

**FILED**

**OCT 29 2015**

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
**J. HELTINGS**  
BY \_\_\_\_\_  
DEPUTY CLERK

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 ARMANDO ARNOLDO MARTINEZ-  
TINOCO,  
15 JUAN CARLOS MARTINEZ-TINOCO,  
LUIS ENRIQUE FLORES, and  
16 IVAN DE JESUS JIMENEZ,  
17 Defendants.

CASE NO. 1:15 CR 00304 LJO SKO  
VIOLATIONS: 21 U.S.C. §§ 841(a)(1),  
841(b)(1)(C), and 846 - Conspiracy To Manufacture,  
To Distribute, And To Possess With The Intent To  
Distribute Marijuana; 21 U.S.C. §§ 841(a)(1) and  
841(b)(1)(C), 18 U.S.C. § 2 - Manufacture of  
Marijuana and Aiding and Abetting; 21 U.S.C. §§  
841(a)(1) and 841(b)(1)(C), 18 U.S.C. § 2 -  
Possession with the Intent to Distribute Marijuana  
and Aiding and Abetting; 18 U.S.C. § 1361, 2 -  
Depredation Of Public Lands And Resources And  
Aiding And Abetting; 18 U.S.C. §§ 981(a)(1)(C), 21  
U.S.C. § 853, and 28 U.S.C. § 2461(c) - Forfeiture,  
Allegation

18  
19  
20 INDICTMENT

21 COUNT ONE: [21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 846 - Conspiracy to Manufacture, to  
Distribute and/or to Possess with the Intent to Distribute Marijuana]

22  
23 The Grand Jury charges: T H A T

24 ARMANDO ARNOLDO MARTINEZ-TINOCO,  
JUAN CARLOS MARTINEZ-TINOCO,  
25 LUIS ENRIQUE FLORES, and  
26 IVAN DE JESUS JIMENEZ,

27 defendants herein, beginning at a time unknown, but no later than on or about March 1, 2015, and  
28 continuing to on or about October 17, 2015, in the County of Tulare, within the State and Eastern

1 District of California, and elsewhere, did knowingly and intentionally conspire and agree with persons,  
2 unknown to the Grand Jury, to manufacture, to distribute, and/or to possess with the intent to distribute  
3 50 or more marijuana plants, a Schedule I controlled substance, in violation of Title 21, United States  
4 Code, Sections 841(a)(1), 841(b)(1)(C), and 846.

5  
6 COUNT TWO: [21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), 18 U.S.C. § 2 - Manufacture of  
7 Marijuana and Aiding and Abetting]

8 The Grand Jury further charges: T H A T

9  
10 ARMANDO ARNOLDO MARTINEZ- TINOCO,  
11 JUAN CARLOS MARTINEZ-TINOCO,  
12 LUIS ENRIQUE FLORES, and  
13 IVAN DE JESUS JIMENEZ,

14 defendants herein, beginning at a time unknown, but no later than on or about March 1, 2015, and  
15 continuing to on or about October 17, 2015, in the County of Tulare, within the State and Eastern  
16 District of California, did knowingly and intentionally manufacture, and/or aid and abet the manufacture  
17 of 50 or more marijuana plant, a Schedule I controlled substance, in violation of Title 21, United States  
18 Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

19 COUNT THREE: [21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), 18 U.S.C. § 2 - Possession with the  
20 Intent to Distribute Marijuana and Aiding and Abetting]

21 The Grand Jury further charges: T H A T

22 ARMANDO ARNOLDO MARTINEZ-TINOCO,  
23 JUAN CARLOS MARTINEZ-TINOCO,  
24 LUIS ENRIQUE FLORES, and  
25 IVAN DE JESUS JIMENEZ,

26 defendants herein, beginning at a time unknown, but no later than on or about March 1, 2015, and  
27 continuing to on or about October 17, 2015, in the County of Tulare, within the State and Eastern  
28 District of California, did knowingly and intentionally possess with the intent to distribute, and /or aid  
and abet the possession with the intent to distribute, 50 or more marijuana plants, a Schedule I controlled  
substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title

1 18, United States Code, Section 2.

2 COUNT FOUR: [18 U.S.C. §§ 1361, 2 - Depredation of Public Lands and Resources and Aiding  
3 and Abetting]

4 The Grand Jury charges: T H A T

5 ARMANDO ARNOLDO MARTINEZ-TINOCO,  
6 JUAN CARLOS MARTINEZ-TINOCO,  
7 LUIS ENRIQUE FLORES, and  
IVAN DE JESUS JIMENEZ,

8 defendants herein, beginning at a time unknown, but no later than on or about March 1, 2015, and  
9 continuing to on or about October 17, 2015, in the County of Tulare, within the State and Eastern  
10 District of California, did willfully and by means of committing one or more the marijuana offenses  
11 alleged in Counts One through Three herein, and aid and abet the attempt to injure and commission of a  
12 depredation, against property of the United States and of any department or agency thereof, namely land  
13 and natural resources in the Sequoia National Forest in the area of The Needles, a series of massive  
14 granite rock formations, within the jurisdiction of the United States Forest Service, and the resulting  
15 damage was more than \$1,000, in violation of Title 18, United States Code, Sections 1361 and 2.

16 FORFEITURE ALLEGATION: [18 U.S.C. §§ 981(a)(1)(C), 21 U.S.C. § 853, and 28  
17 U.S.C. § 2461(c)]

18 The Grand Jury further alleges THAT:

19 Upon conviction of one or more of the offenses alleged in Counts One, Two, and Three of this  
20 Indictment, defendants ARMANDO ARNOLDO MARTINEZ-TINOCO, JUAN CARLOS  
21 MARTINEZ-TINOCO, LUIS ENRIQUE FLORES, and IVAN DE JESUS JIMENEZ, shall forfeit to  
22 the United States, pursuant to Title 21, United States Code, Section 853(a), any property constituting, or  
23 derived from, any proceeds the defendants obtained, directly or indirectly, as a result of the offense, any  
24 property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission  
25 of the offense.

26 Upon conviction of the offense alleged in Count Four of this Indictment, defendants  
27 ARMANDO ARNOLDO MARTINEZ-TINOCO, JUAN CARLOS MARTINEZ-TINOCO, LUIS  
28

1 ENRIQUE FLORES, and IVAN DE JESUS JIMENEZ,, shall forfeit to the United States, pursuant to  
2 Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c),  
3 all property, real and personal, which constitutes or is derived from proceeds traceable to such violation.

4 If any property subject to forfeiture, as a result of the offenses alleged in Counts One through  
5 Four of this Indictment, for which defendants are convicted:

- 6 a. cannot be located upon the exercise of due diligence;
- 7 b. has been transferred or sold, or deposited with, a third party;
- 8 c. has been placed beyond the jurisdiction of the Court;
- 9 d. has been substantially diminished in value; or
- 10 e. has been commingled with other property which cannot be divided without  
11 difficulty,

12 it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28,  
13 United States Code, Section 2461(c), to seek forfeiture of any other property of defendant, up to the  
14 value of the property subject to forfeiture.

15 A TRUE BILL.  
16 **/s/ Signature on file w/AUSA**

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18 FOREPERSON

19 BENJAMIN B. WAGNER  
20 United States Attorney

21 By **Mark E. Cullers**  
22 MARK E. CULLERS  
23 Assistant U.S. Attorney  
24 Chief, Fresno Office  
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