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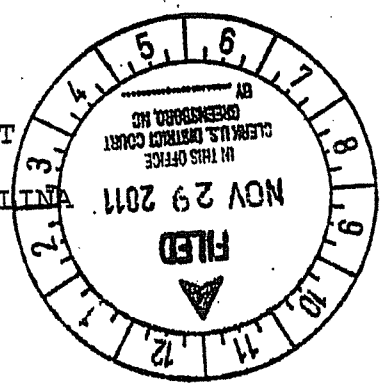

IN THE UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	
v.	
JORGE PETER CORNELL, also known as "King J" and "King Jay"	1:11CR402-1
RUSSELL LLOYD KILFOIL, also known as "King Peaceful" and "Jonathan Hernandez"	1:11CR402-2
RANDOLPH LEIF KILFOIL, also known as "King Paul"	1:11CR402-3
JASON PAUL YATES, also known as "King Squirrel"	1:11CR402-4
LUIS ALBERTO ROSA, also known as "King Speechless"	1:11CR402-5
WESLEY ANDERSON WILLIAMS, also known as "King Bam"	1:11CR402-6
STEAPHAN ACENCIO-VASQUEZ, also known as "King Leo"	1:11CR402-7
MARCELO YSRAEL PEREZ, also known as "King Lyrix" and "King Sacrifice"	1:11CR402-8
SAMUEL ISAAC VELASQUEZ, also known as "King Hype"	1:11CR402-9
CHARLES LAWRENCE MOORE, also known as "King Toasty"	1:11CR402-10
RICHARD LEE ROBINSON, also known as "King Focus"	1:11CR402-11
IRVIN VASQUEZ, also known as "King Dice"	1:11CR402-12
CARLOS COLEMAN, also known as "King Spanky"	1:11CR402-13

The Grand Jury charges:

COUNT ONE

Introduction

1. At various times relevant to this Indictment, the following defendants and others known and unknown to the Grand Jury, were members and associates of the Almighty Latin King and Queen Nation (hereinafter "Latin Kings"), a criminal organization involved in the commission of numerous acts of criminal conduct in the Middle District of North Carolina, the Eastern District of North Carolina, the Western District of North Carolina, and elsewhere: JORGE PETER CORNELL, also known as "King J" and "King Jay," RUSSELL LLOYD KILFOIL, also known as "King Peaceful" and "Jonathan Hernandez," RANDOLPH LEIF KILFOIL, also known as "King Paul," JASON PAUL YATES, also known as "King Squirrel," LUIS ALBERTO ROSA, also known as "King Speechless," WESLEY ANDERSON WILLIAMS, also known as "King Bam," STEAPHAN ACENCIO-VASQUEZ, also known as "King Leo," MARCELO YSRAEL PEREZ, also known as "King Lyrix" and "King Sacrifice," SAMUEL ISAAC VELASQUEZ, also known as "King Hype," CHARLES LAWRENCE MOORE, also known as "King Toasty," RICHARD LEE ROBINSON, also known as "King Focus," IRVIN VASQUEZ, also known as "King Dice," and CARLOS COLEMAN, also known as "King Spanky."

2. The Latin Kings is a violent street gang with thousands of members across the United States and overseas. The traditional power centers of the Latin Kings, and members of the gang's

national leadership structure, are located in the Chicago (known as "KMC" or the "Motherland") and New York (known as the "Bloodline") metropolitan areas.

3. The Latin Kings has a detailed and uniform organizational structure, which is outlined - along with various "prayers," codes of behavior, and rituals - in a written "manifesto" widely distributed to members throughout the country. Prospective Latin Kings members are required to memorize "knowledge" regarding the structure, rituals, and behavioral codes of the Latin Kings before they can become full members.

4. At the local level, groups of Latin Kings are organized into "tribes," which are traditionally anchored to a geographic area, such as a city. Depending on the area, a tribe can contain anywhere from a few dozen to a few hundred members. Within each tribe, the leader is known as the "First Crown." Other leaders in each tribe include the "Second Crown," who is second-in-command of the tribe; the "Third Crown," who is the "Warlord" or "Enforcer" for the tribe; the "Fourth Crown," who is the "Treasurer" for the tribe; and the "Fifth Crown," who is the "Secretary" for the tribe. Each position in the tribe has defined responsibilities, and members are required to follow the instructions and directives of the gang's leadership. For example, the "Third Crown" is responsible for inflicting discipline on members and organizing the gang during "wars" with other gangs.

5. The state or regional hierarchy generally mirrors the organizational structure of the tribes. The state or regional leader is known as the "Inca." These leaders report to the national leadership of the Latin Kings, who advise and direct local leaders.

6. Members of the Latin Kings are also traditionally given "King Names" or "Queen Names," which are names other than their legal names and names by which they are known to members of the gang and to others on the street. One of the purposes of having "King Names" or "Queen Names" is to obfuscate the identities of members from law enforcement.

7. Each tribe typically has weekly meetings, at which dues are collected from each member of the tribe and gang business is discussed. On a periodic basis, all the tribes in a given region hold a larger meeting, called a "universal." At these meetings, issues that concern the Latin Kings as a whole (such as cooperation among tribes) are discussed. Each of the tribes in a given region reports to, and pays dues to, the state or regional leadership.

8. Latin Kings leaders have the authority within the gang to order "missions" and mete out punishment. A "mission" is an assignment given to a subordinate Latin Kings member that will serve a purpose for the Latin Kings gang. "Missions" can include but are not limited to the following: a "physical," meaning a member beating another member in the back or chest for a specific duration of time, such as one minute or three minutes, depending on

the severity of the infraction; a "B.O.S." (beat down on sight), meaning the assault of a rival gang member or a Latin Kings member who has committed a violation of the Latin Kings rules; and a "green light" or "T.O.S." (terminate on sight), meaning the murder of a rival gang member or of a Latin Kings member who may have committed an egregious violation of the gang's rules. Failure to perform a "mission" results in the assigned member being in violation of the rules. Punishment for failing to complete the "mission" can range anywhere from a beating to death.

9. Members of the Latin Kings greet each other, and show their membership in the gang, using a set of hand-signs, each intended to evoke the shape of a crown. Latin Kings often greet one another, demonstrate their allegiance to the gang, or simply announce their arrival or presence in a particular area, by exclaiming "ADR" or "Amor De Rey," which means "King's Love" in Spanish. Other phrases unique to the Latin King lexicon include "360," "ALKN," "ALKQN," "Crown," "Lion," "Lion Tribe," "Motherland," "KMC," "Kingism," and "Bloodline." The Latin Kings employs a robust symbology as well, with members often using variations of three- or five-pointed crowns, lions, and Inca- or Aztec-inspired artwork to demonstrate their affiliation. Many members have tattoos incorporating one or more of the aforementioned phrases or symbols, the crown and lion being the most prominent. The Latin Kings also incorporates these phrases and symbols into graffiti, which its members use to mark

its territory or announce its presence in a particular area. The colors associated with the Latin Kings are black and gold, and members of the Latin Kings often demonstrate their affiliation with the Latin Kings by wearing clothing containing the colors black and gold, or incorporating the gang's other symbols or phrases.

10. The Latin Kings members communicate with members of their own tribe and with members across the United States in person and through the use of telephone, e-mail, and social networking websites.

11. The Latin Kings has operated in the Middle District of North Carolina since at least 2005, and members in North Carolina have reported to both Chicago and New York-based leadership. The Latin Kings were formed in North Carolina by JORGE PETER CORNELL, also known as "King J" and "King Jay" [hereinafter "CORNELL"], who became a member of the Latin Kings while he was residing in New York City. CORNELL claimed that he had been the "Third Crown" or "Warlord" of his tribe in New York City. When CORNELL moved to the Middle District of North Carolina, he formed a tribe and became the "Inca" for the entire state of North Carolina. CORNELL typically recruited socially disassociated teenagers and others whom he could easily manipulate to join his tribe. Through violence, threats of violence, and coercion, CORNELL required all of the Latin Kings tribes in North Carolina, including chapters in Greensboro, Charlotte, Durham, and Raleigh, to fall under his control. CORNELL

reported to various Latin Kings leaders in Chicago and elsewhere, including leaders known as "King Mission" and "King Radar." When Latin Kings members in North Carolina resisted his leadership, CORNELL (in an effort to maintain control over the entire state of North Carolina) ordered that those members be assaulted or killed.

12. In an attempt to disguise the criminal activities of the Latin Kings and frustrate law enforcement attempts to investigate and prosecute Latin Kings members, CORNELL orchestrated a public relations campaign to falsely portray the Latin Kings as a public service organization. While secretly plotting to murder or assault Latin Kings members who resisted his leadership and rival gang members, CORNELL made public statements for peace between street gangs in Greensboro, North Carolina. CORNELL also regularly met with and held media events with religious, civic, and other community leaders. During these media events, CORNELL and other leaders advocated that the Greensboro Police Department's gang unit, which had been investigating Latin Kings members and the gang's criminal activities, be disbanded.

The Racketeering Enterprise

13. The Latin Kings, including its leadership, members, and associates, constituted an "enterprise" as defined in Section 1961(4) of Title 18, United States Code, that is, a group of individuals associated in fact who engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise

constitutes an ongoing organization whose members function as a continuing unit for a common purpose of achieving the objectives of the enterprise.

Purposes of the Enterprise

14. The purposes of the enterprise, include, but are not limited to, the following:

a. Preserving and protecting the power, territory, operations, and prestige of the Latin Kings through the use of intimidation, violence, threats of violence, and destruction of property;

b. Promoting and enhancing the Latin Kings and the activities of its members and associates;

c. Keeping victims, members, and associates in fear of the Latin Kings and in fear of its members and associates through intimidation, violence, threats of violence, and destruction of property;

d. Preserving and protecting the Latin Kings and its leaders by keeping its members and associates from cooperating with law enforcement through intimidation, violence, threats of violence, and destruction of property; and

e. Providing support to gang members who are charged with, or incarcerated for, gang-related activities.

The Racketeering Conspiracy

15. Beginning on a date unknown and continuing to on or about November 29, 2011, the exact dates to the Grand Jurors unknown, in the Middle District of North Carolina, the Eastern District of North Carolina, the Western District of North Carolina, and elsewhere, CORNELL, RUSSELL LLOYD KILFOIL, also known as "King Peaceful" and "Jonathan Hernandez" [hereinafter "RUSSELL KILFOIL"], RANDOLPH LEIF KILFOIL, also known as "King Paul" [hereinafter "RANDOLPH KILFOIL"], JASON PAUL YATES, also known as "King Squirrel" [hereinafter "YATES"], LUIS ALBERTO ROSA, also known as "King Speechless" [hereinafter "ROSA"], WESLEY ANDERSON WILLIAMS, also known as "King Bam" [hereinafter "WILLIAMS"], STEAPHAN ACENCIO-VASQUEZ, also known as "King Leo" [hereinafter "ACENCIO-VASQUEZ"], MARCELO YSRAEL PEREZ, also known as "King Lyrix" and "King Sacrifice" [hereinafter "PEREZ"], SAMUEL ISAAC VELASQUEZ, also known as "King Hype" [hereinafter "VELASQUEZ"], CHARLES LAWRENCE MOORE, also known as "King Toasty" [hereinafter "MOORE"], RICHARD LEE ROBINSON, also known as "King Focus" [hereinafter "ROBINSON"], IRVIN VASQUEZ, also known as "King Dice" [hereinafter "VASQUEZ"], and CARLOS COLEMAN, also known as "King Spanky" [hereinafter "COLEMAN"], each being persons employed by and associated with the Latin Kings, an enterprise that engaged in and the activities of which affected interstate and foreign commerce, together with others known and unknown to the Grand Jury, did

knowingly and intentionally conspire to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and (5), consisting of multiple acts indictable under the following provisions of federal or North Carolina state law:

a. 18 U.S.C. § 1951 (interference with commerce by threats or violence);

b. 18 U.S.C. § 1344 (bank fraud);

c. 21 U.S.C. §§ 841(a)(1) and 846 (narcotics trafficking);

d. N.C. Gen. Stat. §§ 14-17, 14-2.4, and 14-2.5 (murder);

e. N.C. Gen. Stat. §§ 14-39, 14-2.4, and 14-2.5 (kidnapping);

f. N.C. Gen. Stat. §§ 14-87, 14-87.1, 14-2.4, and 14-2.5 (robbery);

g. N.C. Gen. Stat. §§ 14-58, 14-2.4, and 14-2.5 (arson);

h. N.C. Gen. Stat. §§ 14-118.4, 14-2.4, and 14-2.5 (extortion); and

i. N.C. Gen. Stat. §§ 90-95 and 90-98 (narcotics trafficking).

16. It was a further part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

Means and Methods

17. Among the means and methods by which the defendants and their associates conducted and participated in the conduct of the affairs of the Latin Kings were the following:

a. Members of the Latin Kings and their associates used intimidation, violence, and threats of violence, including assaults with deadly weapons and murder, to preserve, expand, and protect the enterprise's territory and activities.

b. Members of the Latin Kings and their associates used intimidation, violence, and threats of violence, including assaults with deadly weapons and murder, to promote and enhance the enterprise's prestige, reputation, and position in the community.

c. Members of the Latin Kings and their associates used intimidation, violence, and threats of violence, including assaults with deadly weapons and murder, to create a climate of fear to maintain control over victims, witnesses, members, and associates.

d. Members of the Latin Kings used intimidation, violence, and threats of violence, including assaults with deadly weapons and murder, to discipline enterprise members and associates who had violated enterprise rules.

e. Members of the Latin Kings engaged in illegal firearms transactions to further the activities of the enterprise and its members and associates.

f. Members of the Latin Kings purchased, maintained, and possessed deadly weapons to further the activities of the enterprise and its members and associates.

g. Members of the Latin Kings recruited and used juveniles to commit robberies and other violent acts for the benefit of the enterprise.

h. Members of the Latin Kings used intimidation, violence, and threats of violence, including assaults with deadly weapons and murder, to protect their enterprise from the activities of rival gangs, including but not limited to MS-13 and Bloods.

i. Members of the Latin Kings committed robberies to financially benefit themselves and the enterprise as a whole.

j. Members of the Latin Kings sold controlled substances to financially benefit themselves and the enterprise as a whole.

k. Members of the Latin Kings committed extortion to financially benefit themselves and the enterprise as a whole.

l. Members of the Latin Kings committed bank fraud to financially benefit themselves and the enterprise as a whole.

Overt Acts

18. In furtherance of the conspiracy and to achieve the objectives thereof, the conspirators performed or caused to be performed the following overt acts, among others, in the Middle District of North Carolina, the Eastern District of North Carolina, the Western District of North Carolina, and elsewhere:

a. On or about February 13, 2006, CORNELL arranged for a Latin Kings member who had been jailed for assault to be bailed out of jail.

b. On or about May 20, 2006, RANDOLPH KILFOIL and at least one other Latin Kings member committed an armed robbery of an individual in the parking lot of a Walmart store in Greensboro, North Carolina.

c. On or about May 20, 2006, CORNELL traveled to the Guilford County Jail in Greensboro, North Carolina, in an attempt to intimidate and harass law enforcement officers who had arrested three Latin Kings members, including RANDOLPH KILFOIL.

d. On or about April 18, 2007, ROSA, ACENCIO-VASQUEZ, and two other Latin Kings members committed an armed robbery of a dry cleaning business in Greensboro, North Carolina. ROSA and one other Latin Kings member brandished firearms during this robbery. One of the Latin Kings members struck the store owner on the head with a handgun.

e. On or about November 6, 2007, ACENCIO-VASQUEZ and three other Latin Kings members committed an armed robbery of a man outside his apartment complex in Raleigh, North Carolina.

f. On or about November 6, 2007, ACENCIO-VASQUEZ and three other Latin Kings members committed an armed robbery of a woman in Durham, North Carolina.

g. On or about January 27, 2008, VELASQUEZ, YATES, and five other Latin Kings members traveled in a vehicle to a party in Greensboro where they suspected that rival gang members would be present. Each of these Latin Kings members wore black and gold, the colors of the Latin Kings. VELASQUEZ carried a loaded stolen handgun concealed in his waistband for protection against rival gang members.

h. In or around January 2008, CORNELL and RUSSELL KILFOIL approached the assistant manager of a cell phone store in Greensboro. CORNELL ordered the assistant manager to give him United States currency that she was responsible for depositing into the store's bank account. CORNELL showed the assistant manager a firearm and threatened her and her family if she did not do as CORNELL instructed.

i. On or about April 4, 2008, CORNELL, RUSSELL KILFOIL, VASQUEZ, PEREZ, and other Latin Kings members traveled from the home of YATES to the Maplewood Apartments in Greensboro on CORNELL's instructions to look for a rival gang member who had

assaulted a Latin Kings member. In retaliation for this assault, PEREZ fired a shotgun at a man whom he believed to be associated with the rival gang, thereby wounding him.

j. On or about August 10, 2008, CORNELL and RUSSELL KILFOIL ordered that Latin Kings members bring firearms from Charlotte to Greensboro to be used in a retaliatory strike against MS-13 members who had previously shot CORNELL.

k. On or about August 14, 2008, two Latin Kings members attempted to transport firearms from Charlotte to Greensboro pursuant to the orders of CORNELL and RUSSELL KILFOIL.

l. On or about August 21, 2008, YATES, WILLIAMS, and several other Latin Kings members committed a home invasion in Greensboro, looking for a man who had attacked another Latin Kings member and threatened WILLIAMS's mother. One of the Latin Kings members smashed a beer bottle on the head of a resident of the home.

m. On or about December 18, 2008, YATES, VASQUEZ, and two others committed an armed robbery and kidnapping of a drug dealer and his roommates in Morrisville, North Carolina. YATES and VASQUEZ pointed guns at the victims, threatened to kill them, tied them up with duct tape, and stole from them approximately $450 in United States currency and twelve grams of marijuana.

n. On or about May 13, 2009, RANDOLPH KILFOIL and several other Latin Kings were sitting on the front porch of WILLIAMS's

residence. At that time RANDOLPH KILFOIL carried a loaded semiautomatic firearm for protection from rival gang members. RANDOLPH KILFOIL was later arrested, and attempted to threaten and intimidate certain Greensboro police officers by stating, "It's a good thing you got me off the streets or it would have been a hard summer for the police. You can't stop the Latin Kings. We are everywhere. We are going to teach you guys a lesson."

o. In or around October 2009, CORNELL ordered a Latin Kings member to burn down a home belonging to the grandmother of WILLIAMS so that CORNELL and WILLIAMS could collect a portion of the insurance proceeds.

p. On or about October 10, 2009, CORNELL stole a government electronic benefits card having a value of $200 in United States currency from a Latin Kings member who fled Greensboro after refusing to commit an arson for CORNELL.

q. On or about November 9, 2009, CORNELL appointed a Latin Kings member from Charlotte to be the "Third Crown" or "Warlord" of the Charlotte tribe and appointed WILLIAMS to be the "Third Crown" or "Warlord" of the Greensboro tribe.

r. On or about November 9, 2009, CORNELL ordered that Latin Kings members should ascertain the Charlotte location where groups of Latin Kings that were not under CORNELL's command were meeting and "roll up on them."

s. On or about December 12, 2009, CORNELL told Latin Kings members that any groups of Latin Kings meeting in Asheboro, Smithfield, and Durham that were not under his command were not "true" Latin Kings. CORNELL stated that anyone falsely claiming to be a Latin Kings member in the future would be "smashed."

t. On or about December 31, 2009, CORNELL ordered that three Latin Kings members who had rebelled against CORNELL's rule be killed. CORNELL ordered VELASQUEZ to transport from Raleigh to Greensboro two machetes, each stamped with the Latin Kings reference "Corona" on the blade. CORNELL ordered that these machetes were to be used to kill one of the three Latin Kings who had rebelled against CORNELL's rule.

u. On or about March 1, 2010, CORNELL ordered Latin Kings members to provide a firearm for protection to a Latin Kings member from Charlotte who reported that he was having problems with MS-13 members.

v. On or about March 9, 2010, CORNELL declared that the comments of YATES that were critical of CORNELL's rule were not authorized. CORNELL instructed that loyal Latin Kings members should be ready to take action against YATES.

w. On or about March 9, 2010, CORNELL ordered a Latin Kings member to provide him with $200 in United States currency to purchase a firearm from a supplier in Virginia.

x. On or about April 25, 2010, CORNELL ordered ROBINSON and WILLIAMS to complete a "mission" on behalf of the Latin Kings. ROBINSON and WILLIAMS obtained an assault rifle, a shotgun, and more than ninety rounds of ammunition to carry out the "mission" ordered by CORNELL.

y. On or about May 26, 2010, CORNELL, RUSSELL KILFOIL, and other Latin Kings members discussed firebombing the home of a disgruntled Latin Kings member who had disrespected CORNELL.

z. On or about May 27, 2010, CORNELL, RUSSELL KILFOIL, WILLIAMS, ROBINSON, and other Latin Kings members further discussed firebombing the home of a disgruntled Latin Kings member. CORNELL ordered that the firebombing should take place on Friday, May 28, 2010. CORNELL suggested that between 4:00 a.m. and 5:00 a.m. would be the best time to firebomb the home because the police would be changing shifts at that time. CORNELL instructed that the perpetrators park away from the home and walk so that they would not be seen. CORNELL ordered ROBINSON to make bottles filled with gasoline to do the job. ROBINSON, WILLIAMS, and other Latin Kings members then began filling the bottles with gasoline. WILLIAMS stated that he had done this before and knew what had worked for him in the past.

aa. On or about June 4, 2010, CORNELL, ROSA, and another Latin Kings member discussed the purchase of a firearm for $325 in United States currency. CORNELL stated that he could purchase a

"little machine gun" that "the Marines use" if they could come up with $475 in United States currency.

bb. On or about June 22, 2010, CORNELL told a Latin Kings member that he was going to attend a Latin Kings conference in Detroit and that he would be making a bulk purchase of firearms upon his return.

cc. On or about June 29, 2010, CORNELL stated that several Latin Kings members who had rebelled against his rule were no longer recognized as Latin Kings by "King Radar" and the Latin Kings leadership in Chicago.

dd. On or about June 29, 2010, CORNELL held a Latin Kings meeting, during which CORNELL explained the structure of the Latin Kings and the meaning of certain Latin Kings symbols.

ee. In or around July 2010, MOORE and ROBINSON issued a series of fraudulent checks to defraud Wachovia Bank of $2180 in United States currency.

ff. On or about July 24, 2010, CORNELL and WILLIAMS arranged for a home belonging to the grandmother of WILLIAMS to be burned down in order to collect a portion of the insurance proceeds, which totaled $96,466.23.

gg. On or about July 27, 2010, CORNELL bragged that he had killed an MS-13 member by stating, "I'm not going to say when or where, but I got me a 13. I got me one. A certain brother did not want to motherfucking pull the trigger, so I snatched it out of

his hand and did what I had to do. You know what I am saying? I can't stand niggas hesitating."

hh. On or about July 27, 2010, MOORE gave instructions to another Latin Kings member about how to implement a bank fraud scheme that MOORE had used previously.

ii. On or about October 5, 2010, RUSSELL KILFOIL, ROBINSON, MOORE, and COLEMAN assaulted a former Latin Kings member outside the Guilford County Courthouse in retribution for the former member leaving the gang.

jj. On or about August 24, 2011, CORNELL entered into a physical altercation with rival Latin Kings members at a shopping mall in Greensboro, North Carolina.

All in violation of Title 18, United States Code, Section 1962(d).

COUNT TWO

1. The Latin Kings, as described more particularly in paragraphs 1 through 14 of Count One, which are realleged and incorporated by reference herein, constituted an enterprise, as that term is 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.

2. The Latin Kings, through its members and associates, was engaged in racketeering activity, as defined in Title 18, United States Code, Section 1959(b)(1) and 1961(1), namely acts involving

murder, kidnapping, arson, robbery, extortion, and trafficking in controlled substances indictable under North Carolina state law, acts indictable under 18 U.S.C. § 1344 (bank fraud) and 18 U.S.C. § 1951 (Hobbs Act robbery and extortion), and acts indictable under 21 U.S.C. §§ 841(a)(1) and 846 (narcotics trafficking).

3. On or about April 4, 2008, in the County of Guilford, in the Middle District of North Carolina, and elsewhere, for the purpose of maintaining and increasing position in the Latin Kings, an enterprise engaged in racketeering activity, MARCELO YSRAEL PEREZ, also known as "King Lyrix" and "King Sacrifice," knowingly and intentionally assaulted with a dangerous weapon, that is, a firearm, and aided and abetted the assault with a dangerous weapon, of a person known to the Grand Jury, in violation of the laws of the State of North Carolina, that is, N.C. Gen. Stat. § 14-32(b).

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

COUNT THREE

On or about April 4, 2008, in the County of Guilford, in the Middle District of North Carolina, MARCELO YSRAEL PEREZ, also known as "King Lyrix" and "King Sacrifice," during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, violent crime in aid of racketeering, in violation of Title 18, United States Code, Section 1959(a)(3), did knowingly carry and use by discharging, a firearm, that is, a

shotgun; in violation of Title 18, United States Code, Section 924(c)(1)(A)(iii).

FORFEITURE ALLEGATIONS

1. The allegations contained in Count One (including paragraphs 1 through 14 thereof) are hereby realleged and incorporated by reference herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 1963.

2. Pursuant to Title 18, United States Code, Section 1963, upon conviction of an offense in violation of Title 18, United States Code, Section 1962, as alleged in Count One, the defendants, JORGE PETER CORNELL, also known as "King J" and "King Jay," RUSSELL LLOYD KILFOIL, also known as "King Peaceful" and "Jonathan Hernandez," RANDOLPH LEIF KILFOIL, also known as "King Paul," JASON PAUL YATES, also known as "King Squirrel," LUIS ALBERTO ROSA, also known as "King Speechless," WESLEY ANDERSON WILLIAMS, also known as "King Bam," STEAPHAN ACENCIO-VASQUEZ, also known as "King Leo," MARCELO YSRAEL PEREZ, also known as "King Lyrix," also known as "King Sacrifice," SAMUEL ISAAC VELASQUEZ, also known as "King Hype," CHARLES LAWRENCE MOORE, also known as "King Toasty," RICHARD LEE ROBINSON, also known as "King Focus," IRVIN VASQUEZ, also known as "King Dice," and CARLOS COLEMAN, also known as "King Spanky," shall forfeit to the United States of America any and all right, title, and interest in or to the following:

a. any interest acquired or maintained in violation of section 1962;

b. any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise which the defendants established, operated, controlled, conducted, or participated in the conduct of, in violation of section 1962; and

c. any property constituting, or derived from, any proceeds obtained, directly or indirectly, from racketeering activity or unlawful debt collection in violation of 1962.

The property to be forfeited includes but is not limited to:

1. Colt .45 caliber revolver, serial number 49240;
2. Colt .32 caliber revolver, model Police Positive, serial number 94225;
3. Mossberg 12 gauge pump shotgun, model 88 Maverick, serial number MV00922J;
4. Raven Arms .25 caliber, model MP-25, serial number 917370;
5. Remington shotgun, model 1100, serial number M984743V;
6. Norinco AK-47, model NHM91, serial number 9310889;
7. Ruger 9mm, model P85, serial number obliterated;
8. three machetes; and

9. miscellaneous ammunition including

Quantity	Size/Description
11	9 mm
9	12 gauge
91	.762 caliber
15	.25 caliber
18	.32 caliber
6	.45 caliber
4	projectiles.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All in accordance with Title 18, United States Code, Section 1963, and Rule 32.2, Federal Rules of Criminal Procedure.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL

ROBERT A.J. LANG
ASSISTANT UNITED STATES ATTORNEY

ROBERT J. LIVERMORE
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