

FILED
HARRISBURG, PA

NOV 04 2020

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA ^{PER}


DEPUTY CLERK

UNITED STATES OF AMERICA	:	Docket No: 1:20-cr-286
	:	
v.	:	
	:	
CHRISTOPHER TEXIDOR,	:	
a/k/a "Fats"	:	
WILLIAM KUDUK, JR.,	:	
a/k/a "Trill"	:	
JUSTIN LABOY	:	
a/k/a "Jay"	:	
JOSE LABOY, III,	:	
a/k/a "Luis" or "Zay"	:	
JONATHAN COBAUGH,	:	
JAMIE J. VALENZUELA	:	
Defendants.	:	

I N D I C T M E N T

THE GRAND JURY CHARGES:

Introduction

At times material and relevant to this Indictment:

1. Beginning from at least October 2018 until May 2020, a group of drug traffickers, referred to herein as the "Fastlane Group," smuggled thousands of pounds of marijuana into Harrisburg, Pennsylvania through the United States Mail Service. The Fastlane Group arranged hundreds of shipments over the course of their operations. Shipments included multiple pound quantities of

marijuana sent from Southern California to the Harrisburg area. Other shipments included bulk cash payments shipped through the mails to Southern California.

2. Members of the Fastlane Group operated their drug trafficking activities from numerous locations in the Harrisburg area, with a primary location being “Fastlane Auto Sales, LLC” located on 7841 Paxton Street in Harrisburg. At times relevant to this indictment, Christopher TEXIDOR a/k/a “Fats”, was a co-owner of Fastlane Auto Sales.

3. The marijuana shipments were received by and/or distribution was facilitated in the Harrisburg area by TEXIDOR, William KUDUK, a/k/a “Trill”, Justin LABOY, a/k/a “Jay”, Jose LABOY, III, a/k/a “Luis” or “Zay”, Jonathan COBAUGH, and others. Marijuana was shipped from Southern California to the Harrisburg area by Jamie VALENZUELA.

4. Co-conspirators, including but not limited to Jose LABOY, a/k/a “Jay”, utilized violence and threatened the use of violence to further the drug trafficking activities. This violence and threats of violence were made against those suspected of interfering with the

conspiracy's drug trafficking activities. Co-conspirators committed the following acts of violence against individuals suspected of interfering with their drug trafficking activities:

- In November 2019, co-conspirators invaded the Harrisburg home of person suspected of interfering with their drug trafficking activities;
- On or about December 16, 2019, co-conspirators used a firearm to shoot into an occupied home in Susquehanna Township; and
- On or about February 13, 2020, co-conspirators attempted to restrain and then robbed a victim of a motor vehicle in Highspire.

5. Participants in the smuggling activities tracked the shipments of drugs and the payments by concealing in the packages electronic devices that notified the smugglers of the GPS location of the packages. In addition, the tracking devices provided audio feeds to the users of the tracking devices. Tracking devices were also used to surveil individuals suspected of interfering with their drug trafficking activities.

Count 1
21 U.S.C. §846
Conspiracy to Distribute Controlled Substances

6. Beginning in or about October 2018 and continuing to in or about May 2020, in Dauphin County within the Middle District of Pennsylvania, in Orange County within the Central District of California, and elsewhere, the defendants,

CHRISTOPHER TEXIDOR, a/k/a “Fats”
WILLIAM KUDAK, JR., a/k/a “Trill”
JUSTIN LABOY, a/k/a “Jay”
JOSE LABOY, III, a/k/a “Luis” or “Zay”
JONATHAN COBAUGH,
JAMIE J. VALENZUELA,

knowingly and intentionally combined, conspired, confederated and agreed together and with each other, and with other persons known and unknown to the Grand Jury, to commit the following offense against the United States: to distribute and possess with the intent to distribute marijuana a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Quantity of Controlled Substances
Involved in the Conspiracy

7. The quantity of marijuana involved in the conspiracy that is attributable to each defendant as a result of his own conduct, and the

conduct of other co-conspirators reasonably foreseeable to him, is as follows:

- A. Christopher TEXIDOR: over 1,000 kilograms of marijuana.
- B. William KUDUK: over 1,000 kilograms of marijuana.
- C. Justin LABOY: over 1,000 kilograms of marijuana.
- D. Jamie VALENZUELA: over 1,000 kilograms of marijuana.

As a result of these drug amounts, the identified defendants are subject to increased punishments under Title 21, United States Code, Section 841(b)(1)(A)(vii).

8. Jose LABOY and Jonathan COBAUGH are responsible for over 100 kilograms of marijuana, and as a result, they are subject to increased punishments under Title 21, United States Code, Section 841(b)(1)(B)(vii).

Prior Conviction for Serious Drug Felony

9. Before William KUDUK committed the offense charged in this count, he had a final conviction for a serious drug felony, namely, a conviction under Title 35 of the Pennsylvania Consolidated Statutes, Section 780-113(a)(30), for which he served more than 12 months of imprisonment and for which his release from any term of imprisonment

was within 15 years of the commencement of the instant offense. As a result of that conviction, William KUDUK is subject to increased punishment under Title 21, United States Code, Section 841(b)(1)(A)(vii) and (b)(1)(B)(vii).

10. Before Jose LABOY committed the offense charged in this count, he had a final conviction for a serious drug felony, namely, a conviction under Title 35 of the Pennsylvania Consolidated Statutes, Section 780-113(a)(30), for which he served more than 12 months of imprisonment and for which his release from any term of imprisonment was within 15 years of the commencement of the instant offense. As a result of that conviction, Jose LABOY is subject to increased punishment under Title 21, United States Code, Section 841(b)(1)(A)(vii) and (b)(1)(B)(vii).

In violation of Title 21, United States Code, Section 846.

THE GRAND JURY FURTHER CHARGES:

Count 2
21 U.S.C. § 856(a)(1)
(Using or Maintaining a Drug Premises)

11. Paragraphs 1 through 5 are incorporated into this count as if fully alleged herein.

12. Between October 2018 and May 2020, within the Middle District of Pennsylvania, the defendant,

CHRISTOPHER TEXIDOR, a/k/a “Fats”

did unlawfully and knowingly use and maintain a place located at 7841 Paxton Street, Harrisburg, Pennsylvania for the purpose of distributing and manufacturing marijuana, a Schedule I controlled substance. In violation of Title 21, United States Code, Section 856(a)(1).

THE GRAND JURY FURTHER CHARGES:

Count 3

18 U.S.C. §§ 924(c) and 2

(Use of Firearm During and Relation to
a Drug Trafficking Crime)

13. Paragraphs 1 through 5 is incorporated by reference into this count as if fully alleged herein.

14. On or about the 15th day of December 2019, in Susquehanna Township within the Middle District of Pennsylvania, the defendant,

JUSTIN LABOY, a/k/a “Jay”

did knowingly brandish, discharge, carry and use a firearm, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, a violation of conspiracy to distribute a controlled substance in violation of Title 21, United States

Code, Section 846, as alleged in Count 1, and did aid and abet the same. In violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2 and *Pinkerton v. United States*, 328 U.S. 640, 647-48 (1946).

THE GRAND JURY FURTHER CHARGES:

Count 4
18 U.S.C. §§ 1952(a)(2), 2
(Travel Act)

15. Paragraphs 1 through 5 are incorporated by reference into this count as if fully alleged herein.

16. On or about October 2, 2019, to December 6, 2019, in the Middle District of Pennsylvania, and elsewhere, the defendant,

JUSTIN LABOY, a/k/a “Jay”

used a facility in interstate/foreign commerce, namely a Global Positioning System (GPS) tracking device, with the intent to commit a crime of violence to further an unlawful activity, that is, marijuana trafficking in violation of Title 35, Pennsylvania Consolidated Statutes, Section 780-113(a)(30), and thereafter committed and attempted to commit the crime of violence to further such unlawful activity, and aided and abetted the same. In violation of Title 18, United States Code, §§1952(a)(2) and 2.

THE GRAND JURY FURTHER CHARGES:

Count 5

21 U.S.C. § 841(a)

(Possession with Intent to Distribute a Controlled Substance)

17. Paragraphs 1 through 5 are incorporated by reference into this count as if fully alleged herein.

18. On or about the 12th day of May, 2020, in Harrisburg, within the Middle District of Pennsylvania, the defendant,

CHRISTOPHER TEXIDOR, a/k/a “Fats”

did knowingly and intentionally possess with intent to distribute marijuana, a Schedule I controlled substance, located at 7841 Paxton Street. In violation of Title 21, United States Code, Section 841(a)(1).

THE GRAND JURY FURTHER CHARGES:

Count 6

21 U.S.C. § 841(a)

(Possession with Intent to Distribute a Controlled Substance)

19. Paragraphs 1 through 5 are incorporated by reference into this count as if fully alleged herein.

20. On or about the 12th day of May 2020, in Harrisburg within the Middle District of Pennsylvania, the defendant,

JUSTIN LABOY, a/k/a “Jay”,

did knowingly and intentionally possess with intent to distribute marijuana, a Schedule I controlled substance, located on Sandra Avenue in Harrisburg. In violation of Title 21, United States Code, Section 841(a)(1).

THE GRAND JURY FURTHER CHARGES:

Count 7
18 U.S.C. §§ 922(g), 924(a)(2)
Prohibited Person in Possession of Ammunition

21. Paragraphs 1 through 5 are incorporated by reference into this count as if fully alleged herein.

22. On or about the 12th day of May 2020, in Harrisburg, within the Middle District of Pennsylvania, the defendant,

JUSTIN LABOY, a/k/a “Jay”,

knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year did knowingly possess ammunition, specifically 9mm R-P Luger ammunition, said ammunition having been shipped and transported in interstate commerce. In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

THE GRAND JURY FURTHER CHARGES:

Count 8

21 U.S.C. § 841(a)

(Possession with Intent to Distribute a Controlled Substance)

23. Paragraphs 1 through 5 are incorporated by reference into this count as if fully alleged herein.

24. On or about the 12th day of May 2020, in Harrisburg within the Middle District of Pennsylvania, the defendant,

CHRISTOPHER TEXIDOR, a/k/a “Fats”
JONATHAN COBAUGH

did knowingly and intentionally possess with intent to distribute marijuana, a Schedule I controlled substance, located on Hivner Road in Harrisburg. In violation of Title 21, United States Code, Section 841(a)(1).

THE GRAND JURY FURTHER CHARGES:

Count 9

18 U.S.C. § 924(c)

(Possession of Firearm in Furtherance of
a Drug Trafficking Crime)

25. Paragraphs 1 through 5 are incorporated by reference into this count as if fully alleged herein.

26. On or about the 12th day of May 2020, in Harrisburg within the Middle District of Pennsylvania, the defendant,

CHRISTOPHER TEXIDOR, a/k/a “Fats”

did knowingly possess firearms, specifically Smith & Wesson Model SD9VE 9mm firearm with serial number HFS7750 and a Smith & Wesson Model SW40VE .40 firearm with serial number PDJ6140 recovered from Hivner Road in Harrisburg, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a)(1), as alleged in Count 8. In violation of Title 18, United States Code, Section 924(c)(1)(A).

THE GRAND JURY FURTHER CHARGES:

Count 10

21 U.S.C. § 841(a)

(Possession with Intent to Distribute a Controlled Substance)

27. Paragraphs 1 through 5 are incorporated by reference into this count as if fully alleged herein.

28. On or about the 12th day of May 2020, in Hershey within the Middle District of Pennsylvania, the defendant,

JOSE LABOY, III, a/k/a “Luis” or “Zay”

did knowingly and intentionally possess with intent to distribute marijuana, a Schedule I controlled substance, recovered from East Areba Avenue. In violation of Title 21, United States Code, Section 841(a)(1).

THE GRAND JURY FURTHER CHARGES:

Count 11
18 U.S.C. § 924(c)
(Possession of Firearm in Furtherance of
a Drug Trafficking Crime)

29. Paragraphs 1 through 5 are incorporated by reference into this count as if fully alleged herein.

30. On or about the 12th day of May 2020, in Hershey within the Middle District of Pennsylvania, the defendant,

JOSE LABOY, III, a/k/a “Luis” or “Zay”

did knowingly possess a firearm, specifically a Smith & Wesson Model SD9VE 9mm firearm with serial number FYN8044 recovered from East Areba Avenue, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a)(1), as alleged in Count 10. In

violation of Title 18, United States Code, Section 924(c)(1)(A).

THE GRAND JURY FURTHER CHARGES:

COUNT 12
18 U.S.C. §§ 922(g), 924(a)(2)
Prohibited Person in Possession of a Firearm

31. Paragraphs 1 through 5 are incorporated by reference into this count as if fully alleged herein.

32. On or about the 12th day of May 2020, in Hershey, within the Middle District of Pennsylvania, the defendant,

JOSE LABOY, a/k/a Luis” and “Zay”,

knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year did knowingly possess a firearm, specifically a Smith & Wesson Model SD9VE 9mm firearm with serial number FYN8044 recovered from East Areba Avenue, said firearm having been shipped and transported in interstate commerce.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

FORFEITURE ALLEGATION

1. The allegations contained in Counts 1 through 12 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Sections 981(a)(1)(C) & 924(d), and Title 28, United States Code, Section 2461(c).

2. Pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Sections 981(a)(1)(C) & 924(d), and Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation of Title 21, United States Code, Sections 841, 846, and Title 18, United States Code, Sections 922(g), 924(c), or 1952(a)(2), the defendants shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses; any property, real or personal, which constitutes or is derived from proceeds traceable to the violation; and any firearm or ammunition involved in or used in the offense. The property to be forfeited includes, but is not limited to the following:

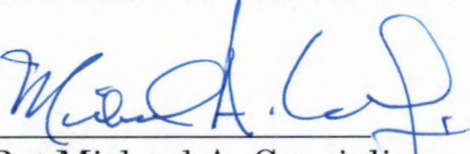
- a. \$5,000,000 in proceeds, derived by the defendants as a result of the offenses, which were subsequently dissipated
 - b. Smith & Wesson Model SD9VE 9mm firearm with serial number HFS7750,
 - c. Smith & Wesson Model SW40VE .40 firearm with serial number PDJ6140, and
 - d. Smith & Wesson Model SD9VE 9mm firearm with serial number FYN8044.
3. If any of the property described above, as a result of any act or omission of the defendants:
- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as

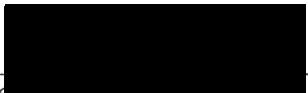
incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to 21 U.S.C. § 853, 18 U.S.C. §§ 924(d), 981(a)(1)(C),
and 28 U.S.C. 2461(c).

DAVID J. FREED
UNITED STATES ATTORNEY


By: Michael A. Consiglio
Assistant United States Attorney

A TRUE BILL:


Grand Jury Foreperson

11/4/2020
Date