

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 21-cr-80029-AMC**

21 U.S.C. § 846

21 U.S.C. § 841(a)(1)

21 U.S.C. §853

18 U.S.C. §982(a)(1)

**UNITED STATES OF AMERICA**

**vs.**

**JOSE RODOLFO BARRAZA FLORES,  
a/k/a “GXAW, a/k/a “IcyDicy,”**

**Defendant.**

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**FACTUAL PROFFER**

If this case had proceeded to trial, the United States (hereinafter, “the Government”) would have proven the following facts beyond a reasonable doubt, which set forth a legal and factual basis for proving that JOSE RODOLFO BARRAZA FLORES (hereinafter, “Defendant”) did Conspire to Distribute a Controlled Substance, to wit, over 50 grams of methamphetamine (ice); 40 grams or more of a mixture and substance containing a detectible amount of N-phenyl-N-[1-(2-phenyl-ethyl)-4-piperidinyl] propanamide, (fentanyl); and a mixture and substance containing a detectible amount of cocaine, in violation of Title 21, United States Code, Section 846 (Count 1); did Distribute a Controlled Substance, to wit, a mixture and substance containing a detectible amount of methamphetamine (ice) in violation of Title 21, United States Code, Section 841(a)(1) (Count 2); did Distribute Controlled Substance, to wit, a mixture or substance containing a detectible amount of cocaine, in violation of Title 21, United States Code, Section 841(a)(1) (Count 3) and did Distribute Controlled Substance, to wit, 40 grams or more of a

mixture or substance containing a detectible amount of N-phenyl-N-[1-(2-phenyl-ethyl)-4-piperidinyl] propanamide, (fentanyl); in violation of Title 21, United States Code, Section 841(a)(1) (Count 4).

In April 2019, Federal Bureau of Investigation (hereinafter, "FBI") Special Agents, (hereinafter, "Special Agents") began an investigation into vendors who utilize Dark Web Marketplaces to distribute controlled substances. Agents were able to identify a vendor by the moniker "GXAW," who was offering controlled substances for purchase, including methamphetamine and cocaine, on the dark web marketplace, Yellow Brick Road Marketplace, "YBRM". YBRM provided an infrastructure that allowed buyers and sellers to conduct transactions online, in a manner similar to well-known online marketplaces such as eBay. YBRM functioned as an intermediary between buyers and sellers. Sellers, or vendors, created accounts on YBRM to sell their products, such as narcotics, and buyers created accounts to browse sellers' products and purchase them. Among other items, illegal drugs, such as methamphetamines, fentanyl and cocaine were openly available for sale and were immediately and prominently visible on the YBRM website. YBRM provided moderator and maintenance services, such as receiving complaints, provided technical assistance and allowed customers to post reviews of YBRM vendors. YBRM also charged a commission from every transaction as a percentage of the sales price.

On April 7, 2020, undercover Special Agents purchased two grams of crystal methamphetamine from vendor "GXAW" on the YBRM for a certain amount of bitcoin. The crystal methamphetamine was mailed via United States Postal Service to an undercover post office box in West Palm Beach, Florida, in the Southern District of Florida. The drugs were found secreted in a wax candle and sent to the Drug Enforcement Administration (hereinafter,

“DEA”) laboratory for analysis. The lab confirmed that the package contained 2.12 grams of methamphetamine and was 98 percent pure.

A review of investigative databases for the United States Postal Service (USPS) showed that the parcel mailed to the undercover address was tracked online from a certain IP address that is maintained by internet service provider Cox Communications. Records from Cox Communications indicate that the subscriber “A.L.” registered for internet service at an address “Lot 106 8427 W Glendale Ave, Glendale, AZ 85305.” This address is a trailer owned by Defendant’s brother. Defendant was observed at this location on numerous occasions. USPS records also show that the package was mailed from a Peoria Downtown US Postal Service office on April 8, 2020. Surveillance footage from the date and time of mailing shows Defendant mailing the package.

On May 7, 2020, Special Agents were on the YBRM marketplace and observed “GXAW” offering to sell 4 grams of cocaine for \$260, or 0.026744 bitcoin. Agents ordered the cocaine from GXAW and requested the cocaine be sent to their undercover post office box in West Palm Beach, Florida. The cocaine was mailed via United States Postal Service to an undercover post office box in West Palm Beach, Florida, in the Southern District of Florida. The drugs were, again, found secreted in a wax candle and sent to the DEA laboratory for analysis. The lab confirmed that the package contained approximately 4 grams of cocaine. USPS records also show that the package was mailed from the Maryvale Station in Phoenix, AZ. Surveillance footage for the date and time of mailing shows Defendant mailing the package.

Agents continued to make purchases of crystal methamphetamine from GXAW on YBRM. On June 29, 2020, GXAW informed agents in a text exchange that he was also selling on the Empire Marketplace under the vendorname “ICYDICY.” Empire Marketplace is another darkweb

marketplace individuals can sell illicit items such as illegal drugs on a website similar to Ebay. Special Agents reviewed the vendor page for ICYDICY on the Empire Marketplace and saw that the advertisements appeared to be the same as those advertised by GXAW on YBRM. However, the Empire Marketplace was shut down in or around summer 2020.

On September 28, 2020, undercover Special Agents purchased 500 Percocet M30 pills from GXAW on the YBRM. M30 pills are opioid pills often counterfeited by both traditional and dark web drug dealers using at home pill presses with fentanyl as the active ingredient. Furthermore, reviews left by buyers of similar purchases on the Yellow Brick Road Marketplace from GXAW noted:

*“shipping was good but these definitely got fent in them so be careful”*

*“fast ship amazing stealth<sup>1</sup> and excellent product pleeeeee be careful with these ones guys for real”*

*“these things almost killed me and most definitely have fent in them. took two hits of nracan and a night in the hospital to recover”*

*“bad color bad shape very potent also def fent be safe stealth best out there tho”*

*“Tested positive for fetty but ill be back Very nice presses and cant expect much more with that price.”*

*“Start with half of what you normally use. These MFs are STRONG.”*

*“Really strong with fent. Too strong imo. Snorted 2 expecting a buzz comparable to 60 mgs of oxy and was pretty close to ODing. Stealth was off the charts good.”*

*“Description said no fent it is now fixed but my test kit shows fent. Last batch came WHITE not even a hint of blue i got screwed as no one would buy them.”*

Special Agents received the package of pills at the undercover PO Box in West Palm

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<sup>1</sup> According to the case agents, “stealth” is a term used to describe the way drugs are secreted for shipment. In this case, all of the drugs the UC ordered were received secreted in wax candles. All of the packages the Defendant was observed mailing, and which were intercepted and opened, contained drugs secreted in wax candles. Agents recovered drugs, wax and wax molds in Defendant’s trailer.

Beach, Florida on October 11, 2020. Special Agents opened the package and found 497 blue pills secreted in a wax candle. The pills were sent to the DEA lab for analysis. A representative sample was analyzed and found to contain N-phenyl-N-[1-(2-phenyl-ethyl)-4-piperidinyl] propanamide (fentanyl). The total weight of all the pills was approximately 54 grams. USPS surveillance footage shows Defendant mailing the package at a postal office drop box on October 9, 2020.

Throughout the investigation, Special Agents conducted surveillance at the Lot 106 8427 W Glendale Ave, Glendale location and observed Defendant, and others, drop packages off at various post office facilities in the Phoenix Arizona area. Many of these packages were seized and opened pursuant to federal search warrants obtained from magistrate judges in the District of Arizona. All of the seized packages were found to contain wax candles with substances that appeared to be illegal drugs secreted within the candles. The substances were sent to the DEA laboratory for analysis and found to contain crystal methamphetamine, methamphetamine, cocaine or fentanyl laced Percocet pills.

In October 2020, an undercover agent asked GXAW if he was on any other marketplace after Empire Marketplace was shutdown. GXAW replied, "White House Market i go under ICYDICY." On December 4-6, 2020, Special Agents placed numerous orders from ICYDICY on the White House marketplace, which is another website on the darknet where vendors can sell items such as illicit drugs. On December 8, 2020, agents conducted surveillance at the Lot 106 trailer and observed a Hispanic couple leave the trailer and mail numerous packages at a post office in Glendale, AZ. Five of the packages were addressed to the undercover office in West Palm Beach, FL. Twenty other packages were secured and opened after search warrants were obtained, authorizing the search. All twenty five packages were found to contain wax candles with substances secreted inside them. The substances were sent to the DEA laboratory for analysis and

all were found to contain crystal methamphetamine, methamphetamine, cocaine, or fentanyl-laced Percocet pills.

On December 9, 2020, a search warrant was executed at the Lot 106 trailer. Inside, agents found personal items belonging to Defendant, such as mail addressed to him, family photos of Defendant, and his wife and children, a copy of his Mexican passport, and music equipment. While half of the trailer was also being rented out to the Hispanic couple mentioned above, Defendant used the trailer to store and package the illicit drugs sold in this conspiracy. Numerous packages of controlled substances, mixing, or “cutting” material, packaging and mailing material, scales, wax, candle molds and other paraphernalia were also found in the Lot 106 trailer. The substances found in the trailer that were suspected of being controlled substances were sent to the DEA laboratory for analysis and those items that were confirmed to be methamphetamine, cocaine and fentanyl were included in the aggregate weight of drugs attributed to Defendant.

Between November 2019 and December 9, 2020, the Defendant sold, or conspired to sell, at least 1.5 kilograms but less than 4.5 kilograms of methamphetamine (actual), at least 350 grams but less than 500 grams of methamphetamine, at least 160 grams but less than 280 grams of N-phenyl-N-[1-(2-phenyl-ethyl)-4-piperidinyl] propenamide (fentanyl), and at least 100 grams but less than 200 grams of cocaine.

Defendant kept some records of his drug orders on at least one of his HP Laptops, among other devices he used to conduct his dark web activity. Other information and photographs regarding drugs, darkweb vending, and the use of Cryptocurrency were found on another computer and phones belonging to FLORES which were recovered in the course of this investigation. Defendant only accepted cryptocurrency, in particular, Bitcoin and Monero, as payments for his drug sales and communicated with customers via encrypted messaging through

marketplace-provided messaging services.

**Statutory Elements**

The Defendant acknowledges that these facts provide a legal and factual basis for the crimes charged in the Indictment. The elements of the crime listed in Count 1 of the Indictment, **Conspiracy to Distribute Controlled Substances, 21 U.S.C. §846**, are:

- First: That two or more persons in some way agreed to try to accomplish a shared and unlawful plan to distribute [crystal methamphetamine, methamphetamine, cocaine and fentanyl];
- Second: The Defendant knew the unlawful purpose of the plan and willfully joined in it; and
- Third: The object of the unlawful plan was to distribute a controlled substance, in this case, over 50 grams of methamphetamine (ice); over 500 grams of a mixture and substance containing a detectible amount of methamphetamine; 40 grams or more of a mixture or substance containing a detectible amount of N-phenyl-N-[1-(2-phenyl-ethyl)-4-piperidinyl] propanamide, (fentanyl); and a mixture and substance containing a detectable amount of cocaine, as charged in the indictment.

The elements of the crime listed in Count 2 of the Indictment, **Distribution of Controlled Substances, 21 U.S.C. §§841(a)(1) and 841(b)(1)(C)**, are:

- First: The Defendant knowingly and intentionally distributed a Controlled Substance; and
- Second: the substance contained a mixture and substance containing a detectible amount of methamphetamine (ice), its salts, isomers and salts of its isomers.

The elements of the crime listed in Count 3 of the Indictment, **Distribution of Controlled Substances, 21 U.S.C. §§841(a)(1) and 841(b)(1)(C)**, are:

- First: The Defendant knowingly and intentionally distributed a Controlled Substance; and
- Second: the substance contained a mixture or substance containing a detectible amount of cocaine, its salts, optical and geometric isomers and salts of its

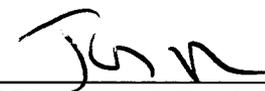
isomers.

The elements of the crime listed in Count 4 of the Indictment, **Distribution of Controlled Substances, 21 U.S.C. §§841(a)(1) and 841(b)(1)(B)(vi)**, are:

First: The Defendant knowingly and intentionally distributed a Controlled Substance; and

Second: the substance contained 40 grams or more of a mixture or substance containing a detectible amount of N-phenyl-N-[1-(2-phenyl-ethyl)-4-piperidinyl] propenamide (fentanyl).

  
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JOSE RODOLFO FLORES BARRAZA  
DEFENDANT

  
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JOEL DEFABIO, ESQ.  
ATTORNEY FOR DEFENDANT

  
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AURORA FAGAN  
AUSA