

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
 :
 v. : Crim. No. 10-
 :
 ANSELMO JIMENES, : 18 U.S.C. §§ 371,
 a/k/a "Ansemo Jimenes" : 981(a)(1)(C), 1951(a),
 : 2314 and § 2; 28 U.S.C. § 2461

INDICTMENT

The Grand Jury in and for the District of New Jersey,
sitting at Newark, charges:

COUNT 1

Conspiracy to Obstruct Interstate Commerce by Armed Robbery

Defendant and Others

1. At all times relevant to this Indictment:
 - a. Defendant ANSELMO JIMENES, a/k/a "Ansemo Jimenes," (hereinafter, "defendant JIMENES") was a resident of Brooklyn, New York.
 - b. KELVIN L. JONES, RICHARD LeBLANCA and BRIAN CHECO (hereinafter, "JONES," "LeBLANCA" and "CHECO," respectively) were employed as patrolmen in the New York Police Department ("NYPD").
 - c. ORLANDO GARCIA (hereinafter, "GARCIA") was a former NYPD officer.
 - d. GABRIEL VARGAS (hereinafter, "VARGAS"), LUIS R. MORALES (hereinafter, "MORALES"), ALAN A. BANNOUT (hereinafter, "A. BANNOUT") and Co-conspirator #1 were residents of New York.

e. In-Style USA, Inc. ("In-Style"), a distributor of various perfumes and fragrances, was a corporation that operated and maintained a warehouse located in Carlstadt, New Jersey (hereinafter, "the Warehouse"). In-Style used the Storage Facility for, among other purposes, storage of various types of perfumes and fragrances that were sold at, among other locations, an In-Style site located in Manhattan.

f. A certain individual (hereinafter, "Victim #1") was the owner and general manager of the Warehouse operated by In-Style.

The Conspiracy

2. From in or about December 2009 to in or about February 2010, in Bergen County, in the District of New Jersey and elsewhere, defendant

ANSELMO JIMENES, a/k/a "Ansemo Jimenes," did knowingly and intentionally conspire and agree with others, known and unknown, including JONES, LeBLANCA, CHECO, GARCIA, VARGAS, MORALES, A. BANNOUT, and Co-conspirator #1 (hereinafter, collectively, the "Co-conspirators"), to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery.

3. It was the object of the conspiracy that defendant JIMENES and the Co-conspirators would rob the Warehouse located in Carlstadt, New Jersey to obtain hundreds of boxes of perfumes

and fragrances worth approximately \$600,000 and transport the merchandise from the State of New Jersey to the State of New York.

4. It was a part of the conspiracy that, in or about early December 2009, VARGAS and Co-conspirator #1 traveled from New York to the Warehouse to surveil the area in preparation for the robbery. Further, between on or about December 2009 and early February 2010, defendant JIMENES and the Co-conspirators otherwise planned the robbery.

5. It was a further part of the conspiracy that, on or about February 9, 2010, all of the Co-conspirators traveled from locations in the State of New York to the State of New Jersey to conduct final preparations for, and to commit, the robbery of the Warehouse.

6. It was a further part of the conspiracy that, on or about February 9, 2010, defendant JIMENES hired approximately 15 day laborers (hereinafter, "the Day Laborers") and brought them to the NY Truck Rental Facility where they were directed into the back of one of the rental trucks and then driven by VARGAS to a motel located in Jersey City, New Jersey (the "Motel"). After arriving at the Motel, defendant JIMENES rented three rooms at the Motel and directed the Day Laborers to wait in those rooms pending further instructions from the Co-conspirators.

7. It was a further part of the conspiracy that, on or about February 9, 2010, JONES and CHECO, followed shortly thereafter by LeBLANCA, GARCIA and another individual, entered the Warehouse office while possessing black-colored firearms and held approximately 11 employees of In-Style hostage by, among other means, tying the employees' hands behind their backs with plastic ties.

8. It was a further part of the conspiracy that, while JONES, together with LeBLANCA, CHECO, GARCIA and another co-conspirator held the In-Style employees hostage, defendant JIMENES and other co-conspirators directed day laborers, who had been hired by defendant JIMENES, to load hundreds of brown boxes, all containing various types of perfumes and fragrances, into rental trucks that the Co-conspirators and others had driven to the Warehouse. Once a rental truck was loaded with stolen merchandise, one of the Co-conspirators then drove the trucks away from the Warehouse.

9. It was a further part of the conspiracy that, once the rental trucks were loaded with stolen merchandise, the trucks were ultimately driven by the Co-conspirators to a storage facility in New York where the stolen merchandise was to be concealed.

In violation of Title 18, United States Code, Section 1951(a).

COUNT 2

Obstruction of Interstate Commerce by Armed Robbery

1. Paragraphs 1 and 4 to 9 of Count 1 of this Indictment are hereby incorporated and realleged as if fully set forth herein.

2. On or about February 9, 2010, in Bergen County, in the District of New Jersey and elsewhere, defendant

ANSELMO JIMENES, a/k/a "Ansemo Jimenes,"

did knowingly and willfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery of the In-Style USA, Inc. warehouse in Carlstadt, New Jersey.

In violation of Title 18, United States Code, Section 1951(a) and Section 2.

COUNT 3

Conspiracy to Transport Stolen Goods In Interstate Commerce

1. Paragraphs 1 and 4 to 9 of Count 1 of this Indictment are hereby incorporated and realleged as if fully set forth herein.

2. From in or about early December 2009 to in or about February 2010, in Bergen County, in the District of New Jersey and elsewhere, defendant

ANSELMO JIMENES, a/k/a "Ansemo Jimenes,"

did knowingly and intentionally conspire and agree with others known and unknown, including the Co-conspirators, to transport, transmit, and transfer in interstate and foreign commerce goods, wares, merchandise, securities and money, of the value of \$5,000 and more, knowing the same to have been stolen and converted, contrary to Title 18, United States Code, Section 2314.

3. To further the conspiracy and effect its objects, the following acts were committed in the District of New Jersey and elsewhere:

a. On or about February 8, 2010, defendant JIMENES hired approximately 15 day laborers to assist the Co-conspirators in removing the stolen boxes of perfume from the Warehouse and loading those boxes into rental trucks used to transport the stolen goods to New York.

b. On or about February 9, 2010, JONES, together with LeBLANCA, CHECO, GARCIA and another individual, rented two trucks from the NJ Truck Rental Facility to transport the merchandise that they planned on stealing from the Storage Facility to New York.

c. On or about February 9, 2010, A. BANNOUT, VARGAS, MORALES, Co-conspirator #1 and another individual, rented four trucks from the NY Truck Rental Facility to transport the merchandise they planned on stealing from the Storage Facility to New York.

d. On or about February 9, 2010, defendant JIMENES and other Co-conspirators directed the Day Laborers to remove hundreds of boxes containing perfumes and fragrances from the Storage Facility and load those boxes into the rental trucks.

e. On or about February 9, 2010, the Co-conspirators drove four trucks loaded with stolen merchandise from the Storage Facility to other locations in New Jersey.

f. From in or about early to the middle of February 2009, the trucks with the merchandise stolen from the Storage Facility were driven by VARGAS from New Jersey to locations in New York where the merchandise was unloaded and stored.

In violation of Title 18, United States Code, Section 371.

COUNT 4

Conspiracy to Transport Stolen Goods In Interstate Commerce

1. Paragraph 1(a) of Count 1 is hereby incorporated and realleged as if fully set forth herein.

The Conspiracy

2. In or about December 2009, in Middlesex County, in the District of New Jersey and elsewhere, defendant

ANSELMO JIMENES, a/k/a "Ansemo Jimenes,"

did knowingly and intentionally conspire and agree with others known and unknown, including A. BANNOUT, VARGAS and Co-conspirator #1, to transport, transmit, and transfer in interstate and foreign commerce goods, wares, and merchandise, of the value of \$5,000 and more, knowing the same to have been stolen, converted and taken by fraud, contrary to Title 18, United States Code, Section 2314.

3. It was the object of the conspiracy that defendant JIMENES and others known and unknown used a rental truck to transport stolen merchandise to New York, after burglarizing a storage unit (the "Storage Unit") at a public storage facility located in North Brunswick, New Jersey (the "North Brunswick Storage Facility") and stealing the contents therein, which consisted of other miscellaneous items having a value of \$5,000 and more.

Acts In Furtherance of the Conspiracy

5. To further the conspiracy and effect its objects, the following acts were committed in the District of New Jersey and elsewhere:

a. On or about December 28, 2009, defendant JIMENES rented a storage unit in his name at the North Brunswick Storage Facility, and was provided a passcode by that facility which allowed him to enter the North Brunswick Storage Facility where the Storage Unit was located.

b. On or about December 29, 2009, defendant JIMENES met with Co-conspirator #1 and VARGAS to prepare and plan the burglary of the Storage Unit. Defendant JIMENES was directed by Co-conspirator #1 to hire day laborers to assist with the removal of the merchandise from the Storage Unit, and VARGAS was directed by Co-conspirator #1 to rent a truck that could be used to transport that merchandise from that unit.

c. On or about December 29, 2009, VARGAS rented a truck from a rental facility in Brooklyn, New York.

d. On or about the early morning of December 30, 2009, defendant JIMENES and the day laborers were picked up by VARGAS in Brooklyn, New York, and thereafter followed A. BANNOUT to the North Brunswick Storage Facility.

e. Upon arriving at the North Brunswick Storage Facility, defendant JIMENES and VARGAS entered the facility using

defendant JIMENES's passcode.

f. Once inside the North Brunswick Storage Facility, defendant JIMENES directed VARGAS to drive to the Storage Unit, which was locked shut with a padlock.

g. Defendant JIMENES then used lock cutters to break the padlock on the Storage Unit.

h. After the lock was broken on the Storage Unit, defendant JIMENES and VARGAS left the North Brunswick Storage Facility in the rental truck and picked up the day laborers who were waiting at a nearby gas station.

i. Defendant JIMENES and VARGAS then drove the day laborers into the Storage Facility, again accessing the facility using defendant JIMENES's passcode.

j. Defendant JIMENES then directed the day laborers to load up the rental truck with the merchandise from the Storage Unit.

k. Once the rental truck was loaded, defendant JIMENES and VARGAS followed Co-conspirator #1, A. BANNOUT and another individual from the North Brunswick Storage Facility to a storage facility located in the State of New York.

l. Once there, the stolen merchandise was unloaded by the day laborers and stored.

In violation of Title 18, United States Code, Section 371.

COUNT 5

Transportation of Stolen Goods In Interstate Commerce

1. Paragraph 1(a) of Count 1 and Paragraph 5 of Count 4 of this Indictment are incorporated and realleged as if set forth fully herein.

2. On or about December 30, 2010, in Middlesex County, in the District of New Jersey and elsewhere, defendant

ANSELMO JIMENES, a/k/a "Ansemo Jimenes,"
did transport, transmit, and transfer in interstate and foreign commerce goods, wares, and merchandise, of the value of \$5,000 and more, knowing the same to have been stolen.

In violation of Title 18, United States Code, Section 2314 and Section 2.

Forfeiture Allegation No. 1 Relating To Counts 1, 2 and 3

As the result of committing the aforementioned offenses in violation of Title 18, United States Code, Sections 1951(a) and 2314, as alleged in Counts 1, 2 and 3 of this Indictment, defendant JIMENES, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constituted or was derived from proceeds traceable to the commission of the offense, including but not limited to, the perfumes and fragrances stolen from In-Style USA Inc., and any United States currency that constituted or was derived, directly or indirectly, from proceeds traceable to the commission of the offenses alleged in Counts 1, 2 and 3 of this Indictment. If more than one defendant is convicted of an offense, the defendants so convicted are jointly and severally liable for the amount subject to forfeiture under this paragraph.

If any of the above-described forfeitable property, as a result of any act or omission of defendant JIMENES:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of defendant JIMENES, up to the value of the above forfeitable property.

In violation of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461.

Forfeiture Allegation No. 2 Relating To Count 5

As the result of committing the aforementioned offenses in violation of Title 18, United States Code, Section 2314, as alleged in Count 5 of this Indictment, defendant JIMENES, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constituted or was derived from proceeds traceable to the commission of the offense, including but not limited to, the merchandise stolen from the Storage Unit located at the North Brunswick Storage Facility, and any United States currency that constituted or was derived, directly or indirectly, from proceeds traceable to the commission of the offense alleged in Count 5 of this Indictment. If more than one defendant is convicted of this offense, the defendants so convicted are jointly and severally liable for the amount subject to forfeiture under this paragraph.

If any of the above-described forfeitable property, as a result of any act or omission of defendant JIMENES:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of defendant JIMENES, up to the value of the above forfeitable property.

In violation of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461.

FOREPERSON


PAUL J. FISHMAN
UNITED STATES ATTORNEY