

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

NEURY ABREU,  
ALEXANDER DEJESUS,  
JOSHUA PEREZ,  
ALEXANDER BAEZ,  
IVAN BREA,  
JOSE CRUZ,  
LUIS ESPINAL, and  
ANTHONY MELO,

Defendants.

SEALED INDICTMENT

19 Cr.

**19 CRIM 821**

COUNT ONE

The Grand Jury charges:

1. From at least in or about January 2016, up to and including in or about November 2019, in the Southern District of New York and elsewhere, NEURY ABREU, ALEXANDER DEJESUS, JOSHUA PEREZ, ALEXANDER BAEZ, IVAN BREA, JOSE CRUZ, LUIS ESPINAL, and ANTHONY MELO, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that NEURY ABREU, ALEXANDER DEJESUS, JOSHUA PEREZ, ALEXANDER BAEZ, IVAN BREA, JOSE CRUZ, LUIS ESPINAL, and ANTHONY MELO, the

defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that NEURY ABREU, ALEXANDER DEJESUS, JOSHUA PEREZ, ALEXANDER BAEZ, IVAN BREA, JOSE CRUZ, LUIS ESPINAL, and ANTHONY MELO, the defendants, conspired to distribute and possess with intent to distribute were: (i) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in form commonly known as "crack cocaine," in violation of Title 21, United States Code, Section 841(b)(1)(A); (ii) mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C); (iii) Oxycodone, in violation of Title 21, United States Code, Section 841(b)(1)(C); (iv) Percocet, in violation of Title 21, United States Code, Section 841(b)(1)(C); and (iv) mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(D).

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. From at least in or about January 2016 up to and including in or about November 2019, in the Southern District of

New York and elsewhere, NEURY ABREU, ALEXANDER DEJESUS, and JOSHUA PEREZ, the defendants, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and in furtherance of such crime, did possess firearms, and did aid and abet the same.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

### COUNT THREE

The Grand Jury further charges:

5. On or about October 8, 2019, in the Southern District of New York and elsewhere, JOSHUA PEREZ, the defendant, knowing that he had previously been convicted in a court of a crime punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit, a Beretta .25 caliber pistol, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

### COUNT FOUR

6. On or about July 11, 2019, in the Southern District of New York and elsewhere, JOSHUA PEREZ, the defendant, knowing that he had previously been convicted in a court of a crime punishable by a term of imprisonment exceeding one year,

did knowingly and intentionally possess in and affecting commerce a firearm, to wit, a HI-Point .9mm caliber pistol, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

**FORFEITURE ALLEGATION**

7. As a result of committing the offense charged in Count One of this Indictment, NEURY ABREU, ALEXANDER DEJESUS, JOSHUA PEREZ, ALEXANDER BAEZ, IVAN BREA, JOSE CRUZ, LUIS ESPINAL, and ANTHONY MELO, the defendants, shall forfeit to the United States, 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 said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense that the defendants personally obtained.

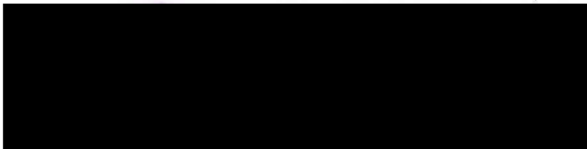
**Substitute Assets Provision**

8. If any of the property described above as subject to forfeiture, as a result of any act or omission of the above-named defendants:

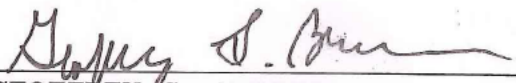
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21 United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



Foreperson

  
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GEOFFREY S. BERMAN  
United States Attorney

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SEALED INDICTMENT

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(Title 21, United States Code, Section  
846; Title 18, United States Code,  
Sections 922(g)(1), 924(c), and 2.)

GEOFFREY S. BERMAN  
United States Attorney.

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A TRUE BILL

Foreperson.

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