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7 Attorneys for United States of America

8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) No. 06CR2646-LAB  
11 )  
12 v. ) BILL OF PARTICULARS  
13 )  
14 FRANCISCO JAVIER )  
ARELLANO-FELIX (1), )  
15 MANUEL ARTURO )  
VILLARREAL-HEREDIA (2), )  
16 Defendants )

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18 The United States of America, by its counsel, submits the following bill of particulars  
19 pursuant to the court's order.

20 A. OVERVIEW

21 The United States intends to offer evidence establishing the following overview of the  
22 Arellano-Felix Organization's (AFO) structure and activities and the defendants' roles:

23 I. The AFO is an international criminal organization that has existed since at least  
24 1986. Its principal business has been trafficking cocaine and marijuana. While the exact  
25 quantities are indeterminable, the AFO has distributed at least hundreds of tons of cocaine and  
26 marijuana. The proceeds generated from the AFO's drug trafficking are indeterminable, but  
27 amount to at least hundreds of millions in U.S. dollars. In furtherance of the enterprise, AFO  
28 members also have engaged in murder, kidnaping, torture, assault, extortion, firearms trafficking.

1 bribery, and public corruption, among other crimes. The AFO's primary base of operations has  
2 been Tijuana, Baja California, Mexico.

3 2. While the number of past and present AFO members and associates is  
4 indeterminable, until 2002, the AFO's principal leadership was relatively consistent and  
5 included, but was not limited to: Benjamin Arellano-Felix, Ramon Arellano-Felix, Eduardo  
6 Arellano-Felix, Francisco Javier Arellano-Felix, Jesus "Chuy" Labra-Aviles, Manuel Aguirre-  
7 Galindo, Ismael Higuera-Guerrero, Gilberto Higuera-Guerrero, Everardo Arturo Paez-Martinez,  
8 Efrain Perez, Jorge Aureliano Felix, Rigoberto Yanez, Armando Martinez-Duarte, and David  
9 Barron-Corona.

- 10 a. All the Arellano brothers—Benjamin, Ramon, Eduardo, Francisco Javier (Javier)—  
11 issued directives to others in the AFO. Benjamin Arellano-Felix was the primary  
12 decision-maker. Ramon Arellano-Felix was primarily in charge of enforcement  
13 activities, such as planning and executing attacks. Eduardo Arellano-Felix served  
14 as an adviser or consultant.
- 15 b. Javier Arellano-Felix joined the AFO's principal leadership in about 1991. He  
16 issued directives to others, was consulted and participated in major decisions,  
17 accompanied Benjamin Arellano-Felix to meetings, and served as Benjamin  
18 Arellano-Felix' representative when the latter was absent. Benjamin Arellano-  
19 Felix groomed Javier Arellano-Felix to take over as the AFO's primary decision-  
20 maker.
- 21 c. Labra-Aviles and Aguirre-Galindo served as "senior partners" to the AFO. While  
22 they operated drug trafficking organizations of their own, they were consulted and  
23 participated in major AFO decisions, supplied cocaine and marijuana to the AFO,  
24 invested in large loads with the AFO, and pooled resources with the AFO.
- 25 d. Ismael Higuera-Guerrero was the AFO's main lieutenant in charge of day-to-day  
26 operations from about 1993 to his arrest in 2000.
- 27 e. The others above served as senior lieutenants who oversaw various illegal  
28 activities and/or particular areas for the AFO. Barron-Corona in particular  
oversaw the AFO's "enforcement crews." Crew members murdered, kidnaped,  
tortured, assaulted, and provided security for the AFO. The crews were staffed in  
part with gang members from southern California, including the Logan Heights  
area of San Diego. The crews remained on call at "offices" in Tijuana. The  
crews received training, including from corrupt Mexican law enforcement  
officers, in handling weapons, shooting, and assaulting vehicles, among other  
areas. The crews sometimes escorted the Arellano brothers in armed motorcades  
while dressed as Mexican police officials and aided by actual law enforcement  
officials.

3. Manuel Arturo Villarreal-Heredia began participating in AFO activities in about  
1991.

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4. In 2002, Benjamin Arellano-Felix was arrested and imprisoned in Mexico. Ramon Arellano-Felix was killed. As a result, the constitution and structure of the AFO's principal leadership changed. Javier Arellano-Felix became the AFO's primary decision-maker. Javier Arellano established several senior lieutenants or bosses under him who formed the AFO's principal leadership. As of August 2006, those lieutenants were: Villarreal;

- a. The senior lieutenants each oversaw multiple crews under their command. Some crews mainly (but not exclusively) engaged in enforcement activities for the AFO, such as kidnaping for ransom, extortion (i.e., "taxing" others who sought to commit crimes in AFO-controlled areas), murder, torture, assault, theft, and providing armed security. Other crews mainly (but not exclusively) trafficked narcotics.
- b. Villarreal became an underboss on a date unknown but no later than 2004.
- c. Crews and persons operating at Villarreal's direction distributed controlled substances.
- d. Corrupt police officers regularly served as "liaisons" between law enforcement and the AFO—and Villarreal in particular—when the latter sought to intervene in arrests of AFO members or seizures of AFO drug loads.

5. Under Javier Arellano's leadership, the AFO's criminal activities diversified. The AFO continued to obtain and distribute cocaine, marijuana, and other controlled substances through traditional source-distributor relationships, but also increasingly turned to other methods

1 to obtain controlled substances: e.g., stealing other traffickers' loads or arranging for corrupt  
2 police officers to provide seized narcotics to the AFO. The AFO also placed greater emphasis  
3 on 1) "taxing" drug distributors, alien smugglers, and other criminals who operated or sought to  
4 operate in AFO territory; 2) kidnaping for ransom; and 3) theft of drugs, money, and other items.

5 6. In addition to specific instances enumerated above and below, Javier Arellano-  
6 Felix and Villarreal used firearms; or expressly or implicitly directed, authorized, advised, or  
7 assisted others to use firearms on a daily basis to threaten, intimidate, assault, or injure others.  
8 This included traveling routinely in convoys of heavily-armed personnel who were authorized  
9 and expected to use firearms to carry out enforcement orders and respond to security threats.

10 B. CHRONOLOGY

11 7. The United States intends to offer evidence of the following specific events that  
12 are significant to 1) the AFO's development or existence, and/or 2) Javier Arellano's or  
13 Villarreal's involvement with the AFO.

- 14 a. In 1989, Ramon Arellano-Felix murdered Armando "Rayo" Lopez, an associate  
15 of Joaquin "Chapo" Guzman. (Count 2, Overt Act [OA] 1.) Guzman headed a  
16 drug trafficking organization based in Sinaloa, Mexico. The murder of Lopez  
precipitated a violent feud between Guzman's organization and the AFO that  
continues to this day.
- 17 b. In 1989-90, among other methods, the AFO used propane tanker trucks to  
18 smuggle cocaine into the United States from Mexico. On October 3, 1990, AFO  
members sent about 3.5 tons of cocaine to the United States in a propane tanker  
19 truck. Law enforcement seized the cocaine at the Otay Mesa Port of Entry.
- 20 c. In 1990-91, among other methods, the AFO smuggled cocaine into the United  
21 States from Mexico through a corrupt U.S. Customs inspector. On June 20, 1991,  
AFO members sent two passenger vans with about 1.8 tons of cocaine to the  
22 United States through the inspector. Law enforcement seized the cocaine from  
the vans in National City and Imperial Beach, California on June 25, 1991.
- 23 d. In about July or August 1991, Benjamin Arellano-Felix met with Guzman in  
Sinaloa to discuss their differences and attempt to negotiate a truce.
- 24 e. In summer and fall 1991, the AFO sent multiple cocaine loads to its Los Angeles  
25 distribution cell using tour buses and motor homes. The cocaine initially was  
taken to locations in Fontana, California, then re-distributed elsewhere in southern  
26 California. Law enforcement seized a total of about 4.8 tons of cocaine from  
these shipments on July 31, August 6, and October 9, 1991.
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2 Racketeering Acts [RA] 4-5.)

(Count 1,

- 3 f. On October 23, 1991, at the direction of Benjamin and Eduardo Arellano-Felix,  
4 Paez arranged, and Barron carried out, the murder of Guillermo Castaneda in San  
5 Diego, California. The AFO believed Castaneda was an informant responsible for  
6 the seizures in paragraph B.7(e). (Count 2, OA 2.)
- 7 g. In about early 1992, Ramon Arellano-Felix traveled to Sinaloa to assassinate  
8 "Chapo" Guzman. The assassination attempt failed. (Count 2, OA 3.)
- 9 h. In 1991 and 1992, among other methods, the AFO smuggled cocaine into the  
10 United States using modified Ford F-150 and F-250 pickup trucks. From late  
11 1991 to early 1992, one AFO distribution cell in the United States overseen by  
12 Paez received about 35-40 trucks that each contained 400-500 kilograms of  
13 cocaine. Some loads were seized by law enforcement. For example, on February  
14 4, 1992, AFO members sent a Ford F-150 truck containing 453 kilograms of  
15 cocaine to the United States from Mexico. On February 25, 1992, AFO members  
16 sent a Ford F-150 truck containing 441 kilograms of cocaine to the United States  
17 from Mexico. Law enforcement stopped both trucks near Campo and seized the  
18 cocaine. On April 24, 1992, AFO members sent a Ford F-250 truck containing  
19 174 kilograms of cocaine to the United States from Mexico. Law enforcement  
20 stopped the truck at the Calexico Port of Entry and seized the cocaine.
- 21 i. In August 1992, Ramon Arellano-Felix and other AFO members flew to  
22 Guadalajara to assassinate "Chapo" Guzman. The assassination attempt failed,  
23 and Guzman escaped.
- 24 j. On November 8, 1992, members of "Chapo" Guzman's organization attacked  
25 Ramon Arellano-Felix, Javier Arellano-Felix, Ismael Higuera-Guerrero, and other  
26 AFO members at Christine's Discotheque in Puerto Vallarta. AFO members  
27 responded with force. Several individuals were shot and killed.

(Count 2, OA 5.)

- 19 k. On March 11, 1993, at the direction of Barron, a crew of AFO enforcers murdered  
20 Oscar Roberto Ceballos-Corralez, and wounded two others. in Hollenbeck,  
21 California.

(Count 2, OA 6.)

- 22 l. On March 16, 1993, at the direction of Benjamin and Ramon Arellano-Felix, Paez  
23 and Barron arranged, and a crew of AFO enforcers carried out, the murder of  
24 Juvenal Gomez-Buenrostro in Chula Vista, California. The AFO believed Gomez  
25 worked for "Chapo" Guzman and might be an informant against the AFO. (Count  
26 2, OA 7.)
- 27 m. In May 1993, in meetings attended in part by Javier Arellano-Felix, the AFO  
28 plotted again to assassinate "Chapo" Guzman. (Count 2, OA 8.) Ramon  
Arellano-Felix and a crew of AFO enforcers flew to Guadalajara and, for several  
days, searched for Guzman unsuccessfully. At the airport to return to Tijuana,  
AFO members engaged in a firefight with members of Guzman's organization.  
Bystanders were killed in the crossfire, including Cardinal Juan Posadas Ocampo.  
The AFO paid Rodolfo Leon-Aragon, the director of the MFJP, \$10 million to  
attribute the Cardinal's murder to Guzman.

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In June 1995, the Colombians air-dropped over 500 kilograms of cocaine off the coast of Acapulco. The load was sent to the U.S. in two shipments. One shipment, 240 kilograms, was sent to Chula Vista, California in early July 1995, then to La Jolla, California, where it was broken down and re-distributed. On July 11, 1995, law enforcement seized the 240 kilograms of cocaine from various locations in southern California. (Count 1, RA 6.)

p.

On November 5, 1995, a commercial airplane containing about eight tons of cocaine arrived at a makeshift landing strip at Baturi Flats outside La Paz, Mexico.

q.

In about December 1996, Benjamin Arellano-Felix ordered the murder of Fernando Gutierrez. Benjamin Arellano believed Gutierrez stole money (i.e., drug proceeds) the former gave Gutierrez to invest in business developments. Barron arranged for a crew of AFO enforcers to carry out the murder. Javier Arellano-Felix placed Barron and the enforcers in contact with an associate who showed the enforcers where Gutierrez lived and worked. On December 11, 1996, the enforcers shot and killed Gutierrez in Coronado, California as he drove on state route 75. (Count 2, OA 11-12.)

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In 1997, at the direction of Benjamin and Ramon Arellano-Felix, Barron arranged for a crew of AFO enforcers to kill Ramiro Ramirez. On March 7, 1997, the enforcers shot Ramirez multiple times as he drove in Chula Vista, California. Ramirez survived. The AFO believed that Ramirez stole \$3 million by arranging, but failing to follow through with, an assassination attempt on Ismael Zambada-Garcia, a rival drug trafficker and associate of "Chapo" Guzman. The AFO also believed that Ramirez was an informant. (Count 2, OA 13.)

s.

In February and March 2000, on behalf of the AFO, Manuel Arturo Villarreal-Heredia arranged to smuggle one ton of marijuana through the U.S.-Mexico border using a purportedly corrupt U.S. Customs inspector. On April 18, 2000, Villarreal coordinated the crossing of the load in a van through the Otay Mesa Port of Entry. Law enforcement stopped the van near Chula Vista, California, and seized 1,988 pounds of marijuana. (Count 1, RA 7.)

t.

In April 2000, Ismael Higuera-Guerrero, Jorge Aureliano Felix, and others coordinated a 40-kilogram cocaine shipment to an AFO distribution cell in Los Angeles. On April 27, 2000, in Los Angeles, law enforcement seized the cocaine from the load vehicle.

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w. On January 18, 2002, in Tijuana, Villarreal and others  
kidnaped the marijuana trafficker,

On or about January 22, 2002,  
Villarreal and others acting at his direction restrained Miguel  
Angel Lopez-Inzunza and fatally injected him to cause a drug overdose.

(Count 2, OA 14-15.)

x. On November 9, 2004, AFO members including Villarreal attempted to kidnap an  
unidentified person in Tijuana. The victim escaped after being briefly detained.  
Javier Arellano-Felix advised and authorized AFO members to shoot the fleeing  
victim. Villarreal subsequently kidnaped  
suspected after obtaining approval from Arellano. Villarreal and Arellano  
might be associated with rival drug traffickers.

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cc. In late 2004, enforcement crew, which operated under Villarreal's  
command, kidnaped an individual.

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dd. On January 10, 2005, an AFO enforcement crew, acting under the oversight of Javier Arellano-Felix,

(Count 2, OA 17.)

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gg. On January 11, 2005, notified Javier Arellano-Felix that Deputy Police Chief Hugo Gabriel Coronel-Vargas was responsible for rescuing On January 17, 2005, AFO members—including crew members under Villarreal’s command—assassinated Coronel in Tijuana. (Count 2, OA 18-19.)

hh. On or about February 16, 2005, AFO members tortured, strangled, and killed Jorge Bedoya-Cerron, then dumped his body in Tijuana.

(Count 2, OA 20.)

ii.

jj.

kk. On March 8, 2005, after a planned AFO “operation” was terminated because of the presence of Mexican soliders, Javier Arellano-Felix directed Fernando Sanchez-Arellano to tell “the General” to move the soldiers.

ll.

mm. On March 15, 2005, at the direction of Javier Arellano-Felix, Villarreal and others kidnaped, interrogated, and later killed a police officer in Tijuana. Arellano suspected the officer was investigating the AFO. Villarreal determined the officer

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informed other authorities about corrupt local police officers.

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ww. On December 5-7, 2005, Villarreal, Escobar-Luna, and other AFO members discussed killing the family of a recently-arrested associate, Heriberto Yoc-Hernandez, an assistant chief with the municipal police, because Yoc told authorities details about the AFO's activities including locations of AFO safe houses, the identities of AFO members, and law enforcement and Tijuana city officials on the AFO's payroll.

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xx. On January 20, 2006, after a shootout between members of Villarreal's crew and state police,

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AFO members encountered three Rosarito police officers and a civilian Ismael Arellano-Torres, Jesus Hernandez-Ballesteros, Benjamin Fabian-Ventura, and Fernando Avila. The officers and civilian were kidnaped by AFO members and taken to Tijuana. Later, at the direction of Arellano, and Villarreal, AFO members interrogated, murdered, and beheaded the officers and civilian. AFO members dumped the bodies in Rosarito and the heads in Tijuana. (Count 2, OA 22-24.)<sup>1/</sup>

Respectfully submitted,

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<sup>1/</sup> The allegations set forth above are based on evidence the United States has gathered to this point. In the course of interviewing and debriefing witnesses, we continue to learn about and develop evidence of additional incidents. If we learn of additional significant events that we intend to present at trial, we will seek leave to file an amended bill of particulars, no later than 90 days before trial.