

**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. JOSE GARCIA, et al

**CASE NUMBER:**

CR 21-311 BLF

**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

CR21-311 BLF

UNITED STATES OF AMERICA,

V.

JOSE GARCIA, a.k.a. "Bones,"  
JUAN GONZALEZ, a.k.a. "Crazy Indian,"  
a.k.a. "Trigger,"  
PAUL VALENZUELA, a.k.a. "One Eye,"  
CALEB ELLER, a.k.a. "Chuckles,"  
a.k.a. "Shank,"  
KYLE LEONIS, a.k.a. "Little Green," and  
JUAN DOMINGUEZ, a.k.a. "Green Eyes,"  
a.k.a. "Nito,"

DEFENDANT(S).

**FILED**

Aug 12 2021

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

## INDICTMENT

18 U.S.C. § 1951(a) – Conspiracy to Commit Hobbs Act Robbery;  
18 U.S.C. § 1959(a)(5) – Conspiracy to Commit Murder in Aid of Racketeering;  
18 U.S.C. § 1959(a)(6) – Conspiracy to Commit Assault with a Dangerous Weapon  
and Assault Resulting in Serious Bodily Injury in Aid of Racketeering;  
18 U.S.C. § 981(a)(1)(C) 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.

*Karen L. Horn*

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Bail, \$ No Bail - Warrant

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

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

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

11 UNITED STATES OF AMERICA,  
12 Plaintiff,

13 v.

14 JOSE GARCIA, a.k.a. "Bones,"  
15 JUAN GONZALEZ, a.k.a. "Crazy Indian,"  
16 a.k.a. "Trigger,"  
17 PAUL VALENZUELA, a.k.a. "One Eye,"  
18 CALEB ELLER, a.k.a. "Chuckles,"  
19 a.k.a. "Shank,"  
20 KYLE LEONIS, a.k.a. "Little Green," and  
21 JUAN DOMINGUEZ, a.k.a. "Green Eyes,"  
22 a.k.a. "Nito,"  
23 Defendants.

CASE NO. CR21-311 BLF

**VIOLATIONS:**

18 U.S.C. § 1951(a) – Conspiracy to Commit Hobbs  
Act Robbery;  
18 U.S.C. § 1959(a)(5) – Conspiracy to Commit  
Murder in Aid of Racketeering;  
18 U.S.C. § 1959(a)(6) – Conspiracy to Commit  
Assault with a Dangerous Weapon and Assault  
Resulting in Serious Bodily Injury in Aid of  
Racketeering;  
18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) –  
Forfeiture Allegation

SAN JOSE VENUE

**UNDER SEAL**

**INDICTMENT**

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

**Introductory Allegations**

1. La Nuestra Familia – Spanish for "Our Family" and also known as the "NF" – was a prison gang operating in the California state prison system. The NF was and continues to be composed of a relatively small number of made members. Falling under the NF, and carrying out its will, was the body

1 oftentimes referred to as the “Northern Structure” (or the “NS”). Under the NS, and subject to NF and  
2 NS supervision, were Norteño street gangs established in numerous cities and counties – and in jails and  
3 prisons – throughout Northern California and elsewhere.

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

12 3. One important purpose of having established street regiments was to generate money that  
13 was then appropriately distributed within the NF and its subordinate organizations. Typically, these  
14 financial contributions to the street regiments took the form of monthly “dues” or “contributions” paid by  
15 Norteño street gang members and/or taxes on profit from illicit activities such as drug dealing.

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

23 5. Norteños generally also utilized violence or threats of violence to control their own  
24 members and associates, to enforce their established rules, and to strike at those who posed a threat to  
25 them. A member who committed a minor rule violation could be subject to discipline, such as a minor  
26 fine or physical assault. In contrast, a member who committed a major rule violation, such as dropping

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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 out of the gang or cooperating with law enforcement, would be subject to a harsher penalty, including  
2 death.

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

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

#### 16 The El Hoyo Palmas Street Gang

17 8. Falling under the NF’s Santa Clara County Regiment was the Norteño street gang known  
18 as the El Hoyo Palmas street gang, also known as “EHP.” EHP was a multi-generational Norteño street  
19 gang formed in the 1970s. EHP members and associates operated in and around the San Jose area, as well  
20 as in various jails/prison facilities.

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



1 conducted and participated in the conduct of the affairs of the Enterprise were the following:

2 a. Members and associates of the Enterprise engaged in illicit activities intended to  
3 provide financial benefit to the Enterprise and its members, including distributing  
4 controlled substances and controlling the trafficking of narcotics in certain areas of Santa  
5 Clara County. Specifically, members of the Enterprise acquired narcotics from suppliers.  
6 Members then prepared those narcotics for distribution and sold the narcotics to  
7 downstream dealers or directly to customers. Portions of the profits from these narcotics  
8 sales were shared with other members and with the Enterprise generally.

9 b. Members and associates of the Enterprise planned and engaged in acts involving  
10 robberies of other individuals suspected of trafficking in controlled substances. Such  
11 robberies were intended to secure additional profits for the Enterprise in the form of  
12 narcotics and currency derived from the sale of narcotics. Members of the Enterprise  
13 oftentimes used violence and threats of violence in connection with this activity,  
14 conducting armed robberies of targets and threatening targets' lives in order to obtain the  
15 narcotics and currency the members sought.

16 c. Members and associates of the Enterprise committed and attempted to commit acts  
17 of violence, including acts involving murder, against perceived rival gang members and  
18 others to enhance the Enterprise's prestige, maintain the authority and vitality of the  
19 Enterprise, increase the status of the Enterprise's members and associates, protect and  
20 expand the Enterprise's criminal operations, maintain discipline within its ranks, intimidate  
21 and influence members of the community, and prevent cooperation with law enforcement.

22 13. At all relevant times to this Indictment, the Enterprise, through its members and associates,  
23 engaged in racketeering activity as defined in 18 U.S.C. § 1959(b)(1) and 1961(1), that is, namely, acts  
24 involving robbery, chargeable under California Penal Code Sections 211, 212.5, 213, 21a, 182, 664, and  
25 31; offenses involving the distribution of controlled substances, in violation of Title 21, United States  
26 Code, Sections 841(a)(1), 843, and 846; and acts and threats involving murder, chargeable under  
27 California Penal Code Sections 187, 188, 189, 182, 21a, 31, and 664.

1 COUNT ONE: (18 U.S.C. § 1951(a) – Conspiracy to Commit Hobbs Act Robbery)

2 14. Beginning on a date unknown to the Grand Jury, but since at least September 2018, and  
3 continuing through at least October 2018, in the Northern District of California and elsewhere, defendants

4 JOSE GARCIA, a.k.a. “Bones,”  
5 JUAN GONZALEZ, a.k.a. “Crazy Indian,” a.k.a. “Trigger,”  
6 PAUL VALENZUELA, a.k.a. “One Eye,”  
7 CALEB ELLER, a.k.a. “Chuckles,” a.k.a. “Shank,” and  
8 KYLE LEONIS, a.k.a. “Little Green,”

9 and others known and unknown to the Grand Jury, knowingly combined, conspired, and agreed together  
10 and with one another to commit robbery, as that term is defined in 18 U.S.C. § 1951(b)(1), which would  
11 have obstructed, delayed, and affected commerce and the movement of articles and commodities in  
12 commerce.

13 All in violation of Title 18, United States Code, Section 1951(a).

14 COUNT TWO: (18 U.S.C. §§ 1959(a)(5) – Conspiracy to Commit Murder in Aid of  
15 Racketeering)

16 15. Paragraphs 1 through 13 of this Indictment are realleged and incorporated by reference as  
17 though fully set forth herein.

18 16. In or about October 2018, in the Northern District of California and elsewhere, for the  
19 purpose of gaining entrance to and maintaining and increasing position in the El Hoyo Palmas, an  
20 enterprise engaged in racketeering activity, defendants

21 JOSE GARCIA, a.k.a. “Bones,”  
22 JUAN GONZALEZ, a.k.a. “Crazy Indian,” a.k.a. “Trigger,”  
23 PAUL VALENZUELA, a.k.a. “One Eye,”  
24 KYLE LEONIS, a.k.a. “Little Green,” and  
25 JUAN DOMINGUEZ, a.k.a. “Green Eyes,” a.k.a. “Nito,”

26 and others known and unknown to the Grand Jury, knowingly combined, conspired, and agreed together  
27 and with one another to commit the murder of Victim-1, in violation of California Penal Code Sections  
28 182, 187, 188, and 189 .

All in violation of Title 18, United States Code, Section 1959(a)(5).



1 COUNT THREE: (18 U.S.C. §§ 1959(a)(6) – Conspiracy to Commit Assault with a Dangerous  
2 Weapon and Assault Resulting in Serious Bodily Injury in Aid of Racketeering)

3 17. Paragraphs 1 through 13 of this Indictment are realleged and incorporated by reference as  
4 though fully set forth herein.

5 18. In or about October 2018, in the Northern District of California and elsewhere, for the  
6 purpose of gaining entrance to and maintaining and increasing position in the El Hoyo Palmas, an  
7 enterprise engaged in racketeering activity, defendants

8 JOSE GARCIA, a.k.a. “Bones,”  
9 JUAN GONZALEZ, a.k.a. “Crazy Indian,” a.k.a. “Trigger,”  
10 PAUL VALENZUELA, a.k.a. “One Eye,”  
11 KYLE LEONIS, a.k.a. “Little Green,” and  
12 JUAN DOMINGUEZ, a.k.a. “Green Eyes,” a.k.a. “Nito,”

13 and others known and unknown to the Grand Jury, knowingly combined, conspired, and agreed and with  
14 one another to commit assault with a dangerous weapon and assault resulting in serious bodily injury, in  
15 violation of California Penal Code Sections 182 and 245, against Victim-1.

16 All in violation of Title 18, United State Code, Section 1959(a)(6).

17 FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

18 The allegations contained in this Indictment are re-alleged and incorporated by reference for the  
19 purpose of alleging forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and Title  
20 28, United States Code, Section 2461(c).

21 Upon conviction of the offense set forth in Count One of this Indictment, the defendants,

22 JOSE GARCIA, a.k.a. “Bones,”  
23 JUAN GONZALEZ, a.k.a. “Crazy Indian,” a.k.a. “Trigger,”  
24 PAUL VALENZUELA, a.k.a. “One Eye,”  
25 CALEB ELLER, a.k.a. “Chuckles,” a.k.a. “Shank,” and  
26 KYLE LEONIS, a.k.a. “Little Green,”

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

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

- a. cannot be located upon 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,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Sections 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Federal Rule of Criminal Procedure 32.2.

DATED: August 12, 2021

A TRUE BILL

/s/ Foreperson  
FOREPERSON

STEPHANIE M. HINDS  
Acting United States Attorney

/s/ Kevin Rubino  
KEVIN RUBINO  
Assistant United States Attorney

DAVID L. JAFFE  
Chief, Organized Crime and Gang Section

/s/ Rebecca R. Dunnan      /s/ Christina Taylor  
REBECCA R. DUNNAN  
CHRISTINA TAYLOR  
Trial Attorneys