

Aug 27, 2021

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
21-20444-CR-COOKE/O'SULLIVAN

Case No. _____

21 U.S.C. § 846

21 U.S.C. § 853

UNITED STATES OF AMERICA

vs.

NANCY LEONOR GARCIA,

Defendant.

INFORMATION

The Acting United States Attorney charges that:

**Conspiracy to Distribute and Dispense a Controlled Substance
(21 U.S.C. § 846)**

From in or around May 2018, and continuing through in or around June 2019, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

NANCY LEONOR GARCIA,

did knowingly and willfully combine, conspire, and agree with Habib Palacios and others, known and unknown to the Acting United States Attorney, to distribute and dispense a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1); all in violation of Title 21, United States Code, Section 846.

The controlled substance involved in the conspiracy attributable to the defendant as a result of her own conduct, and the conduct of other conspirators reasonably foreseeable to her, is a mixture and substance containing a detectable amount of Oxycodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

FORFEITURE
(21 U.S.C. § 853)

1. The allegations in this Information are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **NANCY LEONOR GARCIA**, has an interest.

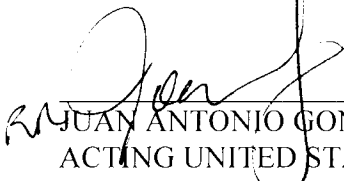
2. Upon a conviction of a violation of Title 21, United States Code, Section 846, as alleged in this Information, the defendant shall forfeit to the United States all property constituting or derived from, any proceeds obtained, directly or indirectly, as the result of such violation, and all property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation, pursuant to Title 21, United States Code, Section 853.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- 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 divided without difficulty,

the United States shall be entitled to the forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p).

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



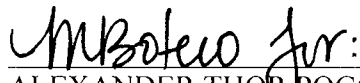
JUAN ANTONIO GONZALEZ
ACTING UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA



KEVIN J. LARSEN
ASSISTANT UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

JOSEPH S. BEEMSTERBOER, ACTING CHIEF
CRIMINAL DIVISION, FRAUD SECTION
U.S. DEPARTMENT OF JUSTICE

ALLAN MEDINA, DEPUTY CHIEF
CRIMINAL DIVISION, FRAUD SECTION
U.S. DEPARTMENT OF JUSTICE



ALEXANDER THOR POGOZELESKI
TRIAL ATTORNEY
CRIMINAL DIVISION, FRAUD SECTION
U.S. DEPARTMENT OF JUSTICE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO. _____

v.

NANCY LEONOR GARCIA,

CERTIFICATE OF TRIAL ATTORNEY***Superseding Case Information:**_____
Defendant.**Court Division:** (Select One)

<input checked="" type="checkbox"/>	Miami	<input type="checkbox"/>	Key West	
<input type="checkbox"/>	FTL	<input type="checkbox"/>	WPB	<input type="checkbox"/> FTP

New defendant(s)	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Number of new defendants		<input type="checkbox"/>		<input type="checkbox"/>
Total number of counts		<input type="checkbox"/>		<input type="checkbox"/>

- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
- Interpreter: (Yes or No) Yes
List language and/or dialect Spanish
- This case will take 0 days for the parties to try.
- Please check appropriate category and type of offense listed below:

(Check only one)

I	0 to 5 days	<input checked="" type="checkbox"/>
II	6 to 10 days	<input type="checkbox"/>
III	11 to 20 days	<input type="checkbox"/>
IV	21 to 60 days	<input type="checkbox"/>
V	61 days and over	<input type="checkbox"/>

(Check only one)

Petty	<input type="checkbox"/>
Minor	<input type="checkbox"/>
Misdem.	<input type="checkbox"/>
Felony	<input checked="" type="checkbox"/>

- Has this case previously been filed in this District Court? (Yes or No) No

If yes: Judge

Case No. _____

(Attach copy of dispositive order)

Has a complaint been filed in this matter?

(Yes or No) No

If yes: Magistrate Case No. _____

Related miscellaneous numbers: _____

Defendant(s) in federal custody as of _____

Defendant(s) in state custody as of _____

Rule 20 from the District of _____

Is this a potential death penalty case? (Yes or No) No

- Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia O. Valle)? Yes ☐ No ☒
- Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? Yes ☐ No ☒
- Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? Yes ☐ No ☒



KEVIN LARSEN

ASSISTANT UNITED STATES ATTORNEY

Florida Bar No./Court No. A5501050

*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: NANCY LEONOR GARCIA

Case No: _____

Count #: 1

Conspiracy to Distribute and Dispense a Controlled Substance

Title 21, United States Code, Section 846

*Max. Penalty: 20 Years' Imprisonment

* Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.

AO 455 (Rev. 01/09) Waiver of an Indictment

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

United States of America)	
v.)	Case No.
NANCY LEONOR GARCIA)	
)	
<i>Defendant</i>)	

WAIVER OF AN INDICTMENT

I understand that I have been accused of one or more offenses punishable by imprisonment for more than one year. I was advised in open court of my rights and the nature of the proposed charges against me.

After receiving this advice, I waive my right to prosecution by indictment and consent to prosecution by information.

Date: _____

Defendant's signature

Signature of defendant's attorney

Printed name of defendant's attorney

Judge's signature

Judge's printed name and title