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**United States District Court**  
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

v.

JULIO CESAR CRUZ  
[DOB: 11/08/62]

NMT 3 Years Imprisonment, NMT \$ 250,000 Fine  
NMT 1 Year Supervised Release  
\$100 Special Assessment, Class E Felony

**CRIMINAL COMPLAINT**  
NO. 03-0224JTM-01

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief: Between on or about December 2, 2002, and December 12, 2002, within the Western District of Missouri and elsewhere, the defendant, Julio Cesar Cruz, with the intent to defraud and mislead, sold and caused the sale of a counterfeit drug, as defined in Title 21, United States Code, Section 321(g)(2), in that the drug and its containers and labeling bore, without authorization, the trademark, trade name and other identifying mark, imprint, or device, or any likeness thereof, of a drug manufacturer, processor, packer, and distributor other than the person, persons, and entity who in fact manufactured, processed, packed, and distributed such drug, and thereby falsely purported and represented such drugs to be the product of and to have been packed and distributed by such other drug manufacturer, processor, packer, and distributor, all in violation of Title 21, United States Code, Sections 331(i)(3) and 333(a)(2), and Title 18, United States Code, Section 2. I further state that I am a Special Agent with the Office of Criminal Investigations of the United States Food and Drug Administration and that this complaint is based on the facts set forth in the attached affidavit which is incorporated herein and made a part hereof.

s/ Stephen M. Holt  
Stephen M. Holt  
U. S. Food and Drug Administration

Sworn to before me and subscribed in my presence,

December 5, 2003  
Date

at

Kansas City, Missouri  
City and State

John T. Maughmer  
United States Magistrate Judge  
Name and Title of Judicial Officer

s/ John T. Maughmer  
Signature of Judicial Officer