



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>INDICTMENT</u>
	:	
-v.-	:	S3 11 Cr. 169 (VB)
	:	
NICHOLAS ALVAREZ,	:	
a/k/a "Babyface,"	:	
a/k/a "Carlos Gomez,"	:	
a/k/a "Carlos Garcia,"	:	
a/k/a "Luis Torres,"	:	
a/k/a "Prince,"	:	
	:	
Defendant.	:	

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COUNT ONE

(Transportation Generally)

The Grand Jury charges:

1. From at least in or about June 2010, up to and including on or about February 3, 2011, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, knowingly did transport an individual in interstate and foreign commerce, with intent that such individual engage in prostitution, and in sexual activity for which a person can be charged with a criminal offense, and attempted to do so, to wit, ALVAREZ transported individuals ("Victim-1," "Victim-2," and "Victim-3") between New York, New Jersey, Pennsylvania, the District of Columbia, Virginia, Illinois, and Michigan for the purpose of the

individuals engaging in prostitution, a criminal offense in violation of various provisions of the New York Penal Law and analogous statutes of New Jersey, Pennsylvania, the District of Columbia, Virginia, Illinois and Michigan.

(Title 18, United States Code, Section 2421.)

COUNT TWO

(Persuasion, Inducement, Enticement, and Coercion)

The Grand Jury further charges:

2. From at least on or about January 2, 2011 up to and including on or about February 3, 2011, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, knowingly did persuade, induce, entice, and coerce an individual to travel in interstate and foreign commerce, to engage in prostitution, and in sexual activity for which a person can be charged with a criminal offense, and attempted to do so, to wit, ALVAREZ, by using, among other means, fraud, violence, threats of violence, and sexual assault, persuaded, induced, and coerced an individual ("Victim-1") to travel between New York, New Jersey, Pennsylvania, the District of Columbia, and Virginia to engage in prostitution, a criminal offense in violation of various provisions of the New York Penal Law and analogous statutes of New Jersey, Pennsylvania, the District of Columbia, and

Virginia.

(Title 18, United States Code, Section 2422(a).)

COUNT THREE

(Persuasion, Inducement, Enticement, and Coercion)

The Grand Jury further charges:

3. From at least on or about December 1, 2010 up to and including on or about January 14, 2011, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, knowingly did persuade, induce, entice, and coerce an individual to travel in interstate and foreign commerce, to engage in prostitution, and in sexual activity for which a person can be charged with a criminal offense, and attempted to do so, to wit, ALVAREZ, by using, among other means, fraud, violence, threats of violence, and sexual assault, persuaded, induced, and coerced an individual ("Victim-2") to travel between New York, New Jersey, Pennsylvania, the District of Columbia, Virginia, Illinois, and Michigan to engage in prostitution, a criminal offense in violation of various provisions of the New York Penal Law and analogous statutes of New Jersey, Pennsylvania, the District of Columbia, Virginia, Illinois, and Michigan.

(Title 18, United States Code, Section 2422(a).)

COUNT FOUR

(Persuasion, Inducement, Enticement, and Coercion)

The Grand Jury further charges:

4. From at least in or about June 2010 up to and including on or about February 3, 2011, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, knowingly did persuade, induce, entice, and coerce an individual to travel in interstate and foreign commerce, to engage in prostitution, and in sexual activity for which a person can be charged with a criminal offense, and attempted to do so, to wit, ALVAREZ, by using, among other means, fraud, violence, threats of violence, and sexual assault, persuaded, induced, and coerced an individual ("Victim-3") to travel between New York, New Jersey, and Florida to engage in prostitution, a criminal offense in violation of various provisions of the New York Penal Law and analogous statutes of New Jersey and Florida.

(Title 18, United States Code, Section 2422(a).)

COUNT FIVE

(Persuasion, Inducement, Enticement, and Coercion)

The Grand Jury further charges:

5. From at least on or about November 1, 2010 up to and including on or about November 4, 2010, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a

"Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, knowingly did persuade, induce, entice, and coerce an individual to travel in interstate and foreign commerce, to engage in prostitution, and in sexual activity for which a person can be charged with a criminal offense, and attempted to do so, to wit, ALVAREZ, by using, among other means, fraud, violence, threats of violence, and sexual assault, attempted to persuade, induce, and coerce an individual ("Victim-5") to travel from Illinois to New York to engage in prostitution, a criminal offense in violation of various provisions of the New York Penal Law.

(Title 18, United States Code, Section 2422(a).)

COUNT SIX

(Sex Trafficking)

The Grand Jury further charges:

6. From at least on or about January 2, 2011 up to and including on or about February 3, 2011, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, in and affecting interstate and foreign commerce, knowingly did recruit, entice, harbor, transport, provide, obtain, and maintain by any means a person, and knowingly did benefit, financially and by receiving anything of value, from participation in a venture which has engaged in such acts, knowing, and in reckless disregard of the

fact, that means of force, threats of force, fraud, coercion, and a combination of such means would be used to cause the person to engage in a commercial sex act, to wit, ALVAREZ recruited, enticed, harbored, transported, provided, obtained, and maintained an individual ("Victim-1") and, by means of, among others, fraud, violence, threats of violence, and sexual assault, caused Victim-1 to engage in a commercial sex act, from which ALVAREZ benefited financially.

(Title 18, United States Code, Sections 1591(a) and (b)(1).)

COUNT SEVEN

(Sex Trafficking)

The Grand Jury further charges:

7. From at least on or about December 1, 2010 up to and including on or about January 14, 2011, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, in and affecting interstate and foreign commerce, knowingly did recruit, entice, harbor, transport, provide, obtain, and maintain by any means a person, and knowingly did benefit, financially and by receiving anything of value, from participation in a venture which has engaged in such acts, knowing, and in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, and a combination of such means would be used to cause the person to engage in a commercial sex act, to wit, ALVAREZ

recruited, enticed, harbored, transported, provided, obtained, and maintained an individual ("Victim-2") and, by means of, among others, fraud, violence, threats of violence, and sexual assault, caused Victim-2 to engage in a commercial sex act, from which ALVAREZ benefited financially.

(Title 18, United States Code, Sections 1591(a) and (b)(1).)

COUNT EIGHT

(Sex Trafficking)

The Grand Jury further charges:

8. From at least in or about June 2010 up to and including on or about February 3, 2011, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, in and affecting interstate and foreign commerce, knowingly did recruit, entice, harbor, transport, provide, obtain, and maintain by any means a person, and knowingly did benefit, financially and by receiving anything of value, from participation in a venture which has engaged in such acts, knowing, and in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, and a combination of such means would be used to cause the person to engage in a commercial sex act, to wit, ALVAREZ recruited, enticed, harbored, transported, provided, obtained, and maintained an individual ("Victim-3") and, by means of, among others, fraud, violence, threats of violence, and sexual

assault, caused Victim-3 to engage in a commercial sex act, from which ALVAREZ benefited financially.

(Title 18, United States Code, Sections 1591(a) and (b)(1).)

COUNT NINE

(Sex Trafficking)

The Grand Jury further charges:

9. On or about February 3, 2011, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, in and affecting interstate and foreign commerce, knowingly did recruit, entice, harbor, transport, provide, obtain, and maintain by any means a person, knowing, and in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, and a combination of such means would be used to cause the person to engage in a commercial sex act, to wit, ALVAREZ recruited, enticed, harbored, transported, provided, obtained, and maintained an individual ("Victim-4"), knowing that, among other things, violence and threats of physical harm to Victim-4 and others would be used to cause Victim-4 to engage in a commercial sex act.

(Title 18, United States Code, Sections 1591(a) and (b)(1).)

COUNT TEN

(Sex Trafficking)

The Grand Jury further charges:

10. In or about November 2010, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, in and affecting interstate and foreign commerce, attempted to knowingly recruit, entice, harbor, transport, provide, obtain, and maintain by any means a person, and attempted to knowingly benefit, financially and by receiving anything of value, from participation in a venture which has engaged in such acts, knowing, and in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, and a combination of such means would be used to cause the person to engage in a commercial sex act, and that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, to wit, ALVAREZ attempted to recruit, entice, harbor, transport, provide, obtain, and maintain an individual who was less than 18 years old ("Victim-5"), knowing that, among other means, fraud, violence, threats of violence, and sexual assault, would be used to cause Victim-5 to engage in a commercial sex act, from which ALVAREZ would benefit financially, and knowing that Victim-5, who was less than 18 years old, would be caused to engage in a commercial sex act, from which ALVAREZ would benefit financially.

(Title 18, United States Code, Sections 1594(a) and 1591(a),
(b)(1), and (b)(2).)

COUNT ELEVEN

(Kidnapping)

The Grand Jury further charges:

11. On or about February 3, 2011, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, knowingly did seize, confine, inveigle, decoy, kidnap, abduct, and carry away and hold for ransom and reward and otherwise a person when ALVAREZ traveled in interstate and foreign commerce and used the mail and a means, facility, and instrumentality of interstate and foreign commerce in committing and in furtherance of the commission of the offense, to wit, ALVAREZ used an electronic device to access the Internet and identify and locate an individual ("Victim-4") he then seized, confined, abducted and carried away without Victim-4's consent, for the purpose of forcing Victim-4 to engage in prostitution.

(Title 18, United States Code, Section 1201(a)(1).)

COUNT TWELVE

(Failure to Register)

The Grand Jury further charges:

12. From on or about May 13, 2010, up to and including on or about February 3, 2011, in the Southern District of New York and elsewhere, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis

Torres," a/k/a "Prince," the defendant, being an individual required to register under the Sex Offender Registration and Notification Act, knowingly did travel in interstate commerce and did fail to register and update a registration as required by the Sex Offender Registration and Notification Act, to wit, ALVAREZ traveled from the State of New York to the states of New Jersey, Illinois, Florida, and Virginia and remained in those states without updating his registration with New York and without registering as a sex offender in New Jersey, Illinois, Florida, and Virginia.

(Title 18, United States Code, Section 2250.)

FORFEITURE ALLEGATION

13. As a result of committing the sex trafficking offenses alleged in Counts Six through Ten of this Indictment, NICHOLAS ALVAREZ, a/k/a "Babyface," a/k/a "Carlos Gomez," a/k/a "Carlos Garcia," a/k/a "Luis Torres," a/k/a "Prince," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1594: (1) any property, real and personal, used or intended to be used to commit or to facilitate the commission of the offense; and (2) any property, real and personal, constituting or derived from, any proceeds obtained, directly or indirectly, as a result of the offenses.

Substitute Asset Provision

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

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;

(c) has been placed beyond the jurisdiction of the Court;


(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1594;
Title 21, United States Codes, Section 853; and
Title 28, United States Code, Section 2461.)

FOREPERSON



PREET BHARARA
United States Attorney

