

ATTACHMENT A

COUNT ONE

(Violent Crime in Aid of Racketeering – Assault
with a Dangerous Weapon)

On or about April 24, 2018, in Essex County, in the District of New Jersey
and elsewhere, the defendant,

**LUIS AROCHO,
a/k/a “LuRoc,” and
MAURICE GUZMAN,
a/k/a “Dawg,”**

for the purpose of maintaining and increasing position in the Pagan’s
Motorcycle Club, an enterprise engaged in racketeering activity, did knowingly
and purposely assault Victim-1 with a dangerous weapon, contrary to N.J.S.A.
2C:12-1(b) and 2C:2-6, and did aid and abet the same.

In violation of Title 18, United States Code, Section 1959(a)(3), and Title
18, United States Code, Section 2.

ATTACHMENT B

I, Cyril Pereira, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, videos, photographs, and other items of evidence. The information set forth herein contains information obtained from investigators and other law enforcement officers who have interviewed numerous witnesses and sources. Where statements of others are related herein, they are related in substance and part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

The Enterprise

1. At all times relevant to this Complaint, defendants Luis Arocho, a/k/a “LuRoc” (“AROCHO”), Maurice Guzman, a/k/a “Dawg” (“GUZMAN”), and others known and unknown were members and associates of the Pagan’s Motorcycle Club (the “Pagans” or the “Enterprise”).

2. The Pagan’s Motorcycle Club has been classified as an outlaw motorcycle gang by multiple law enforcement agencies. The Department of Justice has designated multiple outlaw motorcycle gangs, including the Pagans, as violent gangs. Members of the Pagans are known to engage in criminal activities such as violent crimes, weapons trafficking, and drug trafficking. The Pagans maintain established membership chapters in numerous U.S. States and territories, including multiple active chapters in New Jersey.

3. The Enterprise was established in the late 1950s and continues to employ a hierarchal rank structure and formal by-laws. Each chapter has its own organizational structure. Each is managed by a President, a Vice President, a Sergeant at Arms, and a Secretary/Treasurer. On a national level, the Pagans report to a leadership council that is generally comprised of thirteen former chapter presidents known as the “Mother Club.” The Pagans also appoint a national President, Vice President, Sergeant at Arms, and Secretary/Treasurer, all of whom are part of the Mother Club.

4. Historical acts of violence indicate that outlaw motorcycle gangs, including the Pagans and the Hells Angels Motorcycle Club (the “Hells Angels”), commonly commit acts of violence motivated by disputes over territory. The Pagans and the Hells Angels are known to be rival gangs. Both gangs have established membership chapters in New Jersey.

5. The Pagans also use violence to discipline their own members for breaking the organization's rules. The practice of committing Club-sanctioned acts of violence against members of the Pagans in retaliation for breaking the Pagans' rules is known within the organization as "regulation."

6. Members of the Pagans are known to engage in trafficking of narcotics including, but not limited to, methamphetamine and cocaine. Over the course of the instant investigation, law enforcement has recovered significant quantities of methamphetamine and cocaine from numerous members of the Pagans, including members of the Northern New Jersey chapters.

7. The Pagans, including its leaders, members and associates, constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact, which was engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

8. At all times relevant to this Complaint, the Pagans, through its leaders, members, and associates, engaged in racketeering activity, as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1)—namely, offenses involving the felonious manufacture, importation, receiving, concealment, buying, selling, and otherwise dealing in a controlled substance punishable under the laws of the United States, in violation of Title 21, United States Code, Section 846 (conspiracy to distribute and possess with intent to distribute controlled substances), Section 841 (distribution and possession with intent to distribute controlled substances), and Section 843(b) (use of a communication facility to violate the Controlled Substances Act).

Purposes of the Enterprise

9. The purposes of the Enterprise included, but were not limited to, the following:

- a. Enriching the members and associates of the Enterprise through criminal activity, including drug trafficking;
- b. Promoting and enhancing the prestige, reputation, and position of the Enterprise with respect to rival criminal organizations;
- c. Preserving and protecting the power, reputation, territory, and criminal ventures of the Enterprise through the use of acts that involved intimidation, threats of violence, and acts of violence, including assault against, among others, members of rival organizations and members of the Pagans who violated the rules of the Enterprise;

- d. Keeping victims and rivals in fear of the Enterprise and its members and associates; and
- e. Concealing the activities of the Enterprise from law enforcement.

Means and Methods of the Enterprise

10. Among the means and methods by which members and associates of the Pagans conducted and participated in the conduct of the affairs of the Enterprise were the following:

- a. Members and associated of the Pagans committed, attempted, and threatened to commit acts of violence, including assaults, to protect and expand the Enterprise's criminal operations;
- b. Participation in criminal activity by a member, particularly violent acts directed at rivals or as directed by the Pagans' leadership, increased the respect accorded to that member, and resulted in that member's maintaining and increasing status in the Enterprise;
- c. Members and associates of the Pagans used and threatened to use physical violence against various individuals, including members of rival organizations, and also use violence to discipline their own members for breaking the organization's rules.
- d. Members and associates of the Pagans trafficked methamphetamine and other controlled substances as a means of enriching themselves.

Membership in the Enterprise

11. AROCHO is a member of the Mother Club who oversees the operations of the Pagans' Northern New Jersey membership chapters and was, at the time of the April 24, 2018 assault, a member of the Pagans.

12. GUZMAN is a regional leader of the Pagans in Northern New Jersey and was, at the time of the April 24, 2018 assault, a member of the Pagans.

13. Co-Conspirator-1 and Co-Conspirator-2 were known members of the Pagans at the time of the April 24, 2018 assault described in Paragraphs 15-16 below.

14. Victim-1 was a known associate of the Hells Angels at the time of the April 24, 2018 assault.

The April 24, 2018 Assault

15. On or about April 24, 2018, AROCHO, GUZMAN and two other known members of the Pagans (Co-Conspirator-1 and Co-Conspirator-2) perpetrated an assault against an associate of the Hells Angels at a gas station located in the vicinity of the intersection of Clinton Avenue and Elizabeth Avenue in Newark, New Jersey. The gas station is located approximately one quarter of a mile away from the Hells Angels' Newark Clubhouse.

16. Surveillance video footage obtained from the scene depicts the following sequence of events:

a. Victim-1—who was wearing clothing that indicated his association with the Hells Angels—was observed sitting on a motorcycle and filling it with gasoline. Co-Conspirator-1¹ approached Victim-1 and struck him in the head with an axe handle. Victim-1 fell off his motorcycle from the impact of the blow, and Co-Conspirator-1 continued to beat Victim-1 with the axe handle while Victim-1 laid on the ground.

b. AROCHO and GUZMAN then approached Victim-1, who was still on the ground. AROCHO began hitting Victim-1 about Victim-1's body with an axe handle. AROCHO then hit Victim-1 in the head with the axe handle while GUZMAN punched and kicked Victim-1. Co-Conspirator-3 acted as a lookout during the assault. AROCHO hit Victim-1 with the axe handle approximately three times—two blows to the body, and one to the head. AROCHO, GUZMAN and Co-Conspirators-1 and 2 departed the scene in two separate vehicles.

c. Victim-1 was admitted to the hospital for treatment. Victim-1 sustained significant injuries, including fractured ribs, as a result of the assault.

¹ Co-Conspirator-1 was charged with multiple felony offenses in New Jersey Superior Court in connection with this incident. He pled guilty to one count of aggravated assault and was sentenced to a term of four years' imprisonment.