

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 04-</b>
	:	
<b>v.</b>	:	<b>DATE FILED: August 11, 2004</b>
	:	
<b>RENE REYES</b>	:	<b>VIOLATIONS:</b>
<b>JOSE CORTES,</b>	:	<b>21 U.S.C. § 846 (conspiracy – 1 count)</b>
<b>a/k/a “Jujo,”</b>	:	<b>21 U.S.C. §§ 841(a)(1) &amp; 841(b)(1)(B)</b>
<b>a/k/a “El Gordo”</b>	:	<b>(possession with intent to distribute cocaine</b>
	:	<b>– 1 count)</b>
	:	<b>21 U.S.C. § 860 (possession with intent to</b>
	:	<b>distribute cocaine within 1000 feet of a</b>
	:	<b>school - 1 count)</b>
	:	<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this indictment:

1. From in or about October 2003 through on or about May 18, 2004, in the Eastern District of Pennsylvania and elsewhere, defendants

**RENE REYES and  
JOSE CORTES,  
a/k/a “Jujo,”  
a/k/a “El Gordo”**

conspired and agreed, together with other persons known and unknown to the grand jury, to knowingly and intentionally distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

## **MANNER AND MEANS**

It was part of the conspiracy that:

1. Defendants RENE REYES and JOSE CORTES were members of a drug organization that distributed kilogram quantities of cocaine in Philadelphia, Pennsylvania on numerous occasions between in or about October 2003 and on or about May 18, 2004.
2. Defendant RENE REYES would deliver the cocaine in the vicinity of the Tierra Colombiana Restaurant located at Fifth and Annsbury Streets in Philadelphia, Pennsylvania.
3. The Tierra Colombiana Restaurant is located within 1,000 feet of the Saint Henry's School, an elementary school, located at 5105 North Fifth Street in Philadelphia, Pennsylvania.
4. When defendant RENE REYES would deliver the cocaine at this location, he was usually accompanied by his partner, defendant JOSE CORTES. Defendant CORTES was also known as "El Gordo" and "Jujo."
5. Defendants RENE REYES and JOSE CORTES would usually arrive at the Tierra Colombiana Restaurant in a Lincoln Navigator or a Dodge Caravan.
6. Defendant RENE REYES used the following cellular telephone numbers to conduct drug transactions: (i) 267-248-4615, (ii) 267-549-5010, and (iii) 215-380-3352.

## **OVERT ACTS**

In furtherance of the conspiracy, the defendants, and others known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about May 17, 2004, defendant RENE REYES used the telephone to arrange a delivery of one kilogram of cocaine in exchange for approximately \$24,000. The delivery was scheduled to occur on May 18, 2004 in the vicinity of the Tierra Colombiana Restaurant on Fifth and Annsbury Streets in Philadelphia.

2. On or about May 18, 2004 at approximately 12:05 p.m., defendant RENE REYES used the telephone to advise a buyer that he and “Jujo” (defendant JOSE CORTES) were returning from New York and would arrive at approximately 3:00 p.m.

3. On or about May 18, 2004, at approximately 3:37 p.m., defendant RENE REYES used the telephone to advise a buyer to meet him on Courtland and Fifth Streets in five minutes.

4. On or about May 18, 2004, at approximately 3:50 p.m., defendants RENE REYES and JOSE CORTES arrived at the Tierra Colombiana Restaurant in a Lincoln Navigator.

5. On or about May 18, 2004, Defendants RENE REYES and JOSE CORTES had approximately one kilogram of cocaine, a Schedule II controlled substance, and approximately \$6005 inside the Lincoln Navigator.

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

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 18, 2004, at Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**RENE REYES and  
JOSE CORTES,  
a/k/a “Jujo,”  
a/k/a “El Gordo”**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, more than 500 grams, that is approximately 1000 grams, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

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.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 18, 2004, at Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**RENE REYES and  
JOSE CORTES,  
a/k/a “Jujo,”  
a/k/a “El Gordo”**

knowingly and intentionally possessed with the intent to distribute, and aided and abetted the possession with intent to distribute of, more than 500 grams, that is approximately 1000 grams, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, within 1,000 feet of the real property comprising the Saint Henry’s School, an elementary school, located at 5105 North Fifth Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violations set forth in this Indictment, defendants

**RENE REYES and  
JOSE CORTES,  
a/k/a “Jujo,”  
a/k/a “El Gordo”**

shall forfeit to the United States pursuant to Title 21, United States Code, Section 853:

All property, real and personal, tangible and intangible, constituting or derived from any proceeds that the defendants obtained directly or indirectly as a result of the foregoing offenses, or that were used to commit or to facilitate the commissions of such offenses, including but not limited to the \$6005 recovered from the Lincoln Navigator.

**SUBSTITUTE ASSETS**

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) 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), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

**A TRUE BILL:**

---

**GRAND JURY FOREPERSON**

---

**PATRICK L. MEEHAN  
UNITED STATES ATTORNEY**