

FEB 04 2019

5:00pm

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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA,  
Plaintiff,

v

YONY ONTIVEROS-TORRES (001), ✓

RUBEN JIMENEZ ESPERICUETA  
(002),

JOSE JAIME GARCIA LOPEZ (003),

Defendants

Case No **CR2019-105030-001DT** ✓  
**CR2019-105030-002DT**  
**CR2019-105030-003DT**

84 SGJ 138

INDICTMENT

CHARGING VIOLATIONS OF

**COUNT 1: CONSPIRACY**, a Class 2  
Felony, in violation of A R S § 13-1003  
(Defendants 001, 002 & 003)

**COUNT 2: ILLEGALLY CONDUCTING  
AN ENTERPRISE**, a Class 3 Felony, in  
violation of A R S § 13-2312(B)  
(Defendants 001, 002 & 003)

**COUNT 3: TRANSPORTATION OF A  
DANGEROUS DRUG  
(METHAMPHETAMINE) FOR SALE**, a  
Class 2 Felony, in violation of A R S § 13-  
3407(A)(7)  
(Defendants 001, 002 & 003)

**COUNT 4: TRANSPORTATION OF MARIJUANA FOR SALE IN AN AMOUNT OVER THE STATUTORY THRESHOLD**, a Class 2 Felony, in violation of A R S § 13-3405 (A)(4)  
*(Defendants 001, 002 & 003)*

**COUNTS 5 & 6: THEFT OF A MEANS OF TRANSPORTATION**, a Class 3 Felony, in violation of A R S § 13-1814(A)(5)  
*(Defendants 001 002 & 003)*

The Arizona State Grand Jury accuses **YONY ONTIVEROS-TORRES, RUBEN JIMENEZ ESPERICUETA** and **JOSE JAIME GARCIA LOPEZ**, charging on this 4<sup>th</sup> day of February 2019 that in or from Maricopa County, Arizona

**COUNT 1**

**CONSPIRACY**

On or about January 30, 2019, **YONY ONTIVEROS-TORRES, RUBEN JIMENEZ ESPERICUETA** and **JOSE JAIME GARCIA LOPEZ**, defendants herein, with the intent to promote or aid the commission of an offense, did agree with one or more persons, both known and unknown to the State, that at least one of them or another person would engage in conduct constituting the offenses, in particular

- 1) **TRANSPORTATION OF A DANGEROUS DRUG (METHAMPHETAMINE) FOR SALE**, in violation of A R S § 13-3407, and
- 2) **TRANSPORTATION OF MARIJUANA FOR SALE IN AN AMOUNT OVER THE STATUTORY THRESHOLD**, in violation of A R S § 13-3405

In furtherance of this conspiracy and to effect the foregoing objects thereof, these defendants and their co-conspirators did commit numerous overt acts, including but not limited to the overt acts described in Counts 3 and 4 of this Indictment (which are incorporated herein by reference as if set forth in full), in violation of A R S §§ 13-1003, 13-3405, 13-3407, 13-701, 13-702 and 13-801

**COUNT 2**

**ILLEGALLY CONDUCTING AN ENTERPRISE**

A On or about January 30, 2019, **YONY ONTIVEROS-TORRES, RUBEN JIMENEZ ESPERICUETA** and **JOSE JAIME GARCIA LOPEZ**, defendants herein, employed by or associated with an enterprise, did knowingly conduct such enterprise's affairs through racketeering or did knowingly participate directly or indirectly in the conduct of the enterprise which they knew was being conducted through racketeering

B The enterprise was a group of persons associated in fact, including but not limited to **YONY ONTIVEROS-TORRES, RUBEN JIMENEZ ESPERICUETA** and **JOSE JAIME GARCIA LOPEZ**

C The racketeering included

1) **TRANSPORTATION OF A DANGEROUS DRUG**

**(METHAMPHETAMINE) FOR SALE**, in violation of A R S § 13-3407,  
and

2) **TRANSPORTATION OF MARIJUANA FOR SALE IN AN AMOUNT**

**OVER THE STATUTORY THRESHOLD**, in violation of A R S § 13-3405.

The racketeering included but was not limited to, the acts of racketeering described in Counts 3 and 4 of this Indictment (which are incorporated herein by reference as if set forth in full), in violation of A R S §§ 13-2312(B), 13-2301, 13-3405, 13-3407, 13-701, 13-702, 13-801 and 13-811

**COUNT 3**

**TRANSPORTATION OF A DANGEROUS DRUG**

**(METHAMPHETAMINE) FOR SALE**

On or about January 30, 2019, **YONY ONTIVEROS-TORRES, RUBEN JIMENEZ ESPERICUETA** and **JOSE JAIME GARCIA LOPEZ** knowingly transported a dangerous

drug for sale, namely Methamphetamine, in violation of A R S §§ 13-3407 (A)(7), 13-3401, 13-3401 (36), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702 and 13-801

**COUNT 4**

**TRANSPORTATION OF MARIJUANA FOR SALE IN AN AMOUNT OVER THE  
STATUTORY THRESHOLD**

On or about January 30, 2019, YONY ONTIVEROS-TORRES, RUBEN JIMENEZ ESPERICUETA and JOSE JAIME GARCIA LOPEZ knowingly transported marijuana for sale, having a weight of more than two pounds, in violation of A R S §§ 13-3405 (A)(4), 13-3401, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702 and 13-801

**COUNT 5**

**THEFT OF MEANS OF TRANSPORTATION**

On or about January 30, 2019, YONY ONTIVEROS-TORRES, RUBEN JIMENEZ ESPERICUETA and JOSE JAIME GARCIA LOPEZ, without lawful authority, knowingly controlled GEICO INSURANCE COMPANY'S DODGE RAM TRUCK, a means of transportation, knowing or having reason to know that the property was stolen, in violation of A R S §§ 13-1801, 13-1814(A)(5), 28-3304, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801

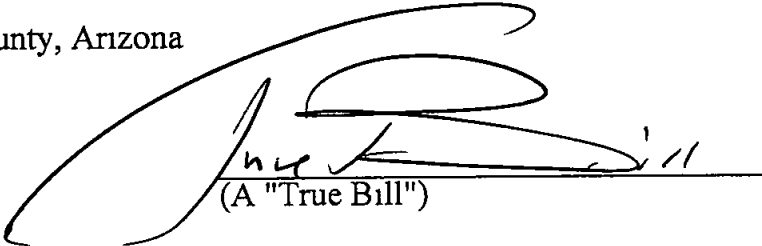
**COUNT 6**

**THEFT OF MEANS OF TRANSPORTATION**

On or about January 30, 2019, YONY ONTIVEROS-TORRES, RUBEN JIMENEZ ESPERICUETA and JOSE JAIME GARCIA LOPEZ, without lawful authority, knowingly

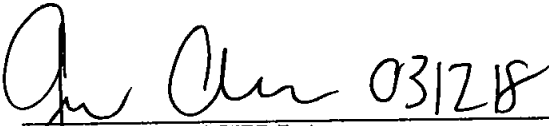
controlled RICHARD ARINO'S CHEVROLET TRUCK, a means of transportation, knowing or having reason to know that the property was stolen, in violation of A R S §§ 13-1801, 13-1814(A)(5), 28-3304, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801

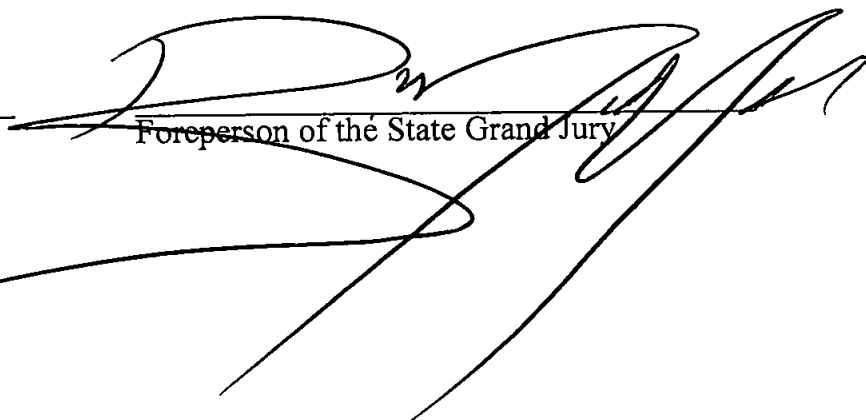
Pursuant to A R S § 21-425, the State Grand Jurors find that the offenses described above were committed in Maricopa County, Arizona

  
(A "True Bill")

MARK BRNOVICH  
ATTORNEY GENERAL  
STATE OF ARIZONA

Dated 7/4/19

  
GINA CUCUZELLA  
Assistant Attorney General  
#7639309

  
Foreperson of the State Grand Jury