

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

**WILLIAM ANDREWS
a/k/a "Billy"
JOSEPH FARERI
JOHN MARSHALL**

: CRIMINAL NO. 11-_____
:
: DATE FILED: December 7, 2011
:
: VIOLATIONS:
: 21 U.S.C. § 846 (conspiracy to
: distribute a controlled substance –
: 1 count)
: 21 U.S.C. § 860(a) (distribution of
: controlled substances within 1,000 feet
: of a protected area – 23 counts)
: 21 U.S.C. § 841(a)(1) (distribution of
: controlled substances – 23 counts)
: 18 U.S.C. § 2 (aiding and abetting)
: Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about March, 2009 to on or about April 28, 2011, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**WILLIAM ANDREWS,
a/k/a "Billy,"
JOSEPH FARERI,
and
JOHN MARSHALL**

conspired and agreed, together and with other persons known and unknown to the grand jury, to knowingly and intentionally distribute a controlled substance, that is, approximately 7,000 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

MANNER AND MEANS

It was part of the conspiracy that:

1. Defendant WILLIAM ANDREWS obtained oxycodone pills from various sources, including a licensed physician who issued prescriptions to defendant ANDREWS authorizing defendant ANDREWS to obtain oxycodone pills from licensed pharmacies.

2. Defendant WILLIAM ANDREWS supplied oxycodone pills to defendant JOSEPH FARERI, so that defendant FARERI could sell the oxycodone pills to customers who paid defendant FARERI to obtain the oxycodone pills.

3. Defendant WILLIAM ANDREWS sold oxycodone pills to customers who paid defendant ANDREWS to obtain the oxycodone pills.

4. Defendants WILLIAM ANDREWS and JOSEPH FARERI met with each other, and with their customers, at various locations in the City of Philadelphia, to deliver oxycodone pills.

5. Defendants WILLIAM ANDREWS and JOSEPH FARERI communicated with each other, and with their customers, over the telephone to arrange deliveries of oxycodone pills.

6. Defendants WILLIAM ANDREWS and JOSEPH FARERI, and their customers, used code words and cryptic language when communicating over the telephone regarding the distribution of oxycodone pills, for the purpose of concealing their illegal drug distribution activities from law enforcement officials.

7. Defendants WILLIAM ANDREWS and JOSEPH FARERI charged their customers for the purchase of oxycodone pills, typically, \$20 for a 30 milligram pill.

8. On occasions when defendant WILLIAM ANDREWS was not available to make deliveries of oxycodone pills, defendant JOHN MARSHALL delivered oxycodone pills to customers who paid to obtain oxycodone pills from defendant ANDREWS.

9. On occasions, defendant WILLIAM ANDREWS used an automobile to make deliveries of oxycodone pills and RC, an individual known to the grand jury, drove the vehicle for defendant ANDREWS.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 22, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**WILLIAM ANDREWS,
a/k/a “Billy,” and
JOSEPH FARERI**

knowingly and intentionally distributed, and aided and abetted the distribution of, a controlled substance, that is, approximately 40 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, to a cooperating witness (“CW”), within 1,000 feet of the real property comprising the Saint Nicholas Tolentine School, a private elementary school, located at 913 Pierce Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 22, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**WILLIAM ANDREWS,
a/k/a “Billy,” and
JOSEPH FARERI**

knowingly and intentionally distributed, and aided and abetted the distribution of, a controlled substance, that is, approximately 40 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, to a cooperating witness (“CW”).

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 17, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**WILLIAM ANDREWS,
a/k/a “Billy,” and
JOSEPH FARERI**

knowingly and intentionally distributed, and aided and abetted the distribution of, a controlled substance, that is, approximately 20 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, to a cooperating witness (“CW”), within 1,000 feet of the real property comprising the Saints John Neuman and Maria Goretti Catholic High School, a private high school, located at 1736 South 10th Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 17, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**WILLIAM ANDREWS,
a/k/a “Billy,” and
JOSEPH FARERI**

knowingly and intentionally distributed, and aided and abetted the distribution of, a controlled substance, that is, approximately 20 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, to a cooperating witness (“CW”).

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 20, 2011, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**WILLIAM ANDREWS,
a/k/a “Billy,” and
JOSEPH FARERI**

knowingly and intentionally distributed, and aided and abetted the distribution of, a controlled substance, that is, approximately 51 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, to a cooperating witness (“CW”), within 1,000 feet of the real property comprising the Stephen Girard Elementary School, a public elementary school, located at 18th & Snyder Avenue in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 20, 2011, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**WILLIAM ANDREWS,
a/k/a "Billy," and
JOSEPH FARERI**

knowingly and intentionally distributed, and aided and abetted the distribution of, a controlled substance, that is, approximately 51 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, to a cooperating witness ("CW").

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2011, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**WILLIAM ANDREWS,
a/k/a “Billy,” and
JOSEPH FARERI**

knowingly and intentionally distributed, and aided and abetted the distribution of, a controlled substance, that is, approximately 50 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, to a cooperating witness (“CW”), within 1,000 feet of the real property comprising the Saints John Neuman and Maria Goretti Catholic High School, a private high school, located at 1736 South 10th Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 7, 2011, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**WILLIAM ANDREWS,
a/k/a “Billy,” and
JOSEPH FARERI**

knowingly and intentionally distributed, and aided and abetted the distribution of, a controlled substance, that is, approximately 50 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, to a cooperating witness (“CW”).

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 21, 2011, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**WILLIAM ANDREWS,
a/k/a “Billy,” and
JOSEPH FARERI,**

knowingly and intentionally distributed, and aided and abetted the distribution of, a controlled substance, that is, approximately 50 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, to a cooperating witness (“CW”), within 1,000 feet of the real property comprising the Saints John Neuman and Maria Goretti Catholic High School, a private high school, located at 1736 South 10th Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 21, 2011, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**WILLIAM ANDREWS,
a/k/a “Billy,” and
JOSEPH FARERI,**

knowingly and intentionally distributed, and aided and abetted the distribution of, a controlled substance, that is, approximately 50 pills of a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, to a cooperating witness (“CW”).

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

COUNTS TWELVE through TWENTY-NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about the following dates, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**WILLIAM ANDREWS,
a/k/a “Billy,”**

knowingly and intentionally distributed, to persons known to the grand jury as “Customer #1,” “Customer #2,” “Customer #3,” “Customer #4,” and “Customer #5,” a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, within 1,000 feet of the real property comprising the protected areas described below, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), each transaction constituting a separate count as set forth below:

Count	Date	Customer	Protected Area
12	March 5, 2011	Customer #1	Neumann Goretti High School, a private secondary school located at 1736 South 10 th Street, Philadelphia, PA
13	March 6, 2011	Customer #1	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
14	March 7, 2011	Customer #1	St. Monica Senior School, a private elementary school located at 16 th & West Porter Streets, Philadelphia, PA
15	March 15, 2011	Customer #1	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
16	March 19, 2011	Customer #1	Neumann Goretti High School, a private secondary school located at 1736 South 10 th Street, Philadelphia, PA

Count	Date	Customer	Protected Area
17	March 22, 2011	Customer #1	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
18	March 1, 2011	Customer #2	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
19	March 14, 2011	Customer #2	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
20	April 15, 2011	Customer #2	John H. Taggart School, a public elementary school located at 400 West Porter Street, Philadelphia, PA
21	April 21, 2011	Customer #2	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
22	April 26, 2011	Customer #2	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
23	March 6, 2011	Customer #3	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
24	March 17, 2011	Customer #3	Thomas Jefferson University, a private university located at 1020 Walnut Street, Philadelphia, PA

Count	Date	Customer	Protected Area
25	March 19, 2011	Customer #3	Palumbo Playground, a playground located at 901 Fitzwater Street, Philadelphia, PA
26	March 22, 2011	Customer #3	George A. McCall School, a public elementary school located at 325 South 7 th Street, Philadelphia, PA
27	February 28, 2011	Customer #4	Girard Academic Music Program, a public elementary school located at 2136 Ritner Street, Philadelphia, PA
28	March 1, 2011	Customer #4	Girard Academic Music Program, a public elementary school located at 2136 Ritner Street, Philadelphia, PA
29	April 22, 2011	Customer #5	Thomas Jefferson University, a private university located at 1020 Walnut Street, Philadelphia, PA

All in violation of Title 21, United States Code, Section 860(a).

COUNTS THIRTY through FORTY-SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about the following dates, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**WILLIAM ANDREWS,
a/k/a “Billy,”**

knowingly and intentionally distributed, to persons known to the grand jury as “Customer #1,” “Customer #2,” “Customer #3,” “Customer #4,” and “Customer #5,” a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance, each transaction constituting a separate count as set forth below:

Count	Date	Customer	Corresponding Location
30	March 5, 2011	Customer #1	Neumann Goretti High School, a private secondary school located at 1736 South 10 th Street, Philadelphia, PA
31	March 6, 2011	Customer #1	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
32	March 7, 2011	Customer #1	St. Monica Senior School, a private elementary school located at 16 th & West Porter Streets, Philadelphia, PA
33	March 15, 2011	Customer #1	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
34	March 19, 2011	Customer #1	Neumann Goretti High School, a private secondary school located at 1736 South 10 th Street, Philadelphia, PA

Count	Date	Customer	Corresponding Location
35	March 22, 2011	Customer #1	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
36	March 1, 2011	Customer #2	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
37	March 14, 2011	Customer #2	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
38	April 15, 2011	Customer #2	John H. Taggart School, a public elementary school located at 400 West Porter Street, Philadelphia, PA
39	April 21, 2011	Customer #2	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
40	April 26, 2011	Customer #2	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
41	March 6, 2011	Customer #3	Girard Academic Music Program, a public high school located at 2136 Ritner Street, Philadelphia, PA
42	March 17, 2011	Customer #3	Thomas Jefferson University, a private university located at 1020 Walnut Street, Philadelphia, PA

Count	Date	Customer	Corresponding Location
43	March 19, 2011	Customer #3	Palumbo Playground, a playground located at 901 Fitzwater Street, Philadelphia, PA
44	March 22, 2011	Customer #3	George A. McCall School, a public elementary school located at 325 South 7 th Street, Philadelphia, PA
45	February 28, 2011	Customer #4	Girard Academic Music Program, a public elementary school located at 2136 Ritner Street, Philadelphia, PA
46	March 1, 2011	Customer #4	Girard Academic Music Program, a public elementary school located at 2136 Ritner Street, Philadelphia, PA
47	April 22, 2011	Customer #5	Thomas Jefferson University, a private university located at 1020 Walnut Street, Philadelphia, PA

All in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Sections 846 and 860(a) set forth in this indictment, defendants shall forfeit to the United States of America: (a) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of any such violation; and (b) any property used, or intended to be used, in any manner or part, to commit, or facilitate the commission of, any such violation.

2. If any of the property 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 party; (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 divided without difficulty; then it is the intent 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 property subject to forfeiture.

All pursuant to Title 21, United States Code Section 853.

A TRUE BILL:

FOREPERSON

**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**