

SUPERIOR COURT OF N.J.
FILED

NOV 09 2007

Andrew J. Kelly
Clerk

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ 550-07-1
Superior Court
Docket Number 07-11-00158-S

STATE OF NEW JERSEY)

 v.) INDICTMENT

RIGOBERTO LEYVA)

ARELIS LEYVA)

YOSVANI BROCHE)

 and)

ONEL MONTES-DEOCA)

The Grand Jurors of and for the State of New Jersey, upon
their oaths, present that:

COUNT ONE

(Conspiracy - Second Degree)

RIGOBERTO LEYVA

ARELIS LEYVA

YOSVANI BROCHE

and

ONEL MONTES-DEOCA

between on or about June 1, 2007, and on or about August 28,
2007, at the Township of Old Bridge, in the County of Middlesex,
elsewhere, and within the jurisdiction of the Court, with the
purpose of promoting or facilitating the commission of the crimes
of maintaining or operating a controlled dangerous substance

production facility, distribution of a controlled dangerous substance, possession with intent to distribute a controlled dangerous substance, and money laundering, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crimes, or

B. One or more of them knowingly would aid in the planning, solicitation or commission of said crimes, that is:

1. Knowingly to aid, promote, finance or otherwise participate in the maintenance or operation of a premises, place or facility used for manufacturing a controlled dangerous substance, that is, marijuana in an amount greater than five pounds or ten plants, contrary to the provisions of N.J.S.A. 2C:35-4.

2. Knowingly or purposely to distribute a controlled dangerous substance, that is, marijuana, in a quantity of twenty-five pounds or more including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(10) (a).

3. Knowingly or purposely to possess with intent to distribute a controlled dangerous substance, that is, marijuana, in an aggregate amount of twenty-five pounds or more including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(10) (a).

4. Knowingly to possess property known or which a reasonable person would believe to be derived from criminal

activity, that is, the manufacture or distribution of controlled dangerous substances, the aforesaid property being approximately \$204,999.00 in United States currency, contrary to the provisions of N.J.S.A. 2C:21-25.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Maintaining or Operating a Controlled Dangerous
Substance Production Facility - First Degree)

RIGOBERTO LEYVA

ARELIS LEYVA

YOSVANI BROCHE

and

ONEL MONTES-DEOCA

between on or about June 1, 2007, and on or about August 28,
2007, at the Township of Old Bridge, in the County of Middlesex,
elsewhere, and within the jurisdiction of the Court, knowingly
did maintain, operate, or participate in the maintenance or
operation of a premises, place or facility used for the
manufacture of marijuana, in an amount greater than five pounds
or ten plants, contrary to the provisions of N.J.S.A. 2C:35-4 and
N.J.S.A. 2C:2-6, and against the peace of this State, the
government and dignity of the same.

COUNT THREE

(Possession with Intent to Distribute a
Controlled Dangerous Substance - First Degree)

RIGOBERTO LEYVA

ARELIS LEYVA

YOSVANI BROCHE

and

ONEL MONTES-DEOCA

on or about August 28, 2007, at the Township of Old Bridge, in the County of Middlesex, elsewhere, and within the jurisdiction of the Court, knowingly or purposely did possess with intent to distribute a controlled dangerous substance, that is, marijuana, in a quantity of twenty-five pounds or more including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-5a(1), N.J.S.A. 2C:35-5b(10)(a), N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Money Laundering - Second Degree)

RIGOBERTO LEYVA

ARELIS LEYVA

YOSVANI BROCHE

and

ONEL MONTES-DEOCA

on or about August 28, 2007, at the Township of Old Bridge, in the County of Middlesex, elsewhere, and within the jurisdiction of the Court, did possess property known or which a reasonable person would believe to be derived from criminal activity, that is, the manufacture or distribution of controlled dangerous substances, the aforesaid property being approximately \$204,999.00 in United States currency, contrary to the provisions of N.J.S.A. 2C:21-25, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Endangering the Welfare of a Child - Second Degree)

RIGOBERTO LEYVA

and

ARELIS LEYVA

between on or about June 1, 2007, and on or about August 28, 2007, at the Township of Old Bridge, in the County of Middlesex, elsewhere, and within the jurisdiction of the Court, having a legal duty for the care of R.L., a male child born on August 21, 2000, knowingly did cause harm to R.L., making R.L. an abused or neglected child as defined in N.J.S.A. 9:6-1, N.J.S.A. 9:6-3, and N.J.S.A. 9:6-8.21, to wit, the said RIGOBERTO LEYVA and ARELIS LEYVA did operate a controlled dangerous substance manufacturing facility in the basement of 91 Birch Street, Old Bridge, New Jersey, the residence of the child, contrary to the provisions of N.J.S.A. 2C:24-4a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SIX

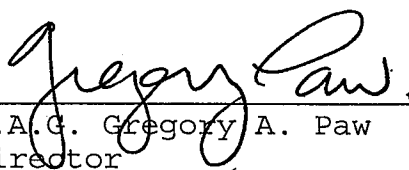
(Endangering the Welfare of a Child - Second Degree)

RIGOBERTO LEYVA

and

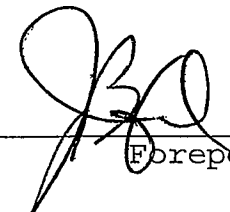
ARELIS LEYVA

between on or about June 1, 2007, and on or about August 28, 2007, at the Township of Old Bridge, in the County of Middlesex, elsewhere, and within the jurisdiction of the Court, having a legal duty for the care of R.L., a female child born on October 14, 2005, knowingly did cause harm to R.L., making R.L. an abused or neglected child as defined in N.J.S.A. 9:6-1, N.J.S.A. 9:6-3, and N.J.S.A. 9:6-8.21, to wit, the said RIGOBERTO LEYVA and ARELIS LEYVA did operate a controlled dangerous substance manufacturing facility in the basement of 91 Birch Street, Old Bridge, New Jersey, the residence of the child, contrary to the provisions of N.J.S.A. 2C:24-4a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



A.A.G. Gregory A. Paw
Director
Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: 11/9/07