

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

- v. -

ALEX MARTINEZ,
a/k/a "A-Rod,"
KEVIN HENDERSON,
a/k/a "Midnight,"
JOSHUA RICE,
a/k/a "Pop,"
CALVIN THOMAS,
a/k/a "Fat Cat,"
EARL MERCER,
a/k/a "Big Earl,"
a/k/a "Earl the Pearl,"
MARTY KERLEW,
a/k/a "Curley,"
KEYON TARVER,
JAMEL KENNEDY,
JERMAINE NIBBS,
a/k/a "Lollipop,"
JAVIER OLIVERA,
VICTOR MOORE,
CHARLES WILLIAMS,
RONALD BELL,
ALFONSO LEE,
a/k/a "Black,"
ANTHONY GREGG,
a/k/a "Bull,"
AUSTIN HUGGINS,
FRANK WRIGHT,
KASHIEF RICE,
JAMES PERKINS,
a/k/a "Jimbo,"
JOSE CASTRO,
a/k/a "Papo,"
JAIME MARTINEZ,

SEALED
INDICTMENT

S2 12 Cr. 863 (LAP)

CARLTON SANDERIN,	:
a/k/a "Murder,"	:
RICHARDINE PERRY,	:
a/k/a "Nic,"	:
CHRISTOPHE MILLS,	:
LEWIS CLARKE,	:
a/k/a "Frog," and	:
DANNY ZAITER,	:
	:
Defendants.	:
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COUNT ONE

The Grand Jury charges:

1. From at least in or about November 2011, up to and including in or about October 2012, in the Southern District of New York and elsewhere, ALEX MARTINEZ, a/k/a "A-Rod," KEVIN HENDERSON, a/k/a "Midnight," JOSHUA RICE, a/k/a "Pop," CALVIN THOMAS, a/k/a "Fat Cat," EARL MERCER, a/k/a "Big Earl," a/k/a "Earl the Pearl," MARTY KERLEW, a/k/a "Curley," KEYON TARVER, JAMEL KENNEDY, JERMAINE NIBBS, a/k/a "Lollipop," JAVIER OLIVERA, VICTOR MOORE, CHARLES WILLIAMS, RONALD BELL, ALFONSO LEE, a/k/a "Black," ANTHONY GREGG, a/k/a "Bull," AUSTIN HUGGINS, FRANK WRIGHT, KASHIEF RICE, JAMES PERKINS, a/k/a "Jimbo," JOSE CASTRO, a/k/a "Papo," JAIME MARTINEZ, CARTLON SANDERIN, a/k/a "Murder," RICHARDINE PERRY, a/k/a "Nic," CHRISTOPHE MILLS, LEWIS CLARKE, a/k/a "Frog," and DANNY ZAITER, 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 ALEX MARTINEZ, a/k/a "A-Rod," KEVIN HENDERSON, a/k/a "Midnight," JOSHUA RICE, a/k/a "Pop," CALVIN THOMAS, a/k/a "Fat Cat," EARL MERCER, a/k/a "Big Earl," a/k/a "Earl the Pearl," MARTY KERLEW, a/k/a "Curley," KEYON TARVER, JAMEL KENNEDY, JERMAINE NIBBS, a/k/a "Lollipop," JAVIER OLIVERA, VICTOR MOORE, CHARLES WILLIAMS, RONALD BELL, ALFONSO LEE, a/k/a "Black," ANTHONY GREGG, a/k/a "Bull," AUSTIN HUGGINS, FRANK WRIGHT, KASHIEF RICE, JAMES PERKINS, a/k/a "Jimbo," JOSE CASTRO, a/k/a "Papo," JAIME MARTINEZ, CARTLON SANDERIN, a/k/a "Murder," RICHARDINE PERRY, a/k/a "Nic," CHRISTOPHE MILLS, LEWIS CLARKE, a/k/a "Frog," and DANNY ZAITER, the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance involved in the offense was 28 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)(B).

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 and elsewhere.

a. On or about November 2, 2011, in the vicinity of the intersection of Morris Avenue and 142nd Street, Bronx, New York, an undercover law enforcement officer ("UC-1") told JOSHUA RICE, a/k/a "Pop," the defendant, in sum and substance, that UC-1 wanted to purchase crack cocaine. RICE directed UC-1 to KEVIN HENDERSON, a/k/a "Midnight," the defendant. HENDERSON then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

b. On or about November 8, 2011, in the vicinity of the intersection of Willis Avenue and East 146th Street, Bronx, New York, HENDERSON sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

c. On or about November 8, 2011, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 told EARL MERCER, a/k/a "Big Earl," a/k/a "Earl

the Pearl," the defendant, in sum and substance, that UC-1 wanted to purchase crack cocaine. MERCER directed UC-1 to CALVIN THOMAS, a/k/a "Fat Cat," the defendant. THOMAS then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

d. On or about November 11, 2011, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 told MERCER, in sum and substance, that UC-1 wanted to purchase crack cocaine. MERCER directed UC-1 to a co-conspirator not named as a defendant herein ("CC-1"). CC-1 then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

e. On or about November 15, 2011, in the vicinity of the intersection of Alexander Avenue and East 141st Street, Bronx, New York, UC-1 told MERCER, in sum and substance, that UC-1 wanted to purchase crack cocaine. MERCER directed UC-1 to MARTY KERLEW, a/k/a "Curley," and KEYON TARVER, the defendants. KERLEW then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

f. On or about November 15, 2011, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, KERLEW and TARVER, approached UC-1. UC-1 told KERLEW

and TARVER, in sum and substance, that UC-1 wanted to purchase crack cocaine. TARVER then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

g. On or about November 21, 2011, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, ALEX MARTINEZ, a/k/a "A-Rod," the defendant, and TARVER, sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

h. On or about December 2, 2011, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, JOSHUA RICE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

i. On or about December 2, 2011, in the vicinity of the intersection of Third Avenue and East 144th Street, Bronx, New York, THOMAS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

j. On or about December 2, 2011, in the vicinity of the intersection of Alexander Avenue and East 141st Street, Bronx, New York, an undercover law enforcement officer ("UC-2") told JOSHUA RICE, in sum and substance, that UC-2 wanted to purchase crack cocaine. JOSHUA RICE directed UC-2 to JAMEL

KENNEDY, the defendant. KENNEDY sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

k. On or about December 6, 2011, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 told MERCER, in sum and substance, that UC-1 wanted to purchase crack cocaine. MERCER directed UC-1 to JERMAINE NIBBS, a/k/a "Lollipop," and JAVIER OLIVERA, the defendants. NIBBS and OLIVERA then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

l. On or about January 5, 2012, UC-1 called NIBBS on the telephone and, in sum and substance, told NIBBS that UC-1 wanted to purchase crack cocaine. NIBBS directed UC-1 to THOMAS. Following that conversation, THOMAS, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

m. On or about January 6, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, HENDERSON sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

n. On or about January 10, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx,

New York, NIBBS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

o. On or about January 12, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, KENNEDY sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

p. On or about January 17, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, NIBBS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

q. On or about January 17, 2012, in the vicinity of the intersection of Alexander Avenue and East 141st Street, Bronx, New York, KENNEDY sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

r. On or about January 18, 2012, in the vicinity of the intersection of Alexander Avenue and East 141st Street, Bronx, New York, NIBBS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

s. On or about January 20, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 told HENDERSON, in sum and substance, that UC-1 wanted to purchase crack cocaine. HENDERSON directed UC-1 to

CHARLES WILLIAMS and RONALD BELL, the defendants. WILLIAMS then sold a quantity of a substance that appeared to be crack cocaine to UC-1 in exchange for United States currency. WILLIAMS told UC-1, in sum and substance, that BELL would be able to sell crack cocaine to UC-1 in the future.

t. On or about January 24, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, BELL and NIBBS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

u. On or about January 24, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, VICTOR MOORE, the defendant, and a co-conspirator not named as a defendant herein ("CC-2") sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

v. On or about January 25, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, MERCER sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

w. On or about January 25, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, NIBBS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

x. On or about January 25, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, MOORE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

y. On or about February 1, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 approached MOORE and WILLIAMS and said, in sum and substance, that UC-1 wanted to purchase crack cocaine. MOORE then sold a quantity of crack cocaine to UC-1 in exchange for United States currency. WILLIAMS then told UC-1, in sum and substance, that WILLIAMS and MOORE could sell additional quantities of crack cocaine to UC-1 in the future.

z. On or about February 1, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, MERCER sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

aa. On or about February 2, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, KENNEDY sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

bb. On or about February 2, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx,

New York, NIBBS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

cc. On or about February 3, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, ALFONSO LEE, a/k/a "Black," the defendant, sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

dd. On or about February 8, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, KENNEDY sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

ee. On or about February 15, 2012, in the vicinity of the intersection of Third Avenue and East 144th Street, Bronx, New York, LEE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

ff. On or about February 15, 2012, UC-1 called HENDERSON on the telephone and said, in sum and substance, that UC-1 wanted to purchase crack cocaine. HENDERSON directed UC-1 to a co-conspirator not named as a defendant herein ("CC-3"). CC-3 then sold a quantity of crack cocaine to UC-1 in exchange for United States currency in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York.

gg. On or about February 15, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, MOORE sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

hh. On or about February 21, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, WILLIAMS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

ii. On or about February 21, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, JOSHUA RICE and LEE, sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

jj. On or about February 21, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, KENNEDY sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

kk. On or about February 24, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, MOORE sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

ll. On or about March 2, 2012, UC-1 called HENDERSON on the telephone and said, in sum and substance, that UC-1

wanted to purchase crack cocaine. HENDERSON directed UC-1 to OLIVERA. OLIVERA then sold a quantity of crack cocaine to UC-1 in exchange for United States currency in the vicinity of the intersection of Willis Avenue and East 143rd Street, Bronx, New York.

mm. On or about March 2, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, NIBBS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

nn. On or about March 6, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 told MOORE, in sum and substance, that UC-1 wanted to purchase crack cocaine. MOORE directed UC-1 to NIBBS. NIBBS then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

oo. On or about March 8, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, LEE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

pp. On or about March 14, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 told JOSHUA RICE, in sum and substance, that UC-1

wanted to purchase crack cocaine. Following that conversation, RICE and NIBBS directed UC-1 to ANTHONY GREGG, a/k/a "Bull," the defendant. GREGG then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

qq. On or about March 14, 2012, in the vicinity of the intersection of Alexander Avenue and East 141st Street, Bronx, New York, MOORE sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

rr. On or about April 3, 2012, UC-1 called LEE on the telephone and said, in sum and substance, that UC-1 wanted to purchase crack cocaine. LEE directed UC-1 to a co-conspirator not named as a defendant herein ("CC-4"). CC-4 then sold a quantity of crack cocaine to UC-1 in exchange for United States currency the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York.

ss. On or about April 4, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, KENNEDY and ALEX MARTINEZ sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

tt. On or about April 4, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New

York, WILLIAMS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

uu. On or about April 5, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 approached MERCER and said, in sum and substance, that UC-1 wanted to purchase crack cocaine. MERCER directed UC-1 to THOMAS. THOMAS then sold UC-1 a quantity of crack cocaine in exchange for United States currency.

vv. On or about April 5, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, WILLIAMS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

ww. On or about April 10, 2012, UC-1 approached a co-conspirator not named as a defendant herein ("CC-5") and said, in sum and substance, that UC-1 wanted to purchase crack cocaine. CC-5 directed UC-1 to CARLTON SANDERIN, a/k/a "Murder," the defendant. SANDERIN and UC-1 then encountered KASHIEF RICE, the defendant, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York. SANDERIN told RICE, in sum and substance, that it was safe to sell crack cocaine to UC-1. RICE then sold UC-1 a quantity of crack cocaine in exchange for United States currency.

xx. On or about April 10, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, LEE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

yy. On or about April 11, 2012, in the vicinity of the intersection of Alexander Avenue and East 143rd Street, Bronx, New York, MOORE sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

zz. On or about April 11, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, NIBBS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

aaa. On or about April 17, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, THOMAS sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

bbb. On or about April 17, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, LEE sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

ccc. On or about April 24, 2012, UC-1 told AUSTIN HUGGINS, the defendant, in sum and substance, that UC-1 wanted

to purchase crack cocaine. HUGGINS directed UC-1 to OLIVERA, and FRANK WRIGHT, the defendant. WRIGHT then sold UC-1 a quantity of crack cocaine in exchange for United States currency in the vicinity of Third Avenue and East 144th Street, Bronx, New York. During the course of the transaction, OLIVERA told WRIGHT, in sum and substance, that it was safe to sell crack cocaine to UC-1.

ddd. On or about May 1, 2012, in the vicinity of the intersection of Third Avenue and East 144th Street, Bronx, New York, WRIGHT sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

eee. On or about May 1, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, SANDERIN and a co-conspirator not named as a defendant herein ("CC-6") sold UC-2 a quantity of crack cocaine in exchange for United States currency.

fff. On or about May 8, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, TARVER sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

ggg. On or about May 8, 2012, UC-2 told KENNEDY, in sum and substance, that UC-2 wanted to purchase crack cocaine.

KENNEDY directed UC-2 to a co-conspirator not named as a defendant herein ("CC-7"). CC-7 sold UC-2 a quantity of crack cocaine in exchange for United States currency in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York.

hhh. On or about May 16, 2012, in the vicinity of the intersection of Alexander Avenue and East 141st Street, Bronx, New York, LEE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

iii. On or about May 18, 2012, in the vicinity of the intersection of Alexander Avenue and East 141st Street Bronx, New York, MOORE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

jjj. On or about May 22, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, LEE sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

kkk. On or about May 22, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, LEE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

lll. On or about May 24, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, KENNEDY sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

mmm. On or about June 5, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 told TARVER and KASHIEF RICE, in sum and substance, that UC-1 wanted to purchase crack cocaine. KASHIEF RICE told UC-1, in sum and substance, that he had crack cocaine but that they needed to bag it up. TARVER then said, in sum and substance, that they had bags in a nearby building ("Building-1"), which TARVER, RICE, and UC-1 then entered. Shortly thereafter, TARVER sold a quantity of crack cocaine to UC-1 in exchange for United States currency inside of Building-1.

nnn. On or about June 7, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, LEE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

ooo. On or about July 3, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, JAMES PERKINS, a/k/a "Jimbo," the defendant, and a co-conspirator not named as a defendant herein ("CC-8") sold a

quantity of crack cocaine to UC-2 in return for United States currency.

ppp. On or about July 6, 2012, an undercover law enforcement officer ("UC-3") told JOSE CASTRO, the defendant, in sum and substance, that UC-3 wanted to purchase crack cocaine. CASTRO directed UC-3 to JAIME MARTINEZ, the defendant. MARTINEZ then sold a quantity of crack cocaine to UC-3 in exchange for United States currency in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York.

qqq. On or about July 10, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 told HUGGINS, in sum and substance, that UC-1 wanted to purchase crack cocaine. HUGGINS directed UC-1 to RICHARDINE PERRY, a/k/a "Nic," the defendant. PERRY then sold a quantity of a substance that appeared to be crack cocaine to UC-1 in exchange for United States currency.

rrr. On or about July 19, 2012, in the vicinity the intersection of Third Avenue and East 143rd Street, Bronx, New York, PERKINS and THOMAS sold a quantity of a substance that appeared to be crack cocaine to UC-3 in exchange for United States currency.

sss. On or about July 26, 2012, in the vicinity of Third Avenue and East 143rd Street, Bronx, New York, SANDERIN sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

ttt. On or about August 1, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 told NIBBS, in sum and substance, that UC-1 wanted to purchase crack cocaine. NIBBS directed UC-1 to LEE. LEE then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

uuu. On or about August 7, 2012, in the vicinity of the intersection of Alexander Avenue and East 141st Street, Bronx, New York, UC-1 told a co-conspirator not named as a defendant herein ("CC-8"), in sum and substance, that UC-1 wanted to purchase crack cocaine. CC-8 directed UC-1 to CHRISTOPHE MILLS, the defendant. MILLS then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

vvv. On or about August 9, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, PERKINS sold a quantity of crack cocaine to UC-3 in exchange for United States currency.

www. On or about August 14, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-1 told HUGGINS, in sum and substance, that UC-1 wanted to purchase crack cocaine. HUGGINS directed UC-1 to LEWIS CLARKE, a/k/a "Frog," the defendant. CLARKE then sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

xxx. On or about August 16, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, PERKINS sold a quantity of crack cocaine to UC-3 in exchange for United States currency.

yyy. On or about August 16, 2012, in the vicinity of the intersection of Morris Avenue and East 142nd Street, Bronx, New York, CLARKE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

zzz. On or about August 21, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, UC-3 told CASTRO, in sum and substance, that UC-3 wanted to purchase crack cocaine. CASTRO directed UC-3 to DANNY ZAITER, the defendant. ZAITER then sold a quantity of crack cocaine to UC-3 in exchange for United States currency.

aaaa. On or about August 21, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, PERKINS sold a quantity of crack cocaine to UC-3 in exchange for United States currency.

bbbb. On or about August 22, 2012, ZAITER sold crack cocaine to UC-3 in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York.

cccc. On or about August 22, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, LEE sold a quantity of crack cocaine to UC-2 in exchange for United States currency.

dddd. On or about August 22, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, PERKINS sold a quantity of crack cocaine to UC-3 in exchange for United States currency.

eeee. On or about August 30, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, ZAITER sold a quantity of crack cocaine to UC-3 in exchange for United States currency.

ffff. On or about September 19, 2012, in the vicinity of the intersection of Third Avenue and East 143rd

Street, Bronx, New York, CASTRO sold a quantity of crack cocaine to UC-3 in exchange for United States currency.

gggg. On or about September 25, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, MILLS and LEE sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

hhhh. On or about October 2, 2012, in the vicinity of the intersection of Morris Avenue and East 143rd Street, Bronx, New York, PERRY sold a quantity of crack cocaine to UC-1 in exchange for United States currency.

iiii. On or about October 4, 2012, in the vicinity of the intersection of Third Avenue and East 143rd Street, Bronx, New York, PERKINS sold a quantity of crack cocaine to UC-3 in exchange for United States currency.

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

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ALEX MARTINEZ, a/k/a "A-Rod," KEVIN HENDERSON, a/k/a "Midnight," JOSHUA RICE, a/k/a "Pop," CALVIN THOMAS, a/k/a "Fat Cat," EARL MERCER, a/k/a "Big Earl," a/k/a "Earl the Pearl," MARTY KERLEW, a/k/a "Curley," KEYON TARVER, JAMEL KENNEDY, JERMAINE NIBBS, a/k/a

"Lollipop," JAVIER OLIVERA, VICTOR MOORE, CHARLES WILLIAMS, RONALD BELL, ALFONSO LEE, a/k/a "Black," ANTHONY GREGG, a/k/a "Bull," AUSTIN HUGGINS, FRANK WRIGHT, KASHIEF RICE, JAMES PERKINS, a/k/a "Jimbo," JOSE CASTRO, a/k/a "Papo," JAIME MARTINEZ, CARTLON SANDERIN, a/k/a "Murder," RICHARDINE PERRY, a/k/a "Nic," CHRISTOPHE MILLS, LEWIS CLARKE, a/k/a "Frog," and DANNY ZAITER, the defendants, shall forfeit to the United States, pursuant to Title 21 United States Code § 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense alleged in Count One of this Indictment, including but not limited to, a sum in United States currency representing the amount of all proceeds obtained as a result of the offense alleged in Count One of this Indictment.

Substitute Asset Provision

6. 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;

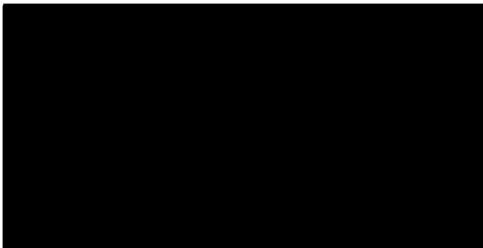
c. has been placed beyond the jurisdiction of the Court;

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 21 U.S.C. § 853(p), to seek forfeiture of any other property of the said defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)



Preet Bharara
PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ALEX MARTINEZ, a/k/a "A-Rod," KEVIN
HENDERSON, a/k/a "Midnight," JOSHUA RICE,
a/k/a "Pop," CALVIN THOMAS, a/k/a "Fat Cat,"
EARL MERCER, a/k/a "Big Earl," a/k/a "Earl
the Pearl," MARTY KERLEW, a/k/a "Curley,"
KEYON TARVER, JAMEL KENNEDY, JERMAINE NIBBS,
a/k/a "Lollipop," JAVIER OLIVERA, VICTOR
MOORE, CHARLES WILLIAMS, RONALD BELL,
ALFONSO LEE, a/k/a "Black," ANTHONY GREGG,
a/k/a "Bull," AUSTIN HUGGINS, FRANK WRIGHT,
KASHIEF RICE, JAMES PERKINS, a/k/a "Jimbo,"
JOSE CASTRO, a/k/a "Papo," JAIME MARTINEZ,
CARTLON SANDERIN, a/k/a "Murder," RICHARDINE
PERRY, a/k/a "Nic," CHRISTOPHE MILLS, LEWIS
CLARKE, a/k/a "Frog," and DANNY ZAITER,

Defendants.

SEALED
INDICTMENT

S2 12 Cr. 863 (LAP)

(21 U.S.C. § 846.)

PREET BHARARA

United States Attorney.



erson.