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**SUPERSEDING INDICTMENT**

**COUNT ONE**

**(Conspiracy to Participate in a Racketeering Enterprise)**

The Grand Jury for the District of Maryland charges that:

At all times relevant to this Superseding Indictment:

**The Enterprise**

1. *La Mara Salvatrucha*, also known as MS-13 (“MS-13”), was a gang composed primarily of immigrants or descendants of immigrants from El Salvador, with members operating in Maryland, including in Prince George’s County, and throughout the United States.

2. The name “Mara Salvatrucha” was a combination of several slang terms. The word “Mara” was the term used in El Salvador for “gang.” The phrase “Salvatrucha” was a combination of the words “Salva,” which was an abbreviation for “Salvadoran,” and “trucha,” which was a slang term for “fear us,” “look out,” or “heads up.”

3. In the United States, MS-13 had been functioning since at least the 1980s. MS-13 originated in Los Angeles, California, where MS-13 members banded together for protection against larger Mexican groups. MS-13 quickly spread to states across the country, including Maryland.

4. MS-13 was a national and international criminal organization and was one of the largest street gangs in the United States. Gang members actively recruited members, including

juveniles, from communities with a large number of immigrants from El Salvador and other Central American countries.

5. **BRAYAN ALEXANDER TORRES, a/k/a “Spooky” (“TORRES”); AGUSTINO EUGENIO RIVAS RODRIGUEZ, a/k/a “Cipitio,” a/k/a “Chuchin,” a/k/a “Angel,” a/k/a “Terrible,” a/k/a “Small” (“RIVAS RODRIGUEZ”); HERNAN YANES-RIVERA, a/k/a “Shrek,” a/k/a “Recio,” a/k/a “Garra” (“YANES-RIVERA”); FRANKLYN EDGARDO SANCHEZ, a/k/a “Freddy,” a/k/a “Magic,” a/k/a “Mielo,” a/k/a “Delinquent” (“SANCHEZ”); BRIAN SAMIR ZELAYA MEJIA, a/k/a “Flaco,” a/k/a “Catrachito,” a/k/a “Calacas,” a/k/a “Chispa,” a/k/a “Directo” (“ZELAYA MEJIA”); MIGUEL ANGEL RAMIREZ, a/k/a/ “Majin Buu,” a/k/a “El Gordo” (“RAMIREZ”); JORGE ISAAC ARGUETA CHICA, a/k/a “Timido,” a/k/a “Enano” (“ARGUETA CHICA”); DIEGO FABRICIO ANGEL-ARTIGA, a/k/a “Stewie” (“ANGEL-ARTIGA”);** and [REDACTED]

[REDACTED], among others, were members and associates of MS-13. MS-13 members and associates referred to one another by their “gang names,” or monikers, and often did not know fellow gang members and associates except by their monikers.

6. Members and associates of MS-13 were expected to protect the name, reputation, and status of the gang from rival gang members and other persons. MS-13 members required that all individuals show respect and deference to the gang and its membership. To protect the gang and to enhance its reputation, MS-13 members and associates were expected to use any means necessary to force respect from those who show disrespect, including acts of intimidation and violence.

7. Members and associates of MS-13 frequently engaged in criminal activity, including, but not limited to, murder, assault, extortion, and dealing in illegal controlled substances. MS-13 members and associates were required to commit acts of violence to maintain membership and discipline within the gang, as well as against rival gang members. Participation in criminal activity by a member or associate, particularly in violent acts directed at rival gangs or as directed by gang leadership, increased the respect accorded to that member or associate, resulted in that member or associate maintaining or increasing his position in the gang, and opened the door to a promotion to a leadership position. One of the principal rules of MS-13 was that its members, and persons seeking to become members, must attack and kill rivals whenever possible.

8. Another principal rule of MS-13 was that its members must never cooperate with law enforcement. Violation of this rule resulted in an order of death for the offender.

9. There were membership ranks within MS-13. Some of the membership ranks from lower to higher, respectively, were “paro,” “observacione,” “chequeo,” and “homeboy.” To move up in rank, members were required to prove their worthiness by “putting in work,” which included committing crimes for or on behalf of MS-13. For example, generally to advance from chequeo to homeboy, a member must have committed a murder. After proving worth sufficient to become a homeboy, the member was required to complete an initiation process, often referred to as being “jumped in” or “beat in” to the gang. During that initiation, other members of MS-13 beat the prospective homeboy member, until a gang member finished counting aloud to the number thirteen, representing the “13” in MS-13.

10. MS-13 was an international criminal organization and was organized in Maryland and elsewhere into “cliques,” that is, smaller groups operating in a specific city or region.

Cliques operated under the umbrella rules of MS-13. MS-13 cliques often worked together cooperatively to engage in criminal activity and to assist one another in avoiding detection by law enforcement.

11. **TORRES, RIVAS RODRIGUEZ, YANES-RIVERA, SANCHEZ, ZELAYA MEJIA, RAMIREZ, ARGUETA CHICA, ANGEL-ARTIGA,** and [REDACTED]

[REDACTED] were members and associates of the Weedams Locos Salvatrucha (“WLS”) Clique of MS-13.

12. Each clique was presided over by the “First Word,” the leader or president of the clique. The leader was also referred to as “Primero Palabra,” or “Shotcaller,” or “Corredor,” or “Runner.” Some cliques had a “Second Word,” or “Segundo Palabra,” who was the second-in-command of the clique. Some cliques also had other leadership positions, including Treasurer. General members were required to take orders from these leaders. **TORRES** was the “First Word” or leader of WLS and **RIVAS RODRIGUEZ** was the “Second Word,” or second-in-command of WLS.

13. MS-13 cliques kept in contact and reported to the supreme runners for their respective cliques, who were often based in El Salvador. Cliques contacted their leaders based in El Salvador using mobile telephones to keep them updated on gang business, for advice, and to resolve disagreements regarding operations among local cliques.

14. MS-13 members and associates, including members of WLS, met on a regular basis to, among other things, discuss gang affairs, organize extortion activities, enforce discipline, and report on acts of violence committed by their members, with the goal of inciting and encouraging further violence. Each clique held clique meetings where business specific to that clique was discussed. Any perceived indiscretions by members and associates for violations

of MS-13 rules were talked about at clique meetings, and punishments were issued. Punishments often took the form of beatings by fellow MS-13 members. More serious violations resulted in the issuance of a “greenlight.” A greenlight is an order and/or approval to kill.

15. MS-13 received money and income from various sources, including member dues and the extortion, or “taxing,” of brothels and other illegitimate businesses. Such funds, often referred to by MS-13 members and associates as “rent,” were then used for gang purposes, including obtaining weapons and providing support for MS-13 gang members who were imprisoned in the United States, both inside and outside of Maryland, and in El Salvador.

16. MS-13 members and associates communicated about gang activities with other MS-13 members and associates in Maryland and elsewhere using mobile telephones, text messages, social media such as Facebook and WhatsApp, e-mail accounts, and other modes of communication. MS-13 members and associates used transnational and international money wire transfers to conduct and promote gang activities.

#### **The Racketeering Enterprise**

17. MS-13, including its leadership, membership, and associates, constituted an enterprise as defined in 18 U.S.C. § 1961(4), that is, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce (“the Enterprise”). The Enterprise constituted an ongoing organization whose members and associates functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise.

#### **Purposes of the Enterprise**

18. The purposes of the Enterprise included, among other things:

- a. Preserving and protecting the power, territory, and profits of the Enterprise through the use of intimidation and violence, including assaults, murders, and threats of violence;
- b. Promoting and enhancing the Enterprise and its members' and associates' activities;
- c. Enriching the members and associates of the Enterprise through extortion, money laundering, and other illegal activities;
- d. Keeping victims and potential witnesses in fear of the Enterprise and in fear of its members and associates through threats of violence and actual violence; and
- e. Providing assistance to members and associates in order to hinder, obstruct, and prevent law enforcement officers from identifying offenders, apprehending offenders, and prosecuting and punishing offenders.

**Means and Methods of the Enterprise**

19. Among the means and methods by which the members and associates conducted and participated in the conduct of the affairs of the Enterprise were the following:
- a. Members and associates of the Enterprise committed, attempted, and conspired to commit extortion;
  - b. Members and associates of the Enterprise committed, and attempted, conspired, and threatened to commit, acts of violence, including murder, to protect and expand the Enterprise's criminal operations;
  - c. Members and associates of the Enterprise promoted a climate of fear through violence and threats of violence; and
  - d. Members and associates of the Enterprise used and threatened to use physical violence against various individuals.

**The Racketeering Conspiracy**

20. Beginning on a date unknown to the Grand Jury, but at least prior to in or about August 2018, and continuing through at least in or about June 2021, in the District of Maryland and elsewhere, the defendants,

**BRAYAN ALEXANDER TORRES,**

a/k/a "Spooky,"

**AGUSTINO EUGENIO RIVAS RODRIGUEZ,**

a/k/a "Cipitio,"

a/k/a "Chuchin,"

a/k/a "Angel,"

a/k/a "Terrible,"

a/k/a "Small,"

**HERNAN YANES-RIVERA,**

a/k/a "Shrek,"

a/k/a "Recio,"

a/k/a "Garra,"

**FRANKLYN EDGARDO SANCHEZ,**

a/k/a "Freddy,"

a/k/a "Magic,"

a/k/a "Miclo,"

a/k/a "Delinquente,"

**BRIAN SAMIR ZELAYA MEJIA,**

a/k/a "Flaco,"

a/k/a "Catrachito,"

a/k/a "Calacas,"

a/k/a "Chispa,"

a/k/a "Directo,"

**MIGUEL ANGEL RAMIREZ,**

a/k/a "Majin Buu,"

a/k/a "El Gordo,"

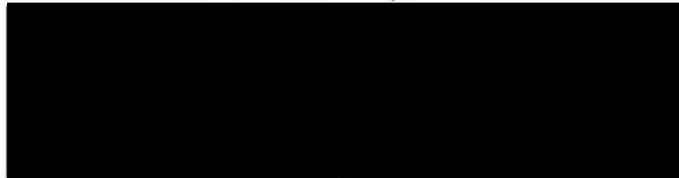
**JORGE ISAAC ARGUETA CHICA,**

a/k/a "Timido,"

a/k/a "Enano,"

**DIEGO FABRISIO ANGEL-ARTIGA,**

a/k/a "Stewie," and



being persons employed by and associated with MS-13, an enterprise engaged in, and the



activities of which affected, interstate and foreign commerce, did knowingly and intentionally conspire and agree with each other, and others known and unknown to the Grand Jury, to violate 18 U.S.C. § 1962(c), that is to conduct and participate, directly and indirectly, in the conduct of the affairs of MS-13 through a pattern of racketeering activity, as defined in 18 U.S.C.

§§ 1961(1) and (5), which pattern of racketeering activity consisted of multiple: acts involving extortion, in violation of Maryland Code, Criminal Law §§ 3-701 and 3-705, and the Common Law of Maryland, punishable pursuant to Maryland Code, Criminal Law §§ 1-201, 1-202, 3-701, and 3-705; acts involving murder, in violation of Maryland Code, Criminal Law §§ 2-201, 2-204, 2-205, and 2-206, and the Common Law of Maryland, punishable pursuant to Maryland Code, Criminal Law §§ 1-201, 1-202, 2-201, 2-204, 2-205, and 2-206; acts indictable under 18 U.S.C. § 1951 (relating to interference with commerce by robbery or extortion) and 18 U.S.C. § 1956 (relating to the laundering of monetary instruments).

21. It was further part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

**Manner and Means of the Racketeering Conspiracy**

22. Among the manners and means used by the defendants and their co-conspirators to achieve the object of the conspiracy were the following:

a. MS-13 members and associates met and communicated about, among other things, the structure and organization of the gang; past criminal acts committed against rival gang members and others; MS-13 members and associates who were arrested or incarcerated; disciplining of MS-13 members and associates; police interactions with MS-13 members and associates; the identities of individuals suspected of cooperating with law

enforcement and the proposed actions to be taken against them; plans and agreements regarding the commission of future crimes, as well as ways to conceal these crimes; the circulation and sale of firearms between and among MS-13 members; and the enforcement of gang rules.

b. MS-13 members and associates agreed to purchase, maintain, and circulate weapons and firearms for use in criminal activity by MS-13 members.

c. MS-13 members and associates received money and income from sources including the extortion of persons engaged in business activities and the distribution of controlled substances. Such funds were used for gang purposes such as obtaining weapons and providing support for MS-13 gang members, including those imprisoned in the United States (inside and outside of Maryland) and in El Salvador.

d. MS-13 members and associates agreed that acts involving murder, including conspiracy and attempts to commit murder, and other acts of violence, would be committed by members and associates of MS-13 against rival gang members and persons deemed as threats to MS-13 and for the purpose of imposing discipline within the gang, and on other occasions as deemed necessary.

e. MS-13 members and associates would investigate rival gang members or other persons targeted for violence; would obtain information about such targets, including locations frequented by them; and would use such information in their plans to attack such targets.

#### **Overt Acts**

23. In furtherance of the conspiracy, and to effect the illegal object thereof, the defendants and their co-conspirators performed, participated in, and did the following acts, among others, in the District of Maryland and elsewhere:

a. Between in or about 2018 and in or about June 2021, in the Adelphi area of Prince George’s County, Maryland, **TORRES, RIVAS RODRIGUEZ, YANES-RIVERA, ZELAYA MEJIA, RAMIREZ, ARGUETA CHICA, ANGEL-ARTIGA,** [REDACTED] and other members and associates of MS-13 extorted sums of money from persons including owners and operators of illegal businesses, including brothels, beer sellers, and narcotics distributors, the proceeds of which benefitted the gang.

b. On various dates between 2018 and June of 2021, Victim-2 made “rent” payments to members and associates of MS-13, including to **TORRES, RIVAS RODRIGUEZ, YANES-RIVERA, ZELAYA MEJIA, RAMIREZ, ARGUETA CHICA,** and **ANGEL-ARTIGA**. These rents were imposed on Victim-2’s beer selling business, through which Victim-2 sold beer that was purchased or manufactured outside the state of Maryland. Instances of extortion included at least the following:

	<u>Date</u>	<u>Payment Recipient(s)</u>
1.	10/10/18	<b>RIVAS RODRIGUEZ</b> and another known MS-13 associate
2.	03/21/19	<b>YANES-RIVERA</b> and two unknown individuals
3.	05/06/19	An unknown individual collected money while <b>TORRES</b> and two other unknown individuals waited nearby
4.	05/14/19	<b>RIVAS RODRIGUEZ</b>
5.	06/26/19	<b>YANES-RIVERA</b>
6.	07/09/19	<b>YANES-RIVERA</b>
7.	07/23/19	<b>YANES-RIVERA</b>
8.	08/09/19	<b>YANES RIVERA</b>
9.	08/20/19	<b>ZELAYA MEJIA</b>
10.	09/03/19	<b>ZELAYA MEJIA</b>

11.	09/17/19	<b>ZELAYA MEJIA</b>
12.	10/01/19	<b>YANES RIVERA</b>
13.	10/15/19	<b>TORRES</b> collected money while <b>RIVAS RODRIGUEZ</b> waited nearby
14.	10/29/19	<b>ZELAYA MEJIA</b>
15.	11/12/19	<b>RIVAS RODRIGUEZ</b>
16.	11/26/19	<b>YANES RIVERA</b>
17.	12/10/19	<b>ZELAYA MEJIA</b>
18.	12/23/19	<b>ZELAYA MEJIA</b>
19.	01/07/20	<b>RIVAS RODRIGUEZ</b>
20.	01/21/20	<b>ZELAYA MEJIA</b>
21.	02/04/20	<b>ZELAYA MEJIA</b>
22.	02/18/20	<b>ZELAYA MEJIA</b>
23.	03/03/20	<b>ZELAYA MEJIA</b>
24.	03/17/20	<b>ARGUETA CHICA</b>
25.	03/31/20	<b>ZELAYA MEJIA</b>
26.	04/28/20	<b>ANGEL-ARTIGA</b>
27.	06/01/20	<b>ZELAYA MEJIA</b>
28.	06/09/20	<b>ZELAYA MEJIA</b> and two or more unknown individuals waited in vehicle
29.	06/23/20	<b>ANGEL-ARTIGA</b>
30.	07/07/20	<b>YANES RIVERA</b>
31.	07/21/20	<b>RIVAS RODRIGUEZ</b>
32.	08/11/20	<b>RIVAS RODRIGUEZ</b> and an unknown individual waited nearby
33.	09/08/20	<b>RIVAS RODRIGUEZ</b>

34.	09/22/20	<b>RAMIREZ</b>
35.	10/06/20	<b>ANGEL-ARTIGA</b>
36.	10/20/20	<b>ANGEL-ARTIGA</b>
37.	11/10/20	<b>ZELAYA MEJIA and ARGUETA CHICA</b>
38.	11/17/20	<b>ANGEL-ARTIGA</b>
39.	12/01/20	<b>ZELAYA MEJIA and ARGUETA CHICA</b>
40.	12/15/20	<b>ZELAYA MEJIA</b>
41.	12/29/20	<b>ZELAYA MEJIA</b>
42.	01/26/21	<b>RIVAS RODRIGUEZ</b>
43.	02/09/21	<b>ZELAYA MEJIA</b>
44.	03/12/21	<b>ZELAYA MEJIA</b>
45.	03/23/21	<b>RAMIREZ</b>
46.	04/06/21	<b>ZELAYA MEJIA</b>
47.	05/04/21	<b>RAMIREZ collected money and then met with RIVAS RODRIGUEZ</b>
48.	05/18/21	<b>RAMIREZ</b>
49.	06/01/21	<b>RAMIREZ</b>
50.	06/15/21	<b>RAMIREZ</b>

c. On various dates in 2020 and 2021, Victim-3 made “rent” payments to members and associates of MS-13, including to **TORRES, YANES-RIVERA,** and [REDACTED]. These rents were imposed on Victim-3’s beer selling business, through which Victim-3 sold beer that was purchased or manufactured outside the state of Maryland.

d. Between in or about January 2020 and in or about February 2021, **TORRES, YANES-RIVERA, SANCHEZ, ZELAYA MEJIA, ARGUETA CHICA**, and other MS-13 members and associates sent money to MS-13 members and associates in El Salvador obtained from the extortion of owners and operators of illegal businesses, which businesses operated in interstate commerce.

e. Between in or around January 2020 and in or around December 2020, members and associates of MS-13 transferred firearms that were manufactured outside the state of Maryland to other members and associates of MS-13, including to **SANCHEZ**.

f. On or about February 23, 2020, senior members and associates of MS-13 directed **YANES-RIVERA** and **SANCHEZ** to murder Victim-1, in retaliation for Victim-1's prior cooperation with law enforcement.

g. On or about February 23, 2020, in Prince George's County, Maryland, **YANES-RIVERA** and **SANCHEZ** aided and abetted the murder of Victim-1 in Hyattsville, Maryland.

h. In or around February or March of 2020, **YANES-RIVERA** and **SANCHEZ** were promoted to homeboy as a result of their murder of Victim-1.

i. On or about March 8, 2020, **ARGUETA CHICA** sent \$50 by Western Union to an MS-13 associate in El Salvador.

j. On or about June 22, 2020, **SANCHEZ** sent \$60 by Western Union to an MS-13 associate in El Salvador.

k. On or about July 1, 2020, **SANCHEZ** sent \$80 by Western Union to an MS-13 associate in El Salvador.

l. On or about July 5, 2020, **SANCHEZ** sent \$50 by Western Union to an MS-13 associate in El Salvador.

m. On or about July 6, 2020, **SANCHEZ** sent \$80 by Western Union to an MS-13 associate in El Salvador.

n. On or about August 13, 2020, **ZELAYA MEJIA** sent \$70 by Western Union to an MS-13 associate in El Salvador.

o. On or about September 16, 2020, **YANES-RIVERA** sent \$60 by Western Union to an MS-13 associate in El Salvador.

p. On or about September 19, 2020, **TORRES** sent \$100 by Western Union to an MS-13 associate in El Salvador.

q. On or about October 4, 2020, **YANES-RIVERA** sent \$410 by Western Union to an MS-13 associate in El Salvador.

r. On or about October 6, 2020, a member of the WLS clique of MS-13, acting at the direction of **TORRES**, directed the collection of extortion rents at three brothels in Prince George's County, Maryland. After the rent collection, **ANGEL-ARTIGA** directed that the monies collected from the brothels be delivered to **TORRES** at an apartment complex.

s. On or about October 21, 2020, a member of the WLS clique of MS-13 sold a firearm that had been manufactured outside the state of Maryland to a member or associate of MS-13.

t. On or about October 22, 2020, **SANCHEZ** sent \$50 by Western Union to an MS-13 associate in El Salvador.

**Notice of Special Sentencing Factor**

24. On or about February 23, 2020, in the District of Maryland, defendants **HERNAN YANES-RIVERA** and **FRANKLYN EDGARDO SANCHEZ** unlawfully conspired with others known and unknown to the Grand Jury to feloniously, willfully, and with deliberately premeditated malice, kill and murder Victim-1, in violation of Maryland Code, Criminal Law § 2-201(a)(1), and the Common Law of Maryland, and punishable pursuant to Maryland Code, Criminal Law § 1-202.

18 U.S.C. § 1962(d)



**COUNT TWO**  
**(Conspiracy to Interfere with Commerce by Extortion)**

The Grand Jury for the District of Maryland further charges that:

At all times relevant to this Superseding Indictment:

**Introduction**

1. Victim-2, a Maryland resident, was an individual who had an unlicensed business selling beer manufactured, bottled, and sometimes purchased outside the state of Maryland to individuals within the state of Maryland.

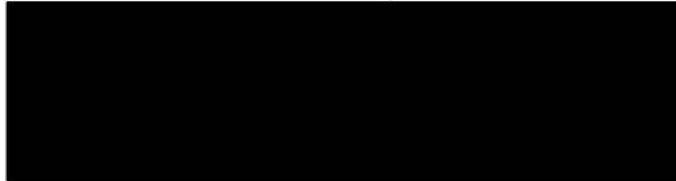
2. Victim-3, a Maryland resident, was an individual who had an unlicensed business selling beer manufactured, bottled, and sometimes purchased outside the state of Maryland to individuals within the state of Maryland.


**The Extortion Conspiracy**

3. Beginning on a date unknown to the Grand Jury, but at least prior to in or about October 2018, and continuing through at least in or about June 2021, in the District of Maryland and elsewhere, the defendants,

**BRAYAN ALEXANDER TORRES,**  
a/k/a “Spooky,”  
**AGUSTINO EUGENIO RIVAS RODRIGUEZ,**  
a/k/a “Cipitio,”  
a/k/a “Chuchin,”  
a/k/a “Angel,”  
a/k/a “Terrible,”  
a/k/a “Small,”  
**HERNAN YANES-RIVERA,**  
a/k/a “Shrek,”  
a/k/a “Recio,”  
a/k/a “Garra,”  
**BRIAN SAMIR ZELAYA MEJIA,**  
a/k/a “Flaco,”  
a/k/a “Catrachito,”  
a/k/a “Calacas,”  
a/k/a “Chispa,”  
a/k/a “Directo,”


**MIGUEL ANGEL RAMIREZ,**  
a/k/a “Majin Buu,”  
a/k/a “El Gordo,”  
**JORGE ISAAC ARGUETA CHICA,**  
a/k/a “Timido,”  
a/k/a “Enano,”  
**DIEGO FABRISIO ANGEL-ARTIGA,**  
a/k/a “Stewie,” and



did conspire and agree with each other, and others known and unknown to the Grand Jury, to knowingly obstruct, delay, and affect commerce and the movement of any article or commodity in commerce by extortion, as those terms are defined in 18 U.S.C. § 1951; that is, **TORRES, RIVAS RODRIGUEZ, YANES-RIVERA, ZELAYA MEJIA, RAMIREZ, ARGUETA CHICA, ANGEL-ARTIGA,** and  conspired and agreed with each other and others to obtain money from Victim-2, Victim-3, and other individuals known and unknown to the Grand Jury, with each victim’s consent induced by the wrongful use of actual and threatened force, violence, and fear.

**Manner and Means of the Conspiracy**

4. Among the manners and means used by the defendants and their co-conspirators to achieve the object of the conspiracy were the following:

a. **TORRES, RIVAS RODRIGUEZ, YANES-RIVERA, ZELAYA MEJIA, RAMIREZ, ARGUETA CHICA, ANGEL-ARTIGA,** , and other members of MS-13 would approach those engaged in unlicensed and illegal businesses and demand that they pay a fee, often referred to as “rent,” in return for being allowed to continue conducting business.

b. **TORRES, RIVAS RODRIGUEZ, YANES-RIVERA, ZELAYA MEJIA, RAMIREZ, ARGUETA CHICA, ANGEL-ARTIGA, [REDACTED]** and other members of MS-13 would threaten the victims and place them in a state of fear that if they did not pay “rent,” they would be subjected to physical violence.

c. **TORRES, RIVAS RODRIGUEZ, YANES-RIVERA, ZELAYA MEJIA, RAMIREZ, ARGUETA CHICA, ANGEL-ARTIGA, [REDACTED]** and other members of MS-13 would collect regular “rent” payments from extortion victims and would contact victims using cellular telephones to arrange the meetings to collect “rent” payments.

**Overt Acts**

5. In furtherance of the conspiracy, and to effect the illegal object thereof, **TORRES, RIVAS RODRIGUEZ, YANES-RIVERA, ZELAYA MEJIA, RAMIREZ, ARGUETA CHICA, ANGEL-ARTIGA, and [REDACTED]**, and their co-conspirators performed, participated in, and did the following acts, among others, in the District of Maryland and elsewhere:

a. Between in or about 2018 and in or about June 2021, in the Adelphi area of Prince George’s County, Maryland, **TORRES, RIVAS RODRIGUEZ, YANES-RIVERA, ZELAYA MEJIA, RAMIREZ, ARGUETA CHICA, ANGEL-ARTIGA, [REDACTED]** and other members and associates of MS-13 extorted sums of money from persons including owners and operators of illegal businesses, including brothels, beer sellers, and narcotics distributors, the proceeds of which benefitted the gang.

b. Paragraphs 23(b) and 23(c) of Count One of this Superseding Indictment are incorporated by reference as if fully set forth here.

18 U.S.C. § 1951

**FORFEITURE ALLEGATION**

The Grand Jury for the District of Maryland further finds that:

1. Pursuant to Fed. R. Crim. P. 32.2, notice is hereby given to the defendants that the United States will seek forfeiture as part of any sentence in accordance with 18 U.S.C. §§ 924(d), 981(a)(1)(C), and 1963, 21 U.S.C. § 853(p), and 28 U.S.C. § 2461(c), in the event of the defendants' conviction on Counts One or Two of this Superseding Indictment.

**RICO Forfeiture**

2. Upon conviction of the offense set forth in Count One of this Superseding Indictment, the defendants,

**BRAYAN ALEXANDER TORRES,**

a/k/a "Spooky,"

**AGUSTINO EUGENIO RIVAS RODRIGUEZ,**

a/k/a "Cipitio,"

a/k/a "Chuchin,"

a/k/a "Angel,"

a/k/a "Terrible,"

a/k/a "Small,"

**HERNAN YANES-RIVERA,**

a/k/a "Shrek,"

a/k/a "Recio,"

a/k/a "Garra,"

**FRANKLYN EDGARDO SANCHEZ,**

a/k/a "Freddy,"

a/k/a "Magic,"

a/k/a "Miclo,"

a/k/a "Delincente,"

**BRIAN SAMIR ZELAYA MEJIA,**

a/k/a "Flaco,"

a/k/a "Catrachito,"

a/k/a "Calacas,"

a/k/a "Chispa,"

a/k/a "Directo,"

**MIGUEL ANGEL RAMIREZ,**

a/k/a "Majin Buu,"

a/k/a "El Gordo,"

**JORGE ISAAC ARGUETA CHICA,**

a/k/a "Timido,"

a/k/a "Enano,"  
DIEGO FABRISIO ANGEL-ARTIGA,  
a/k/a "Stewie," and



shall forfeit to the United States, pursuant to 18 U.S.C. § 1963(a):

a. any interest acquired or maintained in violation of 18 U.S.C. § 1962;

b. any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise which the defendants established, operated, controlled, conducted, or participated in the conduct of, in violation of 18 U.S.C.

§ 1962; and

c. any property constituting, or derived from, any proceeds obtained, directly or indirectly, from racketeering activity in violation of 18 U.S.C. § 1962.

**Extortion Forfeiture**

3. Upon conviction of the offense set forth in Count Two of this Superseding Indictment, the defendants,

**BRAYAN ALEXANDER TORRES,**  
a/k/a "Spooky,"  
**AGUSTINO EUGENIO RIVAS RODRIGUEZ,**  
a/k/a "Cipitio,"  
a/k/a "Chuchin,"  
a/k/a "Angel,"  
a/k/a "Terrible,"  
a/k/a "Small,"  
**HERNAN YANES-RIVERA,**  
a/k/a "Shrek,"  
a/k/a "Recio,"  
a/k/a "Garra,"  
**BRIAN SAMIR ZELAYA MEJIA,**  
a/k/a "Flaco,"  
a/k/a "Catrachito,"  
a/k/a "Calacas,"

a/k/a "Chispa,"  
a/k/a "Directo,"  
MIGUEL ANGEL RAMIREZ,  
a/k/a "Majin Buu,"  
a/k/a "El Gordo,"  
JORGE ISAAC ARGUETA CHICA,  
a/k/a "Timido,"  
a/k/a "Enano,"  
DIEGO FABRISIO ANGEL-ARTIGA,  
a/k/a "Stewie," and



shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

**Firearms and Ammunition Forfeiture**

4. Upon conviction of the offense set forth in Count Two of this Superseding Indictment, the defendants,

BRAYAN ALEXANDER TORRES,  
a/k/a "Spooky,"  
AGUSTINO EUGENIO RIVAS RODRIGUEZ,  
a/k/a "Cipitio,"  
a/k/a "Chuchin,"  
a/k/a "Angel,"  
a/k/a "Terrible,"  
a/k/a "Small,"  
HERNAN YANES-RIVERA,  
a/k/a "Shrek,"  
a/k/a "Recio,"  
a/k/a "Garra,"  
BRIAN SAMIR ZELAYA MEJIA,  
a/k/a "Flaco,"  
a/k/a "Catrachito,"  
a/k/a "Calacas,"  
a/k/a "Chispa,"  
a/k/a "Directo,"

**MIGUEL ANGEL RAMIREZ,**  
a/k/a “Majin Buu,”  
a/k/a “El Gordo,”  
**JORGE ISAAC ARGUETA CHICA,**  
a/k/a “Timido,”  
a/k/a “Enano,”  
**DIEGO FABRISIO ANGEL-ARTIGA,**  
a/k/a “Stewie,” and



shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the offense.

**Substitute Assets**


5. If, as a result of any act or omission of any defendant, any such property subject to forfeiture:

- 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 divided without difficulty,



the United States, pursuant to 18 U.S.C. § 1963(m) and 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), shall be entitled to forfeiture of substitute property up to the value of the forfeitable property described above.

18 U.S.C. §§ 924(d), 981(a)(1)(C), and 1963  
21 U.S.C. § 853(p)  
28 U.S.C. § 2461(c)

  
\_\_\_\_\_  
Erek L. Barron  
United States Attorney

A TRUE BILL:

**SIGNATURE REDACTED**

for person



Date: 12/22/21