

SEALED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

September 2013 Grand Jury

UNITED STATES OF AMERICA,
Plaintiff,

v.

ISRAEL SOTO (1),
aka Izzy,
aka EZ,
AZIEL VIVEROS-NAVARRO (2),
aka Pariente,
JESSICA QUEZADA (3),
NATHAN DEREK GARDNER (4),
aka Nick,
GALE MASON (5),

Defendants.

Case No. 14CR0224MMA

I N D I C T M E N T

Title 21, U.S.C., Secs. 841(a)(1) and 846 - Conspiracy to Distribute Methamphetamine; Title 21, U.S.C., Sec. 841(a)(1) - Possession of Methamphetamine with Intent to Distribute; Title 18, U.S.C., Secs. 922(g)(1) and 924(a)(2) - Felon in Possession of a Firearm; Title 18, U.S.C., Sec. 924(d)(1), Title 28, U.S.C., Sec. 2461(c), and Title 21, U.S.C., Sec. 853 - Criminal Forfeiture

The grand jury charges:

Count 1

Beginning on a date unknown but at least as early as March 1, 2013, and continuing up to and including January 23, 2014, within the Southern District of California, and elsewhere, defendants ISRAEL SOTO, aka Izzy, aka EZ, AZIEL VIVEROS-NAVARRO, aka Pariente, JESSICA QUEZADA, NATHAN DEREK GARDNER, aka Nick, and GALE MASON, did knowingly and intentionally conspire with each other and with other persons

1 known and unknown to the grand jury to distribute methamphetamine, a
2 Schedule II Controlled Substance; in violation of Title 21, United
3 States Code, Sections 841(a)(1) and 846.

4 It is further alleged that the amount involved in the conspiracy
5 attributable to defendants ISRAEL SOTO, aka Izzy, aka EZ, AZIEL
6 VIVEROS-NAVARRO, aka Pariente, JESSICA QUEZADA, NATHAN DEREK GARDNER,
7 aka Nick, and GALE MASON, as a result of their own conduct, and the
8 conduct of other conspirators reasonably foreseeable to them, is at
9 least 5 grams of methamphetamine (actual).

10 It is further alleged that the amount involved in the conspiracy
11 attributable to defendants ISRAEL SOTO, aka Izzy, aka EZ, AZIEL
12 VIVEROS-NAVARRO, aka Pariente, JESSICA QUEZADA, NATHAN DEREK GARDNER,
13 aka Nick, and GALE MASON, as a result of their own conduct, and the
14 conduct of other conspirators reasonably foreseeable to them, is at
15 least 50 grams of methamphetamine (actual).

16 Count 2

17 On or about August 27, 2013, within the Southern District of
18 California, defendant NATHAN DEREK GARDNER, aka Nick, did knowingly
19 and intentionally possess, with intent to distribute, 50 grams and
20 more, to wit: approximately 190.2 grams of methamphetamine (actual),
21 a Schedule II Controlled Substance; in violation of Title 21, United
22 States Code, Section 841(a)(1).

23 Count 3

24 On or about August 27, 2013, within the Southern District of
25 California, defendant NATHAN DEREK GARDNER, being a person who had
26 previously been convicted in a court, that is, the Superior Court of
27 California, County of San Diego, of a crime punishable by imprisonment
28 for a term exceeding one year, that is, on or about August 4, 2006, of

1 Possession of a Controlled Substance for Sale, in violation of
2 California Health & Safety Code, Section 11378, did knowingly and
3 unlawfully possess in and affecting commerce a firearm, that is, a
4 Charter Arms Bulldog .44 caliber revolver, serial number 832250; in
5 violation of Title 18, United States Code, Sections 922(g)(1)
6 and 924(a)(2).

7 Count 4

8 On or about August 27, 2013, within the Southern District of
9 California, defendant GALE MASON, did knowingly and intentionally
10 possess, with intent to distribute, 5 grams and more, to wit:
11 approximately 31.9 grams of methamphetamine (actual), a
12 Schedule II Controlled Substance; in violation of Title 21, United
13 States Code, Section 841(a)(1).

14 FORFEITURE ALLEGATIONS

15 1. The allegations contained in Counts 1 through 4 are
16 realleged and by their reference fully incorporated herein for the
17 purpose of alleging forfeiture to the United States of America
18 pursuant to the provisions of Title 18, United States Code,
19 Section 924(d) and Title 28, United States Code, Section 2461(c).

20 2. Upon conviction of the offenses alleged in Counts 1 through
21 3 of this Indictment, defendant NATHAN DEREK GARDNER, aka Nick, shall
22 forfeit to the United States, pursuant to Title 18, United
23 States Code, Section 924(d), and Title 28, United States Code,
24 Section 2461(c), all firearms and ammunition involved in the
25 commission of the offenses, including, but not limited to, a Charter
26 Arms Bulldog .44 caliber revolver, serial number 832250.
27 All pursuant to Title 18, United States Code, Section 924(d)(1), and
28 Title 28, United States Code, Section 2461(c).

1 3. The allegations contained in Counts 1, 2 and 4 are realleged
2 and by their reference fully incorporated herein for the purpose of
3 alleging forfeiture to the United States of America pursuant to the
4 provisions of Title 21, United States Code, Section 853.

5 4. As a result of the commission of the felony offenses alleged
6 in Counts 1, 2 and 4 of this indictment, said violations being
7 punishable by imprisonment for more than one year and pursuant to
8 Title 21, United States Code, Sections 853(a)(1) and 853(a)(2),
9 defendants ISRAEL SOTO, aka Izzy, aka EZ, AZIEL VIVEROS-NAVARRO,
10 aka Pariente, JESSICA QUEZADA, NATHAN DEREK GARDNER, aka Nick, and
11 GALE MASON, shall, upon conviction, forfeit to the United States all
12 their rights, title and interest in any and all property constituting,
13 or derived from, any proceeds the defendants obtained, directly or
14 indirectly, as the result of the offenses, and any and all property
15 used or intended to be used in any manner or part to commit and to
16 facilitate the commission of the violations alleged in Counts 1, 2 and
17 4 of this indictment.

18 5. If any of the above-described forfeitable property, as a
19 result of any act or omission of the defendants -

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

27 //


28 //

1 it is the intent of the United States, pursuant to Title 21, United
2 States Code, Section 853(p), to seek forfeiture of any other property
3 of the defendant up to the value of the said property listed above as
4 being subject to forfeiture.

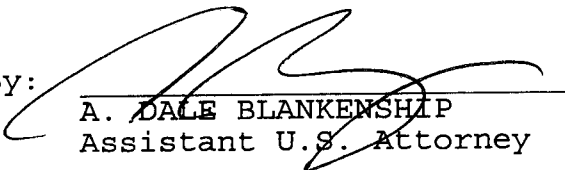
5 All in violation of Title 21, United States Code, Section 853.

6 DATED: January 31, 2014.

7 A TRUE BILL:

8 
9 _____
Foreperson

10 LAURA E. DUFFY
11 United States Attorney

12 By: 
13 A. DALE BLANKENSHIP
Assistant U.S. Attorney

I hereby attest and certify on 2/3/14
That the foregoing document is a full, true and correct
copy of the original on file in my office and in my legal
custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

By  Deputy

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

V.

Israel Soto aka Izzy aka Ez (1)

WARRANT FOR ARREST

Case Number: 14CR0224-MMA

NOT FOR PUBLIC VIEW

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Israel Soto aka Izzy aka Ez (1)

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

- Indictment
- Information
- Complaint
- Order of Court
- Violation Notice
- Probation Violation Petition
- Pretrial Violation

charging him or her with (brief description of offense):

21:841(a)(1) and 846 - Conspiracy to Distribute Methamphetamine
18:924(d)(1), 28:2461(c), and 21:853 - Criminal Forfeiture

In violation of Title See Above United States Code, Section(s) _____

John Morrill
Name of Issuing Officer

Acting Clerk of the Court
Title of Issuing Officer

s/ D. Sutton
Signature of Deputy

1/31/2014
Date and Location

Bail fixed at \$ No Bail

by The Honorable David H. Bartick
Name of Judicial Officer

RETURN		
This warrant was received and executed with the arrest of the above-named defendant at _____		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

V.

Aziel Viveros-Navarro aka Pariente (2)

SEALED

WARRANT FOR ARREST

Case Number: 14CR0224-MMA

NOT FOR PUBLIC VIEW

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Aziel Viveros-Navarro aka Pariente (2)
Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

- Indictment
- Information
- Complaint
- Order of Court
- Violation Notice
- Probation Violation Petition
- Pretrial Violation

charging him or her with (brief description of offense):

21:841(a)(1) and 846 - Conspiracy to Distribute Methamphetamine;
18:924(d)(1), 28:2461(c), and 21:853 - Criminal Forfeiture

In violation of Title See Above United States Code, Section(s) _____

John Morrill
Name of Issuing Officer

Acting Clerk of the Court
Title of Issuing Officer

s/ D. Sutton
Signature of Deputy

January 31, 2014 at San Diego, CA
Date and Location

Bail fixed at \$ No Bail

by The Honorable David H. Bartick
Name of Judicial Officer

RETURN		
This warrant was received and executed with the arrest of the above-named defendant at _____		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

SEALED

UNITED STATES OF AMERICA

v.

Jessica Quezada (3)

WARRANT FOR ARREST

Case Number: 14CR0224-MMA

NOT FOR PUBLIC VIEW

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Jessica Quezada (3)
Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

- Indictment
- Information
- Complaint
- Order of Court
- Violation Notice
- Probation Violation Petition
- Pretrial Violation

charging him or her with (brief description of offense):

21:841(a)(1) and 846 - Conspiracy to Distribute Methamphetamine;
18:924(d)(1), 28:2461(c), and 21:853 - Criminal Forfeiture

In violation of Title See Above United States Code, Section(s) _____

John Morrill
Name of Issuing Officer

Acting Clerk of the Court
Title of Issuing Officer

s/ D. Sutton
Signature of Deputy

January 31, 2014 at San Diego, CA
Date and Location

Bail fixed at \$ No Bail

by The Honorable David H. Bartick
Name of Judicial Officer

RETURN		
This warrant was received and executed with the arrest of the above-named defendant at _____		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

Nathan Derek Gardner aka Nick (4)

SEALED

WARRANT FOR ARREST

Case Number: 14CR0224-MMA

NOT FOR PUBLIC VIEW

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

Nathan Derek Gardner aka Nick (4)

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

- Indictment
 Information
 Complaint
 Order of Court
 Violation Notice
 Probation Violation Petition
 Pretrial Violation

charging him or her with (brief description of offense):

21:841(a)(1) and 846 - Conspiracy to Distribute Methamphetamine;
 21:841(a)(1) - Possession of Methamphetamine with Intent to Distribute;
 18:922(g)(1) and 924(a)(2) - Felon in Possession of a Firearm
 18:924(d)(1), 28:2461(c), and 21:853 - Criminal Forfeiture

In violation of Title See Above United States Code, Section(s) _____

John Morrill
Name of Issuing Officer

Acting Clerk of the Court
Title of Issuing Officer

s/ D. Sutton
Signature of Deputy

January 31, 2014 at San Diego, CA
Date and Location

Bail fixed at \$ _____ No Bail

by The Honorable David H. Bartick
Name of Judicial Officer

RETURN		
This warrant was received and executed with the arrest of the above-named defendant at _____		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

SEALED

UNITED STATES OF AMERICA

V.

Gale Mason (5)

WARRANT FOR ARREST

Case Number: 14CR0224-MMA

NOT FOR PUBLIC VIEW

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

Gale Mason (5)

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

- Indictment
- Information
- Complaint
- Order of Court
- Violation Notice
- Probation Violation Petition
- Pretrial Violation

charging him or her with (brief description of offense):

21:841(a)(1) and 846 - Conspiracy to Distribute Methamphetamine;
21:841(a)(1) - Possession of Methamphetamine with Intent to Distribute;
18:924(d)(1), 28:2461(c), and 21:853 - Criminal Forfeiture

In violation of Title See Above United States Code, Section(s) _____

John Morrill
Name of Issuing Officer

Acting Clerk of the Court
Title of Issuing Officer

s/ D. Sutton
Signature of Deputy

January 31, 2014 at San Diego, CA
Date and Location

Bail fixed at \$ No Bail

by The Honorable David H. Bartick
Name of Judicial Officer

RETURN		
This warrant was received and executed with the arrest of the above-named defendant at _____		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		