

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA :
:
- v. - :
:
FABIO PORFIRIO LOBO, :
a/k/a "Fabio Porfirio Lobo Lobo," :
a/k/a "Fabio Lobo," :
:
Defendant. :
----- X

INDICTMENT

15 Cr.

15 CRIM 174

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2009, up to and including in or about July 2014, in Honduras and elsewhere, and in an offense begun outside of the jurisdiction of any particular State or district of the United States, FABIO PORFIRIO LOBO, a/k/a "Fabio Porfirio Lobo Lobo," a/k/a "Fabio Lobo," the defendant, who will be first brought to and arrested in the Southern District of New York and whose point of entry into the United States will be in the Southern District of New York, and others known and unknown, 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 the conspiracy that FABIO PORFIRIO LOBO, a/k/a "Fabio Porfirio Lobo Lobo," a/k/a "Fabio Lobo," the defendant, and others known and unknown, would and did import into the United States and into the customs territory of the

United States from a place outside thereof a controlled substance, in violation of Title 21, United States Code, Sections 952(a) and 960(a)(1).

3. It was further a part and an object of the conspiracy that FABIO PORFIRIO LOBO, a/k/a "Fabio Porfirio Lobo Lobo," a/k/a "Fabio Lobo," the defendant, and others known and unknown, would and did manufacture and distribute a controlled substance, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 959(a) and 960(a)(3).

4. The controlled substance that FABIO PORFIRIO LOBO, a/k/a "Fabio Porfirio Lobo Lobo," a/k/a "Fabio Lobo," the defendant, conspired to (i) import into the United States and into the customs territory of the United States from a place outside thereof, and (ii) manufacture and distribute, intending and knowing that such substance would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States from a place outside thereof, was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, in violation of Title 21, United States Code, Section 960(b)(1)(B).

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense charged in Count One of this Indictment, FABIO PORFIRIO LOBO, a/k/a "Fabio Porfirio Lobo Lobo," a/k/a "Fabio Lobo," the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense charged in Count One of this Indictment.

Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of FABIO PORFIRIO LOBO, a/k/a "Fabio Porfirio Lobo Lobo," a/k/a "Fabio Lobo," 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 Title 21,
United States Code, Sections 853(p) and 970, to seek forfeiture
of any other property of the defendant up to the value of the
above forfeitable property.

(Title 21, United States Code, Sections 853 & 970.)



FOREPERSON

Preet Bharara

PREET BHARARA
United States Attorney

