

cfe  
11-1-17

SM:USAO#2017R00635

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

2017 NOV 2 PM 3:28  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

BALTIMORE

UNITED STATES OF AMERICA	:	CRIMINAL NO. JKB-17-0589
	:	
v.	:	
	:	
MOISES ALEXIS REYES-CANALES,	:	(Violent Crimes in Aid of Racketeering,
a/k/a Sicopita,	:	18 U.S.C. § 1959; Use, Carry and Possess
	:	Firearm During and in Relation to, and in
MARLON CRUZ-FLORES,	:	Furtherance of, a Crime of Violence, 18
	:	U.S.C. § 924(c); Conspiracy to Commit
FERMIN GOMEZ-JIMENEZ,	:	Murder in Aid of Racketeering, 18 U.S.C.
	:	§ 1959)
	:	
MANUEL MARTINEZ-AGUILAR,	:	
a/k/a El Lunatic,	:	
a/k/a Zomb,	:	
	:	
Defendants.	:	.oOo.

INDICTMENT

COUNT ONE

(Violent Crime in Aid of Racketeering)  
(Attempted Murder)

The Acting United States Attorney for the District of Maryland charges that:

The MS-13 Enterprise

1. At all times relevant to this Indictment, in the District of Maryland, and elsewhere, defendants FERMIN GOMEZ-JIMENEZ, MANUEL MARTINEZ-AGUILAR (a/k/a, El Lunatic, a/k/a Zomb), MOISES ALEXIS REYES-CANALES (a/k/a Sicopita), and MARLON CRUZ-FLORES, were members of the violent international street gang Mara Salvatrucha, also known as “MS-13.”

2. MS-13, including its leaders, members, and associates, constituted an

enterprise, as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a

continuing unit for a common purpose of achieving the objectives of the enterprise.

3. MS-13, through its leaders, members, and associates, engaged in racketeering activity, as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, acts involving murder and extortion, in violation of Maryland state law, and offenses involving drug trafficking, in violation of Title 21, United States Code, Sections 841 and 846.

Purposes of the MS-13 Enterprise

4. The purposes of MS-13 included the following:
- a. Preserving and protecting the power, territory, reputation, and profits of the enterprise through the use of intimidation, threats of violence, and violence, including assaults and murder;
  - b. Promoting and enhancing the enterprise and its leaders', members', and associates' activities, including, but not limited to, murder, extortion, drug trafficking, and other criminal activities;
  - c. Keeping victims, potential victims, and community members in fear of the enterprise through violence and threats of violence;
  - d. Providing financial support and information to gang leaders, members, and associates, including individuals incarcerated in the United States and in El Salvador;
  - e. Providing assistance to gang leaders, members, and associates who committed crimes on behalf of the enterprise; and
  - f. Hindering, obstructing, and preventing law enforcement officers

from identifying participants in the enterprise's criminal activity; from apprehending the perpetrators of those crimes; and from successfully prosecuting and punishing the offenders.

Methods and Means of the MS-13 Enterprise

5. Among the methods and means by which defendants FERMIN GOMEZ-JIMENEZ, MANUEL MARTINEZ-AGUILAR (a/k/a, El Lunatic, a/k/a Zomb), MOISES ALEXIS REYES-CANALES (a/k/a Sicopita), and MARLON CRUZ-FLORES, and other leaders, members, and associates of MS-13 conducted and participated in the conduct of the affairs of the enterprise were the following:

a. Leaders, members, and associates of MS-13 used intimidation, threats of violence, and violence, including assaults and murder, to preserve, expand, and protect MS-13's territory and activities, to promote and enhance its prestige, reputation, and position in the community, and to discipline gang members who had been disloyal or had violated gang rules;

b. MS-13 leaders, members, and associates attended regular gang meetings to discuss, among other things: the structure and organization of the gang; past criminal acts committed against rival gang members and others; MS-13 leaders, members, and associates who had been arrested or incarcerated; disciplining MS-13 leaders, members, and associates who had violated gang rules; police interactions with MS-13 leaders, members, and associates; the identities of individuals suspected of cooperating with law enforcement, and proposed actions to be taken against them; and plans agreements regarding the commission of future crimes, as well as ways to conceal these crimes;

c. MS-13 leaders, members, and associates financed the enterprise through a variety of activities, including the extortion of money – sometimes referred to as “rent” – from gang members and from legitimate and illegitimate businesses operating on the gang's turf;

d. MS-13 leaders, members, and associates distributed and agreed to distribute controlled substances on behalf of the gang; and

e. MS-13 leaders, members, and associates hindered and obstructed the efforts of law enforcement to identify, apprehend, and successfully prosecute and punish gang members.

**Attempted Murder in Aid of Racketeering**

6. On or about October 23, 2016, within the District of Maryland, the defendants,

**MOISES ALEXIS REYES-CANALES,  
a/k/a Sicopita,**

**MARLON CRUZ-FLORES,**

**FERMIN GOMEZ-JIMENEZ,**

**MANUEL MARTINEZ-AGUILAR,  
a/k/a El Lunatic,  
a/k/a Zomb,**

together with others known and unknown, for the purpose of gaining entrance to and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, attempted to murder and aided and abetted in the attempted murder of Victim 1 and Victim 2, in violation of Maryland Code, Criminal Law, §§ 2-201 and 2-205, and the Common Law of Maryland.

18 U.S.C. § 1959(a)(5)  
18 U.S.C. § 2

**COUNT TWO**

**(Use and Carry a Firearm During and In Relation to a Crime of Violence)**

On or about October 23, 2016, in the District of Maryland, the defendant,

**MOISES ALEXIS REYES-CANALES,**  
**a/k/a Sicopita,**

**MARLON CRUZ-FLORES,**

**FERMIN GOMEZ-JIMENEZ,**

**MANUEL MARTINEZ-AGUILAR,**  
**a/k/a El Lunatic,**  
**a/k/a Zomb,**

together with others known and unknown, did knowingly possess and discharge a firearm, and aided and abetted, the knowing possession and discharge of a firearm in furtherance of a crime of violence for which he may be prosecuted in a court of the United States, to wit: Attempted Murder in Aid of Racketeering, as set forth in Count One of this Indictment, in violation of 18 U.S.C. § 1959(a)(5), which is incorporated by reference.

18 U.S.C. § 924(c)  
18 U.S.C. § 2

**COUNT THREE**

**(Conspiracy to Commit Murder in Aid of Racketeering)**

On or about October 23, 2016, within the District of Maryland, the defendants,

**MOISES ALEXIS REYES-CANALES,**  
a/k/a Sicopita,


**MARLON CRUZ-FLORES,**

**FERMIN GOMEZ-JIMENEZ,**

**MANUEL MARTINEZ-AGUILAR,**  
a/k/a El Lunatic,  
a/k/a Zomb,

together with others known and unknown, for the purpose of gaining entrance to and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally conspire and agree with others to murder Victim-1 and Victim 2, in violation of Maryland Code, Criminal Law, §§ 1-202 and 2-201, and the Common Law of Maryland.

18 U.S.C. § 1959(a)(5)

  
Stephen M. Schenning  
Acting United States Attorney

**SIGNATURE REDACTED**

Foreperson

11/2/17  
Date