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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
October 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARWIN JEOVANY PALMA PASTRANA,
aka "Pasha," and
EDUAR ISRRAEL SAUCEDA NUNEZ,

Defendants.

2:24-CR-00528-MCS

I N D I C T M E N T

[18 U.S.C. § 1203(a): Conspiracy;
18 U.S.C. §§ 1201(a)(1), 2(a),
2(b): Kidnapping; 18 U.S.C.
§§ 875(a), 2(a), 2(b): Interstate
Communication Containing Demand or
Request for Ransom; 8 U.S.C.
§§ 1324(a)(1)(A)(ii),
(a)(1)(B)(i): Transportation of
Aliens Within the United States
for Private Financial Gain; 18
U.S.C. §§ 875(c), 2(a): Threat by
Interstate Communication; 18
U.S.C. § 981(a)(1)(C) and 28
U.S.C. § 2461(c): Criminal
Forfeiture]

The Grand Jury charges:

INTRODUCTORY ALLEGATION

1. At times relevant to this Indictment, Victim 1 was a national of Guatemala and was not a natural born or naturalized citizen of the United States.
2. This Introductory Allegation is incorporated into each Count of this Indictment.

COUNT ONE

[18 U.S.C. § 1203(a)]

[ALL DEFENDANTS]

A. OBJECT OF THE CONSPIRACY

Beginning on an unknown date, and continuing until on or about May 21, 2024, in Los Angeles County, within the Central District of California, in Bernalillo County, within the District of New Mexico, and elsewhere, defendants DARWIN JEOVANY PALMA PASTRANA, aka "Pasha," EDUAR ISRRAEL SAUCEDA NUNEZ, together with others known and unknown to the Grand Jury, conspired and agreed with each other to intentionally seize and detain a person, and to threaten to kill, injure, or continue to detain that person, all with the purpose and intention of compelling a third person to act, or refrain from acting, in some way, as an explicit or implicit condition for the release of the seized or detained person, in violation of Title 18, United States Code, Section 1203(a).

B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE ACCOMPLISHED

The object of the conspiracy was to be accomplished in substance as follows:

1. Co-conspirators would agree, for a set fee, to help undocumented migrants cross the Mexico-United States border.

2. Once the migrants were in the United States, co-conspirators would drive the migrants to various stash house locations, such as in El Paso, Texas, Phoenix, Arizona, and Albuquerque, New Mexico.

3. While at these locations, co-conspirators seized migrants' cell phones and did not return them. Co-conspirators also maintained

1 control over the stash houses, keeping numerous migrants in a single
2 residence at a time - including 57 individuals at a residence located
3 at 340 Utah Street NE in Albuquerque, New Mexico ("the Utah Street
4 Residence").

5 4. Defendant PALMA and his co-conspirators would reside near
6 the stash houses and would keep large sums of cash and firearms
7 available.

8 5. Defendant SAUCEDA and co-conspirators would drive migrants
9 to various locations, including Los Angeles, California, to reunite
10 with their friends and family.

11 6. Before agreeing to release the migrants, defendants PALMA
12 and SAUCEDA would demand an additional payment.

13 7. Defendant PALMA would place, or would cause the migrant
14 hostage to place, ransom demand calls to the migrants' family
15 members, requesting that they pay money in order for the migrant
16 hostage to be set free. During these calls, defendant PALMA would
17 threaten to report the migrant hostage to immigration authorities or
18 to the police, and would also suggest that the migrant hostage would
19 be taken to Mexico and killed there.

20 8. Defendant SAUCEDA would hold the migrant hostage against
21 his or her will while waiting for the ransom to be paid, including by
22 refusing to allow the migrant hostage to be released from the car.

23 9. Defendant SAUCEDA would collect the ransom payment from the
24 migrant hostage's family members in the United States.

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1 C. OVERT ACTS

2 On or about the following dates, in furtherance of the
3 conspiracy, and to accomplish its object, defendants PALMA and
4 SAUCEDA, and others known and unknown to the Grand Jury, committed
5 various overt acts within the Central District of California, in
6 Bernalillo County, within the District of New Mexico, and elsewhere,
7 including, but not limited to, the following:

8 Overt Act No. 1: On March 31, 2024, defendant SAUCEDA and his
9 co-conspirators instructed Victim 1 (who had traveled from Guatemala
10 to Mexico to El Paso, Texas, then Phoenix, Arizona, and then to
11 Albuquerque, New Mexico) and at least three other victims to get into
12 his car so they could be transported to Southern California to be
13 reunited with their families.

14 Overt Act No. 2: On April 1, 2024, defendant PALMA sent
15 defendant SAUCEDA a voice message via WhatsApp in which defendant
16 PALMA told defendant SAUCEDA that Victim 1 owed \$1,500.

17 Overt Act No. 3: On April 1, 2024, defendant SAUCEDA ordered
18 Victim 1 to contact his family member, Victim 2, to meet at a parking
19 lot near a Jack in the Box restaurant in Norwalk, California, and
20 Victim 1 complied.

21 Overt Act No. 4: On April 1, 2024, defendant SAUCEDA informed
22 Victim 1 that Victim 1 would not be allowed to be reunited with his
23 family until Victim 2 paid an additional \$1,500.

24 Overt Act No. 5: On April 1, 2024, defendant SAUCEDA drove
25 with Victim 1 to the Jack in the Box parking lot.

26 Overt Act No. 6: On April 1, 2024, at the Jack in the Box
27 parking lot, defendant SAUCEDA told Victim 1 and Victim 2 that they
28 owed \$1,500.

1 Overt Act No. 7: On April 1, 2024, at the Jack in the Box
2 parking lot, defendant SAUCEDA told Victim 1 he was not free to leave
3 and instructed him to put on his seatbelt and stay in the car.
4 Defendant SAUCEDA also held down the car's automatic lock button.

5 Overt Act No. 8: On April 1, 2024, defendant SAUCEDA drove
6 Victim 1 away from the Jack in the Box, preventing Victim 1 from
7 freely leaving and being reunited with his family member, Victim 2.

8 Overt Act No. 9: On April 1, 2024, a co-conspirator caused
9 approximately six recorded voice memoranda to be sent to Victim 2 via
10 WhatsApp. In those voice memoranda, the co-conspirator said, in
11 substance and in part, that if Victim 2 wanted to see her family, she
12 should "pay up." The co-conspirator also told Victim 2 that if
13 Victim 2 did not pay an additional \$1,500, Victim 1 would be "sent
14 back," (to Mexico) and might "run into bad luck" there.

15 Overt Act No. 10: On April 1, 2024, using WhatsApp, defendant
16 PALMA contacted Victim 2 and wrote the following, in substance and in
17 part: "listen, answer my call," and "they're going to call you."

18 Overt Act No. 11: On April 1, 2024, using WhatsApp, a co-
19 conspirator called Victim 2 four times.

20 Overt Act No. 12: On April 1, 2024, using WhatsApp, defendant
21 PALMA called Victim 2 and said that unless Victim 2 paid the \$1,500,
22 Victim 1 would be returned to Mexico, and defendant PALMA suggested
23 that Victim 1 could be killed there.

24 Overt Act No. 13: On April 1, 2024, defendant SAUCEDA,
25 believing that Victim 2 was now willing to pay the \$1,500 ransom,
26 drove back to the Jack in the Box with Victim 1.

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1 Overt Act No. 14: On April 1, 2024, as defendant SAUCEDA
2 arrived near the Jack in the Box parking lot with Victim 1, defendant
3 SAUCEDA saw law enforcement nearby and began to drive away.

4 Overt Act No. 15: On April 1, 2024, as the police were pulling
5 over defendant SAUCEDA, defendant SAUCEDA placed approximately \$9,290
6 in cash, as well as receipts memorializing money transfers to
7 individuals outside of the United States, in the center console of
8 his car before he was arrested.

9 Overt Act No. 16: On April 2, 2024, using WhatsApp, defendant
10 PALMA sent messages to Victim 2 that contained the following threats
11 that originally appeared in Spanish and have been translated into
12 English, in substance and in part:

- 13 (a) You're going to get fucked, fucking whore. You fucking
14 bitch I'm going to find you one way or another bitch.
15 You damn woman, they arrested my driver, you damn
16 woman
17 (b) I'll kill you one way or another, damn woman
18 (c) I already have your location and everything, do you
19 think you're going to be safe
20 (d) Damn woman
21 (e) I'm going to kill you one way or another. Count your
22 hours

23 Overt Act No. 17: On multiple days between April 3, 2024 and
24 May 20, 2024, defendant PALMA's cell phone was present near the Utah
25 Street Residence.

26 Overt Act No. 18: On May 15, 2024, defendant PALMA drove a
27 yellow school bus to and from the Utah Street Residence.

28 Overt Act No. 19: On May 20, 2024, when law enforcement
approached the Utah Street Residence to investigate a kidnapping
complaint, a co-conspirator drove up to the house and appeared to

1 count or point at law enforcement, and another co-conspirator fired
2 multiple gunshots in the vicinity of the Utah Street Residence.

3 Overt Act No. 20: On May 21, 2024, a yellow school bus with a
4 non-resident permit issued to defendant PALMA was present at the Utah
5 Street Residence when members of the Albuquerque Police Department
6 conducted a welfare check at the Utah Street Residence and found 57
7 undocumented migrants who were being detained inside.

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COUNT TWO

[18 U.S.C. §§ 1201(a)(1), 2(a), 2(b)]

[ALL DEFENDANTS]

On or about April 1, 2024, in Los Angeles County, within the Central District of California, and elsewhere, defendants DARWIN JEOVANY PALMA PASTRANA, aka "Pasha," and EDUAR ISRRAEL SAUCEDA NUNEZ, and each aiding and abetting the other, and willfully causing acts to be done, knowingly, willfully, and unlawfully seized, confined, inveigled, decoyed, kidnapped, abducted, and carried away and held for ransom and reward Victim 1, and, in committing and in furtherance of the commission of the offense, traveled in interstate commerce and used and willfully caused to be used a means, facility, and instrumentality of interstate and foreign commerce, namely, cellular phones, vehicles, and web-based communication platforms, including Facebook Messenger and WhatsApp.

COUNT THREE

[18 U.S.C. §§ 875(a), 2(a), 2(b)]

[ALL DEFENDANTS]

1 On or about April 2, 2024, in Los Angeles County, within the
2 Central District of California, in Bernalillo County, within the
3 District of New Mexico, and elsewhere, defendants DARWIN JEOVANY
4 PALMA PASTRANA, aka "Pasha," and EDUAR ISRRAEL SAUCEDA NUNEZ, and
5 others known and unknown to the Grand Jury, each aiding and abetting
6 the other, knowingly, and with intent to extort the sum of \$1,500
7 from Victim 2, transmitted and willfully caused to be transmitted in
8 interstate and foreign commerce, that is, from New Mexico to
9 California, within the United States, WhatsApp communications to
10 Victim 2, which contained a demand and request for a sum of \$1,500,
11 as ransom and reward for the release of Victim 1, who had been
12 kidnapped.
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COUNT FOUR

[8 U.S.C. §§ 1324(a)(1)(A)(ii), (a)(1)(B)(i)]

[DEFENDANT EDUAR ISRRAEL SAUCEDA NUNEZ]

On or about April 1, 2024, in Los Angeles County, within the Central District of California, and elsewhere, defendant EDUAR ISRRAEL SAUCEDA NUNEZ, knowingly and in reckless disregard of the fact that alien Victim 1 had come to, entered, and remained in the United States in violation of the law, knowingly transported and moved alien Victim 1 within the United States, in furtherance of such violation of law, for the purpose of private financial gain.

COUNT FIVE

[18 U.S.C. §§ 875(c), 2(a)]

[DEFENDANT DARWIN JEOVANY PALMA PASTRANA]

On or about April 2, 2024, in Los Angeles County, within the Central District of California, in Bernalillo County, within the District of New Mexico, and elsewhere, defendant DARWIN JEOVANY PALMA PASTRANA, aka "Pasha," and others known and unknown to the Grand Jury, each aiding and abetting the others, with intent to issue a threat and with knowledge that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication containing a true threat to injure the person of another, that is, messages to Victim 2 via the WhatsApp application, including the following, which originally appeared in Spanish:

- (a) You're going to get fucked, fucking whore. You fucking bitch I'm going to find you one way or another bitch. You damn woman, they arrested my driver, you damn woman
- (b) I'll kill you one way or another, damn woman
- (c) I already have your location and everything, do you think you're going to be safe
- (d) Damn woman
- (e) I'm going to kill you one way or another. Count your hours

FORFEITURE ALLEGATION

[18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)]

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3 1. Pursuant to Rule 32.2 of the Federal Rules of Criminal
4 Procedure, notice is hereby given that the United States of America
5 will seek forfeiture as part of any sentence, pursuant to Title 18,
6 United States Code, Section 981(a)(1)(C) and Title 28, United States
7 Code, Section 2461(c), in the event of any defendant's conviction of
8 the offenses set forth in any of Counts One through Four of this
9 Indictment.

10 2. Any defendant so convicted shall forfeit to the United
11 States of America the following:

12 (a) all right, title, and interest in any and all
13 property, real or personal, constituting, or derived from, any
14 proceeds traceable to the offenses; and

15 (b) To the extent such property is not available for
16 forfeiture, a sum of money equal to the total value of the property
17 described in subparagraph (a).

18 3. Pursuant to Title 21, United States Code, Section 853(p),
19 as incorporated by Title 28, United States Code, Section 2461(c), any
20 defendant so convicted shall forfeit substitute property, up to the
21 value of the property described in the preceding paragraph if, as the
22 result of any act or omission of said defendant, the property
23 described in the preceding paragraph or any portion thereof (a)
24 cannot be located upon the exercise of due diligence; (b) has been
25 transferred, sold to, or deposited with a third party; (c) has been

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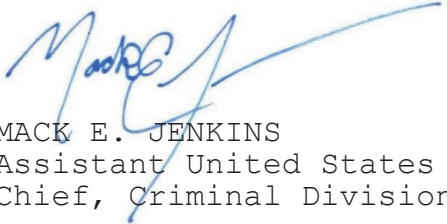
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1 placed beyond the jurisdiction of the court; (d) has been
 2 substantially diminished in value; or (e) has been commingled with
 3 other property that cannot be divided without difficulty.

4
 5 A TRUE BILL

6
 7 /s/
 8 Foreperson

9 E. MARTIN ESTRADA
 10 United States Attorney

11 

12 MACK E. JENKINS
 13 Assistant United States Attorney
 14 Chief, Criminal Division

15 DAMARIS M. DIAZ
 16 Assistant United States Attorney
 17 Acting Chief, Violent & Organized Crime
 18 Section

19 SARA B. VARGAS
 20 Assistant United States Attorney
 21 Violent & Organized Crime Section
 22
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