

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
 :
 - v. - :
 :
 RICHARD FRANCO, :
 a/k/a "Big Rich," :
 LAZARUS FRANCO, :
 a/k/a "Laz," :
 LATWON GARCIA, :
 a/k/a "LaLa," :
 DAMIEN GIRDNER, :
 a/k/a "D," :
 FUQUAN JONES, :
 a/k/a "Fruit," :
 a/k/a "Black," :
 GEORGE LAURIANO, :
 JOHN LAURIANO, :
 a/k/a "Little," :
 JASON ROSARIO, :
 a/k/a "Rat Boy," :
 KENNETH SIDERS, :
 a/k/a "K," :
 ISMAEL SIDIBE, :
 a/k/a "Ish," :
 RASHEEN SMITH, :
 a/k/a "Flea," :
 JOSE VALETTE, :
 a/k/a "Joe," and :
 LUKE WOOLFOLK, :
 a/k/a "Lucas," :
 :
 Defendants. :
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SEALED
INDICTMENT

12 Cr.

12 CRIM932

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2007 up to and including in or about December 2012, in the Southern District of New York and elsewhere, RICHARD FRANCO, a/k/a "Big Rich," LAZARUS FRANCO,

a/k/a "Laz," LATWON GARCIA, a/k/a "LaLa," DAMIEN GIRDNER, a/k/a "D," FUQUAN JONES, a/k/a "Fruit," a/k/a "Black," GEORGE LAURIANO, JOHN LAURIANO, a/k/a "Little," JASON ROSARIO, a/k/a "Rat Boy," KENNETH SIDERS, a/k/a "K," ISMAEL SIDIBE, a/k/a "Ish," RASHEEN SMITH, a/k/a "Flea," JOSE VALETTE, a/k/a "Joe," and LUKE WOOLFOLK, a/k/a "Lucas," 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 RICHARD FRANCO, a/k/a "Big Rich," LAZARUS FRANCO, a/k/a "Laz," LATWON GARCIA, a/k/a "LaLa," DAMIEN GIRDNER, a/k/a "D," FUQUAN JONES, a/k/a "Fruit," a/k/a "Black," GEORGE LAURIANO, JOHN LAURIANO, a/k/a "Little," JASON ROSARIO, a/k/a "Rat Boy," KENNETH SIDERS, a/k/a "K," ISMAEL SIDIBE, a/k/a "Ish," RASHEEN SMITH, a/k/a "Flea," JOSE VALETTE, a/k/a "Joe," and LUKE WOOLFOLK, a/k/a "Lucas," 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); (2) 5 kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A); (3) a quantity of mixtures and substances containing a detectable amount of oxycodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

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 August 14, 2012, LATWON GARCIA, a/k/a "LaLa," the defendant, sold approximately two bags of cocaine to an undercover officer ("UC-1"), at the direction of RICHARD FRANCO, a/k/a "Big Rich," the defendant, inside of the store located at 408 Grand Street, New York, New York.

b. On or about June 20, 2012, LAZARUS FRANCO, a/k/a "Laz," the defendant, assaulted an individual who voiced an objection to the sale of narcotics by RICHARD FRANCO, a/k/a "Big Rich," and others inside of the building at 410 Grand Street, New York, New York.

c. On or about September 5, 2012, LATWON GARCIA, a/k/a "LaLa," possessed a firearm while he and KENNETH SIDERS, a/k/a "Kenny," the defendant, sold approximately ten grams of

crack cocaine, and one bag of heroin, to UC-1 in the vicinity of Rutgers Street, New York, New York.

d. On or about August 17, 2012, DAMIEN GIRDNER, a/k/a "D," the defendant, sold approximately 3 bags of cocaine to UC-1, and LUKE WOOLFOLK, a/k/a "Lucas," the defendant, sold approximately 24 bags of crack cocaine, at the direction of GIRDNER, to another undercover officer ("UC-2"), in the vicinity of 154 Broome Street, New York, New York.

e. On or about August 9, 2012, DAMIEN GIRDNER, a/k/a "D," sold approximately 29 bags of crack cocaine to UC-1 and UC-2 at the direction of RASHEEN SMITH, a/k/a "Flea," the defendant, inside of the building at 154 Broome Street, New York, New York.

f. On or about August 2, 2012, FUQUAN JONES, a/k/a "Fruit," a/k/a "Black," the defendant, sold approximately one bag of cocaine to UC-1 inside of the building at 154 Broome Street, New York, New York.

g. In or about December 2012, GEORGE LAURIANO, the defendant, discussed storing narcotics over the telephone with RICHARD FRANCO, a/k/a "Big Rich."

h. On or about January 11, 2011, JOHN LAURIANO, a/k/a "Little," the defendant, sold cocaine to a drug customer in the vicinity of 64 Essex Street, New York, New York.

i. On or about November 21, 2012, JASON ROSARIO, a/k/a "Rat Boy," the defendant, possessed approximately five bags of cocaine in the vicinity of 154 Broome Street, New York, New York.

j. On or about August 7, 2012, ISMAEL SIDIBE, a/k/a "Ish," the defendant, sold UC-1 approximately three bags of cocaine inside of the building at 410 Grand Street, New York, New York.

k. On or about August 3, 2012, RASHEEN SMITH, a/k/a "Flea," sold approximately 2 bags of cocaine to UC-1 at the direction of FUQUAN JONES, a/k/a "Fruit," a/k/a "Black," inside of the building at 154 Broome Street, New York, New York.

l. On or about October 24, 2012, JOSE VALETTE, a/k/a "Joe," discussed the purchase of oxycodone pills over the telephone with RICHARD FRANCO, a/k/a "Big Rich."

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

COUNT TWO

The Grand Jury further charges:

5. From at least in or about 2007 up to and including in or about December 2012, in the Southern District of New York, RICHARD FRANCO, a/k/a "Big Rich," LATWON GARCIA, a/k/a "LaLa," KENNETH SIDERS, a/k/a "K," ISMAEL SIDIBE, a/k/a "Ish," and JOSE VALETTE, a/k/a "Joe," 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.

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

FORFEITURE ALLEGATION

6. As a result of committing the controlled substance offense alleged in Count One of this Indictment, RICHARD FRANCO, a/k/a "Big Rich," LAZARUS FRANCO, a/k/a "Laz," LATWON GARCIA, a/k/a "LaLa," DAMIEN GIRDNER, a/k/a "D," FUQUAN JONES, a/k/a "Fruit," a/k/a "Black," GEORGE LAURIANO, JOHN LAURIANO, a/k/a "Little," JASON ROSARIO, a/k/a "Rat Boy," KENNETH SIDERS, a/k/a "K," ISMAEL SIDIBE, a/k/a "Ish," RASHEEN SMITH, a/k/a "Flea," JOSE VALETTE, a/k/a "Joe," and LUKE WOOLFOLK, a/k/a "Lucas," 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 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

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

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UNITED STATES OF AMERICA

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RICHARD FRANCO, et al.,

Defendants.

SEALED
INDICTMENT

12 Cr.

(21 U.S.C. § 846;
18 U.S.C. §§ 924(c)(1)(A)(i) and 2.)

PREET BHARARA

