

COPY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOAQUIN THATCHER,  
a/k/a "Wu,"  
PAUL FOSTER,  
a/k/a "Pauly Pistols,"  
CHARLIE JIMINEZ,  
a/k/a "350,"  
a/k/a "Gucci,"  
TORREL SMITH,  
a/k/a "Assassin,"  
CRAIG MAJOR,  
a/k/a "Millz,"  
REESE MOORE,  
a/k/a "Loc,"  
ANTHONY OLIVER  
a/k/a "Ant Pooh,"  
DAQUON POWELL,  
a/k/a "DP,"  
DWAYNE CARR,  
a/k/a "Weezy,"  
JIMMIE HUGHES,  
a/k/a "Jim Jim," and  
ALEXANDER MCCRAY,  
a/k/a "AWOL,"

Defendants.

SEALED  
INDICTMENT

13 Cr.

13 CRIM 847

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2006 up to and including on or about October 31, 2013, in the Southern District of New York and elsewhere, JOAQUIN THATCHER, a/k/a "Wu," PAUL FOSTER, a/k/a "Pauly Pistols," CHARLIE JIMINEZ, a/k/a "350," a/k/a "Gucci,"

TORREL SMITH, a/k/a "Assassin," CRAIG MAJOR, a/k/a "Millz," REESE MOORE, a/k/a "Loc," ANTHONY OLIVER, a/k/a "Ant Pooh," DAQUON POWELL, a/k/a "DP," DWAYNE CARR, a/k/a "Weezy," JIMMIE HUGHES, a/k/a "Jim Jim," and ALEXANDER MCCRAY, a/k/a "AWOL," the defendants, 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 JOAQUIN THATCHER, a/k/a "Wu," PAUL FOSTER, a/k/a "Pauly Pistols," CHARLIE JIMINEZ, a/k/a "350," a/k/a "Gucci," TORREL SMITH, a/k/a "Assassin," CRAIG MAJOR, a/k/a "Millz," REESE MOORE, a/k/a "Loc," ANTHONY OLIVER, a/k/a "Ant Pooh," DAQUON POWELL, a/k/a "DP," DWAYNE CARR, a/k/a "Weezy," JIMMIE HUGHES, a/k/a "Jim Jim," and ALEXANDER MCCRAY, a/k/a "AWOL," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a) (1).

3. The controlled substances involved in the offense were: (1) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Section 841(b) (1) (A); and (2) mixtures and

substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(D).

OVERT ACTS

4. 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:

a. On or about December 18, 2006, DAIQUON POWELL, a/k/a "DP," the defendant, possessed crack cocaine in the vicinity of 47 Riverdale Avenue in Yonkers, New York.

b. In or about 2008, TORREL SMITH, a/k/a "Assassin," the defendant, shot another individual in the vicinity of 34 Prospect Street in Yonkers, New York.

c. On various occasions in or about 2010, PAUL FOSTER, a/k/a "Pauly Pistols," the defendant, sold crack cocaine to other individuals in the vicinity of Riverdale Avenue in Yonkers, New York.

d. On various occasions in or about 2010, REESE MOORE, a/k/a "LOC," the defendant, sold crack cocaine to other individuals in the vicinity of Riverdale Avenue in Yonkers, New York.

e. In or about October 2010, CRAIG MAJOR, a/k/a "Millz," the defendant, sold crack cocaine to an undercover police officer in the vicinity of 47 Riverdale Avenue in Yonkers, New York.

f. On or about February 2, 2011, DWAYNE CARR, a/k/a "Weezy," the defendant, possessed approximately 5 grams of crack cocaine in the vicinity of Riverdale Avenue in Yonkers, New York.

g. On or about September 12, 2013, ANTHONY OLIVER, a/k/a "Ant Pooh," the defendant, sold approximately 10 grams of crack cocaine to a confidential source in the vicinity of 47 Riverdale Avenue in Yonkers, New York.

h. On or about September 19, 2013, ALEXANDER MCCRAY, a/k/a "AWOL," the defendant, sold a quantity of crack cocaine to a confidential source in the vicinity of 47 Riverdale Avenue in Yonkers, New York.

i. On or about September 24, 2013, JIMMIE HUGHES, a/k/a "Jim Jim," the defendant, sold a quantity of crack cocaine to a confidential source in the vicinity of 47 Riverdale Avenue in Yonkers, New York.

j. In or about October 2013, JOAQUIN THATCHER, a/k/a "Wu," the defendant, possessed approximately 60 grams of crack cocaine and a quantity of powder cocaine.

k. On or about October 8, 2013, CHARLIE JIMINEZ, a/k/a "350," a/k/a "Gucci," the defendant, had a drug-related telephone call with THATCHER.

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

COUNT TWO

The Grand Jury further charges:

5. From at least in or about 2006 up to and including on or about October 31, 2013, in the Southern District of New York, JOAQUIN THATCHER, a/k/a "Wu," PAUL FOSTER, a/k/a "Pauly Pistols," CHARLIE JIMINEZ, a/k/a "350," a/k/a "Gucci," TORREL SMITH, a/k/a "Assassin," CRAIG MAJOR, a/k/a "Millz," REESE MOORE, a/k/a "Loc," ANTHONY OLIVER, a/k/a "Ant Pooh," and DAQUON POWELL, a/k/a "DP," the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, which firearms were possessed, brandished, and discharged.

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

FORFEITURE ALLEGATION

6. As a result of committing the controlled substance offense alleged in Count One of this Indictment, JOAQUIN THATCHER, a/k/a "Wu," PAUL FOSTER, a/k/a "Pauly Pistols," CHARLIE JIMINEZ, a/k/a "350," a/k/a "Gucci," TORREL SMITH, a/k/a "Assassin," CRAIG MAJOR, a/k/a "Millz," REESE MOORE, a/k/a

"Loc," ANTHONY OLIVER, a/k/a "Ant Pooh," DAQUON POWELL, a/k/a "DP," DWAYNE CARR, a/k/a "Weezy," JIMMIE HUGHES, a/k/a "Jim Jim," and ALEXANDER MCCRAY, a/k/a "AWOL," the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds said defendants 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 one or more of the offense.


Substitute Assets Provision

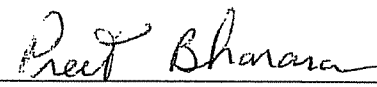
7. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third 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 defendants 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