

NMA:MKM/NS
F. #2013R00786

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

SUPERSEDING
INDICTMENT

- against -

REDINEL DERVISHAJ,
also known as "Redi,"
BESNIK LLAKATURA,
also known as "Besi"
and "Nick," and
DENIS NIKOLLA,
also known as "Deni,"

Cr. No. 13-668 (S-1) (ENV)
(T. 18, U.S.C., §§ 924(c)(1)(A)(i),
924(c)(1)(A)(ii), 924(d), 981(a)(1)(C),
1951(a), 2261A(2), 2 and 3551 et seq.; T.
21, U.S.C., § 853(p); T. 28, U.S.C.,
§ 2461(c))

Defendants.

-----X

THE GRAND JURY CHARGES:

COUNT ONE

(Hobbs Act Extortion Conspiracy – John Doe #1)

1. In or about and between April 2012 and November 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants REDINEL DERVISHAJ, also known as "Redi," and DENIS NIKOLLA, also known as "Deni," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: proceeds from one or more nightclubs located in Queens, New York, from John Doe #1, an individual whose

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EASTERN DISTRICT
OF NEW YORK

identity is known to the Grand Jury, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT TWO

(Attempted Hobbs Act Extortion – John Doe #1)

2. In or about and between April 2012 and November 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants REDINEL DERVISHAJ, also known as “Redi,” and DENIS NIKOLLA, also known as “Deni,” together with others, did knowingly and intentionally attempt to delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others attempted to obtain property, to wit: proceeds from one or more nightclubs located in Queens, New York, from John Doe #1, with his consent, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT THREE

(Using, Carrying and Possessing a Firearm)

3. In or about and between April 2012 and November 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants REDINEL DERVISHAJ, also known as “Redi,” and DENIS NIKOLLA, also known as “Deni,” together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to one or more crimes of violence, to wit: the crimes

charged in Counts One and Two, and did knowingly and intentionally possess such firearms in furtherance of said crimes of violence, which firearms were brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 2 and 3551 et seq.)

COUNT FOUR

(Hobbs Act Extortion Conspiracy – John Doe #2)

4. In or about and between May 2013 and November 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants REDINEL DERVISHAJ, also known as “Redi,” BESNIK LLAKATURA, also known as “Besi” and “Nick,” and DENIS NIKOLLA, also known as “Deni,” together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: proceeds from a restaurant located in Queens, New York, from John Doe #2, an individual whose identity is known to the Grand Jury, with his consent, which consent was to be induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT FIVE

(Attempted Hobbs Act Extortion – John Doe #2)

5. In or about and between May 2013 and November 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants REDINEL DERVISHAJ, also known as “Redi,” BESNIK LLAKATURA, also known as “Besi” and “Nick,” and DENIS NIKOLLA, also known as “Deni,” together with

others, did knowingly and intentionally attempt to delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others attempted to obtain property, to wit: proceeds from a restaurant located in Queens, New York, from John Doe #2, with his consent, which consent was induced by wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT SIX

(Using, Carrying and Possessing a Firearm)

6. In or about and between May 2013 and November 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants REDINEL DERVISHAJ, also known as “Redi,” BESNIK LLAKATURA, also known as “Besi” and “Nick,” and DENIS NIKOLLA, also known as “Deni,” together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to one or more crimes of violence, to wit: the crimes charged in Counts Four and Five, and did knowingly and intentionally possess such firearms in furtherance of said crimes of violence, which firearms were brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 2 and 3551 et seq.)

COUNT SEVEN

(Stalking – Jane Doe)

7. In or about and between October 2013 and November 2013, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant BESNIK LLAKATURA, also known as “Besi” and “Nick,” together with others,

did knowingly and intentionally, with the intent to injure, harass, intimidate, and place under surveillance with intent to injure, harass, and intimidate another person, to wit: Jane Doe, an individual whose identity is known to the Grand Jury, use an interactive computer service and electronic communication service and electronic communication system of interstate commerce to engage in a course of conduct that placed Jane Doe in reasonable fear of the death of or serious bodily injury to Jane Doe and an immediate family member of Jane Doe and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to Jane Doe and an immediate family member of Jane Doe.

(Title 18, United States Code, Section 2261A(2), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE, TWO, FOUR AND FIVE

8. The United States hereby gives notice to the defendants charged in Counts One, Two, Four and Five that, upon their conviction of any such offense, the government will seek forfeiture in accordance with (A) Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any property, real or personal, which constitutes or is derived from proceeds traceable to such offenses; and (B) Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any firearm or ammunition involved in or used in such offenses.

9. If any of the above-described forfeitable property, 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 forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 924(d) and 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS THREE AND SIX

10. The United States hereby gives notice to defendants charged in Counts Three and Six that, upon their conviction of either offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any firearm or ammunition involved in or used in such offenses.

11. If any of the above-described forfeitable property, 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;

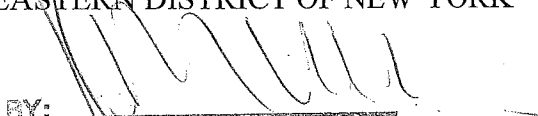
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL


 FOREPERSON

 LORETTA E. LYNCH
 UNITED STATES ATTORNEY
 EASTERN DISTRICT OF NEW YORK


 BY: _____
 ACTING UNITED STATES ATTORNEY
 PURSUANT TO 28 C.F.R. 0.136

No. 13-668(S-1) (ENV)

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

REDINEL DERVISHAJ, et al.

Defendants.

SUPERSEDING INDICTMENT

(T. 18, U.S.C., §§ 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(d)
981(a)(1)(C), 1951(a), 2261A(2), 2 and 3551 et seq.;
T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

A true bill.
Andrew MacMillan - Purbae

Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Nadia Shihata and Kristin Mace, Assistant U.S. Attorneys (718) 254-6879