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FILED

OCT 20 2011

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY 
DEPUTY CLERK

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

10
11 UNITED STATES OF AMERICA,)
12 Plaintiff,)
13 v.)
14 BRYAN R. SCHWEDER,)
BRIAN JUSTIN PICKARD,)
15 JUAN MADRIGAL OLIVERA,)
aka Juan Olivera Madrigal,)
16 MANUEL MADRIGAL OLIVERA,)
aka Manuel Olivera)
17 Madrigal,)
FRED W. HOLMES, III,)
18 EFREN A. RODRIGUEZ,)
RAFAEL MOJICA-REYES,)
19 PAUL BRUCE ROCKWELL,)
HOMERO LOPEZ-BARRON,)
20 VICTORINO BETANCOURT-MERAZ,)
OSEAS CARDENAS-TOLENTINO,)
21 FERNANDO REYES-MOJICA,)
JUAN CISNEROS-VARGAS,)
22 LEONARDO TAPIA,)
FILIBERTO ESPINOZA-TAPIA,)
23 aka Filiberto)
Espinoza-Tapia, and)
24 OSIEL VALENCIA-ALVAREZ,)
25 Defendants.)
26)
27)
28)

CASE NO. 2:11-cr-0449 KJM
VIOLATION: 21 U.S.C. §§ 846,
841(a)(1) - Conspiracy to
Manufacture at Least 1,000
Marijuana Plants; 21 U.S.C.
§ 853(a) - Criminal Forfeiture

I N D I C T M E N T

COUNT ONE: [21 U.S.C. §§ 846 and 841(a)(1) - Conspiracy to
Manufacture at Least 1,000 Marijuana Plants]

The Grand Jury charges: T H A T

BRYAN R. SCHWEDER,
BRIAN JUSTIN PICKARD,
JUAN MADRIGAL OLIVERA, aka Juan Olivera Madrigal,
MANUEL MADRIGAL OLIVERA, aka Manuel Olivera Madrigal,
FRED W. HOLMES, III,
EFREN A. RODRIGUEZ,
PAUL BRUCE ROCKWELL,
RAFAEL MOJICA-REYES,
HOMERO LOPEZ-BARRON,
VICTORINO BETANCOURT-MERAZ,
OSEAS CARDENAS-TOLENTINO,
FERNANDO REYES-MOJICA,
JUAN CISNEROS-VARGAS,
LEONARDO TAPIA,
FILIBERTO ESPINOZA-TAPIA, aka Filiberto Espenoza-Tapia, and
OSIEL VALENCIA-ALVAREZ,

defendants herein, beginning at a time unknown to the Grand Jury,
but not later than in or about February 2008, and continuing up
to and including on or about October 4, 2011, in the Counties of
Trinity and Tehama, State and Eastern District of California, and
elsewhere, did knowingly and intentionally conspire with each
other and other persons unknown to the Grand Jury to manufacture
at least 1,000 marijuana plants, a Schedule I Controlled
Substance, in violation of Title 21, United States Code, Sections
846 and 841(a)(1).

FORFEITURE ALLEGATION: [21 U.S.C. § 853(a) - Criminal
Forfeiture]

1. Upon conviction of Count One of this Indictment,
defendants BRYAN R. SCHWEDER, BRIAN JUSTIN PICKARD, JUAN MADRIGAL
OLIVERA, aka Juan Olivera Madrigal, MANUEL MADRIGAL OLIVERA, aka

1 Manuel Olivera Madrigal, FRED W. HOLMES, III, EFREN A. RODRIGUEZ,
2 PAUL BRUCE ROCKWELL, RAFAEL MOJICA-REYES, HOMERO LOPEZ-BARRON,
3 VICTORINO BETANCOURT-MERAZ, OSEAS CARDENAS-TOLENTINO, FERNANDO
4 REYES-MOJICA, JUAN CISNEROS-VARGAS, LEONARDO TAPIA, FILIBERTO
5 ESPINOZA-TAPIA, aka Filiberto Espenoza-Tapia, and OSIEL
6 VALENCIA-ALVAREZ shall forfeit to the United States pursuant to
7 21 U.S.C. § 853(a), any property constituting or derived from
8 proceeds obtained, directly or indirectly, as a result of the -
9 said violations and any property used, or intended to be used, in
10 any manner or part, to commit, or to facilitate the commission of
11 the said violations, including but not limited to the following:

- 12 a. Real property located at 420 Highway 3 (also known as
13 State Route 3), Hayfork, California, APN's: 015-270-03-
00 and 015-270-04-00;
- 14 b. Vacant land located at 620 Dirt Road, Hayfork,
15 California, APN: 014-440-40-00;
- 16 c. Vacant land located at 620 Dirt Road, Hayfork,
17 California, APN: 014-440-41-00;
- 18 d. A 2002 Chevrolet Silverado 1500 Truck, License Number
19 6Z96575, VIN: 2GCEC19V121405731;
- 20 e. A Colt, Model 1911, .45 caliber semi-automatic pistol,
21 serial number 2807837;
- 22 f. A Glock, Model 19, 9 millimeter semi-automatic pistol,
23 serial number PPW858;
- 24 g. A Taurus, .38 Special caliber revolver, serial number
25 CP48469;
- 26 h. A Smith and Wesson, Model 469, 9 millimeter
27 semi-automatic pistol, serial number A856886;
- 28 i. A C.N. Romarm S.A. rifle, Model AK-47, 7.62 x 39
millimeter semi-automatic rifle, serial number
1973EU3879;
- j. An Uzi, Model B, 9 millimeter semi-automatic firearm,
serial number SA71197;

- 1 k. A Rossi, .44 Magnum caliber lever action rifle, serial
2 number SM064584;
- 3 l. A JP Sauer rifle, serial number 29291, with no other
4 legible markings;
- 5 m. A Mossburg, Model 500A, 12-gauge shotgun, serial number
6 T183783; and
- 7 n. All ammunition for the aforementioned firearms.

8 2. If any property subject to forfeiture, as a result of
9 the offense alleged in Count One of this Indictment:


- 10 (1) cannot be located upon the exercise of due diligence;
- 11 (2) has been transferred or sold to, or deposited with, a
12 third party;
- 13 (3) has been placed beyond the jurisdiction of the court;
- 14 (4) has been substantially diminished in value; or
- 15 (5) has been commingled with other property which cannot be
16 divided without difficulty;

17 it is the intent of the United States, pursuant to 21 U.S.C.
18 § 853(p), to seek forfeiture of any other property of said
19 defendants up to the value of the property subject to forfeiture.

20
21
22 A TRUE BILL.

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

24 _____
25 FOREPERSON

26 
27 BENJAMIN B. WAGNER
28 United States Attorney

UNITED STATES DISTRICT COURT

*Eastern District of California
Criminal Division*

THE UNITED STATES OF AMERICA

vs.

**BRYAN R. SCHWEDER,
BRIAN JUSTIN PICKARD,
JUAN MADRIGAL OLIVERA, aka Juan Olivera Madrigal,
MANUEL MADRIGAL OLIVERA, aka Manuel Olivera Madrigal,
FRED W. HOLMES, III,
EFREN A. RODRIGUEZ,
RAFAEL MOJICA-REYES,
PAUL BRUCE ROCKWELL,
HOMERO LOPEZ-BARRON,
VICTORINO BETANCOURT-MERAZ,
OSEAS CARDENAS-TOLENTINO,
FERNANDO REYES-MOJICA,
JUAN CISNEROS-VARGAS,
LEONARDO TAPIA,
FILIBERTO ESPINOZA-TAPIA, aka Filiberto Espenoza-Tapia, and
OSIEL VALENCIA-ALVAREZ,**

INDICTMENT

**VIOLATION(S): 21 U.S.C. §§ 846, 841(a)(1) - Conspiracy to
Manufacture at Least 1,000 Marijuana Plants; 21 U.S.C.
§ 853(a) - Criminal Forfeiture**

A true bill,

/s/

Foreman.

Filed in open court this 20 day

of October, A.D. 20 11

Clerk.

Bail, \$ 4 Rockwell → **NO BAIL WARRANT**

As Pickard, Tapia → **NO PROCESS NECESSARY**

all other → **NO PROCESS NECESSARY**

PENALTY SLIP

Defendants:

BRYAN R. SCHWEDER,
BRIAN JUSTIN PICKARD,
JUAN MADRIGAL OLIVERA, aka Juan Olivera Madrigal,
MANUEL MADRIGAL OLIVERA, aka Manuel Olivera Madrigal,
FRED W. HOLMES, III,
EFREN A. RODRIGUEZ,
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VICTORINO BETANCOURT-MERAZ,
OSEAS CARDENAS-TOLENTINO,
FERNANDO REYES-MOJICA,
JUAN CISNEROS-VARGAS,
LEONARDO TAPIA,
FILIBERTO ESPINOZA-TAPIA, aka Filiberto Espenoza-Tapia, and
OSIEL VALENCIA-ALVAREZ

Count 1:

Violation: 21 U.S.C. §§ 846 and 841(a)(1) - Conspiracy to Manufacture at Least
1,000 Marijuana Plants
Penalties: Not less than 10 Years to Life imprisonment,
Not more than \$10,000,000 Fine, or both
At least 5 years Term of Supervised Release

Forfeiture Allegation

Violation: 21 U.S.C. § 853 (a)-Criminal Forfeiture
Penalties: As indicated in the Indictment

Special Assessment: There is a mandatory \$100 special assessment on each count