

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

: INDICTMENT

-v-

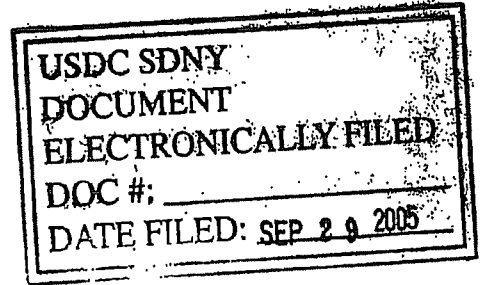
: S6 05 Cr. 517

ALVARO ARDILA-ROJAS,
a/k/a "Mickey,"
ANDRES CAJIAO-BARBERENA,
a/k/a "Temo,"

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:
:

Defendants.

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COUNT ONE

(Narcotics Importation Conspiracy)

The Grand Jury charges:

1. From at least, in or about 2002 up to and including on or about July 26, 2005, in the Southern District of New York and elsewhere, ALVARO ARDILA-ROJAS, a/k/a "Mickey," ANDRES CAJIAO-BARBERENA, a/k/a "Temo," the defendants, together with Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," 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 ALVARO ARDILA-ROJAS, a/k/a "Mickey," ANDRES CAJIAO-BARBERENA, a/k/a "Temo," the defendants, together with Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," and others known and unknown, would and did import into the United States from a place outside

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FOR THE SOUTHERN DISTRICT OF N.Y.
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thereof controlled substances, to wit, (a) five kilograms and more of mixtures and substances containing a detectable amount of cocaine and (b) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 952(a) and 960(b)(1)(A) and (B)(ii) of Title 21, United States Code.

3. It was further a part and an object of said conspiracy that ALVARO ARDILA-ROJAS, a/k/a "Mickey," ANDRES CAJIAO-BARBERENA, a/k/a "Temo," the defendants, together with Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," and others known and unknown, would and did distribute controlled substances, to wit, (a) five kilograms and more of mixtures and substances containing a detectable amount of cocaine and (b) one kilogram and more of mixtures and substances containing a detectable amount of heroin, 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)(A) and (B)(ii) of Title 21, United States Code.

The Means And Methods Of The Conspiracy

4. From at least in or about 2002, up to and including on or about July 26, 2005, ALVARO ARDILA-ROJAS, a/k/a "Mickey," ANDRES CAJIAO-BARBERENA, a/k/a "Temo," the defendants, and others

known and unknown, were members of an international drug-trafficking organization led by Manuel Felipe Salazar-Espinosa, a/k/a "Hoover" ("the Hoover Salazar Drug Trafficking Organization" or "the Hoover Salazar DTO"). The Hoover Salazar DTO was responsible for the importation of multi-ton quantities of cocaine and kilogram quantities of heroin into the United States. The Hoover Salazar DTO coordinated the transportation of cocaine and heroin loads by sea, on board speedboats or "go-fast" boats, from Colombia to Panama. After the cocaine and heroin arrived in Panama, the Hoover Salazar DTO secreted the drugs inside heavy machinery which was then transported by special cargo vessels from Panama to Mexico. In Mexico, the cocaine and heroin were removed from inside the machinery and turned over to a Mexican drug transportation organization which transported the narcotics into the United States to New York and other cities. Between 2002 and July 26, 2005, the Hoover Salazar DTO transported more than 5,000 kilograms of cocaine, worth more than \$100 million, from Colombia to Panama to Mexico for ultimate importation into the United States.

5. During the course of the conspiracy, Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," led the Hoover Salazar DTO, directing all of its narcotics-trafficking activities and financial operations. Salazar-Espinosa was responsible for

providing his co-conspirators with transportation routes used for shipping thousands of kilograms of cocaine and kilogram quantities of heroin from Colombia to Panama and Mexico for ultimate importation into the United States. Salazar-Espinosa led the operations of the Hoover Salazar DTO until his arrest on May 23, 2005. Since his arrest, Salazar-Espinosa has continued to make critical decisions regarding shipments of cocaine from jail and has delegated control of parts of the Hoover Salazar DTO to his co-conspirators.

6. From 2002 up to his arrest on July 21, 2005, ALVARO ARDILA-ROJAS, a/k/a "Mickey," the defendant, was, a partner of Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," and an investor in shipments of multi-ton quantities of cocaine and kilogram quantities of heroin to the United States. ARDILA-ROJAS was responsible for coordinating the transportation of the cocaine and heroin and negotiating the division of profits derived from the sale of those shipments. ARDILA-ROJAS also worked with Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," to develop transportation routes used for the importation of these shipments of drugs from Colombia into the United States.

7. ANDRES CAJIAO-BARBERENA, a/k/a "Temo," the defendant, was, until his arrest on July 21, 2005, the head of the Panama operations for the Hoover Salazar DTO. He was sent by

Salazar-Espinosa to Panama to secure a warehouse where ton-quantities of cocaine and kilogram quantities of heroin were stored before the drugs were welded inside heavy construction machinery that CAJIAO-BARBERENA arranged to ship to Mexico.

Overt Acts

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

a. In or about 2002, Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," and a co-conspirator not named as a defendant herein discussed the transportation of approximately \$8,000,000 in proceeds from a shipment of cocaine that had been imported into the United States.

b. In or about April 2005, in Panama, Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," ALVARO ARDILA-ROJAS, a/k/a "Mickey," ANDRES CAJIAO-BARBERENA, a/k/a "Temo," the defendants, and co-conspirators not named as defendants herein, possessed approximately 2,500 kilograms of cocaine destined for Mexico and ultimately the United States.

c. On or about May 17, 2005, ALVARO ARDILA-ROJAS, a/k/a "Mickey," the defendant, and a co-conspirator not named as a defendant herein, possessed met with Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," in Mexico City, Mexico and discussed a

multi-thousand kilogram cocaine shipment from Panama to Mexico for eventual delivery to the United States.

d. On or about May 23, 2005, Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," traveled to Cali, Colombia to recruit pilots for the purpose of transporting 5,000 kilograms of cocaine destined for New York.

e. On or about July 13, 2005, in Mexico City, Mexico, a co-conspirator not named as a defendant herein, telephoned ANDRES CAJIAO-BARBERENA, a/k/a "Temo," the defendant, in Panama to discuss a multi-thousand kilogram shipment of cocaine that would be transported from Panama to Mexico the following week. That co-conspirator not named as a defendant herein then explained to CC-1 that CAJIAO-BARBERENA was the person who worked for the organization in Panama and who was in charge of concealing the cocaine within the machinery for its transportation to Mexico.

f. On or about July 21, 2005, in Panama City, Panama, at the direction of Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," ANDRES CAJIAO-BARBERENA, a/k/a "Temo," the defendant, concealed within heavy construction machinery, 1,345 kilograms of cocaine and 15 kilograms of heroin, worth a total of approximately \$27 million, which was destined for Mexico en route

to the United States. Photographs of the drugs and the construction machinery are attached hereto.

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

COUNT TWO

The Grand Jury further charges:

11. From at least in or about April 2005 up to and including in or about July 2005, in Panama, ALVARO ARDILA-ROJAS, a/k/a "Mickey," and ANDRES CAJIAO-BARBERENA, a/k/a "Temo," the defendants, together with Manuel Felipe Salazar-Espinosa, a/k/a "Hoover," distributed a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, and aided and abetted such distribution, knowing and intending that the 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.

(Title 21 United States Code, Sections 959(a) and (c),
960(a)(3) & 960(b)(1)(B)(ii) and
Title 18, United States Code, Section 2).

FORFEITURE ALLEGATION

12. As a result of committing one or more of the controlled substance offenses alleged in Counts One and Two of this Indictment, ALVARO ARDILA-ROJAS, a/k/a "Mickey," and ANDRES

CAJIAO-BARBERENA, a/k/a "Temo," the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. §853, any and all property constituting and derived from any proceeds that the said defendant obtained directly and indirectly as a result of the said violations and any and all property used and intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One and Two of this Indictment including, but not limited to, the following: a sum of money equal to approximately \$100 million in United States currency, representing the amount of proceeds obtained as a result of the controlled substance offenses for which the defendant is liable.

Substitute Assets Provision


13. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- 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 divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 21, United States Code, Sections 963, 959 and 853.)



MICHAEL J. GARCIA
United States Attorney