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FEB 18 2020
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SOUTHERN DISTRICT OF CALIFORNIA
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3/11/20

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LORENZO ANTHONY GARCIA,

Defendant

Case No.: 20MJ86547

COMPLAINT FOR VIOLATION OF

Title 21, U.S.C., Secs. 841(a)(1) &
841(b)(1)(C) – Distribution of Fentanyl
Resulting in Death (Felony)

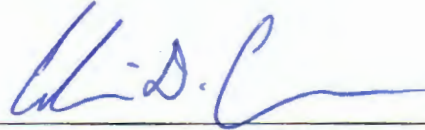
[FILED UNDER SEAL]

The undersigned complainant duly sworn states:

COUNT 1

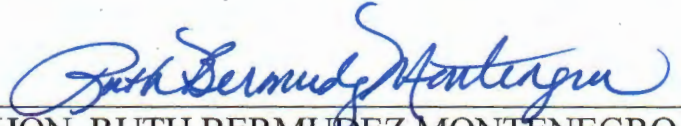
On or about October 6, 2019, within the Southern District of California, defendant LORENZO ANTHONY GARCIA, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (commonly known as fentanyl), a Schedule II Controlled Substance, which resulted in the death of another person, to wit, J.M.G.M.; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

1 The complainant states that this complaint is based on the attached Statement of
2 Facts incorporated herein by reference.

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4 

5 Collin Crouse, Special Agent
6 Drug Enforcement Administration

7 SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 18TH
8 DAY OF FEBRUARY 2020.

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10 

11 HON. RUTH BERMUDEZ MONTENEGRO
12 U.S. MAGISTRATE JUDGE
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1 UNITED STATES OF AMERICA

v.

2 Lorenzo Anthony GARCIA

3
4 **STATEMENT OF FACTS**

5 I, Special Agent Collin Crouse, of the Drug Enforcement Administration (DEA),
6 declare under penalty of perjury that the following is true and correct to the best of my
7 knowledge and belief. This Statement of Facts is based on my personal knowledge of the
8 investigation along with reports, documents, and other information furnished to me by
9 other DEA agents and other members of law enforcement.

10 Each morning, J.M.G.M.'s grandfather entered his grandson's room at the
11 grandfather's home and woke him for school. The morning of October 8, 2019 - two days
12 before J.M.G.M.'s 16th birthday - was no different. J.M.G.M.'s grandfather went to
13 J.M.G.M.'s room at approximately 7:05-7:10 a.m. to wake him. J.M.G.M., however, did
14 not respond. Because this was not normal behavior, at approximately 7:20 a.m., J.M.G.M.'s
15 grandfather entered J.M.G.M.'s room and observed that J.M.G.M. was cold to the touch
16 and was not moving. J.M.G.M.'s grandfather suspected that J.M.G.M. was deceased.
17 J.M.G.M.'s grandfather, aided by another family member, turned J.M.G.M. over (from his
18 stomach to his back), noticed blood near his face, and observed that he was not responsive.
19 Medical assistance was called.

20 El Centro Fire Department responded to the residence and found a nonresponsive
21 juvenile who had obvious signs of lividity and rigor mortis. They pronounced J.M.G.M.
22 deceased at 7:40 a.m.

23 At approximately 7:48 a.m., the El Centro Police Department (ECPD) responded to
24 the residence in El Centro. J.M.G.M. was located in the bed lying flat on his back. His
25 head was in a northern position and his feet in a southern direction. ECPD noted that he
26 had signs of lividity on his upper torso as if he had previously been lying face down. Just
27 east of his head was a blood saturated blanket molded into the bed as if created by
28

1 J.M.G.M.'s head and face. Based on my knowledge, training and experience, I know that
2 the presence of such blood is not uncommon in an overdose scenario.

3 South of J.M.G.M.'s bed, along the south wall, was a dresser drawer with a TV
4 sitting on top. Near the TV was a five dollar bill rolled into the shape of a makeshift straw;
5 the straw was adjacent to a black Visa card, black knife and a line of a white powdery
6 substance. Near these articles was a clear plastic bag containing additional white powder.
7 From this evidence, ECPD believed that this was likely an overdose situation.

8 Subsequently, the powder present in J.M.G.M.'s residence was laboratory tested and
9 tested positive for fentanyl. Based on information described below and the fact that the
10 chemist, who examined the powder present in J.M.G.M.'s room that tested positive for
11 fentanyl, noticed a bluish tint in the powder, agents believe that J.M.G.M. crushed several
12 counterfeit M30 fentanyl pills ("blues") laced with fentanyl that he acquired from GARCIA
13 and ingested the resulting powder shortly before he died.

14 The toxicology report showed that, in J.M.G.M.'s blood at the time of his death,
15 J.M.G.M.'s fentanyl level was 4.3 ng/mL and his level of norfentanyl (the major metabolite
16 of fentanyl) was 2.2 ng/mL. The only other drug identified in his blood was acetaminophen
17 (an analgesic drug commonly used to treat headaches and often used as an alternative to
18 aspirin) which was measured at less than 0.5 mg/L. Based on the toxicology report and
19 other information, the Coroner has concluded that the cause of J.M.G.M.'s death was
20 fentanyl ingestion.

21 Subsequent to the suspected overdose death of J.M.G.M., agents of the Drug
22 Enforcement Administration's (DEA) Imperial County District Office (ICDO), in
23 conjunction with the El Centro Police Department, opened an investigation targeting the
24 supply chain which led to the distribution of the then suspected fentanyl to J.M.G.M.
25 Through the investigation, agents have identified Lorenzo Anthony GARCIA (GARCIA)
26 as the source of the fatal dose of fentanyl supplied to J.M.G.M.

27 On October 28, 2019, A.H. explained to agents that, on Sunday, October 6, 2019,
28 J.M.G.M. called A.H. via Facebook Messenger and asked if A.H. could provide him with

1 pills. In turn, A.H. reached out to GARCIA to see if GARCIA had any pills that GARCIA
2 could provide to J.M.G.M. GARCIA subsequently provided a photo to A.H. of four round
3 pills contained within a small clear plastic baggie. GARCIA stated that he could sell the
4 four pills to J.M.G.M. for \$20. A.H. contacted J.M.G.M. and informed him that GARCIA
5 would meet him near J.M.G.M.'s residence to sell him the pills and that GARCIA would
6 be wearing shorts and had tattoos on his arm. Later, on October 6th, GARCIA confirmed
7 to A.H. that the pills were sold to J.M.G.M. by GARCIA. At the time of the sale, GARCIA
8 was aware that J.M.G.M. was a juvenile high school student.

9 Investigation has shown that A.H. communicated with GARCIA and J.M.G.M. by
10 text message and via Facebook Messenger. A.H. had known GARCIA for approximately
11 a year. Based on the investigation, GARCIA is believed to be a member of the West Side
12 Centro gang.

13 On December 12, 2019, A.H. advised agents that R.M. was his best friend and that
14 they both knew GARCIA. A.H. said that he had seen the counterfeit blue M30 pills that
15 were sold to J.M.G.M. though he did not touch them or provide them, himself, to J.M.G.M.
16 Rather, A.H. put J.M.G.M. in touch with GARCIA because A.H. knew that GARCIA could
17 get the counterfeit blue M30 pills for him. A.H. sent a video from his phone, via Facebook,
18 to J.M.G.M. of a small plastic bag filled with four blue M30 pills and white suspected
19 Xanax bars. The following screenshot depicts those pills:



26 A.H. explained that he was with GARCIA at GARCIA's residence when GARCIA told
27 A.H. to take a video of the bag of pills and send it to J.M.G.M. A.H. said he only saw the
28 pills when he took the video and sent it to J.M.G.M. A.H. confirmed that these were the
same pills that GARCIA sold to J.M.G.M.

1 A.H. explained that he was at a party with R.M. in Holtville, California when
2 GARCIA delivered the four pills to J.M.G.M. at his residence. A.H. was video chatting
3 with J.M.G.M. and helping to guide him while J.M.G.M. waited for GARCIA to show up
4 with the pills. They continued the chat until GARCIA arrived. Agents have located
5 communications between GARCIA and A.H. and communications from J.M.G.M. to A.H.
6 that confirm that GARCIA delivered the pills to J.M.G.M.'s residence on October 6, 2019
7 and that A.H. served as a middle-man for the deal.

8 In particular, A.H. sent GARCIA screenshots of conversations he was having
9 contemporaneously with J.M.G.M. that show that A.H. was the middle-man in the
10 transaction. On October 6, 2019, at approximately 5:00 p.m., A.H., using Facebook
11 Messenger, reached out to GARCIA to set up the deal. At the same time, A.H. was in
12 contact with J.M.G.M. to facilitate the exchange.

13 In the September-November 2019 time frame, before and after J.M.G.M.'s death,
14 GARCIA's Facebook account evidences his narcotics dealing including, in particular, his
15 selling of fentanyl. For example, on October 2, 2019, GARCIA messaged an individual
16 that, "I got white g. trynna get rid of it." Based on my knowledge, training and experience
17 and the context of GARCIA's messages, his references to "white" are to
18 methamphetamine. Shortly thereafter, GARCIA messaged the same individual, "M30s
19 too." Based on my training, experience and knowledge of this investigation, I know that
20 the reference to "M30s" is a reference to counterfeit oxycodone pills or "blues"; those pills
21 are typically laced with fentanyl. On September 12, 2019, a narcotics customer messaged
22 GARCIA and asked, "Can you bring a dime of "white". Similarly, on September 14, 2019,
23 the same individual messaged GARCIA saying, "I wanted to see if yu can sell me 5".
24 GARCIA replied, "5 worth of white or [...]" The customer responded, "Yeah" and "[c]an
25 you bring it if yu close by".

26 Beginning on, or about, September 12, 2019, GARCIA had a series of conversations
27 with "R.M." during which GARCIA asked for R.M.'s assistance selling Xanax and a gram
28 of "white." On September 12th, GARCIA told R.M., "I need you to do some. runs for. me."

1 R.M. replied, "I got u." On September 13, 2019, R.M. told GARCIA, "I sold the 4 xans
2 [Xanax] u gave me." Later that day, R.M. messaged GARCIA that, "I'll hit you up after
3 school."

4 On October 2, 2019, GARCIA messaged one of his customers asking, "Aye you
5 need M30s." On October 11th, after J.M.G.M.'s death, the customer replied, "Are there still
6 any M30s?" GARCIA replied, "I had some ima get more." GARCIA also indicated he
7 would sell these for "8 each." On October 11th, the same customer asked, "Are they the
8 ones with fentanyl[?]" GARCIA replied, "Light blue ones." Subsequently, on that day,
9 the customer told GARCIA that, "I am going to want 5 or 6." Then, GARCIA did not
10 respond. After several more messages indicating she wanted pills, including an October
11 12th message, that female customer wrote to GARCIA, "I want to buy 3 M30s." GARCIA
12 then asked, "[w]hat is your snap[?]" At that time, GARCIA ceased responding to her
13 messages over Facebook. Their dialogue continued over Snapchat. GARCIA agreed to
14 sell her the pills telling her that, "It's gonna be 30 for 4." She replied, "ok."

15 In addition to Facebook, among other photos on GARCIA's phone was one of a pile
16 of blue pills that further evidences his dealing of the M30s and that he had a ready supply.
17 That photo is depicted below:



23 On December 6, 2019, GARCIA was taken into state custody on an active state arrest
24 warrant. On that day, at approximately 1:55 p.m., Agents read GARCIA his *Miranda* rights
25 in English and he indicated that he understood his rights both verbally and in writing and
26 was willing to provide a voluntary statement. GARCIA said he was a member of the West
27 Side Centro gang until he turned 19 years old. GARCIA provided verbal and written
28 consent to search his cell phone. GARCIA claimed that a large knife he was carrying in a

1 concealed manner at the time of his arrest was for his job as a field worker to cut down
2 crops. GARCIA claimed he found bagged methamphetamine discovered on his person
3 upon arrest on the ground during the walk from his house to the intersection at which he
4 was arrested, but admitted that marijuana, found on his person, belonged to him. GARCIA
5 said he stayed in the living room area and slept on the couch at his mother's residence.

6 GARCIA initially claimed that he was not a drug user and denied that he had ever
7 sold any drugs. GARCIA specifically denied selling M30 pills but said he knew someone
8 in Mexicali that had giant bags full of them. GARCIA said that he knew how dangerous
9 the blue M30 pills were because of the fentanyl present in them so he stayed away from
10 them. GARCIA claimed he knew about fentanyl from the movies and then admitted he
11 had previously tried a half of a blue M30 fentanyl pill about a year earlier and that it had
12 almost killed him.

13 When shown the picture of J.M.G.M., Garcia admitted that he knew him through his
14 friend R.M. GARCIA said R.M. was close with J.M.G.M. and A.H. GARCIA identified a
15 photo of A.H. GARCIA then denied ever selling M30 or Xanax pills to R.M. or anyone
16 else. Agents then confronted GARCIA with Facebook conversations between GARCIA
17 and R.M. that showed them discussing M30 and Xanax pills, conversations about
18 restocking pills, conversations about R.M. selling to his friends and those in school and a
19 conversation regarding a friend that had died. That conversation took place one day after
20 J.M.G.M.'s death. GARCIA then acknowledged that these conversations were real. He
21 admitted he sold pills to R.M. for R.M. to sell to his friends in high school. GARCIA said
22 that he provided R.M. pills at least 10-12 times in quantities of approximately 10 pills at a
23 time. GARCIA said that A.H. asked R.M. to get M30 pills from GARCIA. GARCIA said
24 that he provided the blue M30 fentanyl pills to R.M. who, in turn, provided them to A.H.,
25 who then provided them to J.M.G.M. GARCIA claimed that he instructed R.M. and A.H.
26 to take only half or a quarter pill because he knew how powerful and dangerous fentanyl
27 was. GARCIA initially claimed he never met or was in contact with J.M.G.M.

1 After being confronted with the above-described communications, GARCIA
2 admitted that he provided the M30 pills to J.M.G.M. at the beginning of October. GARCIA
3 also explained that R.M. and A.H. blamed him for J.M.G.M.'s death.

4 Agents asked GARCIA about the Facebook conversation between GARCIA and
5 another individual that took place one day after J.M.G.M.'s death. That other person sent
6 a photo of J.M.G.M. saying, "It is him." GARCIA responded "Yah" followed by "Call
7 me." GARCIA claimed that he had that person call him because he was feeling guilty
8 about J.M.G.M.'s death and wanted to talk about it.

9 Throughout the interview, agents shared conversations between GARCIA and other
10 Facebook users in which GARCIA discussed selling different kinds of drugs as well as
11 pictures of the drugs. GARCIA confirmed that the conversations were accurate. The drugs
12 included cocaine, M30 pills, Xanax pills, crystal methamphetamine and marijuana. At
13 approximately 3:27 p.m., GARCIA's statement ended.

14 Based on an examinations of the relevant telephones in this case, the Facebook and
15 other communications reviewed, witness interviews, GARCIA's post-*Miranda* statement,
16 and other investigative efforts, no other suppliers of fentanyl to J.M.G.M. were identified
17 who may have provided fentanyl to J.M.G.M. in close temporal proximity to his death.
18 Based on the foregoing, GARCIA distributed the fatal dose of fentanyl to J.M.G.M.

First: Lorenzo Mid. Anthony Last: GARCIA - _____

Case No. _____

RAP SHEET SUMMARY CHART

Conviction Date	Conviction Court	Charge	Prison Term	Points
09-28-2018	CA/Imperial	Probation Violation		
07-31-2018	CA/Brawley	Violation of Crt Order		
		Domestic Violence		
		Probation Violation		
05-17-2018	CA/El Centro	Threaten Crime w/ Intent to Terorize		
01-19-2016	CA/El Centro	Carry Concealed Dagger		
10-07-2015	CA/El Centro	Vandalism		
			ON PAROLE/PROBATION	YES
			TOTAL POINTS	0
			CRIMINAL HISTORY CATEGORY	
			DEPORTATIONS	
			DATE OF MOST RECENT DEPORTATION	