

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Criminal No. 17-
	:	
ARRANTES GARRINCHA GREEN,	:	18 U.S.C. § 1349
a/k/a "Don Gucci,"	:	18 U.S.C. § 1028A
a/k/a "Gucci,"	:	18 U.S.C. § 371
DASHAWN BROWN,	:	
TROY LINTON COOPER,	:	
ANDRE DONOVAN DUFFAS,	:	
OMAR KIMANI FORSYTHE,	:	
a/k/a "Biggs,"	:	
ONEIL GENTLES,	:	
a/k/a "Daffy,"	:	
HELTON ARANDO MALLETTE,	:	
KINDLEY MICHEL,	:	
ELVIS ANTHONY PREHAY,	:	
SHELDON ANDRE WELLINGTON,	:	
a/k/a "Shellinz," and	:	
JERMAINE WILSON,	:	
a/k/a "Budds"	:	

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Newark,
charges:

**COUNT ONE
(Wire Fraud Conspiracy)**

BACKGROUND

1. At all times relevant to this Indictment:
 - a. Defendant ARRANTES GARRINCHA GREEN, a/k/a "Don Gucci," a/k/a "Gucci" ("GREEN"), resided in Margate, Florida.

- b. Defendant DASHAWN BROWN ("BROWN") resided in Queens, New York.
- c. Defendant TROY LINTON COOPER ("COOPER") resided in East Hartford, Connecticut.
- d. Defendant ANDRE DONOVAN DUFFAS ("DUFFAS") resided in Plantation, Florida.
- e. Defendant OMAR KIMANI FORSYTHE, a/k/a "Biggs" ("FORSYTHE") resided in Tamarac, Florida.
- f. Defendant ONEIL GENTLES, a/k/a "Daffy" ("GENTLES") resided in Bronx, New York.
- g. Defendant HELTON ARANDO MALLETT ("MALLETT") resided in Miami, Florida.
- h. Defendant KINDLEY MICHEL ("MICHEL") resided in Spring Valley, New York.
- i. Defendant ELVIS ANTHONY PREHAY ("PREHAY") resided in Tamarac, Florida.
- j. Defendant SHELDON ANDRE WELLINGTON, a/k/a "Shellinz" ("WELLINGTON") resided in Rockville Center, New York.
- k. Defendant JERMAINE WILSON, a/k/a "Budds" ("WILSON") resided in Nanuet, New York.
- l. The "Victim Company" was a provider of electronic communications and cellular telephone service and a distributor of

smartphones and other electronics equipment, with offices throughout the United States, including New Jersey.

m. The “Parcel Carrier” is one of the world’s largest package delivery, supply chain management, and logistics companies, with offices throughout the United States, including New Jersey.

n. The Victim Company shipped in interstate commerce, among other things, electronic equipment via the Parcel Carrier.

o. Victim-1 was an individual who resided in Elmont, New York.

OVERVIEW

2. From in or about June 2015 through in or about June 2017, the defendants and others, placed fraudulent orders for electronic equipment, including new smartphones, from the Victim Company, and then stole that equipment by, among other means, paying drivers working for the Parcel Carrier to divert the equipment to fellow conspirators. The conspiracy unfolded in three parts. First, certain of the defendants placed orders over the telephone with the Victim Company for new equipment. The equipment was ordered using the name and other personal information of actual individuals without those individuals’ knowledge or authorization. The orders were placed using stolen credit or debit card data of other actual individuals. Second, members of the conspiracy alerted complicit drivers (the “Drivers”) working for the Parcel Carrier to the anticipated delivery dates and locations of the fraudulently-ordered equipment, and paid the Drivers to divert the equipment from the mail

stream and deliver it to other members of the conspiracy (the "Runners"). Third, for a payment, the Runners delivered the stolen equipment to the leaders of the conspiracy located in Florida or pawned the equipment and shared the criminal proceeds with conspirators.

THE CONSPIRACY

3. From in or about June 2015 through in or about June 2017, in the District of New Jersey and elsewhere, defendants,

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OMAR KIMANI FORSYTHE,
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HELTON ARANDO MALLETTE,
KINDLEY MICHEL,
ELVIS ANTHONY PREHAY,
SHELDON ANDRE WELLINGTON,
a/k/a "Shellinz," and
JERMAINE WILSON,
a/k/a "Budds,"**

did knowingly and intentionally conspire and agree with each other and others to devise a scheme and artifice to defraud the Victim Company, and to obtain money and property, namely equipment from the Victim Company, by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme and artifice to defraud, did transmit and cause to be transmitted by means of wire communications in interstate

and foreign commerce, certain writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

OBJECT OF THE CONSPIRACY

4. It was the object of the conspiracy for defendants GREEN, BROWN, COOPER, DUFFAS, FORSYTHE, GENTLES, MALLETT, MICHEL, PREHAY, WELLINGTON, WILSON, and others, known and unknown, to obtain property from the Victim Company by using stolen credit or debit card data and the names and other personal information of unwitting individuals without their knowledge or authorization to place orders for equipment from the Victim Company, and then diverting that equipment out of the mail stream to themselves.

MANNER AND MEANS OF THE CONSPIRACY

5. It was part of the conspiracy that defendant GREEN and other members of the conspiracy placed orders over the telephone for new equipment, including smartphones, from the Victim Company. Many of the orders were placed using two cellular telephone devices associated with defendant GREEN.

6. It was further part of the conspiracy that the fraudulent orders were placed using the names, addresses, and other personal information of hundreds of individuals without such individuals' knowledge or authorization. The individuals' actual residential addresses were used by the conspirators as the shipping addresses for the fraudulent orders. Oftentimes, the individuals in

whose identity the fraudulent orders were placed resided along delivery routes of Parcel Carrier employees who were complicit in the conspiracy.

7. It was further part of the conspiracy that the orders were placed using stolen credit or debit card data of other individuals without such individuals' knowledge or authorization.

8. It was further part of the conspiracy that members of the conspiracy, including defendants GREEN, DUFFAS, MALLETT, PREHAY, WELLINGTON, and WILSON provided information, often by text message, about the parcels containing fraudulently-ordered equipment, such as the addresses to which the equipment was being shipped or tracking numbers, to other members of the conspiracy who were employed as drivers with the Parcel Carrier, including defendants BROWN, COOPER and MICHEL. The conspirators instructed the Drivers for the Parcel Carrier to divert the parcels containing the fraudulently-ordered equipment, and promised to pay the Drivers for delivering the equipment to other members of the conspiracy as instructed.

9. It was further part of the conspiracy that in order to conceal their diversion of the parcels, the Drivers, including defendants BROWN, COOPER and MICHEL, marked the parcels "delivered" in the Parcel Carrier's tracking system, but in fact diverted those parcels to other members of the conspiracy, including defendants DUFFAS, FORSYTHE, GENTLES, MALLETT, PREHAY, WELLINGTON, and WILSON.

10. It was further part of the conspiracy that, in cases where an employee of the Parcel Carrier was not complicit in the scheme, members of the conspiracy, including defendants GREEN and FORSYTHE, followed the Parcel Carrier along the delivery route and attempted to obtain possession of the parcel from the addressee to whom the parcel was delivered by claiming the parcel had been mis-delivered.

11. It was further part of the conspiracy that the stolen equipment was diverted from the mail stream in multiple locations, including New Jersey, New York, and Connecticut, and shipped to other members of the conspiracy located in Florida. The conspirators caused the Victim Company to ship equipment via the Parcel Carrier in interstate commerce from its facilities located outside of New Jersey to various addresses in New Jersey, New York, Connecticut, and elsewhere.

12. It was further part of the conspiracy that the conspirators shared in the proceeds generated through the fraud scheme by, among other things, depositing funds in designated bank accounts, or sending proceeds via wire transmission to other members of the conspiracy.

All in violation of Title 18, United States Code, Section 1349.

COUNT TWO
(Aggravated Identity Theft)

13. The allegations contained in paragraphs 1, 2 and 5 through 12 of this Indictment are hereby repeated, realleged and incorporated as if fully set forth herein.

14. On or about November 16, 2016, in the District of New Jersey and elsewhere, the defendant

ARRANTES GARRINCHA GREEN,
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a/k/a "Gucci,"

did knowingly possess and use, without lawful authority, the means of identification of another person, namely, the name, date of birth, and social security number of Victim-1, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit the conspiracy to commit wire fraud charged in Count One of this Indictment, knowing that the means of identification belonged to another actual person,

In violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT THREE
(Conspiracy to Commit an Offense Against the United States)

15. The allegations contained in paragraphs 1, 2, 4 and 5 through 12 of this Indictment are hereby repeated, realleged and incorporated as if fully set forth herein.

THE CONSPIRACY

16. From in or about June 2015 through in or about June 2017, in the District of New Jersey and elsewhere, the defendants

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SHELDON ANDRE WELLINGTON,
a/k/a "Shellinz," and
JERMAINE WILSON,
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did knowingly and intentionally conspire and agree with each other and others known and unknown to commit offenses against the United States, namely: (a) to transport, transmit, and transfer in interstate commerce goods, wares, merchandise, and money, of the value of \$5,000 or more, namely electronic equipment belonging to the Victim Company, knowing the same to have been stolen, converted, and taken by fraud, contrary to Title 18, United States Code, Section 2314; and (b) to buy and receive and have in their possession goods

and chattels of a value in excess of \$1,000, namely electronic equipment belonging to the Victim Company, knowing the same to have been embezzled and stolen from a vehicle carrying goods and chattels moving as and which are a part of and which constitute an interstate shipment of property, namely the shipment of such equipment of the Victim Company from their distribution facilities located, among other places, in Louisville, Kentucky, to New Jersey, New York, Connecticut, and elsewhere, contrary to Title 18, United States Code, Section 659.

OVERT ACTS

17. In furtherance of the conspiracy and in order to effect its unlawful objects, defendants GREEN, BROWN, COOPER, DUFFAS, FORSYTHE, GENTLES, MALLETTE, MICHEL, PREHAY, WELLINGTON, WILSON, and others committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

a. On or about June 31, 2016, defendant MALLETTE received a text message from a Runner containing the names of several streets on a delivery route of a Driver in Mount Vernon, New York. In or about July 2016, conspirators placed at least two fraudulent orders for equipment and the parcels were sent to residential addresses on those specific streets in Mount Vernon, New York (the "Mount Vernon Parcels"). The Driver diverted the Mount Vernon Parcels, which contained fraudulently-ordered equipment from the Victim Company, the value of which was approximately \$7,890, out of the mail stream.

b. On or about July 26, 2016, defendant PREHAY sent to a Runner a text message containing an address on Palo Alto Drive in Mount Vernon, New York (the "Palo Alto Parcel"). The Palo Alto Parcel, which contained three items of fraudulently-ordered equipment from the Victim Company, the value of which was approximately \$1,737, was destined for an address along a Driver's route, and was diverted out of the mail stream by the Driver.

c. On or about August 3, 2016, defendant WILSON sent a text message to defendant MICHEL containing a screenshot of a residential address in Upper Saddle River, New Jersey (the "New Jersey Address"). Defendant MICHEL diverted out of the mail stream a parcel (the "New Jersey Parcel"), which contained fraudulently ordered equipment from the Victim Company, the value of which was approximately \$1,898.

d. On or about November 9, 2016, defendant GREEN spoke on the telephone with a Driver regarding two parcels destined for Astoria, New York (the "New York Parcels"), that a Driver had diverted from the mail stream. Defendant GREEN instructed the Driver to deliver the New York Parcels to defendant GENTLES.

e. On or about November 9, 2016, the Driver delivered the New York Parcels, which contained three fraudulently-ordered items of equipment from the Victim Company, the value of which was approximately \$2,607, to defendant GENTLES in Brooklyn, New York in exchange for \$500.

f. On or about November 17, 2016, defendants GREEN and FORSYTHE arrived at a residential address in Elmont, New York (the "Elmont Residence"), where they left a note in Victim-1's name near the front door of the Elmont Residence that read, in substance and in part: Please leave package at front door. Thank you. We'll be right back."

All in violation of Title 18, United States Code, Section 371.

FORFEITURE ALLEGATION AS TO COUNT ONE

1. As a result of committing the wire fraud conspiracy offense in violation of 18 U.S.C. § 1343 alleged in Count One of this Indictment, the defendants charged in that count shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violations of Title 18, United States Code, Sections 1343 and 1349, alleged in Count One of this Indictment.

FORFEITURE ALLEGATION AS TO COUNT THREE

2. As a result of committing the conspiracy to transport and receive stolen property offense in violation of 18 U.S.C. § 2314, and to commit cargo theft in violation of 18 U.S.C. § 659, alleged in Count Three of this Indictment, the defendants charged in that count shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violations of Title 18, United States Code, Sections 2314, 659 and 371, alleged in Count Two of this Indictment.

SUBSTITUTE ASSETS PROVISION


3. If by any act or omission of the defendant, any of the property subject to forfeiture described above:
- 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 subdivided without difficulty, the United States of America will be entitled to forfeiture of substitute property up to the value of the property described above, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL



FOREPERSON


WILLIAM E. FITZPATRICK
Acting United States Attorney

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INDICTMENT FOR

**18 U.S.C. § 1349
18 U.S.C. § 1028A
18 U.S.C. § 371**

A True Bill,

Foreperson

WILLIAM E. FITZPATRICK
ACTING UNITED STATES ATTORNEY
NEWARK, NEW JERSEY

SAMMI MALEK
ASSISTANT U.S. ATTORNEY
973-645-2919