

SUPERIOR COURT OF N.J.
FILED

MAY 12 2008

Christian P. Higgins
Acting Clerk

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ556-08-12
Superior Court
Docket Number 08-05-00084-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

JOEL G. JUAREZ)
also known as)
ENRIQUE H. PENNA)

DAMIAN C. GARCIA)
also known as)
DAMIAN CONSTANTINO)

BALTAZAR G. CONSTANTINO)

LUIS A. DEJESUS)

and)

LEONARDO R. DEJESUS)

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

COUNT ONE

(Conspiracy - Second Degree)

JOEL G. JUAREZ

DAMIAN C. GARCIA

BALTAZAR G. CONSTANTINO

LUIS A. DEJESUS

and

LEONARDO R. DEJESUS

between on or about June 20, 2007, and on or about July 13, 2007, at the Borough of Folsom and at the Town of Hammonton, both in the County of Atlantic, at the Township of Pilesgrove, in the County of Salem, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of distribution of a controlled dangerous substance, possession with intent to distribute a controlled dangerous substance, and money laundering, did agree together and with a person whose identity is known to the Grand Jurors, who at all times relevant to this indictment was an agent of the New Jersey State Police, 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 or purposely to distribute a controlled dangerous substance, that is, cocaine, in a quantity of five ounces 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(1).

2. Knowingly or purposely to possess with intent to distribute a controlled dangerous substance, that is, cocaine, in a quantity of five ounces 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(1).

3. 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).

4. Knowingly or purposely to 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) and N.J.S.A. 2C:35-5b(10) (a).

5. Knowingly to engage in a transaction involving property known to be derived from criminal activity or which a reasonable person would believe to be derived from criminal activity, including the unlawful possession, possession with intent to distribute, and distribution of controlled dangerous substances, the aforesaid property being approximately \$47,000 in U.S. currency, with the intent to facilitate or promote the criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25b.

The Grand Jurors aforesaid, upon their oaths, do further present that in furtherance of the said conspiracy, the following Overt Acts, among others were committed:

1. On or about July 13, 2007, at the Borough of Folsom, in the County of Atlantic, JOEL JUAREZ did rent a room at the Budget Motel, 37 East Blackhorse Pike, Folsom, New Jersey, to be utilized for a meeting place at which the distribution of controlled dangerous substances would take place.

2. On or about July 13, 2007, at the Borough of Folsom, in the County of Atlantic, JOEL JUAREZ, DAMIAN GARCIA, and BALTAZAR CONSTANTINO, did meet at the Budget Motel, 37 East Blackhorse Pike, Folsom, New Jersey, for the purpose of discussing and consummating the distribution of controlled dangerous substances.

3. On or about July 13, 2007, at the Borough of Folsom, in the County of Atlantic, JOEL JUAREZ and DAMIAN GARCIA did bring LUIS DEJESUS and LEONARDO DEJESUS to the Budget Motel, 37 East Blackhorse Pike, Folsom, New Jersey, in order to consummate the distribution of controlled dangerous substances.

4. On or about July 13, 2007, at the Borough of Folsom, in the County of Atlantic, LUIS DEJESUS and LEONARDO DEJESUS did possess \$47,000 in U.S. currency, which was to be utilized to consummate the distribution of controlled dangerous substances.

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

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

JOEL G. JUAREZ

on or about July 2, 2007, at the Town of Hammonton, in the County of Atlantic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess with intent to distribute a controlled dangerous substance, that is, marijuana, in a quantity of five pounds or more including any adulterants or dilutants, that is, approximately eleven pounds, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(10)(b), 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)

JOEL G. JUAREZ

DAMIAN C. GARCIA

and

BALTAZAR G. CONSTANTINO

on or about July 13, 2007, at the Borough of Folsom, and at the Town of Hammonton, both in the County of Atlantic, elsewhere, and within the jurisdiction of this 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, that is, approximately 59 pounds of marijuana, contrary to the provisions of N.J.S.A. 2C:35-5a(1), N.J.S.A. 2C:35-5b(10)(a), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

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

JOEL G. JUAREZ

DAMIAN C. GARCIA

and

BALTAZAR G. CONSTANTINO

on or about July 13, 2007, at the Town of Hammonton, in the County of Atlantic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess with intent to distribute a controlled dangerous substance, that is, marijuana, in a quantity of one ounce or more including any adulterants or dilutants, that is approximately three pounds, contrary to the provisions of N.J.S.A. 2C:35-5a(1), N.J.S.A. 2C:35-5b(11), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

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

JOEL G. JUAREZ

on or about July 13, 2007, at the Township of Pilesgrove, in the County of Salem, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess with intent to distribute a controlled dangerous substance, that is, marijuana, in a quantity of one ounce or more including any adulterants or dilutants, that is, approximately one-half pound of marijuana, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(11), and against the peace of this State, the government and dignity of the same.

COUNT SIX

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

JOEL JUAREZ

DAMIAN C. GARCIA

BALTAZAR CONSTANTINO

LUIS A. DEJESUS

and

LEONARDO R. DEJESUS

on or about July 13, 2007, at the Township of Folsom, in the County of Atlantic, elsewhere, and within the jurisdiction of this Court, purposely did attempt to possess with intent to distribute a controlled dangerous substance, that is, cocaine, in a quantity of five ounces 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(1), N.J.S.A. 2C:5-1, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

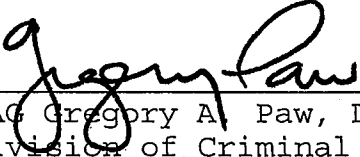
(Attempted Money Laundering - Third Degree)

LUIS A. DEJESUS

and

LEONARDO R. DEJESUS

on or about July 13, 2007, at the Township of Folsom, in the County of Atlantic, elsewhere, and within the jurisdiction of this Court, purposely did attempt to engage in a transaction involving property known to be derived from criminal activity or which a reasonable person would believe to be derived from criminal activity, including the unlawful possession, possession with intent to distribute, and distribution of controlled dangerous substances, the aforesaid property being approximately \$47,000 in U.S. currency, with the intent to facilitate or promote the criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25b, N.J.S.A. 2C:5-1, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



AAG Gregory A. Paw, Director
Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: 5/12/08

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LUIS A. DEJESUS)

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ORDER OF VENUE

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this *12th* day of *May*, 2008, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Atlantic be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Atlantic for filing.

[Signature]

Irina R. Feinberg, A.J.S.C.

Maria Marinari Sytek, J.S.C.