

LHE:EMR/GK/TBM
F.#2018R01375

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

LEONARDO JIMENEZ-RODRIGUEZ and
MARCOS JIMENEZ-RODRIGUEZ,

Defendants.

SUPERSEDING
INDICTMENT

Cr. No. 21-11 (S-1) (EK)

(T. 8, U.S.C., §§ 1324(a)(1)(A)(v)(I),
1324(a)(1)(B)(i) and 1324(b); T. 18,
U.S.C., §§ 981(a)(1)(C), 982(a)(1),
982(a)(6)(A) and 982(b)(1), 1591(a)(1),
1591(a)(2), 1591(b)(1), 1594(c), 1594(d),
1952(a)(1)(A), 1952(b)(1), 1956(h),
2422(a), 2428, 2 and 3551 et seq.; T. 21,
U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

----- X

THE GRAND JURY CHARGES:

COUNT ONE
(Sex Trafficking Conspiracy)

1. In or about and between January 1997 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants LEONARDO JIMENEZ-RODRIGUEZ and MARCOS JIMENEZ-RODRIGUEZ, together with others, did knowingly and intentionally conspire to recruit, entice, harbor, transport, provide, obtain and maintain by any means one or more persons, in and affecting interstate and foreign commerce, and to benefit, financially and by receiving anything of value, from participation in a venture that 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 such persons to engage in one or more commercial sex acts, contrary to Title 18, United States Code, Sections 1591(a)(1) and 1591(a)(2).

(Title 18, United States Code, Sections 1594(c) and 3551 et seq.)

COUNT TWO
(Sex Trafficking – Jane Doe #1)

2. In or about and between May 2007 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant LEONARDO JIMENEZ-RODRIGUEZ, together with others, did knowingly and intentionally recruit, entice, harbor, transport, provide and obtain by any means a person, to wit: Jane Doe #1, an individual whose identity is known to the Grand Jury, in and affecting interstate and foreign commerce, and did benefit, financially and by receiving anything of value, from participation in a venture which engaged in such acts, knowing that force, fraud and coercion would be used to cause Jane Doe #1 to engage in one or more commercial sex acts, which offense was effected by means of force, fraud and coercion.

(Title 18, United States Code, Sections 1591(a)(1), 1591(a)(2), 1591(b)(1), 2 and 3551 et seq.)

COUNT THREE
(Interstate Prostitution – Jane Doe #1)

3. In or about and between May 2007 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants LEONARDO JIMENEZ-RODRIGUEZ and MARCOS JIMENEZ-RODRIGUEZ, together with others, did knowingly and intentionally persuade, induce, entice and coerce an

individual, to wit: Jane Doe #1, to travel in interstate and foreign commerce to engage in prostitution.

(Title 18, United States Code, Sections 2422(a), 2 and 3551 et seq.)

COUNT FOUR
(Alien Smuggling Conspiracy)

4. In or about and between January 1997 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants LEONARDO JIMENEZ-RODRIGUEZ and MARCOS JIMENEZ-RODRIGUEZ, together with others, did knowingly and intentionally conspire: (a) to encourage and induce one or more aliens to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law, for the purpose of private financial gain, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv); (b) knowing and in reckless disregard of the fact that one or more aliens had come to, entered and remained in the United States in violation of law, to transport and move such alien or aliens within the United States by means of transportation and otherwise, in furtherance of such violation of law, for the purpose of private financial gain, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii); and (c) knowing and in reckless disregard of the fact that one or more aliens had come to, entered and remained in the United States in violation of law, to conceal, harbor and shield from detection such alien or aliens in any place, including any building and any means of transportation, for the purpose of private financial gain, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii).

(Title 8, United States Code, Sections 1324(a)(1)(A)(v)(I) and 1324(a)(1)(B)(i);

Title 18, United States Code, Sections 3551 et seq.)

COUNT FIVE
(Money Laundering Conspiracy)

5. In or about and between January 1997 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MARCOS JIMENEZ-RODRIGUEZ, together with others, did knowingly and intentionally conspire to conduct one or more financial transactions in and affecting interstate and foreign commerce, including deposits, transfers and withdrawals of funds and monetary instruments, which in fact involved the proceeds of specified unlawful activity, to wit: (a) sex trafficking, in violation of Title 18, United States Code, Section 1591; and (b) interstate prostitution, in violation of Title 18, United States Code, Section 2422, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, (i) with the intent to promote the carrying on of one or more specified unlawful activities, contrary to Title 18, United States Code, Section 1956(a)(1)(A)(i), and (ii) knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of one or more of the specified unlawful activities, contrary to Title 18, United States Code, Section 1956(a)(1)(B)(i).

(Title 18, United States Code, Sections 1956(h) and 3551 et seq.)

COUNT SIX
(Distribution of Proceeds of a Prostitution Business)

6. In or about and between January 1997 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant LEONARDO JIMENEZ-RODRIGUEZ, together with others, did knowingly and intentionally use, and cause to be used, one or more facilities in interstate and foreign commerce, to wit: one or more wire transfer services, with intent to distribute the proceeds of an unlawful activity, to

wit: a business enterprise involving prostitution offenses in violation of the laws of the State in which they were committed and of the United States, and thereafter did knowingly and intentionally perform, attempt to perform and cause to be performed an act to distribute the proceeds of such unlawful activity.

(Title 18, United States Code, Sections 1952(a)(1)(A), 1952(b)(1), 2 and 3551 et seq.)

**CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE AND TWO**

7. The United States hereby gives notice to the defendants charged in Counts One and Two that, upon their conviction of either such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 1594(d) of (a) any property, real or personal, that was involved in, used or intended to be used to commit or to facilitate the commission of such offenses, and any property traceable to such property; and (b) any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offenses, or any property traceable to such property, including but not limited to approximately one thousand one hundred dollars (\$1,100.00) seized on or about April 7, 2021 in Queens, New York.

8. If any of the above-described forfeitable property, 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 intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 1594(d); Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT THREE

9. The United States hereby gives notice to the defendants that, upon their conviction of the offense charged in Count Three, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2428(a), which requires the forfeiture of (a) any property, real or personal, used or intended to be used to commit or to facilitate the commission of such offense; and (b) any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense, including but not limited to approximately one thousand one hundred dollars (\$1,100.00) seized on or about April 7, 2021 in Queens, New York.

10. If any of the above-described forfeitable property, 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 intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 2428; Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT FOUR

11. The United States hereby gives notice to the defendants that, upon their conviction of the offense charged in Count Four, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(6)(A), Title 8, United States Code, Section 1324(b) and Title 28, United States Code, Section 2461(c), which require the forfeiture of: (a) any conveyance, including any vessel, vehicle or aircraft used in the commission of such offense; (b) any property, real or personal, that is used to facilitate, or is intended to be used to facilitate, the commission of such offense; and (c) the gross proceeds of such offense, including but not limited to approximately one thousand one hundred dollars (\$1,100.00) seized on or about April 7, 2021 in Queens, New York.

12. If any of the above-described forfeitable property, 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 that cannot be

divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 8, United States Code, Section 1324(b); Title 18, United States Code, Sections 982(a)(6)(A) and 982(b)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT FIVE

13. The United States hereby gives notice to the defendant charged in Count Five that, upon his conviction of the offense charged in Count Five, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), which requires any person convicted of such offense to forfeit any property, real or personal, involved in such offense, or any property traceable to such property, including but not limited to approximately one thousand one hundred dollars (\$1,100.00) seized on or about April 7, 2021 in Queens, New York.

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 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 intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 982(a)(1) and 982(b)(1); Title 21, United States Code, Section 853(p))

**CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT SIX**

15. The United States hereby gives notice to the defendant charged in Count Six that, upon his conviction of the offense charged in Count Six, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense.

16. 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 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 intent 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 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL

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/FOREPERSON

[Redacted signature]

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No.

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

LEONARDO JIMENEZ-RODRIGUEZ and MARCOS JIMENEZ-RODRIGUEZ,

Defendants.

SUPERSEDING INDICTMENT

(T. 8, U.S.C., §§ 1324(a)(1)(A)(v)(I), 1324(a)(1)(B)(i) and 1324(b); T. 18, U.S.C., §§ 981(a)(1)(C), 982(a)(1), 982(a)(6)(A), 982(b)(1), 1591(a)(1), 1591(a)(2), 1591(b)(1), 1594(a), 1594(c), 1594(d), 1952(a)(1)(A), 1952(b)(1), 1956(h), 2421, 2422(a), 2428, 2 and 3551 et seq.; T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

A true bill.

[Redacted signature area]

Foreperson

Filed in open court this _____ day.

of _____ A.D. 20 _____

Clerk

Erin Reid, Gillian Kassner & Tara B. McGrath, Assistant U.S. Attorneys (718) 254-7000