

STATE OF NEW YORK
SUPREME/COUNTY COURT : COUNTY OF ERIE

THE PEOPLE OF THE STATE OF NEW YORK,

-v-

SEALED INDICTMENT
NO. 02118-2017AG

RANDY GONZALEZ,
ROGER GONZALEZ,
FERNANDO MALDONADO, A/K/A "FENDI",
CARLOS MARTINEZ,
ANGEL MEDINA,
JONATHAN IVAN MEDINA, A/K/A "TATI",
FRANK PEREZ, A/K/A "ANDY",
ANTHONY ROMAN,
JONATHAN ROSARIO, and
PABLO ZAMBRANO,

Defendants.

FIRST COUNT

THE GRAND JURY OF THE COUNTY OF ERIE, by this Indictment, accuses the defendants RANDY GONZALEZ, ROGER GONZALEZ, FERNANDO MALDONADO, A/K/A "FENDI," CARLOS MARTINEZ, ANGEL MEDINA, JONATHAN IVAN MEDINA, A/K/A "TATI," FRANK PEREZ, A/KA/ "ANDY," ANTHONY ROMAN, JONATHAN ROSARIO, and PABLO ZAMBRANO of the crime of **CONSPIRACY IN THE SECOND DEGREE**, in violation of Section 105.15 of the Penal Law of the State of New York, committed as follows:

The defendants, in Erie County, Chautauqua County, and elsewhere in the State of New York, and elsewhere, from on or before November 1, 2016, until on or about September 26, 2017, with intent that conduct constituting the crimes of Criminal Possession of a Controlled Substance in the Second Degree, and/or Criminal Sale of a Controlled Substance in the First Degree, and/or Criminal Sale of a Controlled Substance in the Second Degree, said crimes being Class A felonies, be committed, did knowingly and intentionally agree with each other and with others, known and

unknown, to engage in and cause the performance of such conduct as would constitute the above-mentioned Class A felonies.

PREAMBLE

It was the purpose of this conspiracy to possess narcotics in amounts of four ounces or more and sell narcotics in amounts of one-half ounce or more in Erie County, Chautauqua County, and elsewhere in the State of New York, and elsewhere.

It was the role of PABLO ZAMBRANO to arrange for narcotics, including heroin and pills containing fentanyl, to be mailed from the State of California to New York State for redistribution by JONATHAN ROSARIO and JONATHAN IVAN MEDINA, a/k/a "TATI," and others.

It was the role of JONATHAN ROSARIO and JONATHAN IVAN MEDINA, A/K/A "TATI," to sell narcotics to FERNANDO MALDONADO, A/K/A "FENDI," and others in Erie County, Chautauqua County, and elsewhere in New York State.

It was the role of CARLOS MARTINEZ to sell narcotics to ROGER GONZALEZ, RANDY GONZALEZ, and others.

It was the role of RANDY GONZALEZ to sell narcotics to FRANK PEREZ, A/K/A "ANDY," and others.

It was the role of ROGER GONZALEZ to sell narcotics, primarily cocaine, to others.

It was the role of FRANK PEREZ, A/K/A "ANDY," and FERNANDO MALDONADO, A/K/A "FENDI," to sell narcotics to others.

It was the role of ANTHONY ROMAN to assist CARLOS MARTINEZ in selling heroin to others.

It was the role of ANGEL MEDINA to sell heroin and to distribute heroin to others on behalf of CARLOS MARTINEZ.

It was also part of this conspiracy for members of the conspiracy to communicate with each other and others over cellular telephones, using codes and speaking in a guarded, cryptic manner, often in the Spanish language.

OVERT ACTS

In furtherance of the conspiracy and to affect the objects thereof, from on or about and between November 1, 2016 and September 26, 2017, the following overt acts, among others, were committed:

1. On or about November 16, 2016, ANGEL MEDINA delivered heroin to a person known to the Grand Jury for CARLOS MARTINEZ.

2. On or about January 18, 2017, ANTHONY ROMAN delivered heroin to a person known to the Grand Jury for CARLOS MARTINEZ.

3. On or about May 8, 2017, in a cryptic and coded Spanish language conversation, RANDY GONZALEZ told CARLOS MARTINEZ that he had “timberlands,” referring to a quantity of heroin, and CARLOS MARTINEZ said he needed “five or ten.”

4. On or about June 13, 2017, in a cryptic and coded Spanish language conversation, FRANK PEREZ, A/K/A “ANDY,” told RANDY GONZALEZ, “I have to work it, because I don’t sell them the half grams like I used to, I sell them bundles, brother.”

5. On or about July 2, 2017, in a series of cryptic and coded Spanish language telephone communications, JONATHAN IVAN MEDINA A/K/A “TATI,” told JONATHAN ROSARIO he would send “the name”, referring to the person to whom they were sending a sum of money, and shortly thereafter JONATHAN IVAN MEDINA A/K/A “TATI,” sent a text message stating, “Pablo a. Zambrano castrejon..Walmart to walmart California usa.”

6. On or about July 5, 2017, in a cryptic and coded Spanish language conversation, PABLO ZAMBRANO told JONATHAN ROSARIO, "... that's oxycodone, the M30. Then I'm going to send five hundred to see if you can move them quickly..."

7. On or about July 10, 2017, in a cryptic and coded Spanish language conversation, JONATHAN IVAN MEDINA A/K/A "TATI" told JONATHAN ROSARIO about a quantity of black tar heroin they had obtained that day, stating, "That is black in color you fucker!" and "Fuck it's tar."

8. On or about August 30, 2017, in a cryptic and coded Spanish language conversation, ROGER GONZALEZ ordered a quantity of cocaine from RANDY GONZALEZ, stating, "I need the four and a half."

9. On or about August 30, 2017, in a cryptic and coded Spanish language conversation, RANDY GONZALEZ told CARLOS MARTINEZ, "I haven't been able to pay you the whole thing. But I'm going to pay it off, because I'm going to have a deal that a person needs four chickens. You understand me, four and a half chickens?"

10. On or about August 30, 2017, ROGER GONZALEZ possessed approximately 129 grams of cocaine in Erie County.

11. On or about September 6, 2017, in a cryptic and coded Spanish language conversation, FERNANDO MALDONADO, A/K/A "FENDI," discussed a potential heroin customer with JONATHAN IVAN MEDINA, A/K/A "TATI," stating, "He wants you to give them to him at eighty. But it's ... got to be worked."

SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that they, the said

CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 11th day of November, 2016, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, heroin.

THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 11th day of November, 2016, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 16th day of November, 2016, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, heroin.

FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 16th day of November, 2016, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, CARLOS MARTINEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said CARLOS MARTINEZ, on or about the 7th day of December, 2016, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, heroin.

SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, CARLOS MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said CARLOS MARTINEZ, on or about the 7th day of December, 2016, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, CARLOS MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE**, in violation of Section 220.09(1) of the Penal Law of the State of New York, in that he, the said CARLOS MARTINEZ, on or about the 7th day of December, 2016, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, heroin, and said preparations, compounds, mixtures or substances are of an aggregate weight of one-eighth ounce or more.

NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 29th day of December, 2016, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, heroin.

TENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 29th day of December, 2016, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

ELEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE**, in violation of Section 220.09(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 29th day of December, 2016, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, heroin, and said preparations, compounds, mixtures or substances are of an aggregate weight of one-eighth ounce or more.

TWELFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANTHONY ROMAN, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANTHONY ROMAN, acting in concert, on or about the 18th day of January, 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, heroin.

THIRTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANTHONY ROMAN, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANTHONY ROMAN, acting in concert, on or about the 18th day of January, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

FOURTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANTHONY ROMAN, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE**, in violation of Section 220.09(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANTHONY ROMAN, acting in concert, on or about the 18th day of January, 2017, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, heroin, and said preparations, compounds, mixtures or substances are of an aggregate weight of one-eighth ounce or more.

FIFTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 5th day of April, 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, heroin.

SIXTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 5th day of April, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

SEVENTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE**, in violation of Section 220.09(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 5th day of April, 2017, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, heroin, and said preparations, compounds, mixtures or substances are of an aggregate weight of one-eighth ounce or more.

EIGHTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 12th day of April, 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, heroin.

NINETEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, CARLOS MARTINEZ and ANGEL MEDINA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that they, the said CARLOS MARTINEZ and ANGEL MEDINA, acting in concert, on or about the 12th day of April, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

TWENTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, PABLO ZAMBRANO of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.41(1) of the Penal Law of the State of New York, in that he, the said PABLO ZAMBRANO, on or about and between the 5th day of July, 2017, and the 13th day of July, 2017, in Erie County, Chautauqua County and elsewhere, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

TWENTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, PABLO ZAMBRANO, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said PABLO ZAMBRANO, on or about and between the 2nd day of July, 2017, and the 10th day of July, 2017, in Erie County, and elsewhere, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, heroin, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

TWENTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, PABLO ZAMBRANO, of the crime of **CRIMINAL SALE OF MARIHUANA IN THE FIRST DEGREE**, in violation of Section 221.55 of the Penal Law of the State of New York, in that he, the said PABLO ZAMBRANO, on or about and between the 2nd day of July, 2017, and the 10th day of July, 2017, in Erie County, and elsewhere, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing marihuana, and said preparations, compounds, mixtures or substances were of an aggregate weight of more than sixteen ounces.

TWENTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, PABLO ZAMBRANO, of the crime of **CRIMINAL SALE OF MARIHUANA IN THE FIRST DEGREE**, in violation of Section 221.55 of the Penal Law of the State of New York, in that he, the said PABLO ZAMBRANO, on or about and between the 5th day of July, 2017, and the 13th day of July, 2017, in Erie County, Chautauqua County and elsewhere, knowingly and unlawfully sold one or more preparations, compounds, mixtures or

substances containing marihuana, and said preparations, compounds, mixtures or substances were of an aggregate weight of more than sixteen ounces.

TWENTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, JONATHAN ROSARIO and JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE** in violation of Section 220.18(1) of the Penal Law of the State of New York, in that they, the said JONATHAN ROSARIO and JONATHAN IVAN MEDINA, A/K/A “TATI,” acting in concert, on or about the 10th day of July, 2017, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, heroin, and said preparations, compounds, mixtures or substances were of an aggregate weight of four ounces or more.

TWENTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, JONATHAN ROSARIO AND JONATHAN IVAN MEDINA, A/K/A “TATI”, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that they, the said JONATHAN ROSARIO AND JONATHAN IVAN MEDINA, A/K/A “TATI”, on or about the 10th day of July, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

TWENTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, JONATHAN ROSARIO and JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **ATTEMPTED CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Sections 110/220.16(1) of the Penal

Law of the State of New York, in that they, the said JONATHAN ROSARIO and JONATHAN IVAN MEDINA, A/K/A “TATI,” acting in concert, on or about the 13th day of July, 2017, in Erie County and Chautauqua County, knowingly and unlawfully attempted to possess a narcotic drug, to wit, fentanyl, with the intent to sell it.

TWENTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, JONATHAN ROSARIO and JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **ATTEMPTED CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Sections 110/220.16(12) of the Penal Law of the State of New York, in that they, the said JONATHAN ROSARIO and JONATHAN IVAN MEDINA, A/K/A “TATI,” acting in concert, on or about the 13th day of July, 2017, in Erie County and Chautauqua County, knowingly and unlawfully attempted to possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

TWENTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, JONATHAN ROSARIO and JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **ATTEMPTED CRIMINAL POSSESSION OF MARIHUANA IN THE FIRST DEGREE**, in violation of Sections 110/221.30 of the Penal Law of the State of New York, in that they, the said JONATHAN ROSARIO and JONATHAN IVAN MEDINA, A/K/A “TATI,” acting in concert, on or about and between the 10th day of July, 2017, and the 13th day of July, 2017, in Erie County and Chautauqua County, knowingly and unlawfully attempted to possess one or more preparations, compounds, mixtures or substances containing marihuana and

the preparations, compounds, mixtures or substances were of an aggregate weight of more than ten pounds.

TWENTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, ROGER GONZALEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said ROGER GONZALEZ, on or about the 21st day of July, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, cocaine, with the intent to sell it.

THIRTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, ROGER GONZALEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE**, in violation of Section 220.09(1) of the Penal Law of the State of New York, in that he, the said ROGER GONZALEZ, on or about the 21st day of July, 2017, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, cocaine, and said preparations, compounds, mixtures or substances are of an aggregate weight of one-eighth ounce or more.

THIRTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, CARLOS MARTINEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said CARLOS MARTINEZ, on or about the 27th day of July, 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, cocaine.

THIRTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, CARLOS MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said CARLOS MARTINEZ, on or about the 27th day of July, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, cocaine, with the intent to sell it.

THIRTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RANDY GONZALEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said RANDY GONZALEZ, on or about the 27th day of July, 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, cocaine.

THIRTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RANDY GONZALEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said RANDY GONZALEZ, on or about the 27th day of July, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, cocaine, with the intent to sell it.

THIRTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, RANDY GONZALEZ and ROGER GONZALEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that they, the said RANDY GONZALEZ and ROGER GONZALEZ, acting in concert, on or about the 1st day of August, 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, cocaine.

THIRTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, RANDY GONZALEZ and ROGER GONZALEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that they, the said RANDY GONZALEZ and ROGER GONZALEZ, acting in concert, on or about the 1st day of August, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, cocaine, with the intent to sell it.

THIRTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, ROGER GONZALEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said ROGER GONZALEZ, on or about the 3rd day of August, 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, cocaine.

THIRTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, ROGER GONZALEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said ROGER GONZALEZ, on or about the 3rd day of August, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, cocaine, with the intent to sell it.

THIRTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RANDY GONZALEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said RANDY GONZALEZ, on or about the 12th day of August, 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, cocaine.

FORTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RANDY GONZALEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said RANDY GONZALEZ, on or about the 12th day of August, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, cocaine, with the intent to sell it.

FORTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, CARLOS MARTINEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1)

of the Penal Law of the State of New York, in that he, the said CARLOS MARTINEZ, on or about the 30th day of August, 2017, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, cocaine, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

FORTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, CARLOS MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said CARLOS MARTINEZ, on or about the 30th day of August, 2017, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, cocaine, and said preparations, compounds, mixtures or substances were of an aggregate weight of four ounces or more.

FORTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, CARLOS MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said CARLOS MARTINEZ, on or about the 30th day of August, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, cocaine, with the intent to sell it.

FORTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RANDY GONZALEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1)

of the Penal Law of the State of New York, in that he, the said RANDY GONZALEZ, on or about the 30th day of August, 2017, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, cocaine, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

FORTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RANDY GONZALEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said RANDY GONZALEZ, on or about the 30th day of August, 2017, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, cocaine, and said preparations, compounds, mixtures or substances were of an aggregate weight of four ounces or more.

FORTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RANDY GONZALEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said RANDY GONZALEZ, on or about the 30th day of August, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, cocaine, with the intent to sell it.

FORTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, ROGER GONZALEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said ROGER GONZALEZ, on or about the 30th day of August, 2017, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, cocaine, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

FORTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, ROGER GONZALEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said ROGER GONZALEZ, on or about the 30th day of August, 2017, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, cocaine, and said preparations, compounds, mixtures or substances were of an aggregate weight of four ounces or more.

FORTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, ROGER GONZALEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said ROGER GONZALEZ, on or about the 30th day of August, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, cocaine, with the intent to sell it.

FIFTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JONATHAN IVAN MEDINA, A/K/A “TATI,” on or about the 6th day of September, 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, heroin.

FIFTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JONATHAN IVAN MEDINA, A/K/A “TATI,” on or about the 6th day of September, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin.

FIFTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, FERNANDO MALDONADO, A/K/A “FENDI,” of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said FERNANDO MALDONADO, A/K/A “FENDI,” on or about the 6th day of September, 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

FIFTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, JONATHAN ROSARIO, and JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that they, the said JONATHAN ROSARIO, and JONATHAN IVAN MEDINA, A/K/A “TATI,” acting in concert, on or about the 9th day of September 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, heroin.

FIFTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, JONATHAN ROSARIO, and JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that they, the said JONATHAN ROSARIO, and JONATHAN IVAN MEDINA, A/K/A “TATI,” acting in concert, on or about the 9th day of September 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

FIFTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JONATHAN IVAN MEDINA, A/K/A “TATI,” on or about the 14th day of September, 2017, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit, heroin.

FIFTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, FRANK PEREZ, A/K/A “ANDY,” of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said FRANK PEREZ, A/K/A “ANDY,” on or about the 15st day of September 2017, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit, heroin, with the intent to sell it.

FIFTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JONATHAN IVAN MEDINA, A/K/A/ “TATI,” of the crime of **CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE**, in violation of Section 265.03(1)(b) of the Penal Law of the State of New York, in that he, the said JONATHAN IVAN MEDINA, A/K/A/ “TATI,” on or about the 26th day of September 2017, in Erie County, knowingly and unlawfully possessed a loaded firearm, to wit: a Hi-Point semi-automatic pistol, with intent to use the same unlawfully against another.

FIFTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **CRIMINALLY USING DRUG PARAPHERNALIA IN THE SECOND DEGREE**, in violation of Section 220.50(2) of the Penal Law of the State of New York, in that he, the said JONATHAN IVAN MEDINA, A/K/A “TATI,” on or about the 26th day of September, 2017, in Erie County, knowingly possessed gelatine capsules, glassine envelopes, vials, capsules or any other material suitable for the packaging of narcotic drugs or stimulants under circumstances evincing an intent to use, or under circumstances evincing knowledge that some person intends to use the same for the purpose of unlawfully manufacturing, packaging, or dispensing of any

narcotic drug or stimulant.

FIFTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JONATHAN IVAN MEDINA, A/K/A “TATI,” of the crime of **CRIMINALLY USING DRUG PARAPHERNALIA IN THE SECOND DEGREE**, in violation of Section 220.50(3) of the Penal Law of the State of New York, in that he, the said JONATHAN IVAN MEDINA, A/K/A “TATI,” or about the 26th day of September, 2017, in Erie County, knowingly possessed scales and balances used or designed for the purpose of weighing or measuring controlled substances, under circumstances evincing an intent to use, or under circumstances evincing knowledge that some person intends to use the same for the purpose of unlawfully manufacturing, packaging, or dispensing of any narcotic drug or stimulant.

PERI ALYSE KADANOFF
Deputy Attorney General
New York State Organized Crime Task Force

BY: PATRICIA CARRINGTON
Assistant Deputy Attorney General
New York State Organized Crime Task Force

Foreperson
Erie County Grand Jury

Dated: _____