

Illinois Police & Sheriff's News

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

MAY 27, 2005

MICHAEL W.

05CR 485

GEORGE A. PRADO, VITO J.

MAGISTRATE JUDGE MASON

RENTERIA NORA RIVAS, a/k/a |
a/k/a NORA ELENA LEON, a/k/a "FLACA"; and
ALEXANDER MILLAN,
a/k/a ALEXANDER MILLAN ZAPATA,

Under Seal

a/k/a "MENDO"

(Name and Address of Defendant)

I, Frank Jack Sodetz III, the undersigned complainant, being duly sworn state the following is true and correct to the best of my knowledge and belief. From at least May 23, 2005 through and including May 25, 2005, in Cook county, in the Northern District of Illinois, defendants knowingly and intentionally conspired to possess with the intent to distribute a controlled substance; namely, approximately one kilogram of heroin, a Schedule II Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b) and Section 846. I further state that I am a Special Agent Federal Bureau of Investigation and that this complaint is based on the following facts:

See Attached Affidavit.

Continued on the attached sheet and made a part hereof: X Yes _ No

Signature of Complainant

Sworn to before me and subscribed in my presence,

May 27, 2005
Date

at Chicago, Illinois
City and State

Hon. Michael T. Mason, U.S. Magistrate Judge
Name & Title of Judicial Officer

Signature of Michael T. Mason
Signature of Judicial Officer

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS

AFFIDAVIT

Frank Jack Sodetz III, being duly sworn, deposes and states:

1. I am a Special Agent employed by the Federal Bureau of Investigation ("FBI"), United States Department of Justice. I have been so employed for over four (4) years, and am presently assigned to the Chicago (Illinois) Field Division. In connection with my official FBI duties, I investigate criminal violations of the Controlled Substances Act. I have received specialized training in the enforcement of federal narcotics laws, and I have participated in investigations of Mexico and Colombia-based narcotics trafficking organizations operating nationwide. My training and experience has involved, among other things, (a) the debriefing of defendants, witnesses, and informants, as well as others who have knowledge of the distribution and transportation of controlled substances, and of the laundering and concealment of proceeds of drug trafficking; (b) surveillance; and (c) analysis of documentary and physical evidence. I have also received training and have extensive experience in investigations involving the interception of wire communications. Further, I have received training in testifying for judicial proceedings and prosecutions relating to violations of federal narcotics laws. Based on my training and experience as a FBI agent, I am familiar with the manner in which narcotics traffickers conduct their drug-related businesses, including the methods employed by narcotics traffickers to import and distribute

narcotics, their use of telephones in furtherance of their illegal activities, and their use of coded language to refer to narcotics, drug proceeds, and other aspects of narcotics trafficking.

2. The information contained in this affidavit is based on my personal knowledge and information provided by other law enforcement officers. The information in this affidavit is provided for the limited purpose of establishing probable cause for a criminal complaint against GEORGE A. PRADO; NORA RIVAS, a/k/a NORA E. RIVAS, a/k/a NORA ELENA LEON, a/k/a "FLACA"; ALEXANDER MILLAN, a/k/a ALEXANDER MILLAN ZAPATA, a/k/a "ALEXILLO"; and VITO J. RENTERIA for violations of Title 21, United States Code, Sections 841(a)(1) and 846.

3. I am personally involved in the investigation of the offenses referred to above, and am familiar with all aspects of this investigation. In addition to my personal knowledge, the statements contained in this Affidavit are based in part on: (a) information provided by agents of the FBI, the Drug Enforcement Administration (DEA) and other law enforcement agencies; (b) a review of telephone toll records; (c) Court authorized pen register and trap and trace data; (d) Court authorized phone intercepts; (e) observations obtained from surveillance agents and; (f) my training and experience as an FBI agent. Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only the facts that I believe are necessary to establish the necessary foundation for the

arrest of the above individuals for the violations listed.

Background To The Investigation

4. The FBI is currently engaged in a drug trafficking investigation of GEORGE A. PRADO; NORA RIVAS, a/k/a NORA E. RIVAS, a/k/a NORA ELENA LEON, a/k/a "FLACA"; ALEXANDER MILLAN, a/k/a ALEXANDER MILLAN ZAPATA, "ALEXILLO"; and VITO J. RENTERIA, and others known and unknown, who are believed to be distributing narcotics (heroin) in Chicago, Illinois.

5. GEORGE A. PRADO (hereinafter PRADO), is an Hispanic male born on April 19, 1958, residing at 5856 South Nordica, Chicago, Illinois, 60638. Based upon City of Chicago records, PRADO is an employee of the Department of Water Management where he serves as a "Hoisting Engineer." PRADO is the user of **Target Telephone One**, defined below.

6. NORA RIVAS, a/k/a NORA E. RIVAS, a/k/a NORA ELENA LEON, a/k/a "FLACA," (hereinafter "RIVAS") is an Hispanic female, born on December 7, 1968, with a listed residential address of 5315 North Damen Avenue, Chicago, Illinois. RIVAS is the user of **Target Telephone Two** described below.

7. On February 10, 2005, DEA Agents conducted surveillance of RIVAS and observed her depart a residence at 5315 North Damen Avenue, Chicago, Illinois and arrive at La Kayana Express.¹ Agents observed RIVAS working at La Kayana Express throughout

¹ La Kayana Express is the legal name of the business. The sign posted outside La Kayana Express, however, reads "La Tienda Express."

the day. On February 10, 2005, at approximately 9:10 a.m., a DEA agent placed a telephone call to cellular telephone number (773) 263-2297 (**Target Telephone Two**) while conducting surveillance on RIVAS. RIVAS was observed answering the telephone. On the same day, at approximately 5:00 p.m., another DEA agent, while observing RIVAS, placed a second call to cellular telephone number (773) 263-2297 **Target Telephone Two**). As the call connected, RIVAS was observed looking at the caller ID screen on her phone. RIVAS did not answer the call. **Target Telephone Two** is a cellular telephone serviced by Sprint Spectrum LLP and subscribed to in the name of NORA RIVAS, 5315 North Damen Avenue, Chicago, Illinois, 60625, born on December 7, 1968.

8. On April 26, 2005, FBI agents conducted surveillance of La Kayana Express and observed RIVAS entering and exiting the business throughout the day. That same day, agents observed RIVAS operating a vehicle registered to Nora RIVAS and Jose Rivas, 5315 North Damen Avenue, Chicago, Illinois.

9. Alexander MILLAN, an Hispanic male, born on February 21, 1963, with a listed address of 8313 Northern Boulevard, Apt. 128, Jackson Heights, New York 11372. MILLAN is the user of cellular telephone number (312) 771-9309, discussed below. .

10. VITO J. RENTERIA, is an Hispanic-Italian male, born June 20, 1961. RENTERIA is the user of telephone number (708) 906-8705, discussed below.

Communications Over The Target Telephones Regarding Drug-Related Activities

11. On April 20, 2005, United States District Court Chief Judge Charles P.

Kocoras, Northern District of Illinois, signed an order authorizing the interception of wire communications over cellular telephone number (773) 510-0232 (**Target Telephone One**), which is used by PRADO, for a period of thirty days. **Target Telephone One** is a cellular telephone serviced by T-Mobile USA subscribed to in the name of JOSEPH R. CORTEZ, 7334 West 63rd Street, Apartment 2, Summit Argo, Illinois, 60501-1818, date of birth August 19, 1956.² On May 18, 2005, Chief Judge Kocoras signed an order authorizing the continued interception of communications over **Target Telephone One** for an additional period of thirty days. Authorized interceptees over **Target Telephone One** included, among others, RIVAS; RENTERIA; and First Name Unknown Last Name Unknown (FNU LNU 1). FNU LNU 1 was subsequently identified as ALEXANDER MILLAN, a/k/a ALEXANDER MILLAN ZAPATA, a/k/a "ALEXILLO"

12. On May 13, 2005, United States District Court Chief Judge Charles P. Kocoras, Northern District of Illinois, signed an order authorizing the interception of wire communications over cellular telephone number (773) 263-2297 (**Target Telephone Two**), which is used by RIVAS. The interception of wire communications over **Target Telephone Two** commenced on May 16, 2005. Authorized interceptees included PRADO and MILLAN, among others.

13. Much of the substance of this affidavit is based on my interpretation of

² Joseph R. Cortez is likely a fake name used to obtain **Target Telephone One**. At the address listed in the subscriber information for **Target Telephone One** is La Mia pizzeria. PRADO is the registered agent of the pizzeria.

communications, some of which are summarized below, intercepted over **Target Telephone One** and **Target Telephone Two**. For some of the calls listed below, I have placed in brackets my understanding of various words and phrases used in some of the intercepted calls, my understanding of the calls is based on the contents and context of the conversations prior to and subsequent to the below-described intercepted calls, my experience as a law enforcement officer and the experience of other law enforcement officers in this investigation, including our experience listening to the intercepted conversations as a whole. The times listed for these calls are approximate. In addition, all of the voice identifications for the conversations set out below are preliminary. In some cases, voice identifications are based on names used during the intercepted conversations, voice recognition that has been accomplished to date by law enforcement officers, historical information developed during this investigation, and/or telephone subscriber information. The summaries below do not include all potentially criminal calls intercepted during the period of interception, or all statements or topics covered during the course of the intercepted conversations. Many of the intercepted conversations summarized below were at least, in part, in Spanish. Spanish speaking agents and/or linguists have listened to the calls and translated the conversations to English and to the extent conversations described below were in Spanish, the details provided herein are based on draft transcripts of the conversations.

Summary of the Offense Conduct

14. The conversations and surveillance described below shows that on May 24,

2005, PRADO directed his courier, RENTERIA, to meet with MILLAN outside of RIVAS' residence so that MILLAN could give RENTERIA approximately one kilogram of heroin for which PRADO would owe MILLAN and RIVAS \$60,000. RENTERIA followed PRADO's directions and met with MILLAN on May 24, 2005 at approximately 1:43 p.m. at which time MILLAN gave heroin to RENTERIA in exchange for \$8,000. The Illinois State Police subsequently stopped RENTERIA, who did not have a valid license. RENTERIA's car was towed and the drugs were seized by the FBI. RENTERIA subsequently tried to explain the loss of the drugs to PRADO, but PRADO did not believe RENTERIA. PRADO then reached out to a third party to assist in beating the "truth" out of RENTERIA. PRADO made calls to MILLAN to discuss the kidnapping, beating and possibly killing of RENTERIA. In PRADO's words, if he was dissatisfied with RENTERIA's answers, "they will get the knives out and they will fuck him up and that will be real fast."

Communications and Surveillance of the May 24, 2005 Heroin Deal

15. On May 23, 2005, at approximately 6:43 p.m., PRADO, using **Target Telephone One**, contacted MILLAN at telephone number (312) 771-9309. During that call, PRADO told MILLAN, in sum and substance, that he [PRADO] would send a friend [believed to be RENTERIA] tomorrow. PRADO also told MILLAN to have the other one ready of "just one hundreds and he [RENTERIA] is going to give you another seven or eight [\$7,000 or \$8,000]" Among other things, MILLAN replied, "if she has it ready for me

now, I can go fix it over by La Flaca's" [RIVAS's house]. PRADO and MILLAN agreed to speak in the morning.

16. On May 23, 2005, at approximately 6:48 p.m., MILLAN, using telephone number (312) 771-9309, contacted PRADO at **Target Telephone One**. During the call, MILLAN told PRADO that he had just talked to the woman and she will give MILLAN the car [heroin] tomorrow morning so that MILLAN could get it ready.

17. On May 24, 2005, at approximately 8:20 a.m., Agents of the FBI and Officers of the Illinois State Police (ISP) initiated surveillance at 5315 North Damen Avenue, in Chicago, Illinois, RIVAS's residence. 5315 North Damen is a three-floor red brick apartment building located on the eastside of Damen Avenue near the intersection between Summerdale and Damen. At approximately 9:59 a.m., Agents observed MILLAN – driving a grey Jeep Cherokee, bearing Illinois plate 766-1862 – arrive at the residence. MILLAN parked near RIVAS's residence. The Jeep was also occupied by an older, unidentified Hispanic male. Both individuals got out of the Jeep and MILLAN was seen retrieving a plastic bag marked "Aldi" from the car's rear passenger side. MILLAN, carrying the bag, and the unidentified male then entered 5315 North Damen Avenue.

18. At approximately 10:06 a.m., RIVAS was seen exiting 5315 North Damen. RIVAS got in her car, a white Jeep Grand Cherokee, and used her cell phone. After approximately one minute, RIVAS got out of her car and reentered the residence. Subsequently, at approximately, 10:09 a.m. RIVAS was again seen exiting 5315 North

Damen after which she got in her car and drove off.

19. On May 24, 2005, at approximately 11:08 a.m., PRADO using **Target Telephone One** called RENTERIA at telephone number (708) 906-8705. PRADO got RENTERIA's voice mail and left a message that it was 11:09 a.m. to the effect that RENTERIA needed to get up because he was "fucking up the operation"

20. On May 24, 2005, at approximately, 12:03 p.m., RIVAS, using **Target Telephone Two**, called MILLAN at (312) 771-9309. During that call, among other things, MILLAN informed RIVAS, in summary, that they were still waiting on PRADO's "friend" [drug courier, RENTERIA] and had been doing so for over an hour. RIVAS asked MILLAN if he was leaving today? MILLAN said, "Yes." In response, RIVAS said, "If not they can come at night and I'll deliver it" [believed to be the heroin].

21. On May 24, 2005, at approximately 12:27 p.m., RENTERIA, using telephone number (708) 906-8705, called PRADO at **Target Telephone One**. During that call, among other things, PRADO told RENTERIA that the man [MILLAN] was waiting for him because he [MILLAN] wanted to leave town but he [RENTERIA] was sleeping. RENTERIA asked PRADO if he was going to the same place. PRADO said, "Yes, way up North." PRADO explained that was why he wanted RENTERIA to get a jump start and get it done, to get that [heroin] and put it away. RENTERIA told PRADO he would leave in ten minutes. PRADO told RENTERIA to bring the eight [\$8,000] with him. PRADO then told RENTERIA to call him when he was close, or when he was there.

22. On May 24, 2005, at approximately 12:28 p.m., PRADO, using **Target Telephone One**, contacted MILLAN at telephone number (312) 771-9309. During the call, PRADO told MILLAN that he woke the guy up, and that his [RENERIA's] phone was off. PRADO told MILLAN that he [RENERIA] was leaving in about ten minutes and that he [RENERIA] would arrive in about half an hour. PRADO explained that RENTERIA would call PRADO when he arrived and PRADO would in turn contact MILLAN so that MILLAN could come down. PRADO then told MILLAN that RENTERIA would give him [MILLAN] eight [\$8,000]. PRADO then asked MILLAN how much he was going to give him? MILLAN said, "995" [995 grams of heroin]. PRADO also asked, "if they're all marked?" MILLAN replied, "yes, one by one." Based on the context and nature of the conversation as well as other information obtained during the course of the investigation, affiant believes that "one by one" means 10 bags containing 100 grams of heroin each.

23. On May 24, 2005, at approximately 1:40 p.m., RENTERIA, using telephone number (708) 906-8705, contacted PRADO, who was using **Target Telephone One**. During the call, RENTERIA told PRADO that he had arrived. PRADO asked RENTERIA if he had the "8 dollars [\$8,000] with him?" RENTERIA replied, "Yes." PRADO told RENTERIA he would tell him [MILLAN] to come down.

24. At approximately 1:41 p.m., surveillance observed RENTERIA arrive in a blue Chevy Avalanche, bearing Illinois plate 708-0670 (the "Chevy"). RENTERIA parked the Chevy on Summerdale Street across from 5315 North Damen Avenue. MILLAN was then

seen exiting 5315 North Damen Avenue carrying the same plastic bag marked "Aldi," which he was previously seen carrying into 5315 North Damen. MILLAN gave the plastic bag to RENTERIA through the Chevy's passenger window and retrieved a red plastic bag from RENTERIA. MILLAN returned to RIVAS' residence, and RENTERIA drove off followed by surveillance.

25. On May 24, 2005, at approximately 1:43 p.m., PRADO, using **Target Telephone One**, contacted MILLAN at telephone number (773) 518-6152. During the call, in summary, among other things, MILLAN told PRADO that he had the meeting and received the eight dollars [\$8,000].

26. On May 24, 2005, at approximately 1:45 p.m., RENTERIA, using telephone number (708) 906-8705, called PRADO at **Target Telephone One**. During the call, among other things, PRADO told RENTERIA, in sum and substance, that the reason he wanted RENTERIA to make that move [pick up the heroin] this morning was because he [PRADO] was supposed to make a move for three [sell three hundred grams] and that they did not have three [three hundred grams of heroin] on hand, and that it would have been a bum deal [PRADO would have lost the deal with the customer]. PRADO instructed RENTERIA to go home, "be careful, put it together and put it away."

27. At approximately 1:56 p.m., the Illinois State Police, working with the FBI, conducted a traffic stop of RENTERIA near George Street and Damen Avenue after observing RENTERIA driving 45 miles per hour in a 30 mile per hour zone. ISP Trooper

Javier Martinez asked for RENTERIA's license. RENTERIA advised the trooper he was driving on a suspended license as a result of a prior DUI. RENTERIA was then taken into ISP's custody, and the Chevy was towed. RENTERIA was ultimately issued two citations and released on bond. FBI Agents, along with ISP, maintained surveillance of the Chevy as it was towed to a nearby impoundment lot, after which Agents removed and took custody of the bag which FBI agents had seen MILLAN give to RENTERIA and which was suspected to contain heroin. The bag was seized from the floor in the back of the Chevy. Further inspection revealed that the bag contained a shoe box inside of which Agents found suspected heroin. The substance field tested positive for the presence of heroin and weighed approximately one kilogram. The heroin was packed in 10 ziplock bags, 9 which were marked "100" and 1 which was marked, "95."

28. On May 24, 2005, at approximately 2:37 p.m., RENTERIA, using telephone number (708) 906-8705, contacted PRADO at **Target Telephone One**. During the call, in sum and substance, RENTERIA told PRADO that the Chevy had been towed. RENTERIA explained that he was stopped by a state trooper. PRADO asked, "for what?" RENTERIA said he was going five miles over the limit on Damen Avenue on the North side. RENTERIA goes on to explain the everything [heroin] was in there and that he would need his (RENTERIA's) father to get the Chevy back. RENTERIA explained that they (the police) took the Chevy because he had no license and that he got a ticket. Later in the call, RENTERIA told PRADO that the stuff [heroin] was in the car in the back on the ground on

a jacket. Among other things, PRADO told RENTERIA that he better hope that they [the police] don't find it [the heroin] and that he [RENTERIA] needed to hurry up and do something.

29. On May 24, 2005, at approximately 2:50 p.m., RENTERIA, using telephone number (708) 906-8705, called PRADO at **Target Telephone One**. During the call, RENTERIA explained that his dad was angry and he asked why he [RENTERIA] had been on the North side. RENTERIA then asked PRADO what time he was going by [to pick up RENTERIA's dad]. PRADO told RENTERIA he was on his way, and that they better get there quick hope that no one finds it [the heroin].

30. On May 24, 2005, at approximately 4:01 p.m., PRADO, using **Target Telephone One**, contacted RENTERIA who was using telephone number (708) 906-8705. During the call, PRADO asked where RENTERIA was at? RENTERIA told PRADO he was in the truck with his dad. PRADO asked, "And?" RENTERIA replied, "No." PRADO told RENTERIA not to tell him that. RENTERIA went on to explain that everything was in the truck except "that" [the heroin].

31. On May 24, 2005, at approximately 4:47 p.m., RENTERIA, using telephone number (708) 906-8705, called **Target Telephone One** and spoke with PRADO. During that call, PRADO advised RENTERIA, in sum and substance, that he did not believe that RENTERIA was being honest and that he had a big problem. Among other things, PRADO told RENTERIA, that "he is fucking around with the wrong people"; that he needs to go get

"60,000 dollars" because "it is on him"; that he has to figure out which one [option] he wants to take. RENTERIA tried to persuade PRADO that he did nothing wrong. Among other things, PRADO said, "that is bullshit and that he [RENTERIA] should have been locked up and that could have been his only way out." PRADO also told RENTERIA that he would turn him in and that he does not need any problems. After some conversation, RENTERIA asked PRADO if PRADO actually thinks RENTERIA took "it" [the drugs]? PRADO said, "you're fucking right." RENTERIA replied, "I don't believe you." PRADO asked what RENTERIA expects him [PRADO] to do, "fucking eat it" [meaning accept responsibility for the lost drugs]. RENTERIA said no, I don't. PRADO informed RENTERIA to get "it" [the drugs] from his buddy or whatever he is going to do, just get "it" [the drugs] back by tonight or RENTERIA will have the whole force coming at him . . . and if "they" [referring to law enforcement] found "it" [the drugs] . . . the fucking DEA will be by his father's house and they will let RENTERIA see where he goes. RENTERIA replied that he only has the "other thing" [possibly referring to additional quantities of drugs on hand]. PRADO replied, among other things, that if he [RENTERIA] is masterminding something with his friends . . . RENTERIA has a big problem. RENTERIA informed PRADO that he is unsure what PRADO is talking about and said he is not lying. PRADO told RENTERIA that he [RENTERIA] knew the consequences when "they" [PRADO and RENTERIA] first started .. PRADO told RENTERIA to tell his father what went down and have his father give him "a 60,000 loan." PRADO advised RENTERIA that he [PRADO] cannot help him and will

call him after his [PRADO's] meeting [with the suppliers].

32. On May 24, 2005, at approximately 7:06 p.m., Target **Telephone One** placed an outgoing call to MILLAN at (773) 518-6152. During the call, MILLAN informed PRADO that he is on the highway [likely returning to New York]. Among other things, PRADO asked MILLAN how he [MILLAN] gave "it" to the guy [RENTERIA]. MILLAN said that he gave "it" [the drugs] to him inside a small shoe box. In summary, PRADO told MILLAN about what happened to RENTERIA and the Chevy and that "the thing [the heroin] was not there." PRADO indicated that he did not know if RENTERIA was lying or what the police would do, so PRADO was going to wait a couple of days. MILLAN replied that things were difficult now. PRADO also told MILLAN, among other things, that he [PRADO] was yelling at the "SOB" and told him (1) [RENTERIA] to find "that shit" [drugs] or something is going to happen to him"; (2) to go get some money from the bank because that was the only way that nothing would happen to him; (3) that he (PRADO) has to talk to his people [referring to MILLAN and RIVAS] and they do not play games and that PRADO does not know what they are going to do to him. PRADO indicated that he made the last comment to scare the guy [RENTERIA]. MILLAN agreed. After more conversation about the details surrounding the loss of the heroin, PRADO said, in summary, that he told RENTERIA that his people [possibly referring to MILLAN, RIVAS and others] are going to "kill" him [RENTERIA] and that [RENTERIA] should not to play games. After some more discussion, the conversation ended.

33. On May 24, 2005, at approximately 7:15 p.m., RIVAS, using **Target Telephone Two**, placed an outgoing call to (773) 518-6152 and spoke with MILLAN. During the conversation, MILLAN told RIVAS that her boyfriend [PRADO] called him. RIVAS replied, "What did he say?" MILLAN said he had bad news. RIVAS asked, "Why?" MILLAN said that the guy [RENTERIA] he gave the car [heroin] to, was stopped by the police . . . , and "they" [law enforcement] took the car MILLAN told RIVAS that when "they" picked up the car, the "shit" [heroin] was not there. Among other things, MILLAN said that he [PRADO] is scaring him [RENTERIA] to see what he [RENTERIA] is going to do and that he [PRADO] is going to wait a couple of days to see what happens. RIVAS said she was in shock and asked what was going to happen? MILLAN told RIVAS that "they" are going to wait a couple of days to see what is happening [meaning see what the fall out will be as a result of the seized drugs]. RIVAS asked MILLAN if it is a scam. MILLAN advised RIVAS, in part, that he [PRADO] thinks he [referring to RENTERIA] wants to steal "it" [the drugs]. MILLAN said that if it were real "they" would have locked him up. RIVAS asked MILLAN, if "the shit" was there [the drugs]. MILLAN replied, when they went to pick up the car "the shit" [drugs] was not there.

34. On May 24, 2005, at approximately 8:39 p.m., RIVAS, using **Target Telephone Two**, called telephone number (773) 518-6152 and spoke with MILLAN. During the conversation, among other things, MILLAN said he was told to go back to see what is going on, and to see what they are going to do. MILLAN also said that he was told

[possibly by PRADO] to wait until tomorrow after RIVAS' boyfriend [PRADO] talks to the guy [RENTERIA]. MILLAN said that they will have to scare him anyway. MILLAN told RIVAS to light up a candle to the virgin to make sure that everything comes out alright. RIVAS said she did it already. RIVAS asked MILLAN where he was? MILLAN replied that he is about an hour away from Pennsylvania, and that he will be in around at 3 to 4 in the morning.

35. On May 25, 2005, at approximately 5:46 p.m., **Target Telephone One** received an incoming call from an unknown telephone number at which time PRADO spoke with MILLAN. During that call, MILLAN asked PRADO how things were going? PRADO replied that he is going to talk to "some guys" who he knows . . . and asked MILLAN not to say anything. PRADO told MILLAN that he is going to get the guy [RENTERIA] inside a garage and is going beat him up to see if he talks. MILLAN stated in summary that he thought [RENTERIA] was lying and stole the drugs. PRADO replied that he is checking all the papers and everything else. Among other things, PRADO advised MILLAN that he thinks that if after "they [PRADO and others] beat up the guy [RENTERIA], he does not talk, that the guy is probably telling the truth . . . but if he talks . . . they will get the knives out and they will fuck him up and that will be real fast." After some discussion, PRADO and MILLAN agreed that they do not believe RENTERIA's story. PRADO told MILLAN that tomorrow "this other boy" [referring to an unknown party] is going to pay him off. MILLAN advised that he needs to tell his sister to finish with "those people" [referring to

unknown individuals]. MILLAN advised PRADO that as soon as he [PRADO] has "the papers" [money] to call him since he has to deliver "it" to "this lady." PRADO agreed.

36. Based on the foregoing, affiant believes that there is probable cause to believe defendants NORA RIVAS, a/k/a NORA E. RIVAS, a/k/a NORA ELENA LEON, a/k/a "FLACA"; GEORGE A. PRADO; ALEXANDER MILLAN, a/k/a ALEXANDER MILLAN ZAPATA, a/k/a "ALEXILLO"; and VITO J. RENTERIA conspired to possess with intent to deliver heroin, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

AFFIANT FURTHER SAYETH NOT

FRANK JACK SODETZ III
Special Agent
Federal Bureau of Investigation

SUBSCRIBED TO AND SWORN before me
On this 27th day of May, 2005.

Honorable Michael T. Mason
UNITED STATES MAGISTRATE JUDGE