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Jul 19, 2018
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

6 Attorneys for Plaintiff
United States of America
7

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

10
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ALFREDO SANCHEZ and
15 SAYBYN BORGES,

16 Defendants.
17

CASE NO. **218-CR-0136 TLN**

21 U.S.C. §§ 846, 841(a)(1) – Conspiracy to
Distribute and to Possess with Intent to Distribute
Fentanyl; 21 U.S.C. § 841(a)(1) – Distribution of
Fentanyl; 21 U.S.C. § 841(a)(1) – Possession with
Intent to Distribute Fentanyl; 18 U.S.C. § 922(g)(1) –
Felon in Possession of a Firearm; 21 U.S.C. § 853(a),
18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c) –
Criminal Forfeiture

18 INDICTMENT

19 COUNT ONE: [21 U.S.C. §§ 846, 841(a)(1) – Conspiracy to Distribute and to Possess with Intent to
20 Distribute Fentanyl]

21 The Grand Jury charges: T H A T

22 ALFREDO SANCHEZ and
23 SAYBYN BORGES

24 defendants herein, between a date no later than on or about May 3, 2018, and continuing through on or
25 about June 7, 2018, in Placer, San Joaquin, and Madera Counties, State and Eastern District of
26 California, and elsewhere, did conspire with each other and with persons both known and unknown to
27 the Grand Jury to knowingly and intentionally distribute and possess with intent to distribute at least 40
28 grams of a mixture and substance containing fentanyl, a Schedule II controlled substance, in violation of

1 Title 21, United States Code, Sections 846 and 841(a)(1).

2 The Grand Jury further charges: T H A T

3 ALFREDO SANCHEZ

4 defendant herein, committed this offense after a prior conviction for a felony drug offense had become
5 final, specifically, Use of a Communication Device to Facilitate a Drug Trafficking Offense, in violation
6 of 21 U.S.C. Section 843(b), on or about May 5, 2009, in San Francisco County, California.

7 COUNT TWO: [21 U.S.C. § 841(a)(1) – Distribution of Fentanyl]

8 The Grand Jury further charges: T H A T

9 ALFREDO SANCHEZ and
10 SAYBYN BORGES

11 defendants herein, on or about May 21, 2018, in Placer County, State and Eastern District of California,
12 did knowingly and intentionally distribute at least 40 grams of a mixture and substance containing
13 fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section
14 841(a)(1).

15 The Grand Jury further charges: T H A T

16 ALFREDO SANCHEZ

17 defendant herein, committed this offense after a prior conviction for a felony drug offense had become
18 final, specifically, Use of a Communication Device to Facilitate a Drug Trafficking Offense, in violation
19 of 21 U.S.C. Section 843(b), on or about May 5, 2009, in San Francisco County, California.

20 COUNT THREE: [21 U.S.C. § 841(a)(1) – Possession with Intent to Distribute Fentanyl]

21 The Grand Jury further charges: T H A T

22 ALFREDO SANCHEZ and
23 SAYBYN BORGES

24 defendants herein, on or about June 7, 2018, in San Joaquin County and elsewhere, State and Eastern
25 District of California, did knowingly and intentionally possess with intent to distribute at least 40 grams
26 of a mixture and substance containing fentanyl, a Schedule II controlled substance, in violation of Title
27 21, United States Code, Section 841(a)(1).

28 ///

1 The Grand Jury further charges: T H A T

2 ALFREDO SANCHEZ

3 defendant herein, committed this offense after a prior conviction for a felony drug offense had become
4 final, specifically, Use of a Communication Device to Facilitate a Drug Trafficking Offense, in violation
5 of 21 U.S.C. Section 843(b), on or about May 5, 2009, in San Francisco County, California.

6 COUNT FOUR: [18 U.S.C. § 922(g)(1) – Felon in Possession of Firearm]

7 The Grand Jury further charges: T H A T

8 ALFREDO SANCHEZ,

9 defendant herein, on or about June 14, 2018, in Madera County, State and Eastern District of California,
10 having been convicted of a crime punishable by a term of imprisonment exceeding one year,
11 specifically, Use of a Communication Device to Facilitate a Drug Trafficking Crime, in violation of 21
12 U.S.C. §843(b), on or about May 5, 2009, in San Francisco County, did knowingly possess a firearm,
13 specifically:

- 14 • Ruger .38 Caliber Revolver with serial number 549-52525;
- 15 • Colt .380 Mustang Pocketlite semi-automatic pistol with serial number PL11681;
- 16 • Kel-Tec 12 gauge shotgun with serial number XF947; and
- 17 • Colt Commander, .38 caliber semi-automatic pistol with serial number CU05693E,
- 18

19 in and affecting commerce, in that said firearms had previously been transported in interstate and foreign
20 commerce, in violation of Title 18, United States Code, Section 922(g)(1).

21 FORFEITURE ALLEGATION: [21 U.S.C. § 853(a), 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c) –
22 Criminal Forfeiture]

23 1. Upon conviction of one or more of the offenses alleged in Counts One through Three of
24 this Indictment, defendants ALFREDO SANCHEZ and SAYBYN BORGES shall forfeit to the United
25 States pursuant to Title 21, United States Code, Section 853(a), the following property:

26 a. All right, title, and interest in any and all property involved in violations of Title
27 21, United States Code, Section 841(a)(1), or conspiracy to commit such offenses, for which defendants
28 are convicted, and all property traceable to such property, including the following: all real or personal

1 property, which constitutes or is derived from proceeds obtained, directly or indirectly, as a result of
2 such offenses; and all property used, or intended to be used, in any manner or part to commit or to
3 facilitate the commission of the offenses.

4 b. A sum of money equal to the total amount of proceeds obtained as a result of the
5 offenses, or conspiracy to commit such offenses, for which the defendants are convicted.

6 2. Upon conviction of the offense alleged in Count Four of this Indictment, defendant
7 ALFREDO SANCHEZ shall forfeit to the United States pursuant to Title 18, United States Code,
8 Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearms and ammunition
9 involved in or used in the knowing commission of the offense.

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


- 12 a. cannot be located upon the exercise of due diligence;
13 b. has been transferred or sold to, or deposited with, a third party;
14 c. has been placed beyond the jurisdiction of the Court;
15 d. has been substantially diminished in value; or
16 e. has been commingled with other property which cannot be divided without
17 difficulty;

18 it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28,
19 United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants, up to the
20 value of the property subject to forfeiture.

21
22 A TRUE BILL.

23 **/s/ Signature on file w/AUSA**

24 _____
25 FOREPERSON

26 
27 _____
28 McGREGGOR W. SCOTT
United States Attorney

No. _____

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

218-CR-0136 TLN

THE UNITED STATES OF AMERICA

vs.

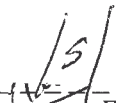
**ALFREDO SANCHEZ and
SAYBYN BORGES**

INDICTMENT

VIOLATION(S):

- 21 U.S.C. §§ 846, 841(a)(1) – Conspiracy to Distribute and to Possess with Intent to Distribute Fentanyl;
- 21 U.S.C. § 841(a)(1) – Distribution of Fentanyl;
- 21 U.S.C. § 841(a)(1) – Possession with Intent to Distribute Fentanyl;
- 18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm;
- 21 U.S.C. § 853(a), 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c) – Criminal Forfeiture

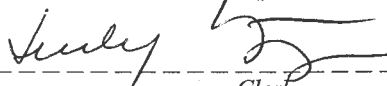
A true bill,


 Foreman.

Filed in open court this _____ day

NO PROCESS NECESSARY

of _____, A.D. 20 _____


 Clerk.

Bail, \$ _____



United States v. Alfredo Sanchez and Saybyn Borges
Penalties for Indictment

Defendants

Alfredo SANCHEZ
Saybyn BORGES

2:18-CR-0136 TLN

COUNT 1: BOTH DEFENDANTS

VIOLATION: 21 U.S.C. §§ 846, 841(a)(1) - Conspiracy to Distribute and Possess with Intent to Distribute Over 40 Grams of a Mixture and Substance Containing Fentanyl

PENALTIES: Mandatory minimum of 5 years in prison and a maximum of up to life in prison; or
Fine of up to \$5,000,000; or both fine and imprisonment
Supervised release of at least 4 years up to life

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 2: SAYBYN BORGES

VIOLATION: 21 U.S.C. § 841(a)(1) – Distribution of at Least 40 Grams of a Mixture and Substance Containing Fentanyl

PENALTIES: Mandatory minimum of 5 years in prison and a maximum of up to 40 years in prison; or
Fine of up to \$5,000,000; or both fine and imprisonment
Supervised release of at least 4 years up to life

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 3: BOTH DEFENDANTS

VIOLATION: 21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute over 40 Grams of Fentanyl

PENALTIES: Mandatory minimum of 5 years in prison and a maximum of up to life in prison; or
Fine of up to \$5,000,000; or both fine and imprisonment
Supervised release of at least 4 years up to life

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 4: ALFREDO SANCHEZ

VIOLATION: 18 U.S.C. § 922(g) - Felon in possession of firearm

PENALTIES: Not more than 120 months,
Not more than \$250,000 fine or both
A three-year term of Supervised Release

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

FORFEITURE ALLEGATION: BOTH DEFENDANTS

VIOLATION: 21 U.S.C. § 853(a), 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c) -
Criminal Forfeiture

PENALTIES: As stated in the charging document