

**FILED**

Aug 12 2021

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**CRIMINAL COVER SHEET**

**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. JOSHUA HERNANDEZ et al.

**CASE NUMBER:**

CR 21-312 EJD

**Is This Case Under Seal?**

Yes  No

**Total Number of Defendants:**

1    2-7     8 or more

**Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?**

Yes    No

**Venue (Per Crim. L.R. 18-1):**

SF    OAK    SJ

**Is this a potential high-cost case?**

Yes    No

**Is any defendant charged with a death-penalty-eligible crime?**

Yes    No

**Is this a RICO Act gang case?**

Yes  No

**Assigned AUSA**

(Lead Attorney): Kevin Rubino, AUSA'S

**Date Submitted:** 8/11/2021

**Comments:**

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN JOSE

CR21-312 EJD

UNITED STATES OF AMERICA,

V.

JOSHUA HERNANDEZ, aka "Sleepy G,"  
GIOVANNI CORIA, aka "Gio,"  
CHARLES PINEDA, aka "Taco,"  
ANDREW ANCHONDO, aka "Indo,"  
aka "Lil Indo,"  
ELISEO MARTINEZ, aka "Snow," aka  
"Snowman," and  
NICHOLAS MENDEZ, aka "Prime Time,"

**FILED**

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SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

DEFENDANT(S).

## INDICTMENT

18 U.S.C. § 1962(d) – Racketeering  
Conspiracy;  
18 U.S.C. § 1963 and 28 U.S.C. § 2461(c) –  
Forfeiture Allegation

\_\_\_\_\_  
A true bill.

/s/ Foreperson of the Grand Jury

\_\_\_\_\_  
Foreman

Filed in open court this 12th day of

August, 2021

  
\_\_\_\_\_  
Clerk

Bail, \$ No Bail - Warrant

1 STEPHANIE M. HINDS (CABN 154284)  
Acting United States Attorney

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6  
7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 SAN JOSE DIVISION

**FILED**  
Aug 12 2021  
SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

10  
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13 UNITED STATES OF AMERICA,  
14 Plaintiff,  
15 v.  
16 JOSHUA HERNANDEZ, aka "Sleepy G,"  
17 GIOVANNI CORIA, aka "Gio,"  
18 CHARLES PINEDA, aka "Taco,"  
ANDREW ANCHONDO, aka "Indo," aka "Lil  
19 Indo,"  
ELISEO MARTINEZ, aka "Snow," aka  
20 "Snowman," and  
NICHOLAS MENDEZ, aka "Prime Time,"  
21 Defendants.

CASE NO. CR21-312 EJD  
VIOLATIONS: 18 U.S.C. § 1962(d) – Racketeering  
Conspiracy;  
18 U.S.C. § 1963 and 28 U.S.C. § 2461(c) –  
Forfeiture Allegation  
SAN JOSE VENUE  
UNDER SEAL

1 INDICTMENT

2 The Grand Jury charges, with all dates being approximate and all date ranges both approximate  
3 and inclusive, that at all times relevant to this Indictment:

4 COUNT ONE: (18 U.S.C. § 1962(d) – Racketeering Conspiracy)

5 Introductory Allegations

6 1. La Nuestra Familia – Spanish for “Our Family” and also known as the “NF” – was a prison  
7 gang operating in the California state prison system. The NF was and continues to be composed of a  
8 relatively small number of made members. Falling under the NF, and carrying out its will, was the body  
9 oftentimes referred to as the “Northern Structure” (or the “NS”). Under the NS, and subject to NF and NS  
10 supervision, were Norteño street gangs established in numerous cities and counties, and in jails and  
11 prisons, throughout Northern California and elsewhere.

12 2. Outside of custodial settings, the NF organized its subordinate groups into established  
13 geographic territories called “street regiments.” The city of San Jose and the encompassing Santa Clara  
14 County were controlled by one regiment known as the “Santa Clara County Regiment.” Within each  
15 street regiment, Norteño street gangs were typically divided into smaller subsets or “hoods” based on the  
16 local neighborhoods where their members resided or were actively engaged in gang activity. Each Norteño  
17 hood had a name and its members and associates met and worked together to carry out their illegal  
18 activities for their own individual benefit, the benefit of the particular Norteño hood, the benefit of  
19 Norteños generally, and the benefit of the NF/NS.

20 3. Within the ranks of Norteños, the commission of violence was often the quickest way for  
21 a Norteño street gang member to earn promotion and prestige. Such violence was often directed at rival  
22 street gangs, including rival Sureño<sup>1</sup> street gangs, for the purposes of retaliation, in furtherance of the  
23 Norteños’ illicit activities, to control and maintain territory, to assert their gang identities, or to respond to  
24 a challenge. Norteños also engaged in violence to recruit and influence non-gang members, to gain  
25 notoriety and respect, and to dissuade potential witnesses from reporting crime or cooperating with law  
26 enforcement.

27 \_\_\_\_\_  
28 <sup>1</sup> Similar to the relationship between the NF and Norteño street gangs, Sureños are subordinate and pledge  
allegiance to the Mexican Mafia prison gang.

1 4. Norteños generally also utilized violence or threats of violence to control their own  
2 members and associates, to enforce their established rules, and to strike at those who posed a threat to  
3 them. A member who committed a minor rule violation could be subject to discipline, such as a minor  
4 fine or physical assault. In contrast, a member who committed a major rule violation, such as dropping  
5 out of the gang or cooperating with law enforcement, would be subject to a harsher penalty, including  
6 death.

7 5. Outside of violence, Norteños earned promotion and prestige through the commission of  
8 criminal activities benefitting the gang and/or by serving time in jail or prison. Norteños committed crimes  
9 such as robbery and narcotics trafficking to enrich themselves and the NF. A portion of this illicit activity  
10 and monthly “dues” or “contributions” were paid to the regiment for distribution within the NF and its  
11 subordinate groups. The commission of the above-described criminal activities (including acts of  
12 violence), was often referred to as “putting in work.” The more “work” done by an individual member  
13 and/or the more financial benefit provided to the gang, the more favorably such member was looked upon  
14 by other Norteños or NF/NS members.

15 6. Norteños identified themselves with the color red and the number “14” in various forms.  
16 The number “14” corresponded with the letter “N,” which is the fourteenth letter of the alphabet; the letter  
17 “N,” in turn, is a reference to Norteños or the NF. These and related symbols were often displayed by  
18 Norteño criminal street gang members in tattoos, graffiti, drawings, hand signs, and on clothing as a way  
19 of displaying their affiliation, loyalty, and commitment to the gang.

#### 20 The San Jose Grande Street Gang

21 7. Falling under the NF’s Santa Clara County Regiment was the Norteño street gang known  
22 as San Jose Grande (“SJG”). SJG was formed in San Jose, California, in the 1990s, and was comprised of  
23 dozens of members operating primarily in and around San Jose, as well as in custodial facilities. At times  
24 relevant to this indictment, SJG was a multi-generational street gang composed of three (3) “generations.”  
25 Under the generational structure, San Jose Grande was not ruled or governed by one individual. Instead,  
26 each member was said to have equal power and influence within their respective generation. The power  
27 structure was then organized by generation. Those considered to be part of the First Generation had  
28 absolute power and influence over those in the Second Generation, and those in the Second Generation

1 had power and influence over those in the Third Generation. However, depending on the amount of work  
2 one puts into the gang, familial ties, or relationship with the NF, some members ultimately have more  
3 authority and influence than others. SJG recently disbanded the generational structure, but members  
4 continued to earn authority and respect based on the amount of work they put into the gang, familial ties,  
5 or relationship with the NF. SJG members and associates operated in and around San Jose, as well as  
6 various jail/prison facilities.

7 8. Like all Norteño street gangs, SJG paid allegiance to, and often served as foot soldiers for,  
8 the NF and its regiment. As such, SJG members committed a wide variety of crimes for the benefit of  
9 SJG, as well as for the benefit of Norteños and the NF/NS generally. These crimes included, but were not  
10 limited to, acts involving murder, robbery, obstruction of justice, witness intimidation, distribution of  
11 narcotics, and various firearms offenses. As alleged herein, SJG, like other Norteño street gangs, provided  
12 money to the Santa Clara County Regiment, through profits from illicit activity and monthly “dues” or  
13 “contributions.”

#### 14 The Racketeering Enterprise: The San Jose Grande Enterprise

15 9. San Jose Grande (hereinafter “the Enterprise”), including its leadership, members, and  
16 associates, in the Northern District of California, the State of California, and elsewhere, constituted an  
17 “enterprise” as defined in Title 18, United States Code, Section 1961(4), that is, a group of individuals  
18 associated in fact that was engaged in and the activities of which affected interstate and foreign commerce.  
19 The Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a  
20 common purpose of achieving the objectives of the Enterprise.

#### 21 Purposes of the Enterprise

22 10. The purposes of the San Jose Grande Enterprise included the following:

23 a. Preserving and protecting the power, territory, reputation, and profits of the  
24 Enterprise through the use of intimidation, violence, threats of violence, assaults, and acts involving  
25 murder;

26 b. Promoting and enhancing the Enterprise and the activities of its members and  
27 associates through, among other acts, acts involving murder, narcotics trafficking, and other criminal  
28 activities;

1 c. Keeping rival gang members, potential informants and witnesses against the  
2 Enterprise, law enforcement, other victims and potential victims, and community members in fear of the  
3 Enterprise and its members and associates through violence and threats of violence; and

4 d. Protecting the Enterprise's members and associates who committed crimes by  
5 hindering, obstructing, and preventing law enforcement officers from identifying the offenders,  
6 apprehending the offenders, and successfully prosecuting and punishing the offenders.

7 Means and Methods of the Enterprise

8 11. The means and methods by which members and associates of the San Jose Enterprise  
9 conducted and participated in the conduct of the affairs of the enterprise included but are not limited to:

10 a. Members and associates of the enterprise attended regular meetings where gang  
11 members, gang business, and criminal incidents were discussed; financial proceeds from criminal and  
12 other activity (including drug trafficking) were sometimes collected as "dues" to benefit the enterprise  
13 and its leaders and members;

14 b. To enforce discipline within the enterprise, members and associates of the  
15 enterprise punished errant gang members and associates of the enterprise, including through physical  
16 assault, for violations of gang rules or "disrespecting" the gang;

17 c. To generate income, SJG members and associates engaged in illegal activities  
18 including drug trafficking, robbery, firearm trafficking, and other illegal activities;

19 d. For protection, attacks, and retaliation purposes, SJG members and associates  
20 acquired, shared, carried, and used firearms;

21 e. Members of SJG obtained tattoos to signify their membership in the gang;

22 f. To perpetuate the enterprise and to maintain and extend their power, members and  
23 associates of the enterprise committed and conspired to commit acts involving murder, intimidation, and  
24 assault against individuals who posed a threat to the enterprise or jeopardized its operations, including  
25 rival gang members and associates who violated the gang's rules or otherwise showed disrespect to the  
26  
27  
28

1 gang;

2 g. Members and associates of the enterprise hid, misrepresented, concealed, and  
3 caused to be hidden, misrepresented, and concealed, the objectives of acts done in furtherance of the  
4 conspiracy, and used coded language and other means of communications to avoid detection and  
5 apprehension by law enforcement authorities.  
6

7 The Defendants

8 12. . At all times relevant to this Indictment, JOSHUA HERNANDEZ, aka “Sleepy G,”  
9 GIOVANNI CORIA, aka “Gio,” ANDREW ANCHONDO, aka “Indo,” aka “Lil Indo,” CHARLES  
10 PINEDA, aka “Taco,” ELISEO MARTINEZ, aka “Snow,” aka “Snowman,” and NICHOLAS MENDEZ,  
11 aka “Prime Time,” were members and associates of the San Jose Grande Enterprise. Each defendant, as a  
12 member and associate of the Enterprise, acted individually and also with other members and associates of  
13 the Enterprise in the commission of racketeering activity and other criminal conduct. .

14 The Racketeering Conspiracy

15 13. Beginning on a date unknown to the Grand Jury, but since at least in or around January  
16 2015, and continuing through on or about the date of this Indictment, in the Northern District of California  
17 and elsewhere, the defendants,

18 JOSHUA HERNANDEZ, aka “Sleepy G,”  
19 GIOVANNI CORIA, aka “Gio,”  
20 ANDREW ANCHONDO, aka “Indo,” aka “Lil Indo,”  
21 CHARLES PINEDA, aka “Taco,”  
22 ELISEO MARTINEZ, aka “Snow,” aka “Snowman,” and  
23 NICHOLAS MENDEZ, aka “Prime Time,”

24 together with other individuals known and unknown, each being a person employed by and associated  
25 with the San Jose Grande Enterprise, an enterprise engaged in, and the activities of which affected,  
26 interstate and foreign commerce, did unlawfully, knowingly, and willfully conspire and agree to violate  
27 Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly,  
28 in the conduct of the affairs of the San Jose Grande Enterprise through a pattern of racketeering activity,  
as defined in Title 18, United States Code, Sections 1961(1) and (5), which pattern of racketeering activity  
consisted of multiple:

a. offenses involving the distribution of controlled substances, in violation of Title 21,





1 methamphetamine and drug packaging materials to include a digital scale with  
2 powder residue on it.

3 I. On or about July 13, 2017, MENDEZ sold approximately 110 grams of actual  
4 methamphetamine.

5 J. On or about July 20, 2017, MENDEZ sold approximately 110 grams of actual  
6 methamphetamine.

7 K. In or around 2017 to in or around 2018, PINEDA ordered that an SJG member be  
8 disciplined by being assaulted by other SJG members for dating an underage  
9 female.

10 L. On or about August 10, 2017, PINEDA and MENDEZ sold approximately 81  
11 grams of actual methamphetamine.

12 M. On or about August 13, 2017, a third generation SJG meeting was held at which  
13 CORIA and ANCHONDO, among others, were present. Among the topics  
14 discussed at the meeting were CORIA's cartel source of supply and the need for  
15 SJG members to sell drugs.

16 N. On or about August 23, 2017, ANCHONDO sold approximately 2.9 grams of actual  
17 methamphetamine.

18 O. On or about September 1, 2017, MENDEZ sold approximately 111 grams of actual  
19 methamphetamine.

20 P. On or about September 12, 2017, ANCHONDO used a firearm to rob an ARCO  
21 gas station and an employee of the gas station of personal property.

22 Q. On or about December 7, 2017, CORIA sold approximately 987 grams of actual  
23 methamphetamine.

24 R. On or about April 27, 2018, PINEDA and MENDEZ discussed whether an SJG  
25 member was cooperating with law enforcement.

26 S. On or about April 30, 2018, PINEDA discussed the sale of narcotics.

27 T. On or about May 4, 2018, PINEDA and CORIA discussed the sale of narcotics.  
28

- 1 U. On or about May 15, 2018, CORIA was told that a third generation SJG meeting  
2 would be held on May 20, 2018 and was told to bring ten to fifteen dollars to the  
3 meeting.  
4  
5 V. On or about May 17, 2018, CORIA discussed the sale of narcotics.  
6  
7 W. On or about May 20, 2018, a third generation SJG meeting was held at which  
8 CORIA, among others, was present. During that meeting, dues were collected, i.e.,  
9 contributions from those SJG members in attendance, to be given to SJG members  
10 in jail. Also discussed at the meeting was using some of the money collected as  
11 dues to buy guns for SJG.  
12  
13 X. On or about May 21, 2018 PINEDA discussed the sale of narcotics.  
14  
15 Y. On or about May 23, 2018, PINEDA discussed the sale of narcotics.  
16  
17 Z. On or about June 5, 2018, CORIA discussed the purchase of a firearm and the sale  
18 of narcotics.  
19  
20 AA. On or about June 24, 2018, a third generation SJG meeting was held. During that  
21 meeting, it was discussed that the SJG members would assault another SJG member  
22 for cooperating with law enforcement.  
23  
24 BB. On or about July 27, 2018, CORIA discussed the sale of a firearm.  
25  
26 CC. On or about July 27, 2018, CORIA drove a vehicle containing approximately 29  
27 grams of cocaine and a loaded firearm.  
28

NOTICE OF SPECIAL SENTENCING FACTOR REGARDING COUNT ONE

16. Beginning on a date unknown to the Grand Jury, but since at least in or around January 2015,  
and continuing through on or about the date of this Indictment, in the Northern District of California and  
elsewhere, the defendants,

JOSHUA HERNANDEZ, aka "Sleepy G,"  
GIOVANNI CORIA, aka "Gio,"  
ANDREW ANCHONDO, aka "Indo," aka "Lil Indo,"  
CHARLES PINEDA, aka "Taco,"  
ELISEO MARTINEZ, aka "Snow," aka "Snowman," and  
NICHOLAS MENDEZ, aka "Prime Time,"

did conspire and agree with one another and with others known and unknown to the Grand Jury to

1 knowingly and intentionally distribute and possess with intent to distribute 50 grams and more of  
2 methamphetamine, and 500 grams and more of a mixture and substance containing a detectable amount  
3 of methamphetamine, both Schedule II controlled substances, in violation of 21 U.S.C., Sections 846,  
4 841(a)(1), and 841(b)(1)(A)(viii).

5 All in violation of Title 18, United States Code, Section 1962(d).

6 FORFEITURE ALLEGATION: (18 U.S.C. § 1963, and 28 U.S.C. § 2461(c) – Criminal Forfeiture)

7 17. The allegations contained in Count One of this Indictment are hereby re-alleged and by  
8 this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to Title 18, United  
9 States Code, Section 1963 and Title 28, United States Code, Section 2461(c).

10 18. Upon conviction of the offense alleged in Count One of this Indictment, the defendants,

11 JOSHUA HERNANDEZ, aka “Sleepy G,”  
12 GIOVANNI CORIA, aka “Gio,”  
13 ANDREW ANCHONDO, aka “Indo,” aka “Lil Indo,”  
14 CHARLES PINEDA, aka “Taco,”  
15 ELISEO MARTINEZ, aka “Snow,” aka “Snowman,” and  
16 NICHOLAS MENDEZ, aka “Prime Time,”

17 shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 1963 (a),  
18 (1) any interest he has acquired or maintained in violation of Section 1962 of Title 18 of the United States  
19 Code; (2) any interest in, security of, claim against, or property or contractual right of any kind affording  
20 a source of influence over, any enterprise which he has established, operated, controlled, conducted, or  
21 participated in the conduct of, in violation of Section 1962 of Title 18 of the United States Code; and (3)  
22 any property constituting or derived from any proceeds which he obtained directly or indirectly from  
23 racketeering activity, in violation of Title 18, United States Code, Section 1962.

24 19. If any of the property described above, as a result of any act or omission of the defendants’:  
25 a. cannot be located upon the exercise of due diligence;  
26 b. has been transferred or sold to or deposited with, a third person;  
27 c. has been placed beyond the jurisdiction of the Court;  
28 d. has been substantially diminished in value; or  
e. has been commingled with other property which cannot be divided without  
difficulty;

1 The United States of America shall be entitled to forfeiture of substitute property pursuant to Title 18,  
2 United States Code, Sections 1963(m) and 2253(b) and by Title 28, United States Code, Section 2461(c).

3  
4 DATED: August 12, 2021

A TRUE BILL

5  
6 /s/ Foreperson  
FOREPERSON

7  
8 STEPHANIE M. HINDS  
Acting United States Attorney

9  
10 /s/ Kevin Rubino  
KEVIN RUBINO  
Assistant United States Attorney

11  
12 DAVID L. JAFFE  
Chief, Organized Crime and Gang Section

13  
14 /s/ Christina Taylor  
CHRISTINA TAYLOR  
Trial Attorney  
Organized Crime & Gang Section  
U.S. Department of Justice

15  
16  
17 /s/ Rebecca Dunnan  
REBECCA DUNNAN  
Trial Attorney  
Organized Crime & Gang Section  
U.S. Department of Justice