

ADAMS COUNTY COURT,
ADAMS COUNTY, COLORADO

1100 Judicial Center Drive
Brighton, CO 80601

THE PEOPLE OF THE STATE OF COLORADO,
Plaintiff,

v.

ROBERT MUNIZ

AKA: Robert Martinez, Elias Muniz, Robert J. Muniz,
Robert Eli Muniz, Robert Muniiz

DOB: 01/14/1955

ANTHONY ALAN BALDERRAMA

Anthony Alain Balderama, Anthony Alan Balderama,
Anthony Allen Balderama, Anthony Allen Balderrama,
Carlos Mendez

DOB: 08/08/1983

VICTOR GABRIEL VIALPANDO

AKA: Gary Bryan Arreaga, Garry Brian Arreaga Victor
Olivas, Victor Gabriel Olivas, Victor Olivas-Vialpando,
Victor G. Olivas Vialpando, Victor Gabriel O Vialpando,
Vialpando Olivas, Victor Gabriel Vialpando

DOB: 11/13/1972

LINDSAY RAE GARRY

Lindzy Vigil-Lopez, Rae Lindsey, J Davis, Terry James
Hartzell, Terry Hartzell

DOB: 08/30/1989

Defendants.

▲ **COURT USE ONLY** ▲

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Case No.:
GJ Case No.: 13CR0001
Ctrm.:

COLORADO STATE GRAND JURY INDICTMENT

Of the 2012-2013 term of the Denver District Court in the year 2013; the 2012-2013 Colorado State Grand Jurors, chosen, selected, and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:

COUNT ONE

VIOLATION OF COLORADO ORGANIZED CRIME CONTROL ACT, C.R.S. 18-17-104(3) (F2) <37284>

ROBERT MUNIZ, ANTHONY BALDERRAMA, VICTOR VIALPANDO

COUNT TWO

VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL ACT- CONSPIRACY, C.R.S. 18-17-104(4) (F2) <37285>

ROBERT MUNIZ, ANTHONY BALDERRAMA, VICTOR VIALPANDO

COUNT THREE

AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE, C.R.S. 18-4-409(2),(3)(a) (F4) <0804C>

ANTHONY BALDERRAMA

COUNT FOUR

AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE, C.R.S. 18-4-409(2),(3)(a) (F4) <0804C>

ANTHONY BALDERRAMA

COUNT FIVE

AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE, C.R.S. 18-4-409(2),(3)(a) (F4) <0804C>

ANTHONY BALDERRAMA

COUNT SIX

AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4) <0804C>

ANTHONY BALDERRAMA

COUNT SEVEN

THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4) <0805K>

ROBERT MUNIZ

COUNT EIGHT

THEFT BY RECEIVING, C.R.S. 18-4-410(1),(5) (F3) <0805H>

ANTHONY BALDERRAMA

COUNT NINE

POSSESSION WITH INTENT TO DISTRIBUTE A CONTROLLED SUBSTANCE –
SCHEDULE II – 25 TO 450G, C.R.S. 18-18-405(1),(2)(a)(I)(A),(3)(a)(I) (F3) <82042>

ROBERT MUNIZ

COUNT TEN

POSSESSION OF METHAMPHETAMINE – MORE THAN 2 GRAMS, C.R.S. 18-18-
403.5(1),(2)(b)(II) (F4) <82042>

ROBERT MUNIZ

COUNT ELEVEN

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED
SUBSTANCE – SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3) <82041>

ROBERT MUNIZ

COUNT TWELVE

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED SUBSTANCE – SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3) <82041>

ROBERT MUNIZ

COUNT THIRTEEN

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED SUBSTANCE – SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3) <82041>

ROBERT MUNIZ

COUNT FOURTEEN

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED SUBSTANCE – SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F5) <82041>

ROBERT MUNIZ

COUNT FIFTEEN

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED SUBSTANCE – SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F5) <84041>

ROBERT MUNIZ

COUNT SIXTEEN

SPECIAL OFFENDER – FIREARM, C.R.S. 18-18-407(1)(f)(II) (SE) <33445>

ROBERT MUNIZ

COUNT SEVENTEEN

THEFT BY RECEIVING – ENGAGED IN THE BUSINESS - \$1,000 OR MORE, C.R.S. 18-4-410(1),(6) (F3) <0805L>

ROBERT MUNIZ

COUNT EIGHTEEN

DISTRIBUTION OF A CONTROLLED SUBSTANCE – SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3) <82021>

ROBERT MUNIZ

COUNT NINETEEN

POSSESSION OF METHAMPHETAMINE – MORE THAN 2 GRAMS, C.R.S. 18-18-405.5(1),(2)(b)(II) (F4) <8201C>

LINDSAY GARRY

COUNT TWENTY

DISTRIBUTION OF A CONTROLLED SUBSTANCE – SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3) <82021>

ROBERT MUNIZ

COUNT TWENTY-ONE

SPECIAL OFFENDER – FIREARM, C.R.S. 18-18-407(1)(f)(II) (SE) <3344S>

ROBERT MUNIZ

COUNT TWENTY-TWO

AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE, C.R.S. 18-4-409(2),(3)(a) (F4) <0804C>

ROBERT MUNIZ, VICTOR VIALPANDO

COUNT TWENTY-THREE

THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4) <0805K>

ROBERT MUNIZ, VICTOR VIALPANDO

COUNT TWENTY-FOUR

AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE, C.R.S. 18-4-409(2),(3)(a) (F4) <0804C>

ROBERT MUNIZ, VICTOR VIALPANDO

COUNT TWENTY-FIVE

THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4) <0805K>

ROBERT MUNIZ, VICTOR VIALPANDO

COUNT TWENTY-SIX

AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE – OVER \$20,000, C.R.S. 18-4-409(2),(3)(b) (F3) <0804B>

ROBERT MUNIZ, VICTOR VIALPANDO

COUNT TWENTY-SEVEN

THEFT BY RECEIVING, C.R.S. 18-4-410(1),(5) (F3) <0805H>

ROBERT MUNIZ, VICTOR VIALPANDO

COUNT TWENTY-EIGHT

AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE, C.R.S. 18-4-409(2),(3)(a) (F4) <0804C>

VICTOR VIALPANDO

COUNT TWENTY-NINE

THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4) <0805K>

VICTOR VIALPANDO

COUNT THIRTY

POSSESSION OF A WEAPON BY A PREVIOUS OFFENDER – WEAPON, C.R.S. 18-12-108(1) (F6) <3007A>

VICTOR VIALPANDO

COUNT THIRTY-ONE

POSSESSION OF A WEAPON BY A PREVIOUS OFFENDER – DANGEROUS WEAPON, C.R.S. 18-12-108(1),(2)(b) (F5) <30069>

VICTOR VIALPANDO

COUNT THIRTY-TWO

THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4) <0805K>

ROBERT MUNIZ

COUNT THIRTY-THREE

THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4) <0805K>

ROBERT MUNIZ

COUNT THIRTY-FOUR

THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4) <0805K>

ROBERT MUNIZ

COUNT THIRTY-FIVE

THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4) <0805K>

ROBERT MUNIZ

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO</p> <p>1437 Bannock Street Denver, CO 80202</p> <hr/> <p>THE PEOPLE OF THE STATE OF COLORADO, Plaintiff,</p> <p>v.</p> <p>ROBERT MUNIZ</p> <p>ANTHONY ALAN BALDERRAMA</p> <p>VICTOR GABRIEL VIALPANDO</p> <p>LINDSAY GARRY</p> <p>Defendants.</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>JOHN W. SUTHERS, Attorney General JODY PILMER, 31347 Senior Assistant Attorney General* 1300 Broadway, 9th Floor Denver, CO 80203 Phone: 720-508-6733 Fax: 720-508-6036 jody.pilmer@state.co.us *Counsel of Record</p>	<p>Case No.: 13CR00001</p> <p>Ctrm.:</p>
<p>COLORADO STATE GRAND JURY INDICTMENT</p>	

Of the 2013-2014 term of the Denver District Court in the year of 2013, the 2013-2014 State Grand Jurors, chosen, selected and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:

COUNT ONE

VIOLATION OF COLORADO ORGANIZED CRIME CONTROL ACT, C.R.S. 18-17-104(3)
(F2)

Between and including August 1, 2012 and February 18, 2013, in the State of Colorado, ROBERT MUNIZ, ANTHONY BALDERRAMA, and VICTOR VIALPANDO, while employed by or associated with an enterprise, namely: a group of individuals associated in fact, although not a legal entity, unlawfully, feloniously, and knowingly conducted or participated, directly or indirectly, in the enterprise through a pattern of racketeering activity; in violation of sections 18-17-104(3) and 18-17-105, C.R.S.

COUNT TWO
VIOLATION OF THE COLORADO ORGANIZED CRIME CONTROL
ACT- CONSPIRACY, C.R.S. 18-17-104(4) (F2)

Between and including August 1, 2012 and February 18, 2013, in the State of Colorado, ROBERT MUNIZ, ANTHONY BALDERRAMA, and VICTOR VIALPANDO did unlawfully, knowingly, and feloniously conspire and/or endeavor to conduct and participate, directly or indirectly, in an enterprise, through a pattern of racketeering activity in violation of C.R.S. § 18-17-104(4) and § 18-17-104(3), C.R.S.

The offenses alleged in Counts One and Two were committed in the following manner:

The Enterprise

The enterprise alleged in this count is a group of individuals, associated in fact, although not a legal entity. The enterprise included, but was not limited to, the following: Robert Muniz, Anthony Balderrama, Victor Vialpando, Chandler Stanley, Ralph Vanetten and other persons known and unknown, who were associated from time to time in racketeering activity that was related to the conduct of the enterprise.

The enterprise consists of the people identified above working in concert with each other and, from time to time, with other parties of known and unknown identity, for the purpose of stealing motor vehicles, using and trading stolen motor vehicles, and using and trading illegal narcotics.

At all times relevant to this indictment, Robert Muniz resided at 5545 Pecos Street in Adams County, Colorado. Muniz distributed narcotics, specifically methamphetamine and prescription medication, from his residence. Muniz accepted currency and stolen goods, including guns, for the narcotics he distributed. Between August, 2012 and February, 2013, Muniz was willing to trade narcotics for stolen vehicles and enlisted the assistance of Balderrama, Vialpando, Stanley, and Vanetten. During that time period, Balderrama was stealing Honda vehicles and taking them to Vanetten and Muniz in return for cash, weapons, and narcotics. Also during that time period, Muniz had a standing agreement with Victor Vialpando and Chandler Stanley that he would exchange quantities of methamphetamine for stolen vehicles. Vialpando and Stanley worked together to obtain and transport stolen vehicles to Muniz in return for narcotics.

Pattern of Racketeering Activity
(Predicate Acts)

ROBERT MUNIZ, ANTHONY BALDERRAMA, and VICTOR VIALPANDO, directly and in concert, engaged in, attempted to engage in, conspired to engage in, or solicited another to engage in at least two predicate acts, including any lesser offenses, related to the conduct of the enterprise, at least one of which took place in the State of Colorado after July 1, 1981 and the last of the acts of racketeering activity occurring within ten years after a prior act of racketeering activity include:

PREDICATE ACT ONE
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1997 Black Honda Accord-Cisneros

Between and including October 9, 2012 and October 17, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 1997 Honda Accord of Gerardo Cisneros, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

PREDICATE ACT TWO
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

2000 White Honda Civic-Galvan

Between and including September 30, 2012 and October 17, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 2000 Honda Civic of Pedro Galvan, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

PREDICATE ACT THREE
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1997 Black Honda Accord-Favara

Between and including September 28, 2012 and October 17, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 1997 Honda Accord of John Favara, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

PREDICATE ACT FOUR
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1996 Green Honda Civic-Addison

Between and including October 7, 2012 and October 25, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 1996 Honda Civic of Nathan Addison, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

PREDICATE ACT FIVE
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

1996 Green Honda Civic-Addison

Between and including October 7, 2012 and October 25, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 1996 Honda Civic of Nathan Addison, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

PREDICATE ACT SIX
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(5) (F3)

2012 Toyota Sienna-Parrott

Between and including October 15, 2012 and October 23, 2012, ANTHONY BALDERRAMA unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 2012 Toyota Sienna, of Robert Parrott, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was twenty thousand dollars or more; in violation of section 18-4-410(1),(5), C.R.S.

The essential facts that support the allegations in Predicate Acts ONE through SIX, are as follows:

The essential facts that support all other allegations contained herein, including the definition of the enterprise, are incorporated by reference.

At all times relevant to this indictment, Ralph Vanetten resided at 6621 Ash Street in Adams County, Colorado and Robert Muniz resided at 5545 Pecos Street in Adams County,

Colorado. Muniz' residence is across the street from a Coors distribution plant near 56th Avenue and Pecos Street.

Between September 30, 2012, and October 2, 2012, Pedro Galvan's white 2000 Honda Accord was taken without his permission from its parking place in Denver County, Colorado. On October 15, 2012, employees at an Arby's in Commerce City, Colorado reported an abandoned white Honda in the Arby's parking lot and further reported that a maroon mini-van had been in the area and sped away while they were inspecting the abandoned Honda. Police determined that the vehicle in the Arby's parking lot was Pedro Galvan's stolen Honda Accord. A temporary license plate was affixed to the Honda. That license plate registered to a maroon Toyota Sienna mini-van that was stolen from Robert Parrott's residence in Colorado Springs between August 17 and August 18, 2012, and subsequently recovered at 5360 Zuni Street.

Police attached a GPS tracking device to Galvan's stolen Honda. Shortly thereafter, in the early morning hours of October 16, 2012, the white 2000 Honda moved to the 6600 block of Ash Street in Commerce City, Colorado, where it remained until it was driven into the yard at 6621 Ash Street, Commerce City, Colorado at approximately 7 pm on October 16, 2012.

Police began surveillance at 6621 Ash Street and observed the stolen white 2000 Honda and several similar vehicles in the yard. Police also observed Ralph Vanetten working on the various vehicles in the yard. On October 17, 2012, police executed a search warrant at 6621 Ash Street. During the execution of the search warrant, police located the following items of evidence relevant to this indictment:

1. Pedro Galvan's stolen white 2000 Honda with affixed temporary tag that registered to Robert Parrott's stolen 2012 Toyota Sienna.
2. A black 1997 Honda Accord that belonged to John Favara. That vehicle was taken without Favara's permission from its parking place in Denver County, Colorado on September 28, 2012.
3. A black 1997 Honda Accord that belonged to Gerardo Cisneros. That vehicle was taken without Cisneros' permission from its parking place in Lakewood, Colorado on October 9, 2012.
4. The title to a green 1996 Honda Civic that belonged to Nathan Addison. That vehicle was taken without Addison's permission from its parking place at 5370 Zuni Street in Adams County, Colorado on October 7, 2012. That address is the same apartment complex at which Robert Parrott's 2012 Toyota Sienna minivan was subsequently recovered by police on October 23, 2012. Addison's stolen 1996 Honda Civic was subsequently located and recovered by police on October 25, 2012 at 5575 Quivas Street. That location is behind Robert Muniz' residence at 5545 Pecos Street in Adams County, Colorado.
5. A 2000 Chrysler Concord that was registered to Jasmine Diaz.

On October 17, 2012, while conducting surveillance at Vanetten's residence prior to executing the aforementioned search warrant, police observed a maroon Toyota Sienna minivan at the residence. Investigators followed the vehicle and identified the driver as Jasmine Diaz and the passenger as Anthony Balderrama. Balderrama was wearing black latex gloves. After following the vehicle for some period of time, police stopped following it. A 2012 Toyota Sienna that fit the description of the van that police followed that day was recovered abandoned at an apartment complex at 5360 Zuni Street in Adams County, Colorado on October 23, 2012. That Toyota Sienna was taken from Robert Parrott's garage in Colorado Springs, Colorado between

August 17, 2012 and August 18, 2012 without his permission.

Anthony Balderrama was arrested on November 13, 2012 after he was seen by police driving a stolen 1996 Honda Accord. During interviews with police after his arrest, Anthony Balderrama stated the following:

1. that he had been stealing cars for approximately 2 months to support a drug habit,
2. that he had stolen so many cars that he could not remember them all,
3. that he met Ralph Vanetten through a "big shot caller" whom he identified as "Bob" and Robert Munoz or Munez
4. that both Ralph Vanetten and Bob took cars from him
5. that he exchanges stolen cars for money and narcotics,
6. that he took stolen cars to Ralph Vanetten for about a week,
7. that other people bring property to Bob,
8. that Bob's house has surveillance cameras everywhere,
9. that Bob is a big drug dealer who has a large collection of guns,
10. that he obtained guns from both Ralph Vanetten and Bob, one was a .22 caliber and one was a .380 caliber,
11. that he got a Toyota minivan that he was seen driving from Ralph, but that it came from Bob,
12. that he parked the Toyota minivan he was driving at an apartment complex and left it there,
13. that Bob is like a father to him and that Bob provides him with drugs, money, and guns.

During interviews with police after the execution of the search warrant at his home, Ralph Vanetten stated:

1. that he was aware the vehicles at his home on October 17, 2012 were stolen, but that he was being forced to work on them,
2. that all of the stolen cars in his yard were brought there by "Anthony" and "Jasmine,"
3. that he is in debt to the people bringing him cars
4. that he took stolen cars to Arby's to get rid of them but Anthony brought them back,
5. that Anthony and Jasmine were driving around in a red minivan that was stolen during a burglary in Colorado Springs,
6. that Anthony and Jasmine were driving the red minivan to 58th and Pecos to steal a Honda to bring back to his house,
7. that Anthony and Jasmine could probably be found in the area of 58th and Pecos, a residential property across from Coors Distributing with a fence around it where they park vehicles
8. that Anthony and Jasmine have stolen cars all over the place.

According to the Kelley Bluebook for vehicle values, Galvan's stolen white Honda was worth approximately \$2,406 in fair condition and \$3,381 in excellent condition. Cisneros' stolen Honda and Favara's stolen Honda were worth approximately \$1,078 in fair condition and \$1,703 in excellent condition. Addison's Honda Civic was worth between approximately \$801 in fair condition and \$1,376 in excellent condition.

PREDICATE ACT SEVEN
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1997 Silver Honda – Usher

On or about October 13, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 1997 Honda Accord of Nicholas Usher, without authorization, or by threat or deception, and used the motor vehicle in the commission of the crime of Vehicular Eluding as set forth in section 18-9-116.5, C.R.S., and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

The transaction and occurrence addressed by this predicate act seven has been previously charged and resolved by plea in Boulder County case no. 2012CR1787.

PREDICATE ACT EIGHT
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1994 Black Honda Civic – Ibrahim

Between and including November 4, 2012 and November 17, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 1994 Honda Civic of Lance Ibrahim, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

The transaction and occurrence addressed by this predicate act eight has been previously charged and resolved by plea in Broomfield County case no. 2012CR290.

PREDICATE ACT NINE
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1997 Green Honda Civic – Gowdy

Between and including November 9, 2012 and November 12, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 1997 Honda Civic of Misty Gowdy, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

The transaction and occurrence addressed by this predicate act nine has been previously charged and resolved by plea in Broomfield County case no. 2012CR290.

PREDICATE ACT TEN
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1996 Black Honda Accord – Hernandez

Between and including November 12, 2012 and November 13, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 1996 Honda Accord of Rosa Hernandez, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

The transaction and occurrence addressed by this predicate act ten has been previously charged and resolved by plea in Broomfield County case no. 2012CR290.

The essential facts that support the allegations in Predicate Acts SEVEN through TEN, are as follows:

The essential facts that support all other allegations contained herein, including the definition of the enterprise, are incorporated by reference.

On October 13, 2012, Nick Usher's silver 1997 Honda Accord was taken from its parking place in Thornton, Colorado without his permission. Later that day, the same vehicle was observed by Boulder sheriff's deputies in Boulder County, Colorado, who attempted to initiate a traffic stop in response to a traffic violation. The vehicle accelerated and fled, leading the deputies on a pursuit involving erratic driving and failure to stop at a traffic light. The vehicle drove into a residential neighborhood and another officer observed that it stopped and two males dressed got out and ran away on foot. They were not located. The vehicle was searched and a .380 handgun was located. Two cellular phones were also located, along with a handwritten letter addressed "To my love Jaz." An examination of one of the cellular phones revealed that its registered owner's email address was "anthonybalderrama11@gmail.com." The approximate value of the vehicle according to the Kelley Bluebook is \$1,078 in fair condition and \$1,703 in excellent condition.

On November 4, 2012, Lance Ibrahim's black 1994 Honda Civic was taken without his permission from its parking place at an apartment complex in Adams County, Colorado. On the evening of November 12, 2012, an officer observed a vehicle that matched the description of Ibrahim's stolen Honda being operated by a male driver with a female passenger. Affixed to the vehicle at the time was a license plate that registered to a Saab vehicle owned by Ashley Martinez at 390 Midway Boulevard in Broomfield, Colorado. That address is Anthony Balderrama's mother's home and is where Anthony Balderrama was residing at the time. Ashley Martinez is Anthony Balderrama's sister. The officer attempted to stop the vehicle and a pursuit resulted, during which the vehicle was operated in an erratic manner and eventually successfully eluded the officer. The officer last saw the vehicle traveling north on Main Street in Broomfield

past 4th Avenue. Ibrahim's vehicle was located abandoned in a residential neighborhood approximately 1 mile north of 4th Avenue and Main Street in Broomfield by a resident who first saw it on November 13, 2012 at 8:00 am. Police recovered and searched the vehicle on November 17, 2012 and located a .22 caliber handgun wedged between the driver seat and door. On November 12, 2012, police located the license plates that were registered to and supposed to be attached to Ibrahim's Honda in a box at Anthony Balderrama's residence at 390 West Midway Boulevard. The approximate value of the vehicle according to the Kelley Bluebook is \$704 in fair condition and \$1,204 in excellent condition.

On November 9, 2012, Misty Gowdy's green 1997 Honda Civic was taken without her permission from its parking place in Commerce City, Colorado. On November 12, 2012, Gowdy's vehicle was recovered in the alley behind Anthony Balderrama's residence at 390 W. Midway Boulevard in Broomfield, Colorado. The vehicle was covered with a blanket and its license plates were located in a box at the residence, along with the license plates that belonged on Lance Ibrahim's Honda. When Gowdy's vehicle was searched, Rosa Hernandez' drivers license was located inside it. The approximate value of the vehicle according to the Kelley Bluebook is \$1,685.

On November 12, 2012, between approximately noon and 2:20 pm, Rosa Hernandez' black 1996 Honda Accord was taken from its parking place at her business in Broomfield. Shortly after it was taken, Ms. Hernandez observed her car being driven in Broomfield by an Hispanic male with a female passenger. Hernandez alerted police, who attempted to stop it. The vehicle accelerated and was able to successfully elude the officer. On November 13, 2012, Rosa Hernandez' stolen Honda was located by police officers near Jasmine Diaz' residence in Denver County, CO and officers observed as Anthony Balderrama and Jasmine Diaz got into the vehicle and drove to the Super A Motel in Commerce City, where they were arrested and interviewed. The approximate value of the vehicle according to Kelley Bluebook is \$904 in fair condition and \$1,479 in excellent condition.

During the course of several interviews, in addition to the statements that have been previously outlined herein regarding his relationship with Ralph Vanetten and Robert Muniz and their concerted involvement in the theft of cars, Anthony Balderrama said:

1. that he eluded police two times in a black Honda on November 12, 2012,
2. that police initially tried to contact him at 120th Avenue and Sheridan,
3. that he knew that police would have to stop pursuing a vehicle in a residential area,
4. that after successfully eluding the police the second time on November 12, 2012, he and Jasmine Diaz parked the vehicle in a residential neighborhood and ran on foot, eventually reaching a King Soopers store in Broomfield, Colorado,
5. that he stole cars using a jigglers key,
6. that he was responsible for stealing a green Honda that was parked behind his mother's house,
7. that he had a Ruger .22 caliber pistol with him during a pursuit with police but he did not know what happened to it,
8. that he recalled being involved in a pursuit with Thornton police a month prior to the interview and that he left three cellular phones in the stolen car that night,
9. that he had a .380 handgun and a .22 caliber handgun that he obtained from "Bob" and Ralph,
10. that he recognized a photo of Nick Usher's Honda Accord and that he stole it in order to sell the rims for drug money,
11. that he had been involved in a pursuit in Nick Usher's stolen car in which he was

- driving and his friend "E.J." was a passenger,
12. that him and E.J. abandoned the stolen car and ran to a nearby nursing home where they hid on the roof,
 13. that the handgun that police located in Nick Usher's vehicle was his and that he obtained it from "Bob,"
 14. that the phones and other specifically identified items located by police in Nick Usher's car were his, including a letter to Jasmine Diaz that was addressed to "Jaz."

The location from which Lance Ibrahim's black 1994 Honda Civic was recovered abandoned was in a residential neighborhood less than a mile from a Broomfield King Soopers store.

PREDICATE ACT ELEVEN

POSSESSION WITH INTENT TO DISTRIBUTE A CONTROLLED SUBSTANCE-SCHEDULE II - 25 TO 450G, C.R.S. 18-18-405(1),(2)(a)(I)(A),(3)(a)(I) (F3)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute Methamphetamine, a schedule II controlled substance. Further, the amount was or had been represented to be at least twenty-five grams or one ounce but less than four hundred-fifty grams of a material, compound, mixture, or preparation that contained the controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A),(3)(a)(I), C.R.S.

PREDICATE ACT TWELVE

POSSESSION OF METHAMPHETAMINE - MORE THAN 2 GRAMS, C.R.S. 18-18-403.5(1),(2)(b)(II) (F4)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed more than two grams of a material, compound, mixture, or preparation that contained Methamphetamine, a controlled substance; in violation of section 18-18-403.5(1),(2)(b)(II), C.R.S.

PREDICATE ACT THIRTEEN

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED SUBSTANCE - SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute morphine, a schedule II controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A), C.R.S.

PREDICATE ACT FOURTEEN

**POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED
SUBSTANCE - SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3)**

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute oxycodone, a schedule II controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A), C.R.S.

PREDICATE ACT FIFTEEN

**POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED
SUBSTANCE - SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3)**

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute dihydrocodeinone, a schedule II controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A), C.R.S.

PREDICATE ACT SIXTEEN

**POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED
SUBSTANCE - SCHEDULE IV, C.R.S. 18-18-405(1),(2)(a)(III)(A) (F5)**

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute alprazolam, a schedule IV controlled substance; in violation of section 18-18-405(1),(2)(a)(III)(A), C.R.S.

PREDICATE ACT SEVENTEEN

**POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED
SUBSTANCE - SCHEDULE IV, C.R.S. 18-18-405(1),(2)(a)(III)(A) (F5)**

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute clonazepam, a schedule IV controlled substance; in violation of section 18-18-405(1),(2)(a)(III)(A), C.R.S.

PREDICATE ACT EIGHTEEN

SPECIAL OFFENDER - FIREARM, C.R.S. 18-18-407(1)(f)(II) (SE)

On or about February 17, 2012, in the State of Colorado, ROBERT MUNIZ committed the felony offense charged in predicate acts 11 through 17 and the defendant or a confederate of the defendant possessed a firearm to which the defendant or confederate had access in a manner that posed a risk to others during the commission of the offense; in violation of section 18-18-407(1)(f)(II), C.R.S.

PREDICATE ACT NINETEEN

THEFT BY RECEIVING - ENGAGED IN THE BUSINESS - \$1,000 OR MORE, C.R.S. 18-4-410(1),(6) (F3)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ, while engaged in the business of buying, selling, or otherwise disposing of stolen goods for a profit, unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of things of value, namely: firearms, of David Jensen, David Hill, Danny Whittle, David Klaus, Adam Steinmann, Stan May, Steve Yanchunis, Ronald Pobega, David Souther, Warren Stanley, Nicholas Smith, Justin Gallegos, and Margaret Tibbets and the defendant knew or believed the things of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more; in violation of section 18-4-410(1),(6), C.R.S.

The essential facts that support the allegations in Predicate Acts ELEVEN through NINETEEN, are as follows:

The essential facts that support all other allegations contained herein, including the definition of the enterprise, are incorporated by reference.

On February 17, 2013, police executed a search warrant at the residence of Robert Muniz based, in part, upon the essential facts that are contained within this indictment and support the allegations contained herein. The essential facts that support all other allegations contained herein, including the definition of the enterprise, are incorporated by reference and also support the allegations in predicate acts eleven through nineteen.

During the execution of the search warrant at the residence of Robert Muniz at 5545 Pecos Street in Adams County, Colorado, police observed that the home consisted of a large lot enclosed within a fence that contained a residence and a large garage. Robert Muniz occupied the main floor of the residence, including a bedroom, a bedroom converted to an office, a kitchen, and a living area. The fenced enclosure was cluttered with over twenty vehicles, including an enclosed trailer. The exterior of the residence was monitored by surveillance cameras that were connected to monitors that were placed throughout the interior of the home.

Within the office occupied by Robert Muniz, police searched a desk drawer and located the following items: 31.83 grams of methamphetamine, small zip-top plastic bags, three morphine tablets that weighed a total of .47 grams, one oxycodone tablet that weighed a total of .55 grams, seven dihydrocodeinone tablets that weighed a total of 5 grams, 21 alprazolam tablets that weighed a total of 5.23 grams, and twenty-two Clonazepam tablets that weighed 3.72 grams. During the course of the search of Muniz' residence, police located several scales as follows: two in the office, one in the living room, and one in the bedroom.

Muniz' bedroom was immediately next door to and shared a wall with his office. Within his bedroom, police located the following firearms: three revolver handguns with no serial numbers, one Ruger Redhawk revolver, one FIE Titan .25 caliber automatic handgun, one Astra .22 caliber handgun, one Thompson Center Arms .45 caliber black powder rifle, one Hi-Point .40 Caliber Smith and Wesson handgun, and one Remington Model 1100 shotgun.

During the execution of the search warrant, police catalogued, inspected and searched a number of vehicles that were located within the fenced yard at Muniz' residence. Among the vehicles was a white trailer that contained twenty-two firearms.

The firearms seized from the trailer in Muniz' yard and from Muniz' bedroom were

traced using serial numbers and eleven were reported stolen as follows:

1. David Jensen reported to police that his Rock River LAR8 .308 caliber rifle was stolen when his vehicle was entered without his permission in Lakewood, Colorado on or about August 27, 2012. The approximate value of that rifle is \$1,400.
2. David Hill reported to police that his Browning 45-70 .45-70 caliber rifle was taken from his home in Arvada, Colorado without permission during a burglary on or about August 30, 2011. The approximate value of that rifle is \$1,450.
3. Danny Whittle reported to police that his Winchester 70 rifle was taken from a storage unit in Clear Creek County, Colorado without his permission on or about October 8, 2008. The approximate value of that rifle is \$650.
4. David Klaus reported to police that his Remington Ducks Unlimited Model shotgun was taken from his home in Boulder, Colorado without permission during a burglary on or about October 8, 2001. The approximate value of this firearm is \$700.
5. Adam Steinmann reported to police that his Remington Arms M40 .308 caliber rifle was taken without his permission in Denver, Colorado on or about September 22, 2012. The approximate value of that firearm is \$3,500.
6. Stan May reported to police that his Henry Repeating Arms Golden Boy .22 caliber rifle was taken from his vehicle without permission in Greeley, Colorado on or about December 11, 2010. The approximate value of that firearm is \$442.
7. Steve Yanchunis reported to police that his Ruger Super Black Hawk and his Ruger Red Hawk revolvers were taken without his permission during a burglary of his home in Gilpin County, Colorado on or about July 25, 2012. The approximate value of the Black Hawk revolver is \$525. The approximate value of the Red Hawk is \$615.
8. Ronald Pobega reported to police that his Iberia Arms JCP 40 .40 caliber handgun was taken without his permission during a burglary of his residence in El Paso County, Colorado on June 19, 2009. The approximate value of that firearm is \$150.
9. When David Souther was contacted by investigators after his Ruger Blackhawk .357 caliber handgun was recovered at Muniz' residence, he stated that he was unaware that it had been taken from him but that he did not give Robert Muniz permission to possess the gun. The approximate value of that firearm is \$500.
10. Justin Gallegos reported to police that his Mossberg 500 shotgun and his Ruger P90 .45 caliber handgun were taken without his permission during a burglary to his Aurora, Colorado residence on or about November 20, 2012. The approximate value of the Mossberg shotgun is \$300 and the approximate value of the Ruger is \$475.
11. After Margaret Tibbets' Mossberg ATR .270 caliber rifle was recovered at Muniz' residence she was contacted. She stated that the firearm was in her vehicle when her boyfriend loaned her vehicle to an acquaintance. When police located the vehicle it was missing its stereo and the firearm. She did not report the theft at that time. The approximate value of the Mossberg firearm is \$424.

PREDICATE ACT TWENTY
DISTRIBUTION OF A CONTROLLED SUBSTANCE - SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3)

(Lindsey Garry Distribution)

On or about February 15, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly sold or distributed Methamphetamine, a schedule II controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A), C.R.S.

The essential facts that support the allegations in Predicate Act TWENTY, are as follows:

The essential facts that support all other allegations contained herein, including the definition of the enterprise, are incorporated by reference.

On February 15, 2013, two days before police executed a search warrant at the residence of Robert Muniz, Lindsay Garry contacted an acquaintance that she knew as "Chong" and inquired about purchasing narcotics. Chong directed her Robert Muniz' residence at 5545 Pecos Street in Adams County, Colorado. Garry went to the residence and was taken into a bedroom set up as an office where she purchased approximately 4 grams of methamphetamine from a man who fit the description of Robert Muniz.

PREDICATE ACT TWENTY-ONE
DISTRIBUTION OF A CONTROLLED SUBSTANCE - SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3)

Chandler Stanley Distribution

Between and including August 19, 2012 and September 10, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly sold or distributed Methamphetamine, a schedule II controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A), C.R.S.

PREDICATE ACT TWENTY-TWO

SPECIAL OFFENDER - FIREARM, C.R.S. 18-18-407(1)(f)(II) (SE)

Chandler Stanley Distribution

On or between August 19, 2012 and February 17, 2012, in the State of Colorado, ROBERT MUNIZ committed the felony offense charged in predicate act twenty-one and the defendant or a confederate of the defendant possessed a firearm to which the defendant or confederate had access in a manner that posed a risk to others during the commission of the offense; in violation of section 18-18-407(1)(f)(II), C.R.S.

PREDICATE ACT TWENTY-THREE
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

2009 Toyota Corolla

Between and including August 19, 2012 and September 10, 2012, in the State of Colorado, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully, feloniously, and knowingly obtained or exercised control over the 2009 Toyota Corolla of Chelsea Widoe, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

PREDICATE ACT TWENTY-FOUR
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

2009 Toyota Corolla

Between and including August 19, 2012 and September 10, 2012, in the State of Colorado, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 2009 Toyota Corolla, of Chelsea Widoe, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

PREDICATE ACT TWENTY-FIVE
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

2004 GMC Envoy

Between and including September 21, 2012 and November 13, 2012 in the State of Colorado, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully, feloniously, and knowingly obtained or exercised control over the 2004 GMC Envoy of Diana Ames, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

PREDICATE ACT TWENTY-SIX
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

2004 GMC Envoy

Between and including September 21, 2012 and November 13, 2012, in the State of Colorado, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 2004 GMC Envoy, of Diana Ames, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

PREDICATE ACT TWENTY-SEVEN
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE - OVER \$20,000, C.R.S.
18-4-409(2),(3)(b) (F3)

2012 Toyota Sienna

Between and including August 17, 2012 and October 23, 2012, in the State of Colorado, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully, feloniously, and knowingly obtained or exercised control over the motor vehicle of Robert Parrott, without authorization, or by threat or deception and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was more than twenty thousand dollars; in violation of section 18-4-409(2),(3)(b), C.R.S.

PREDICATE ACT TWENTY-EIGHT
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(5) (F3)

2012 Toyota Sienna

Between and including August 17, 2012 and October 23, 2012, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 2012 Toyota Sienna, of Robert Parrott, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was twenty thousand dollars or more; in violation of section 18-4-410(1),(5), C.R.S.

PREDICATE ACT TWENTY-NINE
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1998 Ford Explorer

Between and including July 7, 2012 and September 13, 2012, in the State of Colorado, VICTOR VIALPANDO unlawfully, feloniously, and knowingly obtained or exercised control over the 1998 Ford Explorer of Gesick Motors, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

PREDICATE ACT THIRTY
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

1998 Ford Explorer

Between and including July 27, 2012 and September 13, 2012, in the State of Colorado, VICTOR VIALPANDO unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 1998 Ford Explorer, of Gesick Motors, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

The essential facts that support the allegations in Predicate Acts TWENTY-ONE through THIRTY, are as follows:

The essential facts that support all other allegations contained herein, including the definition of the enterprise, are incorporated by reference.

Beginning in August, 2012, Chandler Stanley and Victor Vialpando provided stolen vehicles to Robert Muniz at his residence at 5545 Pecos Street in exchange for narcotics as follows:

On August 19, 2012, Chandler Stanley took a 2009 Toyota Corolla that belonged to Chelsea Wideo without permission while it was being refueled at a store in Colorado Springs, Colorado. Stanley drove the car for approximately two weeks before he was contacted by Victor Vialpando, who stated that he knew a man in Denver who would provide narcotics in exchange for stolen vehicles. Stanley drove the stolen Toyota Corolla to Robert Muniz' residence at 5545 Pecos Street in Adams County, Colorado while Victor Vialpando followed in a stolen Ford Explorer. Stanley and Vialpando met with Robert Muniz in an office in his residence and exchanged the Toyota Corolla for one half ounce of methamphetamine, which they split between the two of them. While meeting with Robert Muniz in his office, Chandler Stanley purchased ten Oxycodone pills from Muniz. During this same interaction, Muniz was in possession of and displayed weapons that Chandler Stanley described as a sniper rifle and a Desert Eagle handgun. On September 10, 2012, police recovered Chelsea Wideo's stolen 2009 Toyota Corolla parked in

front of 5564 Quivas Street in Adams County Colorado, which is within one block of Muniz' residence at 5545 Pecos Street. A desert Eagle handgun, numerous rifles, methamphetamine, and oxycodone pills were seized from Robert Muniz' residence during the execution of a search warrant on February 17, 2013.

Between September 21 and September 22, 2012, Chandler Stanley and an accomplice took Diana Ames' 2005 GMC Envoy without her permission from its parking place in Colorado Springs, Colorado. Stanley subsequently provided that vehicle to Victor Vialpando for the purpose of exchanging it with Robert Muniz for one half ounce of methamphetamine. Stanley never received payment for the vehicle, but the vehicle was recovered by police on November 13, 2012 parked at the north east corner of the fence-line of Muniz' residence at 5545 Pecos Street in Adams County, Colorado.

Around August 17, Robert Parrott's 2012 Toyota Sienna minivan was taken from his garage in Colorado Springs, Colorado without his permission. Victor Vialpando obtained possession of that vehicle through an acquaintance and subsequently transferred possession of the Toyota Sienna to Robert Muniz. Muniz subsequently provided that vehicle to Ralph Vanetten and Anthony Balderrama. The vehicle was recovered by police on October 23, 2012 after it was abandoned at 5360 Zuni Street in Adams County, Colorado. 5360 Zuni Street is less than one mile from Robert Muniz' residence at 5545 Pecos Street.

Chandler Stanley obtained possession of a 1998 Ford Explorer that was stolen from Gesick Motors in El Paso County, Colorado between July 7, 2012 and July 9, 2012. He provided the vehicle to Victor Vialpando, who retained and used the vehicle as his personal vehicle. Vialpando used the stolen Ford Explorer to assist Stanley in the delivery of at least three stolen cars to Robert Muniz in Denver. Vialpando abandoned the stolen Ford Explorer in El Paso County, Colorado on September 13, 2012 and it was recovered by police. Among the property located within the vehicle at the time of its recovery were two firearms: a Savage Arms, Stevens Model No. 62 .22 caliber rifle and a Savage Arms, Stevens model No. 67 Series E 12 Gauge Shotgun with a wooden pistol grip handle attached to it.

Victor Vialpando has been previously convicted as a felon as follows:

Possession of a Weapon by a Previous Offender on June 15, 2007

Attempted Escape from a pending Felony on August 26, 2002

Attempted Theft on March 16, 1999

Attempted Possession of a Schedule II Controlled Substance on June 23, 1998

Vehicular Eluding on June 23, 1998

Attempted Possession of a Schedule II Controlled Substance on June 23, 1998

PREDICATE ACT THIRTY-ONE
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

2003 Dodge Ram

Between and including August 29, 2012 and September 9, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 2003 Dodge Ram, of Carlos Cruz, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

PREDICATE ACT THIRTY-TWO
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

Flatbed Trailer

Between and including August 26, 2012 and September 9, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: Flatbed trailer, of Luis Avalos-Lezema, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

PREDICATE ACT THIRTY-THREE
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

1995 Dodge Ram

Between and including September 4, 2012 and October 3, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 1995 Dodge Ram, of Jose Gurrola-Delgado and Guadalupe Cabral, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

PREDICATE ACT THIRTY-FOUR
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

1999 Saturn

Between and including August 16, 2012 and August 20, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 1999 Saturn, of Lourdes De Martinez, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

The essential facts that support the allegations in Predicate Acts THIRTY-ONE through THIRTY-FOUR, are as follows:

The essential facts that support all other allegations contained herein, including the definition of the enterprise, are incorporated by reference. At all times relevant to the predicate acts charged in this indictment, Robert Muniz was involved in the distribution of narcotics from his residence at 5545 Pecos Street. Muniz was willing to exchange narcotics, including methamphetamine, for stolen vehicles. Between August and October, 2012, Robert Muniz

obtained possession or control over stolen vehicles through unknown sources as follows:

Between August 29, 2012 and August 30, 2012, Carlos Cruz' 2003 Dodge Ram truck was taken from his driveway in Colorado Springs, Colorado without his permission. Between August 26, 2012 and September 2, 2012, Luis Alberto Avalos-Lezema's 1978 orange flatbed trailer was taken from its parking place in front of his apartment building in Adams County, Colorado without his permission. On September 9, 2012, police recovered Carlos Cruz' 2003 Dodge Ram with Luis Alberto Avalos-Lezema's trailer attached to it parked in front of Robert Muniz' residence at 5545 Pecos Street. The approximate value of the truck according to the Kelley Bluebook is between \$3884 and \$4934. The approximate value of the trailer is \$1,400.

Between August 16 and August 17, 2012, Lourdes DeMartinez' 1999 Saturn vehicle was taken from its parking space in Jefferson County, Colorado without her permission. The vehicle was recovered by police on August 20, 2012 parked in front of 1701 W. 55th Place in Adams County, Colorado. That address is behind and approximately one block away from Robert Muniz' residence at 5545 Pecos Street in Adams County, Colorado. The approximate value of the vehicle according to the Kelley Bluebook is between \$809 and \$1384.

On or about September 4, 2012, Jose Gurrola-Delgado's 1995 Dodge Ram was taken without his permission from its parking place in Denver County, Colorado. The vehicle was recovered by police on October 3, 2012 in the driveway of Robert Muniz' residence at 5545 Pecos Street in Adams County, Colorado. The approximate value of the vehicle according to Kelley Bluebook is between \$2,137 and \$2,887.

COUNT THREE
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1997 Black Honda Accord-Cisneros

Between and including October 9, 2012 and October 17, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 1997 Honda Accord of Gerardo Cisneros, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

COUNT FOUR
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

2000 White Honda Civic-Galvan

Between and including September 30, 2012 and October 17, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 2000 Honda Civic of Pedro Galvan, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

COUNT FIVE
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1997 Black Honda Accord-Favara

Between and including September 28, 2012 and October 17, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 1997 Honda Accord of John Favara, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

COUNT SIX
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1996 Green Honda Civic-Addison

Between and including October 7, 2012 and October 25, 2012 in the State of Colorado, ANTHONY BALDERRAMA unlawfully, feloniously, and knowingly obtained or exercised control over the 1996 Honda Civic of Nathan Addison, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

COUNT SEVEN
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

1996 Green Honda Civic-Addison

Between and including October 7, 2012 and October 25, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 1996 Honda Civic of Nathan Addison, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

COUNT EIGHT
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(5) (F3)

2012 Toyota Sienna-Parrott

Between and including October 15, 2012 and October 23, 2012, ANTHONY BALDERRAMA unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 2012 Toyota Sienna, of Robert Parrott, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was twenty thousand dollars or more; in violation of section 18-4-410(1),(5), C.R.S.

The essential facts that support the allegations in Counts THREE through EIGHT were previously summarized above as the essential facts for Predicate Acts ONE through SIX that were in support of Counts ONE and TWO. In addition, all other essential facts contained herein, including the definition of the Enterprise, are incorporated in support of Counts THREE through EIGHT.

COUNT NINE

POSSESSION WITH INTENT TO DISTRIBUTE A CONTROLLED SUBSTANCE-SCHEDULE II - 25 TO 450G, C.R.S. 18-18-405(1),(2)(a)(I)(A),(3)(a)(I) (F3)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute Methamphetamine, a schedule II controlled substance. Further, the amount was or had been represented to be at least twenty-five grams or one ounce but less than four hundred-fifty grams of a material, compound, mixture, or preparation that contained the controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A),(3)(a)(I), C.R.S.

COUNT TEN

POSSESSION OF METHAMPHETAMINE - MORE THAN 2 GRAMS, C.R.S. 18-18-403.5(1),(2)(b)(II) (F4)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed more than two grams of a material, compound, mixture, or preparation that contained Methamphetamine, a controlled substance; in violation of section 18-18-403.5(1),(2)(b)(II), C.R.S.

COUNT ELEVEN

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED SUBSTANCE - SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute morphine, a schedule II controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A), C.R.S.

COUNT TWELVE

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED SUBSTANCE - SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute oxycodone, a schedule II controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A), C.R.S.

COUNT THIRTEEN

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED SUBSTANCE - SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute dihydrocodeinone, a schedule II controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A), C.R.S.

COUNT FOURTEEN

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED SUBSTANCE - SCHEDULE IV, C.R.S. 18-18-405(1),(2)(a)(III)(A) (F5)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute alprazolam, a schedule IV controlled substance; in violation of section 18-18-405(1),(2)(a)(III)(A), C.R.S.

COUNT FIFTEEN

POSSESSION WITH INTENT TO MANUFACTURE OR DISTRIBUTE A CONTROLLED SUBSTANCE - SCHEDULE IV, C.R.S. 18-18-405(1),(2)(a)(III)(A) (F5)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly possessed with intent to sell or distribute clonazepam, a schedule IV controlled substance; in violation of section 18-18-405(1),(2)(a)(III)(A), C.R.S.

COUNT SIXTEEN

SPECIAL OFFENDER - FIREARM, C.R.S. 18-18-407(1)(f)(II) (SE)

On or about February 17, 2012, in the State of Colorado, ROBERT MUNIZ committed the felony offense charged in counts nine through fifteen and the defendant or a confederate of the defendant possessed a firearm to which the defendant or confederate had access in a manner that posed a risk to others during the commission of the offense; in violation of section 18-18-407(1)(f)(II), C.R.S.

COUNT SEVENTEEN

THEFT BY RECEIVING - ENGAGED IN THE BUSINESS - \$1,000 OR MORE, C.R.S. 18-4-410(1),(6) (F3)

On or about February 17, 2013, in the State of Colorado, ROBERT MUNIZ, while engaged in the business of buying, selling, or otherwise disposing of stolen goods for a profit, unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of things of value, namely: firearms, of David Jensen, David Hill, Danny Whittle, David Klaus, Adam Steinmann, Stan May, Steve Yanchunis, Ronald Pobega, David Souther, Warren Stanley, Nicholas Smith, Justin Gallegos, and Margaret Tibbets and the defendant knew or believed the things of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more; in violation of section 18-4-410(1),(6), C.R.S.

The essential facts that support the allegations in Counts NINE through SEVENTEEN were previously summarized above as the essential facts for Predicate Acts ELEVEN through NINETEEN that were in support of Counts ONE and TWO. In addition, all other essential facts contained herein, including the definition of the Enterprise, are incorporated in support of Counts NINE through SEVENTEEN.

COUNT EIGHTEEN

DISTRIBUTION OF A CONTROLLED SUBSTANCE - SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3)

(Lindsey Garry Distribution)

On or about February 15, 2013, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly sold or distributed Methamphetamine, a schedule II controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A), C.R.S.

COUNT NINETEEN

POSSESSION OF METHAMPHETAMINE - MORE THAN 2 GRAMS, C.R.S. 18-18-403.5(1),(2)(b)(II) (F4)

On or about February 15, 2012, in the State of Colorado, LINDSAY GARRY unlawfully, feloniously, and knowingly possessed more than two grams of a material, compound, mixture, or preparation that contained Methamphetamine, a controlled substance; in violation of section 18-18-403.5(1),(2)(b)(II), C.R.S.

The essential facts that support the allegations in Counts EIGHTEEN and NINETEEN were previously summarized above as the essential facts for Predicate Act TWENTY that was in support of Counts ONE and TWO. In addition, all other essential facts contained herein, including the definition of the Enterprise, are incorporated in support of Counts EIGHTEEN and NINETEEN.

COUNT TWENTY

DISTRIBUTION OF A CONTROLLED SUBSTANCE - SCHEDULE II, C.R.S. 18-18-405(1),(2)(a)(I)(A) (F3)

Chandler Stanley Distribution

Between and including August 19, 2012 and September 10, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully, feloniously, and knowingly sold or distributed Methamphetamine, a schedule II controlled substance; in violation of section 18-18-405(1),(2)(a)(I)(A), C.R.S.

COUNT TWENTY-ONE

SPECIAL OFFENDER - FIREARM, C.R.S. 18-18-407(1)(f)(II) (SE)

Chandler Stanley Distribution

On or between August 19, 2012 and February 17, 2012, in the State of Colorado, ROBERT MUNIZ committed the felony offense charged in count twenty and the defendant or a confederate of the defendant possessed a firearm to which the defendant or confederate had access in a manner that posed a risk to others during the commission of the offense; in violation of section 18-18-407(1)(f)(II), C.R.S.

COUNT TWENTY-TWO
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

2009 Toyota Corolla

Between and including August 19, 2012 and September 10, 2012, in the State of Colorado, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully, feloniously, and knowingly obtained or exercised control over the 2009 Toyota Corolla of Chelsea Widoe, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

COUNT TWENTY-THREE
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

2009 Toyota Corolla

Between and including August 19, 2012 and September 10, 2012, in the State of Colorado, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 2009 Toyota Corolla, of Chelsea Widoe, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

COUNT TWENTY-FOUR
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

2004 GMC Envoy

Between and including September 21, 2012 and November 13, 2012 in the State of Colorado, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully, feloniously, and knowingly obtained or exercised control over the 2004 GMC Envoy of Diana Ames, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

COUNT TWENTY-FIVE
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

2004 GMC Envoy

Between and including September 21, 2012 and November 13, 2012, in the State of Colorado, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 2004 GMC Envoy, of Diana Ames, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

COUNT TWENTY-SIX
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE - OVER \$20,000, C.R.S.
18-4-409(2),(3)(b) (F3)

2012 Toyota Sienna

Between and including September 21, 2012 and November 13, 2012, in the State of Colorado, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully, feloniously, and knowingly obtained or exercised control over the motor vehicle of Robert Parrott, without authorization, or by threat or deception and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was more than twenty thousand dollars; in violation of section 18-4-409(2),(3)(b), C.R.S.

COUNT TWENTY-SEVEN
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(5) (F3)

2012 Toyota Sienna

Between and including August 17, 2012 and October 23, 2012, ROBERT MUNIZ and VICTOR VIALPANDO unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 2012 Toyota Sienna, of Robert Parrott, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was twenty thousand dollars or more; in violation of section 18-4-410(1),(5), C.R.S.

COUNT TWENTY-EIGHT
AGGRAVATED MOTOR VEHICLE THEFT IN THE FIRST DEGREE,
C.R.S. 18-4-409(2),(3)(a) (F4)

1998 Ford Explorer

Between and including July 7, 2012 and September 13, 2012, in the State of Colorado, VICTOR VIALPANDO unlawfully, feloniously, and knowingly obtained or exercised control over the 1998 Ford Explorer of Gesick Motors, without authorization, or by threat or deception, and retained possession or control over the motor vehicle for more than twenty-four hours, and the value of the motor vehicle was twenty thousand dollars or less; in violation of section 18-4-409(2),(3)(a), C.R.S.

COUNT TWENTY-NINE
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

1998 Ford Explorer

Between and including July 7, 2012 and September 13, 2012, in the State of Colorado, VICTOR VIALPANDO unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 1998 Ford Explorer, of Gesick Motors, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

COUNT THIRTY
POSSESSION OF A WEAPON BY A PREVIOUS OFFENDER - WEAPON, C.R.S. 18-12-108(1)
(F6)

On or about September 13, 2012, in the State of Colorado, VICTOR VIALPANDO unlawfully, feloniously, and knowingly possessed, used, or carried upon his person a firearm or other weapon, namely: .22 caliber rifle, and VICTOR VIALPANDO was previously convicted of felonies, namely: Possession of a Weapon by a Previous Offender, as defined by 18-12-108(1) C.R.S., on June 15, 2007; Attempted Escape from a pending Felony, as defined by 18-8-208.1(2) C.R.S., on August 26, 2002; Attempted Theft, as defined by 18-4-401, 18-2-101 C.R.S., on March 16, 1999; Attempted Possession of a Schedule II Controlled Substance, as defined by 18-18-405(2)(a)(I), on June 23, 1998; Vehicular Eluding, as defined by 18-9-116.5 C.R.S., on June 23, 1998; Attempted Possession of a Schedule II Controlled Substance, as defined by 18-18-405(2)(a)(I), on June 23, 1998 in violation of section 18-12-108(1), C.R.S.

COUNT THIRTY-ONE
POSSESSION OF A WEAPON BY A PREVIOUS OFFENDER - DANGEROUS WEAPON,
C.R.S. 18-12-108(1),(2)(b) (F5)

On or about September 13, 2012, in the State of Colorado, VICTOR VIALPANDO unlawfully, feloniously, and knowingly possessed, used, or carried upon his person a firearm or other weapon, namely: 12 gauge shotgun, and VICTOR VIALPANDO was previously convicted of a felony, namely: Possession of a Weapon by a Previous Offender, as defined by 18-12-108(1) C.R.S, on June 15, 2007; Attempted Escape from a pending Felony, as defined by 18-8-208.1(2) C.R.S., on August 26, 2002; Attempted Theft, as defined by 18-4-401, 18-2-101 C.R.S, on March 16, 1999; Attempted Possession of a Schedule II Controlled Substance, as defined by 18-18-405(2)(a)(I), on June 23, 1998; Vehicular Eluding, as defined by 18-9-116.5 C.R.S, on June 23, 1998; Attempted Possession of a Schedule II Controlled Substance, as defined by 18-18-405(2)(a)(I), on June 23, 1998. Further, the weapon was a dangerous weapon; in violation of section 18-12-108(1),(2)(b), C.R.S.

The essential facts that support the allegations in Counts TWENTY through THIRTY-ONE were previously summarized above as the essential facts for Predicate Acts TWENTY-ONE through THIRTY that were in support of Counts ONE and TWO. In addition, all other essential facts contained herein, including the definition of the Enterprise, are incorporated in support of Counts TWENTY through THIRTY-ONE.

COUNT THIRTY-TWO
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

2003 Dodge Ram

Between and including August 29, 2012 and September 9, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 2003 Dodge Ram, of Carlos Cruz, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

COUNT THIRTY-THREE
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

Flatbed Trailer

Between and including August 26, 2012 and September 9, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: Flatbed trailer, of Luis Avalos-Lezema, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

COUNT THIRTY-FOUR
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

1995 Dodge Ram

Between and including September 4, 2012 and October 3, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 1995 Dodge Ram, of Jose Gurrola-Delgado and Guadalupe Cabral, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

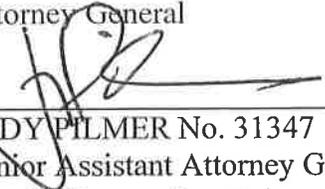
COUNT THIRTY-FIVE
THEFT BY RECEIVING, C.R.S. 18-4-410(1),(4) (F4)

1999 Saturn

Between and including August 16, 2012 and August 20, 2012, in the State of Colorado, ROBERT MUNIZ unlawfully and feloniously received, retained, loaned money by pawn or pledge, or disposed of a thing of value, namely: 1999 Saturn, of Lourdes De Martinez, and the defendant knew or believed the thing of value had been stolen and intended to deprive the lawful owner, permanently of its use or benefit, and the value of the property was one thousand dollars or more but less than twenty thousand dollars; in violation of section 18-4-410(1),(4), C.R.S.

The essential facts that support the allegations in Counts THIRTY -TWO through THIRTY-FIVE were previously summarized above as the essential facts for Predicate Acts THIRTY-ONE through THIRTY-FOUR that were in support of Counts One and Two. In addition, all other essential facts contained herein, including the definition of the Enterprise are incorporated in support of Counts THIRTY-TWO through THIRTY-FIVE.

JOHN W. SUTHERS
Attorney General

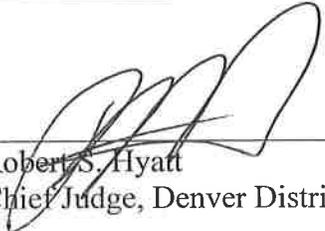


JODY PILMER No. 31347
Senior Assistant Attorney General
Special Prosecution Unit
Criminal Justice Section

The 2013-2014 Colorado Statewide Grand Jury presents the within Indictment, and the same is hereby ORDERED FILED this 21 day of November 2013.

Pursuant to § 13-73-107, C.R.S., the Court designates Adams County, Colorado as the county of venue for the purposes of trial.

Dated this 21 of November, 2013.



Robert S. Hyatt
Chief Judge, Denver District Court