

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 17-03 (DWF/HB)

UNITED STATES OF AMERICA,

Plaintiff,

v.

(1) MARCO ANTONIO AVILA,  
a/k/a "Cholo,"  
a/k/a "Gordo,"

(2) CRIS AVILA MORENO,  
a/k/a "Pico,"

(3) BRADY LLOYD BINSTOCK,

(4) STAR DAWN CRUZ SEVERINO,

(5) SHANE ROBERT EDWARDS,  
a/k/a "Homegrown,"

(6) LUIS MONTES-MUNOZ,  
a/k/a "Kubby,"

(7) DIANERA MONTES-MUNOZ,  
a/k/a "Dianera Montez-Munoz,"  
a/k/a "Di,"

(8) ROCENDO MONTES-TELLEZ,  
a/k/a "Christian,"

(9) KARINA ROMERO PACHECO,

(10) PATRICK PEREZ,

(11) JOSUE FLORES MATEOS,

**SUPERSEDING INDICTMENT**

18 U.S.C. § 2

18 U.S.C. § 922(a)(6)

18 U.S.C. § 924(a)

18 U.S.C. § 924(d)

21 U.S.C. § 841(a)

21 U.S.C. § 841(b)(1)(A)

21 U.S.C. § 841(b)(1)(B)

21 U.S.C. § 841(b)(1)(C)

21 U.S.C. § 846

21 U.S.C. § 853

21 U.S.C. § 2461

SCANNED

MAR 07 2017

U.S. DISTRICT COURT ST. PAUL

*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

THE UNITED STATES GRAND JURY CHARGES THAT:

**COUNT 1**

(Conspiracy to Distribute Methamphetamine and Cocaine)

1. Beginning in or about December 2015, and continuing through in or about January 2017, the exact dates being unknown to the grand jury, in the State and District of Minnesota and elsewhere, the defendants,

**MARCO ANTONIO AVILA,**

a/k/a "Cholo,"

a/k/a "Gordo,"

**MORENO CRIS AVILA,**

a/k/a "Pico,"

**BRADY LLOYD BINSTOCK,**

**STAR DAWN CRUZ SEVERINO,**

**SHANE ROBERT EDWARDS,**

a/k/a "Homegrown,"

**LUIS MONTES-MUNOZ**

a/k/a "Kubby,"

**DIANERA MONTES-MUNOZ,**

a/k/a "Dianera Montez-Munoz,"

a/k/a "Di,"

**ROCENDO MONTES-TELLEZ,**

a/k/a "Christian,"

**KARINA ROMERO PACHECO, and**

**JOSUE FLORES MATEOS,**

did knowingly and intentionally conspire with one another and others, known and unknown to the grand jury, to possess with the intent to distribute, and to distribute, a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

QUANTITY OF METHAMPHETAMINE AND COCAINE  
INVOLVED IN THE CONSPIRACY

2. With respect to the defendants **MARCO ANTONIO AVILA, CRIS AVILA MORENO, SHANE ROBERT EDWARDS, LUIS MONTES-MUNOZ**, and **KARINA ROMERO PACHECO**, their conduct as members of the narcotics conspiracy charged in Count One, which includes the reasonably foreseeable conduct of other members of the narcotics conspiracy charged in Count One, involved 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(A)(viii), and a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

3. With respect to defendants **BRADY LLOYD BINSTOCK**, and **STAR DAWN CRUZ SEVERINO**, their conduct as members of the narcotics conspiracy charged in Count One, which includes the reasonably foreseeable conduct of other members of the narcotics conspiracy charged in Count One, involved a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

4. With respect to defendants **DIANERA MONTES-MUNOZ** and **ROCENDO MONTES-TELLEZ**, their conduct as members of the narcotics conspiracy charged in Count One, which includes the reasonably foreseeable conduct of other members of the

*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

narcotics conspiracy charged in Count One, involved a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C), and a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

5. With respect to defendant **JOSUE FLORES MATEOS**, his conduct as a member of the narcotics conspiracy charged in Count One, which includes the reasonably foreseeable conduct of other members of the narcotics conspiracy charged in Count One, involved 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B)(viii), and a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

All in violation of Title 21, United States Code, Section 846.

**COUNT 2**

(Distribution of Methamphetamine)

On or about February 19, 2016, in the State and District of Minnesota, the defendant,

**STAR DAWN CRUZ SEVERINO,**

*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 3**

(Distribution of Methamphetamine)

On or about March 10, 2016, in the State and District of Minnesota, the defendant,

**JOSUE FLORES MATEOS,**

did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 4**

(Distribution of Methamphetamine)

On or about March 29, 2016, in the State and District of Minnesota, the defendant,

**JOSUE FLORES MATEOS,**

did knowingly and intentionally distribute 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

**COUNT 5**

(Distribution of Methamphetamine)

On or about July 13, 2016, in the State and District of Minnesota, the defendant,

**MARCO ANTONIO AVILA,**  
a/k/a "Cholo,"

*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

a/k/a "Gordo,"

did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 6**

(Distribution of Methamphetamine)

On or about July 18, 2016, in the State and District of Minnesota, the defendant,

**BRADY LLOYD BINSTOCK,**

did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 7**

(Distribution of Methamphetamine)

On or about October 4, 2016, in the State and District of Minnesota, the defendants,

**MARCO ANTONIO AVILA,**

a/k/a "Cholo,"

a/k/a "Gordo,"

**MORENO CRIS AVILA,**

a/k/a "Pico," and

**LUIS MONTES-MUNOZ**

a/k/a "Kubby,"

aiding and abetting one another, and aided and abetted by others, did knowingly and intentionally distribute approximately 50 or more grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance,

*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) and Title 18, United States Code, Section 2.

**COUNTS 8-9**

(False Statement During Purchase of a Firearm)

On or about the dates and in the transactions set out below, in the State and District of Minnesota, the defendant,

**SHANE ROBERT EDWARDS,**  
a/k/a "Homegrown,"

in connection with the acquisition of firearms from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly furnished and exhibited a false, fictitious, and misrepresented identification to that dealer, which identification was intended and likely to deceive that dealer, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant knowingly and untruthfully represented to the dealer that he was a separate living person, specifically J.D.L., in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

<b>Count</b>	<b>On or About</b>	<b>Firearm Acquired</b>	<b>Licensed Dealer</b>
8	10/28/16	Springfield Inc. .45 pistol Model XDM, serial number MG606207	Mills Fleet Farm, Rochester, MN
9	10/28/16	Springfield Inc. .45 pistol Model XDM, serial number MG609002	Mills Fleet Farm, Rochester, MN

*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

**COUNT 10**

(Distribution of Methamphetamine)

On or about November 3, 2016, in the State and District of Minnesota, the defendant,

**LUIS MONTES-MUNOZ**

a/k/a "Kubby,"

did knowingly and intentionally distribute at least 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

**COUNT 11**

(Possession with Intent to Distribute Methamphetamine and Cocaine)

On or about January 19, 2017, in the State and District of Minnesota, the defendants,

**KARINA ROMERO PACHECO, and**

**ROCENDO MONTES-TELLEZ,**

a/k/a "Christian,"

aiding and abetting one another, and aided and abetted by others, did knowingly and intentionally possess with the intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C) and Title 18, United States Code, Section 2, and a mixture and substance containing a detectable amount of cocaine, a



*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT 12**

(Possession with Intent to Distribute Methamphetamine and Cocaine)

On or about January 19, 2017, in the State and District of Minnesota, the defendants,

**DIANERA MONTES-MUNOZ,**  
a/k/a "Dianera Montez-Munoz,"  
a/k/a "Di," and  
**PATRICK PEREZ,**

aiding and abetting one another, and aided and abetted by others, did knowingly and intentionally possess with the intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C) and Title 18, United States Code, Section 2, and a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT 13**

(Possession with Intent to Distribute Methamphetamine and Cocaine)

On or about January 19, 2017, in the State and District of Minnesota, the defendant,

**JOSUE FLORES MATEOS,**

aided and abetted by others, did knowingly and intentionally possess with the intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of

*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B)(viii) and Title 18, United States Code, Section 2, and a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C) and Title 18, United States Code, Section 2.

**FORFEITURE ALLEGATIONS**

Counts 1-13 of this Indictment are incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d), Title 21, United States Code, Section 853(a), and Title 28, United States Code, Section 2461(c).

If convicted of any of Counts 1-7 and 10-13 of this Indictment, the defendants,

**MARCO ANTONIO AVILA,**  
a/k/a "Cholo,"  
a/k/a "Gordo,"  
**MORENO CRIS AVILA,**  
a/k/a "Pico,"  
**BRADY LLOYD BINSTOCK,**  
**STAR DAWN CRUZ SEVERINO,**  
**SHANE ROBERT EDWARDS,**  
a/k/a "Homegrown,"  
**LUIS MONTES-MUNOZ**  
a/k/a "Kubby,"  
**DIANERA MONTES-MUNOZ,**  
a/k/a "Kubby,"  
**ROCENDO MONTES-TELLEZ,**  
"Christian,"  
**KARINA ROMERO PACHECO,**  
**PATRICK PEREZ, and**  
**JOSUE FLORES MATEOS,**

*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853(a)(1) and (2), any and all property constituting, or derived from, any proceeds obtained directly or indirectly as a result of each such violation, 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 violations. The property subject to forfeiture includes, but is not limited to, the following items seized on January 19, 2017:

1. \$10,257.45 in United States currency;
2. \$2,728.00 in United States currency;
3. \$301.00 in United States currency;
4. \$3,240.00 in United States currency;
5. \$5,404.00 in United States currency;
6. \$290.00 in United States currency;
7. a 2004 Cadillac Escalade, bearing Minnesota license plate number 567ULP, vehicle identification number 3GYFK66N54G249187;
8. a 2010 Mercedes 300 Series C4A, bearing Minnesota license plate number 783KFC, vehicle identification number WDDGF8BB2AR124042; and
9. a blue 2007 Chevrolet Silverado, bearing California license plate 8N10210, vehicle identification number 2GCEC13J471609596.

If convicted of any of Counts 8 and 9 of this Indictment, the defendant,

**SHANE ROBERT EDWARDS,**

*United States v. Avila, et al.*, 17-CR-03 (DWF/HB)

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any firearm with accessories and any ammunition involved in or used in any knowing violation of Sections 922(a)(6) and 924(a)(2), including a Springfield Inc. .45 pistol Model XDM, serial number MG606207 and a Springfield Inc. .45 pistol Model XDM, serial number MG609002.

If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p).

A TRUE BILL

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UNITED STATES ATTORNEY

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FOREPERSON