

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

DEC -3 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

CRIMINAL COVER SHEET

EJD

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA V. MIGUEL MARTIN PACHECO MARTINEZ and ALBERTO MARTINEZ NAVARRO

CR 20 0459

This Case Under Seal?	Yes	<input checked="" type="checkbox"/>	No
Total Number of Defendants:	1	2-7	<input checked="" type="checkbox"/> 8 or more
Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?	Yes	No	<input checked="" type="checkbox"/>
Venue (Per Crim. L.R. 18-1):	SF	OAK	SJ <input checked="" type="checkbox"/>
Is this a potential high-cost case?	Yes	No	<input checked="" type="checkbox"/>
Is any defendant charged with a death-penalty-eligible crime?	Yes	No	<input checked="" type="checkbox"/>
Is this a RICO Act gang case?	Yes	No	<input checked="" type="checkbox"/>

Assigned AUSA (Lead Attorney): Alexandra Shepard

Date Submitted: 12/03/2020

Comments:

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(A) - Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: Max. imprisonment - life; Mandatory min. imprisonment - 10 years; Maximum fine - \$10,000,000
Supervised release term - 5 years minimum, life maximum
\$100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

▶ MIGUEL MARTIN PACHECO MARTINEZ

EJD

DISTRICT COURT NUMBER

CR 20 0459

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) If not detained give date any prior summons was served on above charges ▶

2) Is a Fugitive

3) Is on Bail or Release from (show District)

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IS IN CUSTODY

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NORTH DISTRICT OF CALIFORNIA

4) On this charge

5) On another conviction

Federal State

6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

} If "Yes" give date filed

DATE OF ARREST ▶

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶

Month/Day/Year

This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

SHOW DOCKET NO.

U.S. ATTORNEY DEFENSE

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form DAVID L. ANDERSON

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) ALEXANDRA SHEPARD

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address: _____

Date/Time: _____ Before Judge: _____

Comments: _____

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(A) - Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine Petty Minor Misdemeanor Felony

PENALTY: Max. imprisonment - life; Mandatory min. imprisonment - 10 years; Maximum fine - \$10,000,000 Supervised release term - 5 years minimum, life maximum \$100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DEFENDANT - U.S.

▶ ALBERTO MARTINEZ NAVARRO

DISTRICT COURT NUMBER

CR 20 0459

EJD

DEFENDANT

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

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this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

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U.S. ATTORNEY DEFENSE } SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant } MAGISTRATE CASE NO.

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Name and Office of Person Furnishing Information on this form DAVID L. ANDERSON

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) ALEXANDRA SHEPARD

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NORTH DISTRICT OF CALIFORNIA

4) On this charge

5) On another conviction } Federal State

6) Awaiting trial on other charges
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DATE OF ARREST ▶ Month/Day/Year

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Arraignment Initial Appearance

Defendant Address: _____

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments: _____

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

v.

CR 20 0459

EJD

MIGUEL MARTIN PACHECO MARTINEZ and
ALBERTO MARTINEZ NAVARRO

FILED

DEC -3 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

DEFENDANT(S).

INDICTMENT

21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(A) – Conspiracy to Distribute and Possess
with Intent to Distribute Methamphetamine;
21 U.S.C. § 853 – Forfeiture Allegation

A true bill.

/s/ Foreperson of the Grand Jury

Foreman

Filed in open court this 3rd day of

December, 2020

Clerk

Susan van Keul

Bail, \$ Warrant

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney

FILED

DEC -3 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

EJD

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MIGUEL MARTIN PACHECO MARTINEZ
and ALBERTO MARTINEZ NAVARRO,

15 Defendants.
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) CASE NO. **CR 20 0459**
) VIOLATIONS:
) 21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(A) –
) Conspiracy to Distribute and Possess with Intent to
) Distribute Methamphetamine;
) 21 U.S.C. § 853 – Forfeiture Allegation

20
21 INDICTMENT

22 The Grand Jury charges:

23 COUNT ONE: (21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A)(viii) – Conspiracy to Distribute and
24 Possess with Intent to Distribute Methamphetamine)

25 Beginning on or about May 6, 2020, and continuing to on or about May 6, 2020, in the Northern
26 District of California and elsewhere, the defendants,

27 MIGUEL MARTIN PACHECO MARTINEZ and
28 ALBERTO MARTINEZ NAVARRO,

INDICTMENT

1
2 and others known and unknown to the Grand Jury, did knowingly and intentionally conspire to distribute
3 and possess with intent to distribute 500 grams or more of a mixture and substance containing a
4 detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II
5 controlled substance, in violation of Title 21, United States Code, Sections 846, 841(a)(1), and
6 (b)(1)(A)(viii).

7 FORFEITURE ALLEGATION: (21 U.S.C. § 853(a))

8 The allegations contained above are hereby re-alleged and incorporated by reference for the
9 purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853(a).

10 Upon conviction of any of the offenses alleged in Counts One through Three above, the
11 defendants,

12 MIGUEL MARTIN PACHECO MARTINEZ and
13 ALBERTO MARTINEZ NAVARRO,

14 shall forfeit to the United States all right, title, and interest in any property constituting and derived from
15 any proceeds defendant obtained, directly or indirectly, as a result of such violations, and any property
16 used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such
17 violations, including but not limited to a forfeiture money judgment.

18 If any of the property described above, as a result of any act or omission of the defendant:

- 19 a. cannot be located upon exercise of due diligence;
- 20 b. has been transferred or sold to, or deposited with, a third party;
- 21 c. has been placed beyond the jurisdiction of the court;
- 22 d. has been substantially diminished in value; or
- 23 e. has been commingled with other property which cannot be divided without
24 difficulty,

25 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
26 United States Code, Section 853(p).

27 All pursuant to Title 21, United States Code, Section 853, and Federal Rule of Criminal
28 Procedure 32.2.

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DATED: December 3, 2020

A TRUE BILL.

/s/

FOREPERSON
San Francisco

DAVID L. ANDERSON
United States Attorney



ALEXANDRA SHEPARD
DANIEL KALEBA
Assistant United States Attorney