

FILED

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

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CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
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§ SA-17-CR-505-DAE  
§  
§ **FIRST SUPERSEDING INDICTMENT**  
§ Ct 1: 21 U.S.C. §§841(a)(1)/(b)(1)(A)  
§ and 846 Conspiracy to Distribute Fentanyl  
§ and Methamphetamine;  
§ Ct 2: 21 U.S.C. §§841(a)(1)/(b)(1)(B)  
§ and 846 Conspiracy to Distribute Cocaine;  
§ Ct 3: 18 U.S.C. §924(c) Possession of a  
§ Firearm During a Drug Trafficking Crime;  
§ Ct 4: 21 U.S.C. §§841(a)(1)/(b)(1)(C)  
§ Possession with Intent to Distribute Cocaine  
§ Ct 5 & 7: 21 U.S.C. §§841(a)(1)/(b)(1)(B)  
§ Possession with Intent to Distribute  
§ Methamphetamine;  
§ Ct 6 & 8 18 U.S.C. §924(c) Possession of  
§ a Firearm During a Drug Trafficking Crime  
§ Ct 9: 18 U.S.C. §1956(a) & (h) Conspiracy  
§ to Launder Monetary Instruments;  
§ Ct 10: 18 U.S.C. §§1956(h) & 1957  
§ Conspiracy to Engage in Monetary  
§ Transactions in Property Derived from  
§ Specified Unlawful Activity.

UNITED STATES OF AMERICA,

Plaintiff,

ALAA MOHAMMED ALLAWI (1)  
BENJAMIN ITA UNO (2)  
ERIC LAMAR GOSS (3)  
TREVOR ALAN ROBINSON (4)  
FERNANDO PADILLA BECERRA  
aka KALIFA (5)  
MOHAMED M AL SALIHI aka Blake (6)  
CALEB APPIAH-OSEI (7), and  
JASON RAY SAUCEDO (8),

Defendants.

THE GRAND JURY CHARGES:

**COUNT ONE**

**[21 U.S.C. §§841(a)(1)/(b)(1)(A) and 846]**

From on or about September 2015 and continuing through and including the date of this indictment, within the Western District of Texas, the Southern District of Texas, the Northern District of Texas, the Central District of California, and elsewhere, Defendants,

**ALAA MOHAMMED ALLAWI (1)  
BENJAMIN ITA UNO (2)  
ERIC LAMAR GOSS (3)  
TREVOR ALAN ROBINSON (4)  
FERNANDO PADILLA BECERRA  
aka KALIFA (5), and  
MOHAMED M AL SALIHI aka Blake (6)**

unlawfully, knowingly, and intentionally combined, conspired, confederated and agreed together and with others to distribute a controlled substance, which offense involved a mixture or substance containing 400 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl), a Schedule II Controlled Substance, and 500 grams or more of a mixture or substance containing a detectable amount of Methamphetamine, a Schedule II Controlled Substance, contrary to Title 21, United States Code, Sections 841(a)(1)/(b)(1)(A) and 846.

**COUNT TWO**  
**[21 U.S.C. §§841(a)(1)/(b)(1)(B) and 846]**

From on or about September 2015 and continuing through and including the date of this indictment, within the Western District of Texas, the Southern District of Texas, the Northern District of Texas, the Central District of California, and elsewhere, Defendants,

**ALAA MOHAMMED ALLAWI (1)**  
**BENJAMIN ITA UNO (2)**  
**ERIC LAMAR GOSS (3)**  
**TREVOR ALAN ROBINSON (4)**  
**FERNANDO PADILLA BECERRA**  
**aka KALIFA (5), and**  
**MOHAMED M AL SALIHI aka Blake (6)**

unlawfully, knowingly, and intentionally combined, conspired, confederated and agreed together and with others to distribute a controlled substance, which offense involved a mixture or substance containing 500 grams or more of a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, contrary to Title 21, United States Code, Sections 841(a)(1)/(b)(1)(B) and 846.

**COUNT THREE**  
**[18 U.S.C. §924(c)]**

That on or about May 17, 2017, in the Southern District of Texas, Defendant,

**ALAA MOHAMMED ALLAWI (1),**

did knowingly use and carry at least one firearm, to wit: a Ruger, model LCR, .38 caliber revolver, serial number 541-78935; a Sig Sauer, model P229, .40 caliber pistol, serial number AM19675; a Glock, model 27, .40 caliber pistol, serial number FXX968; and a New Frontier Armory, model LW-15, .223 caliber rifle, serial number NLV58177, during and in relation to, and did possess said firearm in furtherance of, a drug trafficking crime that may be prosecuted in a court of the United States, that is Conspiracy to Possession with Intent to Distribute , Fentanyl, Methamphetamine, and Cocaine, in violation of 21 United States Code §846, as further described in Count One, in violation of Title 18, United States Code, Section 924(c).

**COUNT FOUR**  
**[21 U.S.C. §§841(a)(1)/(b)(1)(C)]**

That on or about December 7, 2016, in the Western District of Texas and the Northern District of Texas, Defendant,

**CALEB APPIAH-OSEI (7),**

did unlawfully, knowingly, and intentionally possess with intent to distribute a controlled substance, which offense involved less than 500 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1)/(b)(1)(C).

**COUNT FIVE**  
**[21 U.S.C. §§841(a)(1)/(b)(1)(B)]**

That on or about December 2, 2015, in the Western District of Texas, Defendant,

**JASON RAY SAUCEDO (8),**

did unlawfully, knowingly, and intentionally possess with intent to distribute a controlled substance, which offense involved 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1)/(b)(1)(B).

**COUNT SIX**  
**[18 U.S.C. §924(c)]**

That on or about December 2, 2015, in the Western District of Texas, Defendant,

**JASON RAY SAUCEDO (8),**

did knowingly use and carry at least one firearm, to wit: a Ruger, model P91DC, .40 caliber pistol, serial number 340-01808; an H and R, model 1871, 12 gauge shotgun, serial number NZ726974; a Walther, model P22, .22 caliber pistol, serial number WA047419; and a Smith and Wesson, model SD40VE, .40 caliber pistol, serial number HEC9255, during and in relation to, and did possess said firearm in furtherance of, a drug trafficking crime that may be prosecuted in a court of the United States, that is Possession with Intent to Distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, in violation of 21 United States Code §§841(a)(1)/(b)(1)(B), as further described in Count Four, in violation of Title 18, United States Code, Section 924(c).

**COUNT SEVEN**  
**[21 U.S.C. §§841(a)(1)/(b)(1)(B)]**

That on or about June 27, 2017, in the Western District of Texas, Defendant,

**JASON RAY SAUCEDO (8),**

did unlawfully, knowingly, and intentionally possess with intent to distribute a controlled substance, which offense involved 5 grams or more of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1)/(b)(1)(B).

**COUNT EIGHT**  
**[18 U.S.C. §924(c)]**

That on or about June 27, 2017, in the Western District of Texas, Defendant,

**JASON RAY SAUCEDO (8),**

did knowingly use and carry at least one firearm, to wit: a CZ scorpion, model EVO 3 SI, rifle, serial number 8883800, during and in relation to, and did possess said firearm in furtherance of, a drug trafficking crime that may be prosecuted in a court of the United States, that is Possession with Intent to Distribute 5 grams or more of methamphetamine, in violation of 21 United States Code §§841(a)(1)/(b)(1)(B), as further described in Count Six, in violation of Title 18, United States Code, Section 924(c).

**COUNT NINE**  
**[18 U.S.C. §§1956(a)(1)(B)(i) & (h)]**

From on or about September 2015 and continuing through and including the date of this indictment, in the Western District of Texas, the Southern District of Texas, and the Central District of California, Defendant,

**ALAA MOHAMMED ALLAWI (1),**

did knowingly combine, conspire, confederate, and agree with others known and unknown to the Grand Jury, to knowingly conduct and attempt to conduct financial transactions affecting interstate commerce, knowing that the property involved in such financial transactions represented the proceeds of some form of unlawful activity, such property being, in fact, the proceeds of a specified unlawful activity, to wit: conspiracy to distribute a controlled substance in violation of 21 U.S.C. §846, knowing that the transaction is designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of said specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i), all in violation of Title 18, United States Code, Section 1956(h).

**COUNT TEN**  
**[18 U.S.C. §§1956(h) & 1957]**

From on or about September 2015 and continuing through and including the date of this indictment, in the Western District of Texas, the Southern District of Texas, and the Central District of California, Defendant,

**ALAA MOHAMMED ALLAWI (1),**

did knowingly combine, conspire, confederate, and agree with others known and unknown to the Grand Jury, to knowingly engage and attempt to engage, in monetary transactions by, through, or to a financial institution, affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, such property having been derived from specified unlawful activity, to wit: conspiracy to distribute a controlled substance in violation of 21 U.S.C. §846, all in violation of Title 18, United States Code, Sections 1956(h) & 1957.

**NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE**  
**[See Fed.R.Crim.P. 32.2]**

**I.**

**Drug Violations and Forfeiture Statutes**  
**[Title 21 USC §§ 846, 841(a)(1), (b)(1)(A), (b)(1)(B), and (b)(1)(C),  
subject to forfeiture pursuant to Title 21 USC § 853(a)(1) and (2)]**

As a result of the foregoing criminal violations set forth in Counts One, Three, Four and Six, the United States of America gives notice to Defendants of its intent to seek the forfeiture of the properties described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 21 U.S.C. §§ 853(a)(1) and (2), which states:

**Title 21 U.S.C. § 853. Criminal forfeitures**

**(a) Property subject to criminal forfeitures.**

Any person convicted of a violation of this subchapter or subchapter II of this chapter punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law.--

- (1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation; . . .

**II.**

**Firearms Violations and Forfeiture Statutes**  
**[Title 18 USC § 924(c), subject to forfeiture pursuant to Title 18 USC § 924(d)(1),  
made applicable to criminal forfeiture by Title 28 USC § 2461]**

As a result of the foregoing criminal violations set forth in Counts Two, Five, and Seven, the United States of America gives notice to the Defendants of its intent to seek the forfeiture of the below described properties upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461, which states:

**Title 18 USC § 924. Penalties**

**(d)(1)** Any firearm or ammunition involved in or used in any knowing violation of . . . section 924 . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter . . . .

**III.**

**Money Laundering Violations and Forfeiture Statutes**  
**[Title 18 U.S.C. §§ 1956(h) and 1957 subject to forfeiture**  
**pursuant to Title 18 U.S.C. § 982(a)(1)]**

As a result of the foregoing criminal violations set forth in Counts Eight and Nine, the United States of America gives notice to Defendants of its intent to seek the forfeiture of the property described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 982(a)(1), which states:

**Title 18 U.S.C. § 982. Criminal forfeiture**

**(a)(1)** The court, in imposing sentence on a person convicted of an offense in violation of section 1956, 1957. . . of this title, shall order that the person forfeit to the United States any property, real or personal, involved in such offense, or any property traceable to such property.

This Notice of Demand for Forfeiture includes, but is not limited to the following properties described in Paragraphs IV-XI.

**IV.**

**Real Property**

Real Property located and situated at **13126 Regency Bend, San Antonio, Bexar County, Texas**, with all buildings, appurtenances, and improvements thereon and any and all surface and sub-surface rights, title, and interests, if any, and being more fully described as follows:

LOT 25, BLOCK 3, NEW CITY BLOCK 18922, REGENCY MEADOW SUBDIVISION, UNIT 2, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 9529, PAGES 225-226, DEAD AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

**V.**

**Firearms**

1. Ruger, model LCR, .38 caliber revolver, serial number 541-78935, seized from Alaa Mohammed Allawi (1);
2. Sig Sauer, model P229, .40 caliber pistol, serial number AM19675, seized from Alaa



- Mohammed Allawi (1);
3. Glock, model 27, .40 caliber pistol, serial number FXX968, seized from Alaa Mohammed Allawi (1);
  4. New Frontier Armory, model LW-15, .223 caliber rifle, serial number NLV58177, seized from Alaa Mohammed Allawi (1);
  5. Walther, model PK380, .380 caliber pistol, serial number WB011386, seized from Jason Ray Saucedo (8);
  6. Ruger, model P91DC, .40 caliber pistol, serial number 340-01808, seized from Jason Ray Saucedo, seized from Jason Ray Saucedo (8);
  7. H and R, model 1871, 12 gauge shotgun, serial number NZ726974, seized from Jason Ray Saucedo (8);
  8. Walther, model P22, .22 caliber pistol, serial number WA047419, seized from Jason Ray Saucedo (8);
  9. Smith and Wesson, model SD40VE, .40 caliber pistol, serial number HEC9255, seized from Jason Ray Saucedo (8);
  10. Homemade Model: unknown, .223 Caliber, serial number unknown, seized from Mohamed Al Salihi (6);
  11. Colt Model: 1911A1, .45 Caliber, serial number 1092803, seized from Alaa Mohammed Allawi (1);
  12. HK Model: P30L .40 Caliber, serial number 221-004613, seized from Eric Lamar Goss (3);
  13. Zastava-Arms Model: M70 7.62 MM Caliber, serial number ZAPAP003008, seized from Benjamin Ita Uno (2); and
  14. Any related ammunition and firearm accessories.

**VI.**  
**Currency**

1. Poloniex Virtual Currency Wallet belonging to Alaa Mohammed Allawi (1) containing \$8,300.00, More or Less, in Virtual Currency;
2. \$2,225.00, More or Less, in U.S. Currency seized from Mohamed M Al Salihi (6);
3. \$28,483.00, More or Less, in U.S. Currency seized from Alaa Mohammed Allawi (1); and
4. \$11,180.00, More or Less, in U.S. Currency seized from Jason Ray Saucedo (8).

**VII.**  
**Vehicles**

1. 2013 Maserati Gran Turismo Coupe, Vin# ZAM45VLA6D0070964, seized from Alaa Mohammed Allawi (1);
2. 2007 BMW Z4 Series Roadster, Vin# 4USBU53577LX02546, seized from Alaa Mohammed Allawi (1);

3. 2014 Land Rover Range Rover Sport, Vin# SALWR2WF3EA392764, seized from Alaa Mohammed Allawi (1); and
4. 2013 Jeep Grand Cherokee SUV, Vin# 1C4RJFBT6DC501865, seized from Alaa Mohammed Allawi (1).

**VIII.**

**Personal Properties**

1. Assorted men's jewelry seized from Alaa Mohammed Allawi (1); and
2. Assorted men's jewelry seized from Eric Lamar Gross (3).

**IX.**

**Franchise Contract Agreement**

Any and all rights and interest in Franchise Agreements dated February 13, 2017 held by and between Franchisor DRNK coffee + tea Franchising LLC and Franchisee Alaa Mohammed Allawi as described in Franchise Agreements numbered QD 0023 and QD 0024.

**X.**

**Money Judgment**

**Money Judgment:** A sum of money equal to **Fourteen Million Three Hundred Twenty-Three Thousand Ninety-Two Dollars (\$14,323,092.00)** which represents the value of any proceeds obtained directly or indirectly and any facilitating property used or intended to be used in, and any property involved in, the above Counts, for which Defendant Alaa Mohammed Allawi (1) is liable.

**XI.**

**Substitute Assets**

If any of the property described above as being subject to forfeiture for the violations set forth above, as a result of any act or omission of Defendant Alaa Mohammed Allawi (1):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

- e. has been commingled with other property which cannot be divided without difficulty;

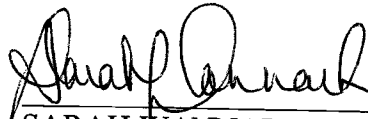
it is the intent of the United States of America to seek forfeiture of any other property, up to the value of said money judgment, as substitute assets pursuant to Title 21 U.S.C § 853(p) and Fed. R. Crim. P. 32.2(e)(1).

A TRUE BILL

  
FOREPERSON OF THE GRAND JURY

RICHARD L. DURBIN, JR.  
UNITED STATES ATTORNEY

BY:



SARAH WANNARKA  
Assistant United States Attorney