



1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF CALIFORNIA

3  
4 UNITED STATES OF AMERICA,  
5 Plaintiff,

6 vs.

7  
8 RAMON FABELA (1),  
9 JESUS ERNESTO RODRIGUEZ (2)

10 Defendants.

Case No.

19MJ0107

COMPLAINT FOR VIOLATION OF:

Title 21 U.S.C. § 841(a)(1) and Title 18  
U.S.C. §2 (Possession With Intent To  
Controlled Substances)

11 The undersigned complainant being duly sworn states:

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13 COUNT ONE

14 On or about January 9, 2019, within the Southern District of California,  
15 defendants Ramon Fabela and Jesus Ernesto Rodriguez did knowingly and  
16 intentionally possess with intent to distribute approximately 400 grams and  
17 more of fentanyl, to wit: approximately 12,000 pills containing a mixture and  
18 substance containing a detectable amount of fentanyl, a Schedule II  
19 Controlled Substance, in violation of Title 21, United States Code, Sections  
20 841(a)(1) and Title 18, United States Code, Section 2.

21 COUNT TWO

22 On or about January 9, 2019, within the Southern District of California,  
23 defendants Ramon Fabela and Jesus Ernesto Rodriguez did knowingly and  
24 intentionally possess with intent to distribute approximately one kilogram of  
25 cocaine, a Schedule II Controlled Substance, in violation of Title 21, United  
26 States Code, Sections 841(a)(1) and Title 18, United States Code, Section 2.  
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**COUNT THREE**

On or about January 9, 2019, within the Southern District of California, defendants Ramon Fabela and Jesus Ernesto Rodriguez did knowingly and intentionally possess with intent to distribute approximately one kilogram of heroin, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and Title 18, United States Code, Section 2.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
\_\_\_\_\_  
ZACHARY B. SHARP  
DEA TASK FORCE OFFICER

Sworn to before me and subscribed in my presence, this 10<sup>th</sup> day of January 2019.

  
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HONORABLE MICHAEL S. BERG  
UNITED STATES MAGISTRATE JUDGE

### Statement of Facts

On January 9, 2019, at about 5:37 p.m., defendants Jesus Rodriguez (hereinafter "Rodriguez") and Ramon Fabela (hereinafter "Fabela") were contacted during a traffic stop. Rodriguez, the driver of 2006 Ford F150 bearing California license plate, appeared extremely nervous. Both said that they were each on federal probation. Rodriguez said he was on federal probation for alien smuggling and Fabela said that he was on federal probation for assault. These statements are not accurate because both are on federal supervised release for drug trafficking convictions. Rodriguez consented to a search of his vehicle. In the backseat was a white box addressed to Alaska. Inside the box were two shirts and 12 bundles that were wrapped in black electrical tape and vacuum sealed with coffee grounds. This type of packaging is typical of narcotics packaging. There was approximately one kilogram of cocaine, one kilogram of heroin, and 3.4 pounds (approximately 12,000 counterfeit oxycodone pills containing fentanyl). The drugs were field tested for cocaine, heroin and fentanyl.

In post-Miranda statements, Rodriguez admitted to knowing the narcotics were in the vehicle. Rodriguez said rent was about to be due so he crossed the border earlier in the day in an attempt to make some money by mailing the narcotics for Fabela. Rodriguez said he met Fabela earlier at the Walmart where they purchased a food saver and latex gloves. They went to the Motel 6 in San Ysidro and prepared the narcotics in the food saver bags with coffee grounds.

Agents located a parking pass and hotel key for the Motel 6 that was in Fabela's property. The license plate written on the pass was the same as Rodriguez' vehicle. Fabela consented to the search of the room where agents found food saver, rubber gloves, and packaging material consistent with what the agents seized. There was also coffee grinds, which was also found in the box during the traffic stop with the drugs.

Agents also found a Walmart receipt for the purchase of the food saver, rubber gloves, and other items in Fabela's personal property. Based on the Walmart footage secured by the agents, Fabela is purchasing the items listed on the Walmart receipt.

While in a holding cell, agents overheard Fabela direct Rodriguez to take the blame and that everything should go smoothly, unless the agents get the footage from the motel.