

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

FILED
JUN 21 2012
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

CR12-00495

UNITED STATES OF AMERICA,

V.

MARCEL J. ALLEY;
MICHAEL LAMONT AVERY;
RICK JASON BAILEY;
TYRONE BANKS;
BOBBY BURNELL BARFIELD;
JASON KEITH BARRETT;
AHMAD JAMAL BELTON;
RICKY BRUMFIELD;
CARLES LASHUAN BUIE, II;
ISAIAH LUIS COLON;
JUAN JESUS COLON, JR.;
MANUEL COLON, JR.;
JAVANCE CORMIER;
ANTHONY RAMONE CRAWFORD, II;
JUAN MIGUEL ELLINGBERG;
OMARI EDRICE EVANS;
DANA RAY HOUSTON;
COREY D. JAGGERS;
CHARLES LIPSCOMB;
ERIK ANDRE MILES;
DARYL TREMAINE MITCHELL;
ERIC BARONNE MOORE;
ROMEL ONTORIA PATTON;
SHAWN ALLEN SHIELDS;
JAMES WESLEY VAUGHN, JR.;

ADRIAN DEWAYNE WALKER
aka, "Derek King";
COREY WALKER;
LENZY JEROME WASH;
DERRICK WILLIAM WHITE, JR.;
PATRICK RAINER WILLIAMS; and
JAMES HAMPTON WORTHINGTON, JR.

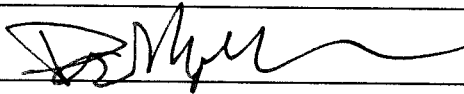
DEFENDANT(S).

CR12-00495

INDICTMENT

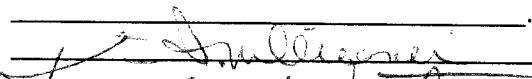
21 U.S.C. §§ 846 and 841(a)(1) - Conspiracy to Possess with Intent to Distribute and to
Distribute a Schedule I/II Controlled Substance (Heroin & Cocaine); 21 U.S.C. § 841(a)(1) -
Possession with Intent to Distribute a Schedule I/II Controlled Substance (Heroin & Cocaine);
21 U.S.C. § 841(a)(1) - Distribution of a Schedule I/II Controlled Substance (Heroin & Cocaine);
21 U.S.C. § 860 - Distribution in or Near Schools; 21 U.S.C. § 853(a) - Forfeiture Allegation

A true bill.

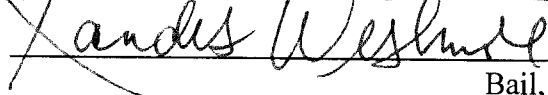


Foreman

Filed in open court this 24 day of June 2012



Clerk



Bail, \$

No bail
as to all defendants

MELINDA HAAG (CABN 132612)
United States Attorney

FILED

JUN 21 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCEL J. ALLEY;
MICHAEL LAMONT AVERY;
RICK JASON BAILEY;
TYRONE BANKS;
BOBBY BURNELL BARFIELD;
JASON KEITH BARRETT;
AHMAD JAMAL BELTON;
RICKY BRUMFIELD;
CARLES LASHUAN BUIE, II;
ISAIAH LUIS COLON;
JUAN JESUS COLON, JR.;
MANUEL COLON, JR.;
JAVANCE CORMIER;
ANTHONY RAMONE CRAWFORD, II;
JUAN MIGUEL ELLINGBERG;
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DANA RAY HOUSTON;
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ERIK ANDRE MILES;
DARYL TREMAINE MITCHELL;
ERIC BARONNE MOORE;
ROMEL ONTORIA PATTON;
SHAWN ALLEN SHIELDS;
JAMES WESLEY VAUGHN, JR.;
ADRIAN DEWAYNE WALKER
aka, "Derek King";
COREY WALKER;
LENZY JEROME WASH;

NO.

CR12-00495

VIOLATIONS: 21 U.S.C. §§ 846 and
841(a)(1) - Conspiracy to Possess with
Intent to Distribute and to Distribute a
Schedule I/II Controlled Substance (Heroin
& Cocaine); 21 U.S.C. § 841(a)(1) -
Possession with Intent to Distribute a
Schedule I/II Controlled Substance (Heroin
& Cocaine); 21 U.S.C. § 841(a)(1) -
Distribution of a Schedule I/II Controlled
Substance (Heroin & Cocaine); 21 U.S.C. §
860 - Distribution in or Near Schools; 21
U.S.C. § 853(a) - Forfeiture Allegation

OAKLAND VENUE

INDICTMENT

1 DERRICK WILLIAM WHITE, JR.;
2 PATRICK RAINER WILLIAMS; and
3 JAMES HAMPTON WORTHINGTON,
4 JR.,

5 Defendants.
6
7

8 INDICTMENT

9 The Grand Jury charges:

10 COUNT ONE:

(21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(B)(i), 841(b)(1)(C) –
11 Conspiracy To Possess With Intent To Distribute And To
12 Distribute Heroin And Cocaine)

NARCOTICS CONSPIRACY

13 A. The Conspiracy

14 Beginning on an unknown date, but no later than December 2010, and continuing until at
15 least December 31, 2011, in the Northern District of California, the defendants,

16 MARCEL J. ALLEY;
17 MICHAEL LAMONT AVERY;
18 RICK JASON BAILEY;
19 TYRONE BANKS;
20 BOBBY BURNELL BARFIELD;
21 JASON KEITH BARRETT;
22 AHMAD JAMAL BELTON;
23 RICKY BRUMFIELD;
24 CARLES LASHUAN BUIE, II;
25 ISAIAH LUIS COLON;
26 JUAN JESUS COLON, JR.;
27 MANUEL COLON, JR.;
28 JAVANCE CORMIER;
ANTHONY RAMONE CRAWFORD, II;
JUAN MIGUEL ELLINGBERG;
OMARI EDRICE EVANS;
DANA RAY HOUSTON;
COREY D. JAGGERS;
CHARLES LIPSCOMB;
ERIK ANDRE MILES;
DARYL TREMAINE MITCHELL;
ERIC BARONNE MOORE;
ROMEL ONTORIA PATTON;
SHAWN ALLEN SHIELDS;
JAMES WESLEY VAUGHN, JR.;
ADRIAN DEWAYNE WALKER

1 aka, "Derek King";
2 COREY WALKER;
3 LENZY JEROME WASH;
4 DERRICK WILLIAM WHITE, JR.;
5 PATRICK RAINER WILLIAMS; and
6 JAMES HAMPTON WORTHINGTON, JR.,

7 and others known and unknown to the Grand Jury, did knowingly and intentionally conspire to:
8 (1) possess with intent to distribute and to distribute a Schedule I controlled substance, namely, at
9 least 100 grams of a mixture and substance containing a detectable amount of heroin, and (2)
10 possess with intent to distribute and to distribute a Schedule II controlled substance, namely, a
11 mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United
12 States Code, Sections 846, 841(a)(1), 841(b)(1)(B)(i) and 841(b)(1)(C).

13 B. Goal of the Conspiracy

14 It was a principal goal of the conspiracy for the defendants and co-conspirators to obtain
15 as much money and other items of value as possible through the trafficking of controlled
16 substances, namely heroin and cocaine, in the Northern District of California.

17 C. Ways, Manner and Means To Accomplish the Conspiracy

18 All defendants and co-conspirators were, at some time during the conspiracy, members or
19 associates of the "Burn Out Family Mafia" criminal street gang. The Burn Out Family Mafia is a
20 drug trafficking organization that sells narcotics, specifically heroin and cocaine, in East
21 Oakland, California. The ways, manner and means by which the defendants and co-conspirators
22 operated their illegal drug trafficking organization included, but were not limited to, the
23 following:

24 (1) The members of the conspiracy knowingly and intentionally distributed
25 and possessed with intent to distribute heroin and cocaine, and aided and abetted such
26 distribution and possession with intent to distribute. The defendants conducted their illegal
27 narcotics trafficking in the general area of East Oakland, but with specific emphasis on the areas
28 in and around 82nd Avenue and Birch Street, 72nd Avenue and Hawley Street, and 88th Avenue
and A Street.

(2) The defendants made themselves and their services available at various

1 times throughout the life of the conspiracy and participated in certain drug trafficking ventures as
2 required to promote and protect the distribution operation.

3 (3) The defendants divided labor by breaking their operation into two shifts,
4 known as the "Day Shift" from approximately 8:00 a.m. to 5:00 p.m. and the "Night Shift" from
5 approximately 5:30 p.m. to 11:00 p.m., when the defendants sold heroin and cocaine on and
6 around the corners of 82nd Avenue and Birch Street, 72nd Avenue and Hawley Street, and 88th
7 Avenue and A Street. During these shifts, as throughout the conspiracy, the defendants played
8 different roles and performed different tasks to further the goal of the conspiracy, which was to
9 maximize drug sales and profit. The roles assumed by some defendants were interchangeable at
10 various times throughout the conspiracy. Some of the roles assumed and carried out by the
11 defendants included, among others, "spitter," lookout, enforcer, street-level supervisor, supplier
12 of drugs, and boss.

13 (a) Typically, the actual street drug seller, known as a "spitter," picked
14 a place to hide the majority of the drugs available for sale during a
15 given shift, known as the "stash." The spitter then placed a smaller
16 amount of drugs in a hiding place closer to him or her for easier
17 access during drug sales. Often a "lookout" stood in the area and
18 warned others of police presence by shouting, "drama," "five-o," or
19 similar euphemisms for the police. Drug buyers generally came to
20 the area around the corners 82nd Avenue and Birch Street, 72nd
21 Avenue and Hawley Street, and 88th Avenue and A Street, where
22 they were escorted or directed to the location of the "spitters." The
23 buyer requested the type of drug and quantity by using common
24 slang terms. The defendants used "boy" as slang for heroin and
25 "girl" for cocaine.

26 (b) In addition to the "lookout" and "spitter," "enforcers" were also
27 present at or near where drugs were sold, typically armed with a
28 firearm. The "enforcer's" job was to protect the other Burn Out

1 Family Mafia drug dealers and associates from robbery or attacks
2 by people associated with rival gangs or hostile groups.

3 (c) In addition to these roles, there was also a street level supervisor.
4 There are different terms that refer to this person, but the
5 responsibilities included: (1) making sure that the lookouts,
6 spitters, and enforcers were performing their expected tasks; (2)
7 making sure that these roles were filled in the event that those
8 assigned were unavailable due to arrest or other circumstances; (3)
9 collecting the drug proceeds from spitters; (4) re-supplying or "re-
10 uping" the spitters when they ran low on narcotics; and (5) paying
11 lookouts and spitters.

12 (d) Finally, there were drug suppliers or "bosses." These individuals
13 supplied the narcotics, or "work," to the street level supervisors
14 and also directed other criminal activity, including aggressive or
15 retaliatory acts against rivals.

16 (4) It was further part of the conspiracy that heroin and cocaine were stored,
17 prior to distribution to customers, in and around designated "stash" locations. The defendants
18 used these "stash" locations to store heroin and cocaine in order to prevent their being found by
19 the police or rivals, and to hide the items' connection to members of the conspiracy. Some of
20 these "stash" locations were also used for processing, cutting, packaging, and distributing the
21 organization's heroin and cocaine.

22 (5) It was further part of the conspiracy that the defendants and co-
23 conspirators used telephones, including cellular and portable telephones, to facilitate their illegal
24 narcotics business; that is, making telephone calls to communicate with each other, their
25 suppliers and their customers, and to protect against the detection of the conspiracy by law
26 enforcement officials.

27 (6) It was further part of the conspiracy that its members made efforts to avoid
28 detection, investigation by law enforcement authorities, and conviction for criminal charges

1 against any members of the conspiracy.

2 COUNT TWO: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
3 Intent To Distribute Heroin Within 1000 Feet Of A School)

4 On or about September 27, 2011, in the Northern District of California, the defendant,
5 MARCEL J. ALLEY,

6 did knowingly and intentionally possess with intent to distribute a Schedule I controlled
7 substance, namely, a mixture and substance containing a detectable amount of heroin, and did so
8 within 1000 feet of the real property comprising Acts Christian Academy, a school in Oakland,
9 California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and 860.

10 COUNT THREE: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
11 Intent To Distribute Heroin Within 1000 Feet Of A School)

12 On or about November 26, 2011, in the Northern District of California, the defendants,

13 MICHAEL LAMONT AVERY, and
14 CARLES LASHUAN BUIE, II,

15 did knowingly and intentionally possess with intent to distribute a Schedule I controlled
16 substance, namely, a mixture and substance containing a detectable amount of heroin, and did so
17 within 1000 feet of the real property comprising Acts Christian Academy, a school in Oakland,
18 California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and 860.

19 COUNT FOUR: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
20 Intent To Distribute And Distribution of Heroin Within 1000 Feet
Of A School)

21 On or about September 21, 2011, in the Northern District of California, the defendant,

22 RICK JASON BAILEY,

23 did knowingly and intentionally possess with intent to distribute and distribute a Schedule I
24 controlled substance, namely, a mixture and substance containing a detectable amount of heroin,
25 and did so within 1000 feet of the real property comprising New Highland Academy, a school in
26 Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)
27 and 860.

28 ///

1 COUNT FIVE:

(21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
2 Intent To Distribute And Distribution of Heroin And Cocaine
3 Within 1000 Feet Of A School)

4 On or about December 7, 2011, in the Northern District of California, the defendant,

5 TYRONE BANKS,

6 did knowingly and intentionally possess with intent to distribute and distribute: a Schedule I
7 controlled substance, namely, a mixture and substance containing a detectable amount of heroin;
8 and a Schedule II controlled substance, namely, a mixture and substance containing a detectable
9 amount of cocaine, and did so within 1000 feet of the real property comprising Webster
10 Academy, a school in Oakland, California, in violation of Title 21, United States Code, Sections
11 841(a)(1), (b)(1)(C) and 860.

12 COUNT SIX:

(21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
13 Intent To Distribute And Distribution Of Heroin Within 1000 Feet
14 Of A School)

15 On or about August 10, 2011, in the Northern District of California, the defendant,

16 BOBBY BURNELL BARFIELD,

17 did knowingly and intentionally possess with intent to distribute and distribute a Schedule I
18 controlled substance, namely, a mixture and substance containing a detectable amount of heroin,
19 and did so within 1000 feet of the real property comprising New Highland Academy, a school in
20 Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)
21 and 860.

22 COUNT SEVEN:

(21 U.S.C. §§ 841(a)(1), (b)(1)(C) – Possession With Intent To
23 Distribute And Distribution Of Cocaine)

24 On or about November 28, 2011, in the Northern District of California, the defendants,

25 JASON KEITH BARRETT, and
26 ERIC BARONNE MOORE,

27 did knowingly and intentionally possess with intent to distribute and distribute a Schedule II
28 controlled substance, namely, a mixture and substance containing a detectable amount of
cocaine, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C).

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1 COUNT EIGHT:

(21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
2 Intent To Distribute And Distribution Of Heroin And Cocaine
3 Within 1000 Feet Of A School)

4 On or about June 15, 2011, in the Northern District of California, the defendant,

5 AHMAD JAMAL BELTON,

6 did knowingly and intentionally possess with intent to distribute and distribute: a Schedule I
7 controlled substance, namely, a mixture and substance containing a detectable amount of heroin;
8 and a Schedule II controlled substance, namely, a mixture and substance containing a detectable
9 amount of cocaine, and did so within 1000 feet of the real property comprising New Highland
10 Academy, a school in Oakland, California, in violation of Title 21, United States Code, Sections
11 841(a)(1), (b)(1)(C) and 860.

12 COUNT NINE:

(21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
13 Intent To Distribute And Distribution Of Heroin Within 1000 Feet
14 Of A School)

15 On or about September 21, 2011, in the Northern District of California, the defendant,

16 RICKY BRUMFIELD,

17 did knowingly and intentionally possess with intent to distribute and distribute a Schedule I
18 controlled substance, namely, a mixture and substance containing a detectable amount of heroin,
19 and did so within 1000 feet of the real property comprising Acts Christian Academy, a school in
20 Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)
21 and 860.

22 COUNT TEN:

(21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
23 Intent To Distribute And Distribution Of Heroin And Cocaine
24 Within 1000 Feet Of A School)

25 On or about May 17, 2011, in the Northern District of California, the defendant,

26 ISAIAH LUIS COLON,

27 did knowingly and intentionally possess with intent to distribute and distribute: a Schedule I
28 controlled substance, namely, a mixture and substance containing a detectable amount of heroin;
and a Schedule II controlled substance, namely, a mixture and substance containing a detectable
amount of cocaine, and did so within 1000 feet of the real property comprising Webster
Academy, a school in Oakland, California, in violation of Title 21, United States Code, Sections

1 841(a)(1), (b)(1)(C) and 860.

2 COUNT ELEVEN: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
3 Intent To Distribute Heroin Within 1000 Feet Of A School)

4 On or about June 3, 2011, in the Northern District of California, the defendants,

5 JUAN JESUS COLON, JR.,
6 ERIC BARONNE MOORE,
7 JAMES HAMPTON WORTHINGTON, JR.,

8 did knowingly and intentionally possess with intent to distribute a Schedule I controlled
9 substance, namely, a mixture and substance containing a detectable amount of heroin, and did so
10 within 1000 feet of the real property comprising Webster Academy, a school in Oakland,
11 California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and 860.

12 COUNT TWELVE: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
13 Intent To Distribute And Distribution Of Heroin And Cocaine
14 Within 1000 Feet Of A School)

15 On or about June 15, 2011, in the Northern District of California, the defendant,

16 MANUEL COLON, JR.,

17 did knowingly and intentionally possess with intent to distribute and distribute: a Schedule I
18 controlled substance, namely, a mixture and substance containing a detectable amount of heroin;
19 and a Schedule II controlled substance, namely, a mixture and substance containing a detectable
20 amount of cocaine, and did so within 1000 feet of the real property comprising Webster
21 Academy, a school in Oakland, California, in violation of Title 21, United States Code, Sections
22 841(a)(1), (b)(1)(C) and 860.

23 COUNT THIRTEEN: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
24 Intent To Distribute And Distribution Of Cocaine Within 1000
25 Feet Of A School)

26 On or about September 21, 2011, in the Northern District of California, the defendant,

27 JAVANCE CORMIER,

28 did knowingly and intentionally possess with intent to distribute and distribute a Schedule II
controlled substance, namely, a mixture and substance containing a detectable amount of
cocaine, and did so within 1000 feet of the real property comprising New Highland Academy, a
school in Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1),

1 (b)(1)(C) and 860.

2 COUNT FOURTEEN: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession
3 With Intent To Distribute Heroin And Cocaine
4 Within 1000 Feet Of A School)

5 On or about December 14, 2011, in the Northern District of California, the defendants,

6 ANTHONY RAMONE CRAWFORD, II, and
7 ERIC BARONNE MOORE,

8 did knowingly and intentionally possess with intent to distribute: a Schedule I controlled
9 substance, namely, a mixture and substance containing a detectable amount of heroin; and a
10 Schedule II controlled substance, namely, a mixture and substance containing a detectable
11 amount of cocaine, and did so within 1000 feet of the real property comprising Webster
12 Academy, a school in Oakland, California, in violation of Title 21, United States Code, Sections
13 841(a)(1), (b)(1)(C) and 860.

14 COUNT FIFTEEN: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
15 Intent To Distribute And Distribution Of Heroin Within 1000 Feet
16 Of A School)

17 On or about April 22, 2011, in the Northern District of California, the defendant,

18 JUAN MIGUEL ELLINGBERG,

19 did knowingly and intentionally possess with intent to distribute and distribute a Schedule I
20 controlled substance, namely, a mixture and substance containing a detectable amount of heroin,
21 and did so within 1000 feet of the real property comprising Webster Academy, a school in
22 Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)
23 and 860.

24 COUNT SIXTEEN: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
25 Intent To Distribute And Distribution Of Heroin And Cocaine
26 Within 1000 Feet Of A School)

27 On or about July 13, 2011, in the Northern District of California, the defendants,

28 OMARI EDRICE EVANS, and
DERRICK WILLIAM WHITE, JR.,

did knowingly and intentionally possess with intent to distribute and distribute: a Schedule I
controlled substance, namely, a mixture and substance containing a detectable amount of heroin;

1 and a Schedule II controlled substance, namely, a mixture and substance containing a detectable
2 amount of cocaine, and did so within 1000 feet of the real property comprising Acts Christian
3 Academy, a school in Oakland, California, in violation of Title 21, United States Code, Sections
4 841(a)(1), (b)(1)(C) and 860.

5 COUNT SEVENTEEN: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
6 Intent To Distribute Heroin Within 1000 Feet Of A School)

7 On or about January 21, 2011, in the Northern District of California, the defendant,
8 DANA RAY HOUSTON,
9 did knowingly and intentionally possess with intent to distribute a Schedule I controlled
10 substance, namely, a mixture and substance containing a detectable amount of heroin, and did so
11 within 1000 feet of the real property comprising Webster Academy, a school in Oakland,
12 California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and 860.

13 COUNT EIGHTEEN: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession With
14 Intent To Distribute And Distribution Of Heroin And Cocaine
Within 1000 Feet Of A School)

15 On or about November 9, 2011, in the Northern District of California, the defendant,
16 COREY D. JAGGERS,
17 did knowingly and intentionally possess with intent to distribute and distribute: a Schedule I
18 controlled substance, namely, a mixture and substance containing a detectable amount of heroin;
19 and a Schedule II controlled substance, namely, a mixture and substance containing a detectable
20 amount of cocaine, and did so within 1000 feet of the real property comprising Webster
21 Academy, a school in Oakland, California, in violation of Title 21, United States Code, Sections
22 841(a)(1), (b)(1)(C) and 860.

23 COUNT NINETEEN: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession
24 With Intent To Distribute And Distribution Of Heroin
Within 1000 Feet Of A School)

25 On or about July 27, 2011, in the Northern District of California, the defendant,
26 CHARLES LIPSCOMB,
27 did knowingly and intentionally possess with intent to distribute and distribute a Schedule I
28 controlled substance, namely, a mixture and substance containing a detectable amount of heroin,

1 and did so within 1000 feet of the real property comprising New Highland Academy, a school in
2 Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)
3 and 860.

4 COUNT TWENTY: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession
5 With Intent To Distribute And Distribution Of Heroin
Within 1000 Feet Of A School)

6 On or about August 3, 2011, in the Northern District of California, the defendant,

7 ERIK ANDRE MILES,

8 did knowingly and intentionally possess with intent to distribute and distribute a Schedule I
9 controlled substance, namely, a mixture and substance containing a detectable amount of heroin,
10 and did so within 1000 feet of the real property comprising Acts Christian Academy, a school in
11 Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)
12 and 860.

13 COUNT TWENTY-ONE: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession
14 With Intent To Distribute And Distribution Of Heroin
Within 1000 Feet Of A School)

15 On or about September 14, 2011, in the Northern District of California, the defendant,

16 DARYL TREMAINE MITCHELL,

17 did knowingly and intentionally possess with intent to distribute and distribute a Schedule I
18 controlled substance, namely, a mixture and substance containing a detectable amount of heroin,
19 and did so within 1000 feet of the real property comprising Acts Christian Academy, a school in
20 Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)
21 and 860.

22 COUNT TWENTY-TWO: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession
23 With Intent To Distribute And Distribution Of
Cocaine Within 1000 Feet Of A School)

24 On or about August 10, 2011, in the Northern District of California, the defendant,

25 ROMEL ONTORIA PATTON,

26 did knowingly and intentionally possess with intent to distribute and distribute a Schedule II
27 controlled substance, namely, a mixture and substance containing a detectable amount of
28 cocaine, and did so within 1000 feet of the real property comprising Acts Christian Academy, a

1 school in Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1),
2 (b)(1)(C) and 860.

3 COUNT TWENTY-THREE: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession
4 With Intent To Distribute And Distribution Of Heroin
Within 1000 Feet Of A School)

5 On or about April 22, 2011, in the Northern District of California, the defendant,

6 SHAWN ALLEN SHIELDS,

7 did knowingly and intentionally possess with intent to distribute and distribute a Schedule I
8 controlled substance, namely, a mixture and substance containing a detectable amount of heroin,
9 and did so within 1000 feet of the real property comprising Acts Christian Academy, a school in
10 Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)
11 and 860.

12 COUNT TWENTY-FOUR: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) – Possession With Intent
13 To Distribute Heroin)

14 On or about December 16, 2011, in the Northern District of California, the defendants,

15 JAMES WESLEY VAUGHN, JR., and
16 CARLES LASHUAN BUIE, II,

17 did knowingly and intentionally possess with intent to distribute a Schedule I controlled
18 substance, namely, a mixture and substance containing a detectable amount of heroin, in
19 violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C).

20 COUNT TWENTY-FIVE: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession
21 With Intent To Distribute And Distribution Of Heroin
Within 1000 Feet Of A School)

22 On or about April 22, 2011, in the Northern District of California, the defendant,

23 ADRIAN DEWAYNE WALKER,

24 did knowingly and intentionally possess with intent to distribute and distribute a Schedule I
25 controlled substance, namely, a mixture and substance containing a detectable amount of heroin,
26 and did so within 1000 feet of the real property comprising New Highland Academy, a school in
27 Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)

28 ///

and 860.

COUNT TWENTY-SIX: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession
With Intent To Distribute And Distribution Of Heroin
Within 1000 Feet Of A School)

On or about September 21, 2011, in the Northern District of California, the defendant,

COREY WALKER,

did knowingly and intentionally possess with intent to distribute and distribute a Schedule I
controlled substance, namely, a mixture and substance containing a detectable amount of heroin,
and did so within 1000 feet of the real property comprising Webster Academy, a school in
Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C)
and 860.

COUNT TWENTY-SEVEN: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession
With Intent To Distribute And Distribution Of Heroin And
Cocaine Within 1000 Feet Of A School)

On or about September 14, 2011, in the Northern District of California, the defendant,

LENZY JEROME WASH,

did knowingly and intentionally possess with intent to distribute and distribute: a Schedule I
controlled substance, namely, a mixture and substance containing a detectable amount of heroin;
and a Schedule II controlled substance, namely, a mixture and substance containing a detectable
amount of cocaine, and did so within 1000 feet of the real property comprising Webster
Academy, a school in Oakland, California, in violation of Title 21, United States Code, Sections
841(a)(1), (b)(1)(C) and 860.

COUNT TWENTY-EIGHT: (21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 860 – Possession
With Intent To Distribute And Distribution Of Heroin And
Cocaine Within 1000 Feet Of A School)

On or about May 17, 2011, in the Northern District of California, the defendant,

PATRICK RAINER WILLIAMS,

did knowingly and intentionally possess with intent to distribute and distribute: a Schedule I
controlled substance, namely, a mixture and substance containing a detectable amount of heroin;
and a Schedule II controlled substance, namely, a mixture and substance containing a detectable
amount of cocaine, and did so within 1000 feet of the real property comprising Acts Christian

Academy, a school in Oakland, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and 860.

FORFEITURE ALLEGATION: (21 U.S.C. § 853(a) – Drug Forfeiture)

1. The factual allegations contained in Counts One through Twenty-Eight of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of 21 U.S.C. §§ 853(a)(1) and (2).

2. Upon a conviction of any of the offenses alleged in Counts One through Twenty-Eight, the defendants,

MARCEL J. ALLEY;
MICHAEL LAMONT AVERY;
RICK JASON BAILEY;
TYRONE BANKS;
BOBBY BURNELL BARFIELD;
JASON KEITH BARRETT;
AHMAD JAMAL BELTON;
RICKY BRUMFIELD;
CARLES LASHUAN BUIE, II;
ISAIAH LUIS COLON;
JUAN JESUS COLON, JR.;
MANUEL COLON, JR.;
JAVANCE CORMIER;
ANTHONY RAMONE CRAWFORD, II;
JUAN MIGUEL ELLINGBERG;
OMARI EDRICE EVANS;
DANA RAY HOUSTON;
COREY D. JAGGERS;
CHARLES LIPSCOMB;
ERIK ANDRE MILES;
DARYL TREMAINE MITCHELL;
ERIC BARONNE MOORE;
ROMEL ONTORIA PATTON;
SHAWN ALLEN SHIELDS;
JAMES WESLEY VAUGHN, JR.;
ADRIAN DEWAYNE WALKER
aka, "Derek King";
COREY WALKER;
LENZY JEROME WASH;
DERRICK WILLIAM WHITE, JR.;
PATRICK RAINER WILLIAMS; and
JAMES HAMPTON WORTHINGTON, JR.,

shall forfeit to the United States all right, title, and interest in property constituting and derived from any proceeds defendant obtained, directly or indirectly, as a result of said violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the

1 commission of the said violation.

- 2 3. If, as a result of any act or omission of the defendants, any of said property
- 3 a. cannot be located upon the exercise of due diligence;
- 4 b. has been transferred or sold to or deposited with, a third person;
- 5 c. has been placed beyond the jurisdiction of the Court;
- 6 d. has been substantially diminished in value; or
- 7 e. has been commingled with other property which cannot be divided without
- 8 difficulty;

9 any and all interest defendants have in any other property (not to exceed the value of the above

10 forfeitable property) shall be forfeited to the United States.

11 Pursuant to 21 U.S.C. §§ 853(a)(1) and (2), (p) and Rule 32.2 of the Federal Rules of

12 Criminal Procedure.

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14 DATED: June 21, 2012

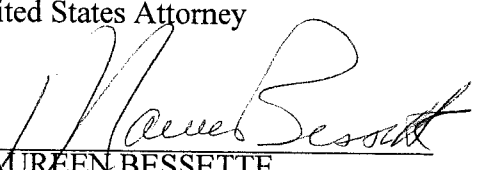
A TRUE BILL.


FORTNER

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17 MELINDA HAAG
United States Attorney

18 
19 MAUREEN BESSETTE
20 Chief, Oakland Branch

21 
22 (Approved as to form: AUSA JAMES C. MANN
23 AUSA BENJAMIN TOLKOFF
24
25
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