

COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA :
:
- v. - :
:
ANGEL APONTE, :
a/k/a "A," :
:
Defendant. :
----- X

SEALED
INDICTMENT

S1 14 Cr. 268

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2013, up to and including in or about April 2014, in the Southern District of New York and elsewhere, ANGEL APONTE, a/k/a "A," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ANGEL APONTE, a/k/a "A," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that ANGEL APONTE, a/k/a "A," the defendant, conspired to distribute and possess with the intent to distribute was five kilograms or more of mixtures and

substances containing a detectable amount of cocaine, in violation of 21 U.S.C. § 841(b)(1)(A).

4. During the period charged in the Indictment, the conspiracy maintained a stash location for its cocaine at a residence on Orloff Avenue in the Bronx, New York. The conspiracy is referred to below as the Orloff Organization.

5. During the period charged in the Indictment, the Orloff Organization distributed cocaine in and around Westchester County, New York; Orange County, New York; Albany County, New York; and the Bronx, New York.

OVERT ACTS

6. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about April 23, 2014, ANGEL APONTE, a/k/a "A," the defendant, and a co-conspirator not named as a defendant herein, had a phone conversation regarding cocaine distribution by the Orloff Organization.

b. On or about April 25, 2014, ANGEL APONTE, a/k/a "A," the defendant, and a co-conspirator not named as a defendant herein, had phone conversations regarding cocaine distribution by the Orloff Organization.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

7. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ANGEL APONTE, a/k/a "A," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the violation and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the violation alleged in Count One of this Indictment, including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of the offense.

Substitute Assets Provision

8. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 subdivided without difficulty;
it is the intention of the United States, pursuant to Title 21,
United States Code, Section 853(p), to seek forfeiture of any
other property of the defendant up to the value of the above
forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)



FOREPERSON



PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(21 U.S.C. § 846.)


Foreperson.

PREET BHARARA
United States Attorney.
