

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon.
 :
 v. : Crim. No. 24-
 :
 KEDWIN RAMON THEN : 21 U.S.C. §§ 841(a)(1) and
 GUTIERREZ, : (b)(1)(c)
 :

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE

(Possession with Intent to Distribute Fentanyl and Cocaine)

On or about May 1, 2023, in Burlington County, in the District of New Jersey, and elsewhere, the defendant,

KEDWIN RAMON THEN GUTIERREZ,

did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and a mixture and substance containing a detectable amount of N-phenyl-N- [1- (2-phenylethyl) -4-piperidinyl] propanamide (known as fentanyl), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

FORFEITURE ALLEGATION AS TO COUNT ONE

As a result of committing the controlled substance offense charged in Count One of this Information, the defendant,

KEDWIN RAMON THEN GUTIERREZ,

shall forfeit to the United States of America, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the said offense, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense alleged in Count One of this Information.

Substitute Assets Provision

If any of the property described above, 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 28, United States Code, Section 2461(c), to

seek forfeiture of any other property of the defendant up to the value of the above
forfeitable property.

A handwritten signature in cursive script, appearing to read "Philip R. Sellinger".

PHILIP R. SELLINGER
United States Attorney

CASE NUMBER:

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

KEDWIN RAMON THEN GUTIERREZ

INFORMATION FOR

**21 U.S.C. §§ 841(a)(1) and (b)(1)(c)
21 U.S.C. § 853**

**PHILIP R. SELLINGER
UNITED STATES ATTORNEY
FOR THE DISTRICT OF NEW JERSEY**

**JOSEPH MCFARLANE
ASSISTANT U.S. ATTORNEY
CAMDEN, NEW JERSEY
856-757-5026**
