, a/k/a "Jaco," and MARIA LILIAN CASTELLANOS-POVEDA, a/k/a "Lilian," a/k/a "Lili," the defendants, and others known and unknown, would and did distribute a controlled substance, to wit, five kilograms and more of mixtures

and substances containing a detectable amount of cocaine, knowing and intending that such substance would be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States, in violation of Sections 812, 959(a), and 960(b)(1)(B)(ii) of Title 21, United States Code.

Means And Methods Of The Narcotics Conspiracy

3. Among the means and methods by which JOSE JOAQUIN MONTES-OVALLES, a/k/a "Jaco," and MARIA LILIAN CASTELLANOS-POVEDA, a/k/a "Lilian," a/k/a "Lili," the defendants, and their co-conspirators, would and did carry out the narcotics conspiracy were the following:

a. At all times relevant to this Indictment, JOSE JOAQUIN MONTES-OVALLES, a/k/a "Jaco," and MARIA LILIAN CASTELLANOS-POVEDA, a/k/a "Lilian," a/k/a "Lili," the defendants, were associates and cocaine brokers for the 10th Front of the Fuerzas Armadas Revolucionarias de Colombia (hereinafter, the "FARC"). At all times relevant to this Indictment, the FARC has been and is an international terrorist group dedicated to the violent overthrow of the democratically elected Government of Colombia. The FARC has also evolved into the world's largest supplier of cocaine.

b. The FARC is a highly structured organization, styled as a military group and comprised of approximately 10,000 armed guerillas organized into seven "blocs," 68 numbered "fronts" (of which the 10th Front is one), nine named fronts, and four urban "militias." The FARC's 10th Front has been charged by the FARC with the responsibility for attempting to obtain and to retain, by force, control over the Arauca Department of Colombia, an area bordering Venezuela. The 10th Front supports its terrorist activities and those of the FARC by supplying and arranging shipments of cocaine from airstrips in Venezuela and on the border of Colombia and Venezuela.

Overt Acts

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

a. On or about April 20, 2006, in Panama City, Panama, JOSE JOAQUIN MONTES-OVALLES, a/k/a "Jaco," and MARIA LILIAN CASTELLANOS-POVEDA, a/k/a "Lilian," a/k/a "Lili," the defendants, met with two undercover agents ("UC") of the Drug Enforcement Administration ("DEA") posing as representatives of the Juarez Cartel, one of Mexico's principal cocaine trafficking cartels, to discuss a one-thousand-kilogram shipment of cocaine from airstrips in Venezuela.


b. On or about May 2, 2006, MARIA LILIAN CASTELLANOS-POVEDA, a/k/a "Lilian," a/k/a "Lili," the defendant, sent an electronic mail message ("email") to a DEA UC stating that "our part is ready," and that "the movement of personnel and materials was done"

c. On or about May 6, 2006, JOSE JOAQUIN MONTES-OVALLES, a/k/a "Jaco," the defendant, responding to an email from a DEA UC asking whether "the FARC will provide ... security" for purported Juarez Cartel operatives in Colombia, sent an email to the UC stating that "the security details for your personnel are totally guaranteed because we are the FARC top representatives [sic] in these negotiations."

d. On or about December 23, 2008, JOSE JOAQUIN MONTES-OVALLES, a/k/a "Jaco," had a telephone call with a UC during which MONTES-OVALLES stated that he could have "everything ready" for a cocaine shipment.

(Title 21, United States Code, Section 963.)


FOREPERSON


LEV L. DASSIN
Acting United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOSE JOAQUIN MONTES-OVALLES,
a/k/a "Jaco," and
MARIA LILIAN CASTELLANOS-POVEDA, a/k/a
"Lilian," a/k/a "Lili,"

Defendants.

INDICTMENT

08 Cr.

(21 U.S.C. § 963)

Lev L. Dassin
Acting United States Attorney.

A TRUE BILL


Foreperson...

WARRANT FOR ARREST

United States District Court		DISTRICT	
		SOUTHERN DISTRICT OF NEW YORK	
UNITED STATES OF AMERICA		DOCKET NO.	MAGISTRATE'S CASE NO.
v.		09 CRIM.	- 83
JOSE JOAQUIN MONTES-OVALLES, a/k/a "Jaco,"		NAME AND ADDRESS OF INDIVIDUAL TO BE ARRESTED	
defendant.		JOSE JOAQUIN MONTES-OVALLES, a/k/a "Jaco"	
WARRANT ISSUED ON THE BASIS OF:		DISTRICT OF ARREST	
<input checked="" type="checkbox"/> Indictment <input type="checkbox"/> Information <input type="checkbox"/> Order of Court <input type="checkbox"/> Complaint			
TO: ANY AUTHORIZED FEDERAL LAW ENFORCEMENT OFFICER		CITY	
YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the United States District Court to answer to the charge(s) listed below.			
DESCRIPTION OF CHARGES			
Conspiring to Distribute Cocaine Knowing and Intending That It Be Imported			
IN VIOLATION OF	UNITED STATES CODE TITLE	SECTIONS	
	21	963, 959	
BAIL	OTHER CONDITIONS OF RELEASE		
ORDERED BY	SIGNATURE (FEDERAL JUDGE/U.S. MAGISTRATE)		DATE ORDERED
KEVIN NATHANIEL FOX United States Magistrate Judge Southern District of New York	<i>Kevin Nathaniel Fox</i>		<i>11/29/09</i>
CLERK OF COURT	(BY) DEPUTY CLERK		DATE ISSUED
RETURN			
This warrant was received and executed with the arrest of the above-named person.			
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER	
DATE EXECUTED			

Note: The arresting officer is directed to serve the attached copy of the charge on the defendant at the time this warrant is executed.

WARRANT FOR ARREST

United States District Court		DISTRICT SOUTHERN DISTRICT OF NEW YORK	
UNITED STATES OF AMERICA v. MARIA LILIAN CASTELLANOS-POVEDA, a/k/a "Lilian," a/k/a "Lili," defendant.		DOCKET NO. 09 CRIM.	MAGISTRATE'S CASE NO. - 83
WARRANT ISSUED ON THE BASIS OF: <input type="checkbox"/> Order of Court <input checked="" type="checkbox"/> Indictment <input type="checkbox"/> Information <input type="checkbox"/> Complaint		NAME AND ADDRESS OF INDIVIDUAL TO BE ARRESTED MARIA LILIAN CASTELLANOS-POVEDA, a/k/a "Lilian," a/k/a "Lili"	
		DISTRICT OF ARREST	
TO: ANY AUTHORIZED FEDERAL LAW ENFORCEMENT OFFICER		CITY	
YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the United States District Court to answer to the charge(s) listed below.			
DESCRIPTION OF CHARGES			
Conspiring to Distribute Cocaine Knowing and Intending That It Be Imported			
IN VIOLATION OF	UNITED STATES CODE TITLE 21	SECTIONS 963, 959	
BAIL	OTHER CONDITIONS OF RELEASE		
ORDERED BY KEVIN NATHANIEL FOX United States Magistrate Judge Southern District of New York	SIGNATURE (FEDERAL JUDGE/U.S. MAGISTRATE) <i>Kevin Nathaniel Fox</i>		DATE ORDERED
CLERK OF COURT	(BY) DEPUTY CLERK		DATE ISSUED
RETURN			
This warrant was received and executed with the arrest of the above-named person.			
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