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0514618014

EB:JHK  
F.#2005V00279

Doc#: 0514618014  
Eugene "Gene" Moore Fee: \$54.50  
Cook County Recorder of Deeds  
Date: 05/26/2005 02:12 PM Pg: 1 of 16

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA

NOTICE OF PENDENCY

Plaintiff,

Civil Action No.  
CV-05-2267

- against -

(Wexler, J.)  
(Wall, M.J.)

REAL PROPERTY AND PREMISES  
LOCATED AT 21715 MAIN STREET  
MATTESON, ILLINOIS, AND ALL  
PROCEEDS TRACEABLE THERETO,

Defendant

- - - - - x

NOTICE IS HEREBY GIVEN that a civil forfeiture action has been commenced in the United States District Court for the Eastern District of New York and that Court has entered a Verified Complaint In Rem, a copy of which is annexed hereto, which seeks the forfeiture to the United States of the real property and premises located at **21715 Main Street, Matteson, Illinois** which premises are, upon information and belief, owned by Chicago Title Land Trust Company, Trust number 1111718, more particularly described in the deed, recorded in the records of the Clerk of Cook County, Illinois, and which premises are

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commonly known as **21715 Main Street, Matteson, Illinois**, with a legal description of:

See Attached

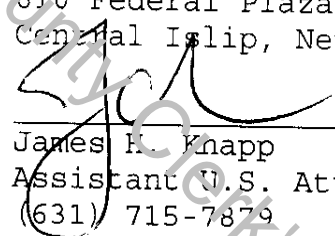
**To The Clerk of the County of Cook, State of Illinois:**

Please index this notice of pendency against the respective record owner(s) of the above-described real property and premises located **21715 Main Street, Matteson, Illinois** and against the respective parcel(s) on the map of the County and/or Town hereinabove designated.

Dated: Central Islip, New York  
May 24, 2005

ROSLYNN R. MAUSKOPF  
United States Attorney  
Eastern District of New York  
510 Federal Plaza, 5<sup>th</sup> Floor  
Central Islip, New York 11722

By:

  
James H. Knapp  
Assistant U.S. Attorney  
(631) 715-7879

Property of Cook County Clerk's Office

FROM : JODOM &amp; LIGA

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FAX NO. :

Apr. 23 2003 05:50PM P2

nigllrfax

2/4/2005 0:23 PAGE 3/3 nigllrfax

**ALTA Commitment  
Schedule C**

File No.: 411672

**Legal Description:**

## Parcel 1:

Lot 4 (except the North 16 feet thereof conveyed to the Village of Matteson by document number 7902146 recorded April 27, 1923) and Lots 5, 6 and the vacated alley lying West and adjoining said Lots and Lots 17, 18 and 19, all in Block 2 in Wheeler's Addition to the Village of Matteson in Section 26, Township 35 North, Range 13, East of the Third Principal Meridian.

Also that part of Lots 20, 21 and 22 in Block 2 in Wheeler's Addition to the Village of Matteson, which lies East of a line drawn parallel to and 68 feet Easterly from the Easterly line of the 200 feet Right of Way of the Illinois Central Railroad Company, bounded and described as follows:

Beginning at the Southwest corner of said Lot 20, said corner being 68 feet Easterly from the Easterly Right of Way line of Illinois Central Railroad Company, measured perpendicular thereto; thence Northerly and parallel to said Easterly Right of Way line 161.1 feet to a point in the North line of said Lot 22; thence East along said North line of Lot 22, 68.8 feet to the Northeast corner of said Lot 22; then South along the East line of said Lots 20, 21 and 22, 150 feet to the Southeast corner of said Lot 20; thence West along the South line of said Lot 20, 131.5 feet to the Southwest corner of said Lot 20 or point of beginning, all in Cook County, Illinois.

## Parcel 2:

A tract of land in the West 1/2 of the Northeast 1/4 of Section 26, Township 35 North, Range 13, East of the Third Principal Meridian, being a part of "Out Lot" of Wheeler's Addition to Village of Matteson, described as follows:

Beginning at a point on the East line of said "Out Lot", at a distance of 411.76 feet North of the Southeast corner of said "Out Lot", thence West 559.9 feet to a point in the East line of Oak Street, said point being 411.1 feet North of the Southeast corner of said "Out Lot", thence North along the East line of Oak Street, a distance of 208.23 feet, North 22 degrees, 19 minutes East along the East line of Oak Street, a distance of 953.2 feet to a point on the East line of Oak Street, a distance of 953.2 feet to a point on the East line of said "Out Lot", thence South along the East line of said "Out Lot", a distance of 231.15 feet to the point of beginning, in Cook County, Illinois.

**This conveyance is subject to:** Easement in favor of the Illinois Central Railroad per document #17955485; rights of the public and the State of Illinois in and to that part of the land, if any, taken and used for road purposes; rights of way for drainage tiles, ditches, feeders and laterals; building lines, easements, party walls, covenants and restrictions, if any, appearing in the public records, right, title and interest of the bankruptcy trustee in and to any and all personal property located on the land in connection with case #02 B 34557, USBC, NDIL and 2002 general real estate taxes.

EXHIBIT

P A 2

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EB:JHK  
F.#2005V00279

(JK-5517)

RECEIVED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

★ MAY 10 2005 ★

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UNITED STATES OF AMERICA,  
  
Plaintiff,

VERIFIED LONG ISLAND OFFICE  
COMPLAINT IN REM

- against -

Civil Action No.  
CV-05

REAL PROPERTY AND PREMISES  
LOCATED AT 21715 MAIN STREET,  
MATTESON, ILLINOIS, AND ALL  
PROCEEDS TRACEABLE THERETO,

WEXLER, J.

Defendant.

WALL, M.J.

----- X

Plaintiff UNITED STATES OF AMERICA, by its attorney  
ROSLYNN R. MAUSKOPF, United States Attorney for the Eastern  
District of New York, James H. Knapp, Assistant United States  
Attorney, of counsel, alleges upon information and belief as  
follows :

PRELIMINARY STATEMENT

1. Plaintiff United States of America (the "United States") brings this in rem civil forfeiture action to enforce the provisions of 21 U.S.C. § 881, and 18 U.S.C. §§ 981, 985, in order to condemn and forfeit to the exclusive use and benefit of the United States real property as detailed below.

2. The Defendant in rem, 21715 Main Street, Matteson, Illinois, is subject to forfeiture to the United States insofar as it was purchased with the laundered proceeds of narcotics

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transactions.

## JURISDICTION

3. This Court has jurisdiction over this in rem civil forfeiture action pursuant to 28 U.S.C. §§ 1345, 1355.

## STATUTORY BACKGROUND

4. Pursuant to 21 U.S.C. § 881(a)(6), "[a]ll moneys . . . or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance . . . in violation of [the Controlled Substances Act], all proceeds traceable to such an exchange . . ." shall be subject to forfeiture to the United States.

5. Pursuant to 18 U.S.C. § 981(a)(1)(A), "[a]ny property, real or personal, involved in a transaction or attempted transaction in violation of section 1956, 1957 . . . of [Title 18], or any property traceable to such property" is subject to forfeiture to the United States.

6. Pursuant to 18 U.S.C. § 981(a)(1)(C), "[a]ny property, real or personal, which constitutes or is derived from proceeds traceable to a violation of . . . [Title 18] or any offense constituting a 'specified unlawful activity' (as defined in 18 U.S.C. § 1956(c)(7) of [Title 18]), to wit, 21 U.S.C. §§ 841 et seq., or a conspiracy to commit such offense" are subject to forfeiture to the United States.

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## THE DEFENDANT IN REM

7. Upon information and belief, all right, title, and interest in the Defendant in rem, located at 21715 Main Street, Matteson, Illinois (the "Defendant"), is in the name of the Chicago Title Land Trust Company, under a trust agreement dated March 3, 2003, known as trust number 1111718.

## FACTUAL BACKGROUND

8. From in or about the spring of 2003 to the spring of 2004, law enforcement officers conducted an investigation into the narcotics trafficking activities of an organization of Colombian and Mexican individuals who were transporting significant quantities of cocaine within the Eastern District of New York, under the direction of a known narcotics trafficker named Gerald Torres.

9. Law enforcement investigation revealed that, among other places, the members of the organization stored and counted narcotics proceeds at a stash house located at 7A Morningside Drive, Westbury, New York (the "7A Morningside Drive premises").

10. Two confidential sources (CS1 and CS2), who have provided accurate information in the past concerning the activities of the organization, contacted law enforcement officers on April 2, 2003, and advised that they had been contacted by Gina LNU, a member of the organization.

11. Gina LNU requested that CS1 and CS2 respond to the 7A

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Morningside Drive premises to receive an undetermined amount of United States currency.

12. The currency was to be the first installment towards an aggregate amount of three hundred fifty thousand dollars (\$350,000.00), that CS1 and CS2 were instructed to convert from currency to a check for use toward the purchase of the Defendant.

## The April 2, 2003 Currency Pick Up

13. On April 2, 2003, at approximately 7:00 p.m., CS1 and CS2 advised law enforcement officers that they were responding to the 7A Morningside Drive premises as requested by Gina LNU.

14. At approximately 7:15 p.m., law enforcement officers observed CS1 and CS2 exiting the 7A Morningside Drive premises.

15. CS1 and CS2 then proceeded to a predetermined location where they delivered to law enforcement officers a tan colored plastic bag with a red star imprinted with the name Macy's inside the star.

16. The tan colored plastic bag contained a white colored plastic bag, in which an undetermined amount of United States currency was located.

17. The currency was separated into four (4) bundles, each bound by a rubber band, in a manner consistent with the packaging of narcotics proceeds.

18. CS1 and CS2 reported to law enforcement officers that Gina LNU had given them the bag of currency in the presence of

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Gerald Torres ("Torres").

19. Torres identified an individual named Robert Blix as the payee on the checks that CS1 and CS2 were to procure from the currency received from Gina LNU.

20. Torres requested that CS1 and CS2 attend a real estate closing in Chicago, Illinois, scheduled on April 6, 2003, as his representative.

## The April 4, 2003 U.S. Currency Pick Up

21. On April 3, 2003, at approximately 9:00 a.m., CS1 and CS2 advised law enforcement officers that Gina LNU had requested them to return to the 7A Morningside Drive premises to retrieve additional currency.

22. At approximately 12:30 a.m. on April 4, 2003, CS1 and CS2 advised law enforcement officers that they were present at the 7A Morningside Drive premises, but had been told by Gina LNU to await her arrival.

23. At approximately 3:45 a.m., law enforcement officers observed CS1 and CS2 departing the 7A Morningside Drive premises.

24. CS1 and CS2 then proceeded to a predetermined location where they delivered a blue plastic bag containing a black plastic bag to law enforcement officers.

25. The black plastic bag contained an undetermined amount of United States currency, in ten (10) bundles bound by a rubber band, in a manner consistent with the packaging of narcotics



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proceeds.

26. CS1 and CS2 were present while Gina LNU spoke on a cellular telephone advising the caller that she had to be careful.

27. Upon disconnecting the call, Gina LNU advised CS1 and CS2 that the caller was Gerald Torres, who was driving back to the 7A Morningside Drive premises from Chicago.

## The April 5, 2003 U.S. Currency Pick Up

28. On April 5, 2003, at approximately 5:00 p.m., CS1 and CS2 advised law enforcement officers that Gina LNU had telephoned them and requested that they return to the 7A Morningside Drive premises to retrieve an additional quantity of United States currency.

29. Upon their arrival at the 7A Morningside Drive premises, CS1 and CS2 observed Gerald Torres, Gina LNU, Norma Arce and an unknown Dominican male.

30. Torres stated that his father and Gina LNU's father were traveling together in Mexico and wanted to begin shipping cocaine through McAllen, Texas and El Paso, Texas, thus eliminating a middle man in Chicago and increasing the organizations narcotics profits.

31. Gina LNU handed CS1 a white plastic bag containing an unknown amount of United States currency, which CS1 and CS2 were directed to add to the prior installments of currency delivered

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on April 2, 2003 and April 4, 2003.

32. Gina LNU advised CS1 and CS2 that the real estate closing in Chicago, Illinois had been changed to April 11, 2003.

33. Gina LNU further advised CS1 and CS2 that the balance of the \$350,000.00 in United States currency to be converted by CS1 and CS2 into a check would be forthcoming by April 8, 2003.

34. CS1 and CS2 then proceeded to a predetermined location where they delivered a white plastic bag containing an undetermined amount of United States currency to law enforcement officers.

## The April 9, 2003 U.S. Currency Pick Up

35. On April 9, 2003, CS1 and CS2 advised law enforcement officers that Gina LNU had telephoned them and requested that they return to the 7A Morningside Drive premises to retrieve an additional quantity of United States currency.

36. At approximately 10:30 p.m. on April 9, 2003, Gina LNU admitted CS1 and CS2 to the 7A Morningside Drive premises.

37. Gina LNU then provided CS1 and CS2 a black plastic bag and a pink Victoria's Secret bag, containing an unknown amount of United States currency.

38. Gina LNU advised CS1 and CS2 that additional United States currency was still being counted and that the balance of the \$350,000.00 in United States currency to be converted into a check by CS1 and CS2 should be ready for pickup on April 10,

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2003, at approximately 1:00 p.m.

39. At or about 11:00 p.m. on April 9, 2003, CS1 and CS2 met with law enforcement officers at a predetermined location and delivered both the black plastic bag and pink Victoria's Secret bag, containing an unknown amount of United States currency.

## The April 12, 2003 U.S. Currency Pick Up

40. On April 12, 2003, at a approximately 2:00 a.m., CS1 and CS2 telephoned law enforcement officers and advised that they had received an unknown quantity of United States currency from Gina LNU at the 7A Morningside Drive premises.

41. Gina LNU advised CS1 and CS2 to add the currency to amounts previously delivered that was to be converted to a check for the purchase of the Defendant.

42. At approximately 2:30 a.m., law enforcement officers convened with CS1 and CS2 at a predetermined location.

43. CS1 and CS2 delivered a black plastic bag containing an undetermined amount of United States currency.

## The April 16, 2003 U.S. Currency Pick Up

44. On April 16, 2003, CS1 and CS2 advised law enforcement officers that Gina LNU had telephoned them and directed that they respond to the 7A Morningside Drive premises and pick up an additional amount of United States currency.

45. At approximately 8:00 p.m., CS1 and CS2 responded to the 7A Morningside Drive premises.

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46. Gina LNU admitted CS1 and CS2 to the 7A Morningside Drive premises and gave them two (2) plastic bags containing an unknown amount of United States currency.

47. CS1 and CS2 then proceeded to a predetermined location where they delivered the plastic bag containing an undetermined amount of United States currency to law enforcement officers.

## The Real Estate Closing in Illinois

48. On April 18, 2003, law enforcement officers conducted surveillance on the American Title Company located at 2235 Enterprise Drive, Westchester, Illinois.

49. At approximately 1:50 p.m., law enforcement officers observed a vehicle driven by an unknown male, later identified as Arnulfo Martinez ("Martinez"), enter the premises of the American Title Company.

50. CS-1 was a passenger in the vehicle driven by Martinez.

51. Law enforcement officers observed Martinez and CS-1 enter the American Title Company.

52. At approximately 2:40 p.m., Martinez and CS-1 exited the American Title Company.

53. CS-1 subsequently advised law enforcement officers that he attended the real estate closing with Martinez, who represented Gerald Torres.

54. During the real estate closing CS-1 delivered an official check to a representative of the First American Title

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Company in the amount of \$329,722.00, bearing serial number 083354550, drawn from the Signature Bank, 565 Fifth Avenue, New York, New York.

55. At the conclusion of the real estate closing, all right, title, and interest in the Defendant was conveyed to the Chicago Title Land Trust Company, under a trust agreement dated March 3, 2003, known as trust number 1111718.

## FIRST CLAIM FOR RELIEF

56. Plaintiff repeats the allegations of paragraphs 1 through 55 as if fully set forth herein.

57. The Defendant is real property that is proceeds traceable to moneys furnished by a person in exchange for a controlled substance in violation of 21 U.S.C. § 881(a)(6).

58. As a result of the foregoing, the Defendant is liable to condemnation and forfeiture to the United States of America, in accordance with the provisions of 21 U.S.C. § 881 and 18 U.S.C. § 985.

## SECOND CLAIM FOR RELIEF

59. Plaintiff repeats the allegations of paragraphs 1 through 55 as if fully set forth herein.

60. The Defendant was involved in a transaction or attempted transaction in violation of 18 U.S.C. §§ 1956 and 1957, or a conspiracy to commit such violation, or is property traceable to such property.

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61. As a result of the foregoing, the Defendant is liable to condemnation and forfeiture to the United States for its use, in accordance with 18 U.S.C. §§ 981(a)(1)(A) and 985.

## THIRD CLAIM FOR RELIEF

62. Plaintiff repeats the allegations of paragraphs 1 through 55 as if fully set forth herein.

63. The Defendant is real property which was derived from proceeds traceable to a violation or of any offense constituting specified unlawful activity as defined in 18 U.S.C. § 1956(c)(7), to wit, 21 U.S.C. §§ 841 et seq., or a conspiracy to commit such offense.

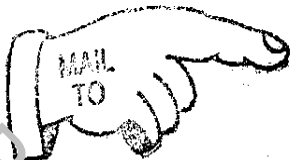
64. As a result of the foregoing, the Defendant is liable to condemnation and forfeiture to the United States for its use, in accordance with 18 U.S.C. §§ 981(a)(1)(C) and 985.

WHEREFORE, the United States requests that a warrant of this Court be issued for the arrest of the Defendant; that due notice of these proceedings are given to all interested persons; that the Defendant be forfeited and condemned to use of the United States of America; that the United States be awarded its

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costs and disbursements in this action and for such other and further relief as this Court deems just and proper.

Dated: Central Islip, New York  
May 10, 2005



ROSLYNN R. MAUSKOPF  
United States Attorney  
Eastern District of New York  
610 Federal Plaza, 5<sup>th</sup> Floor  
Central Islip, New York 11722

By: \_\_\_\_\_

JAMES H. KNAPP (JK-5517)  
Assistant U.S. Attorney  
(631) 715-7879

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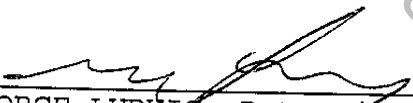
## V E R I F I C A T I O N

I, George Ludwig, declare that I am a Detective with the Nassau County Police Department, assigned to the Drug Enforcement Administration's Long Island Task Force, and as such have knowledge of the facts underlying the above-entitled action; that I have read the foregoing and know the contents thereof, and that the same is true of my own knowledge, except as to those matters herein stated to be alleged on information and belief, and as to those matters I believe them to be true.

That the source of my information and the grounds of my belief are the investigation of this matter, information supplied to me by other law enforcement agents and the official records and files of the United States.

I declare under penalty of perjury that the foregoing is true, to the best of my knowledge, information and belief.

Dated: Central Islip, New York  
May 10, 2005

  
\_\_\_\_\_  
GEORGE LUDWIG, Detective  
Nassau County Police Department  
Drug Enforcement Administration