

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

JUAN BAUTISTA ROSARIO-
SANDOVAL,

DURALLINE AZCONA
RODRIGUEZ

Defendants.

Criminal Case No. CR 22-05WES

In Violation of:

21 U.S.C. § 846

18 U.S.C. § 371

18 U.S.C. § 2114(a)

INDICTMENT

The Grand Jury charges that:

COUNT I

(Conspiracy to possess more than 500 grams of cocaine)

1. From no later than May 27, 2021 to November 17, 2021, in the District of Rhode Island and elsewhere, the defendants, JUAN BAUTISTA ROSARIO-SANDOVAL, and DURALLINE AZCONA RODRIGUEZ, together with others known and unknown to the Grand Jury, did knowingly, intentionally, and willfully combine, conspire, confederate, and agree with each other to possess 500 grams or more of a mixture and substance containing cocaine, a Schedule II Controlled Substance, with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1).

(Quantity of Controlled Substance)

2. With respect to JUAN BAUTISTA ROSARIO-SANDOVAL, and DURALLINE AZCONA RODRIGUEZ the amount of cocaine involved in the conspiracy attributable to each, as a result of their individual conduct and the conduct of their co-conspirators, reasonably foreseeable to them, is more than 500 grams in

violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B);

All in violation of 21 U.S.C. § 846.

COUNT II

(Conspiracy to assault and rob a U.S. mail carrier)

The Conspiracy

3. On September 18, 2021, in the District of Rhode Island, the defendant, JUAN BAUTISTA ROSARIO-SANDOVAL, along with another whose identity is unknown to the Grand Jury, did knowingly, willfully, and unlawfully combine, conspire, and agree with each other, to assault B.R., a person having lawful charge, custody, and control of United States mail matter, money, and other property of the United States, with intent to rob, steal and purloin said mail matter, contrary to 18 U.S.C. § 2114(a).

The Object of the Conspiracy

4. The object of the conspiracy was for the defendant, BAUTISTA ROSARIO-SANDOVAL, along with his co-conspirator whose identity is unknown to the Grand Jury, to forcibly obtain a United States mail Priority Mail Express Parcel addressed to a recipient at 1402 Broad Street Providence, Rhode Island by assaulting B.R., a United States Postal Service letter carrier operating a marked United States Postal Service vehicle.

Manner and Means of the Conspiracy

5. BAUTISTA ROSARIO-SANDOVAL, along with another individual whose identify is unknown to the Grand Jury, approached B.R. on Broad Street in Providence and represented themselves to be authorized recipients of the Priority Mail Express Parcel addressed to 1402 Broad Street Providence, Rhode Island. When B.R. refused to relinquish custody and control of the mail matter, BAUTISTA ROSARIO-SANDOVAL, along with another individual whose identity is unknown to the Grand Jury, opened the doors to the United States Postal Service vehicle and began to pull at and punch B.R. to steal the Priority Mail Express Parcel.

Acts in Furtherance of the Conspiracy

6. On September 18, 2021, BAUTISTA ROSARIO-SANDOVAL, along with another individual whose identify is unknown to the Grand Jury, drove together to the area of 1402 Broad Street in Providence in a Honda Accord automobile displaying a counterfeit Delaware temporary license plate.

7. On their arrival, BAUTISTA ROSARIO-SANDOVAL, along with another individual whose identity is unknown to the Grand Jury, made contact with DURALLINE AZCONA RODRIGUEZ, who was in the area to assist in obtaining the Priority Mail Express Parcel addressed to 1402 Broad Street.

8. When BAUTISTA ROSARIO-SANDOVAL was unable to convince United States Postal Service letter carrier, B.R., to deliver the package to him, he opened the driver's door to the Postal Service van and began to pull B.R. from the vehicle and reach

for the package while the unknown male ran to the passenger door of the van, opened it, and began to strike B.R. about the face and head, thereby forcibly grabbing the package.

9. Once the unknown male had custody of the package, both he and BAUTISTA ROSARIO-SANDOVAL fled from the area.

All in violation of 18 U.S.C. § 371.

COUNT III

(Assault and rob a U.S. mail carrier with intent to rob her of mail matter)

10. On or about September 18, 2021, in the District of Rhode Island the defendant, JUAN BAUTISTA ROSARIO-SANDOVAL along with another individual unknown to the Grand Jury, did assault, B.R., a person having lawful charge, custody, and control of United States mail matter, with intent to rob, steal and purloin said mail matter.

All in violation of 18 U.S.C. § 2114(a)

FORFEITURE ALLEGATION

11. Upon conviction of the offenses alleged in Counts I-III, Defendants shall forfeit to the United States of America, pursuant to 28 U.S.C. § 2461(c), the 2017 Honda

Accord automobile vehicle identification number 1HGCR2F16HA076280.

All in accordance with 21 U.S.C. § 853.

ZACHARY A. CUNHA
United States Attorney

William J. Ferland

WILLIAM J. FERLAND
Assistant U.S. Attorney

Lee H. Vilker

LEE H. VILKER
Assistant United States Attorney
Deputy Chief Criminal Division

A TRUE BILL:



Grand Jury Foreperson

DATE: 01 / 12 / 2022
