

KDE:DGR/NJM/LRO
F. #2018R00788

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

- against -

DERRICK AYERS,
also known as "Dee" and
"Mel,"
JESSICA ALMEIDA,
TYRONE BANKS,
also known as "Ty Hitta,"
JANET BLOOD,
DAYVON BOSTICK-SAMUELS,
also known as "Daytoe,"
BERMON CLARKE,
also known as "G" and
"Blue,"
MIKE GUSTAVO CONNOR,
also known as "Gus,"
RASHAAD CRAIG,
also known as "Skeeno,"
QUENTIN DELVALLE,
also known as "Q,"
ELIZABETH DUECASTER,
CHRISTINA ESTEVEZ,
ERICA FAGGIOLE,
ANTONIO FULTON,
also known as "Tone,"
FRANKLIN GILLESPIE,
also known as "Spazz" and
"Frankie Gino,"
ROMEO GONZALES,
NIA GOVAN,
also known as "Cam" and
"V,"
KEON GRANT,
also known as "Keys,"

S U P E R S E D I N G
I N D I C T M E N T

Cr. No. 20-239 (S-2) (BMC)
(T. 18, U.S.C., §§ 922(a)(5), 922(g)(1),
924(a)(1)(D), 924(a)(2), 924(c)(1)(A)(i),
924(d)(1), 982(a)(1), 982(b)(1), 1956(h),
1957, 2 and 3551 et seq.; T. 21, U.S.C.,
§§ 841(a)(1), 841(b)(1)(A)(i),
841(b)(1)(A)(ii), 841(b)(1)(A)(iii),
841(b)(1)(A)(vi), 841(b)(1)(B)(iii),
841(b)(1)(C), 846, 853(a), 853(p), 856(a)
and 856(b); T. 28, U.S.C., § 2461(c))

NADINE HEATH,
AMANDA HUARD,
ANTHONY KENNEDY,
 also known as “Biggie,”
TYQUAWN LANE,
 also known as “Bicks” and
 “Tah Tah,”
JOANNE LYDEM,
TANEJIA MOORE,
JESSICA PELKEY,
CHRISHAWN PENN,
 also known as “Prince,”
MICHAEL PEREZ,
 also known as “White Mike,”
JOELLE POCHE,
 also known as “Rico,”
MICHAEL REID,
 also known as “Half,”
ISAIAH TERRY SANDIFORD,
 also known as “Ice,”
AMY SONNENBLICK,
CHINASA STRACHAN,
NICOLETTE TOMPKINS,
AMANDA WALTON,
 also known as “A,”
DANIELLE WHITE,
DEVIN-JOHN JASON WILLIAMS,
 also known as “Pun” and
 “Fat Boy,” and
DEMETTRIUS WRIGHT,
 also known as “Clean” and
 “Meexhi Brim,”

Defendants.

----- X

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Possess With Intent to Distribute Narcotics)

1. In or about and between January 2017 and June 2020, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the

defendants DERRICK AYERS, also known as “Dee” and “Mel,” JESSICA ALMEIDA, TYRONE BANKS, also known as “Ty Hitta,” JANET BLOOD, DAYVON BOSTICK-SAMUELS, also known as “Daytoe,” BERMON CLARKE, also known as “G” and “Blue,” MIKE GUSTAVO CONNOR, also known as “Gus,” RASHAAD CRAIG, also known as “Skeeno,” QUENTIN DELVALLE, also known as “Q,” ELIZABETH DUECASTER, ERICA FAGGIOLE, ANTONIO FULTON, also known as “Tone,” FRANKLIN GILLESPIE, also known as “Spazz” and “Frankie Gino,” ROMEO GONZALES, NIA GOVAN, also known as “Cam” and “V,” KEON GRANT, also known as “Keys,” NADINE HEATH, AMANDA HUARD, ANTHONY KENNEDY, also known as “Biggie,” TYQUAWN LANE, also known as “Bricks” and “Tah Tah,” JOANNE LYDEM, TANEJIA MOORE, JESSICA PELKEY, CHRISHAWN PENN, also known as “Prince,” MICHAEL PEREZ, also known as “White Mike,” JOELLE POCHE, also known as “Rico,” MICHAEL REID, also known as “Half,” ISAIAH TERRY SANDIFORD, also known as “Ice,” NICOLETTE TOMPKINS, AMANDA WALTON, also known as “A,” DANIELLE WHITE, DEVIN-JOHN JASON WILLIAMS, also known as “Pun” and “Fat Boy,” and DEMETTRIUS WRIGHT, also known as “Clean” and “Meexhi Brim,” together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute one or more controlled substances, which offense involved (a) a substance containing cocaine base, a Schedule II controlled substance, (b) a substance containing heroin, a Schedule I controlled substance, and (c) a substance containing N-Phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (“fentanyl”), a Schedule II controlled substance, contrary to Title 21, United States Code, Section 841(a)(1). The amount of cocaine base and heroin involved in the conspiracy attributable to AYERS, CLARKE, GILLESPIE,

GOVAN, GRANT, HUARD, KENNEDY, LANE, PELKEY, WALTON and WRIGHT, as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, was 280 grams or more of a substance containing cocaine base and one kilogram or more of a substance containing heroin.

(Title 21, United States Code, Sections 846, 841(b)(1)(A)(i), 841(b)(1)(A)(iii) and 841(b)(1)(C); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO
(Unlawful Possession of Firearms)

2. In or about and between January 2017 and June 2020, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DERRICK AYERS, also known as “Dee” and “Mel,” BERMON CLARKE, also known as “G” and “Blue,” FRANKLIN GILLESPIE, also known as “Spazz” and “Frankie Gino,” and ANTHONY KENNEDY, also known as “Biggie,” together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to a drug trafficking crime, to wit: the crime charged in Count One, and did knowingly and intentionally possess such firearms in furtherance of said drug trafficking crime.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 2 and 3551 et seq.)

COUNT THREE
(Money Laundering Conspiracy)

3. In or about and between January 2017 and June 2020, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DERRICK AYERS, also known as “Dee” and “Mel,” BERMON CLARKE, also known as “G” and “Blue,” CHRISTINA ESTEVEZ, NIA GOVAN, also known as “Cam” and “V,” AMY SONNENBLICK, CHINASA STRACHAN and AMANDA WALTON, also

known as “A,” together with others, did knowingly and intentionally conspire to conduct one or more financial transactions in and affecting interstate and foreign commerce, to wit: the transfer and delivery of United States currency, which transactions were to in fact involve the proceeds of specified unlawful activity, to wit: narcotics trafficking, in violation of Title 21, United States Code, Sections 841(a) and 846, knowing that the property to be involved in such transactions would represent the proceeds of some form of unlawful activity and (a) with the intent to promote the carrying on of specified unlawful activity, contrary to Title 18, United States Code, Section 1956(a)(1)(A)(i); (b) knowing that the financial transactions were to be designed in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of specified unlawful activity, contrary to Title 18, United States Code, Section 1956(a)(1)(B)(i); and (c) to avoid one or more transaction reporting requirements under Federal law, to wit: Title 31, United States Code, Section 5313(a), contrary to Title 18, United States Code, Section 1956(a)(1)(B)(ii).

(Title 18, United States Code, Sections 1956(h) and 3551 et seq.)

COUNT FOUR
(Firearms Trafficking)

4. In or about August 2017, within the District of Maine, the defendants BERMON CLARKE, also known as “G” and “Blue,” AMANDA HUARD and NICOLETTE TOMPKINS, together with others, not being licensed importers, licensed manufacturers, licensed dealers or licensed collectors of firearms, did knowingly and willfully transfer, sell, trade, give, transport and deliver one or more firearms to one or more persons other than licensed importers, licensed manufacturers, licensed dealers or licensed

collectors, knowing and having reasonable cause to believe that such persons did not reside in Maine, the state in which HUARD and TOMPKINS resided.

(Title 18, United States Code, Sections 922(a)(5), 924(a)(1)(D), 2 and 3551 et seq.)

COUNT FIVE
(Unlawful Monetary Transactions)

5. In or about and between September 2018 and May 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant AMY SONNENBLICK, together with others, did knowingly and intentionally engage in one or more monetary transactions in and affecting interstate commerce in criminally derived property that was of a value greater than \$10,000, to wit: the purchase of a Range Rover sports utility vehicle, and that was derived from specified unlawful activity, to wit: narcotics trafficking, in violation of Title 21, United States Code, Sections 841 and 846.

(Title 18, United States Code, Sections 1957, 2 and 3551 et seq.)

COUNT SIX
(Firearms Trafficking)

6. In or about August 2019, within the District of Maine, the defendants BERMON CLARKE, also known as “G” and “Blue,” KEON GRANT, also known as “Keys,” NADINE HEATH and JOANNE LYDEM, together with others, not being licensed importers, licensed manufacturers, licensed dealers or licensed collectors of firearms, did knowingly and willfully transfer, sell, trade, give, transport and deliver one or more firearms to one or more persons other than licensed importers, licensed manufacturers, licensed

dealers or licensed collectors, knowing and having reasonable cause to believe that such persons did not reside in Maine, the state in which HEATH and LYDEM resided.

(Title 18, United States Code, Sections 922(a)(5), 924(a)(1)(D), 2 and 3551 et seq.)

COUNT SEVEN
(Firearms Trafficking)

7. In or about October 2019, within the District of Maine, the defendants JANET BLOOD, BERMON CLARKE, also known as “G” and “Blue,” and NADINE HEATH, together with others, not being licensed importers, licensed manufacturers, licensed dealers or licensed collectors of firearms, did knowingly and willfully transfer, sell, trade, give, transport and deliver one or more firearms to one or more persons other than licensed importers, licensed manufacturers, licensed dealers or licensed collectors, knowing and having reasonable cause to believe that such persons did not reside in Maine, the state in which BLOOD and HEATH resided.

(Title 18, United States Code, Sections 922(a)(5), 924(a)(1)(D), 2 and 3551 et seq.)

COUNT EIGHT
(Maintaining a Stash House – 7 Center Road, Searsport, Maine)

8. In or about November 2019, within the District of Maine, the defendants DERRICK AYERS, also known as “Dee” and “Mel,” BERMON CLARKE, also known as “G” and “Blue,” ELIZABETH DUECASTER, AMANDA WALTON, also known as “A,” and DEMETTRIUS WRIGHT, also known as “Clean” and “Meexhi Brim,” together with others, did knowingly and intentionally (a) lease, rent, use and maintain a place, to wit: 7 Center Road, Searsport, Maine (the “Searsport Stash House”), for the purpose of

manufacturing, distributing and using one or more controlled substances, and (b) manage and control the Searsport Stash House as a lessee, agent and occupant and make the Searsport Stash House available for use for the purpose of unlawfully manufacturing, storing, distributing and using one or more controlled substances, which offense involved (a) a substance containing cocaine base, a Schedule II controlled substance; and (b) a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 856(a) and 856(b); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT NINE

(Maintaining a Stash House – 2 Woodpecker Drive, Troy, Maine)

9. In or about and between July 2019 and June 2020, both dates being approximate and inclusive, within the District of Maine, the defendants DERRICK AYERS, also known as “Dee” and “Mel,” BERMON CLARKE, also known as “G” and “Blue,” NIA GOVAN, also known as “Cam” and “V,” and AMANDA WALTON, also known as “A,” together with others, did knowingly and intentionally (a) lease, rent, use and maintain a place, to wit: 2 Woodpecker Drive, Troy, Maine (the “Troy Stash House”), for the purpose of manufacturing, distributing and using one or more controlled substances, and (b) manage and control the Troy Stash House as a lessee, agent and occupant and make the Troy Stash House available for use for the purpose of unlawfully manufacturing, storing, distributing and using one or more controlled substances, which offense involved (a) a substance containing

cocaine base, a Schedule II controlled substance; and (b) a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 856(a) and 856(b); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TEN

(Maintaining a Stash House – 101 Roosevelt Avenue, Apartment 214, Carteret, New Jersey)

10. In or about and between January, 2020 and June 2020, both dates being approximate and inclusive, within the District of New Jersey, the defendants DERRICK AYERS, also known as “Dee” and “Mel,” BERMON CLARKE, also known as “G” and “Blue,” FRANKLIN GILLESPIE, also known as “Spazz” and “Frankie Gino,” ANTHONY KENNEDY, also known as “Biggie,” and CHINASA STRACHAN, together with others, did knowingly and intentionally (a) lease, rent, use and maintain a place, to wit: 101 Roosevelt Avenue, Apartment 214, Carteret, New Jersey (the “Carteret Stash House”), for the purpose of manufacturing, distributing and using one or more controlled substances, and (b) manage and control the Carteret Stash House as a lessee, agent and occupant and make the Carteret Stash House available for use for the purpose of unlawfully manufacturing, storing, distributing and using one or more controlled substances, which offense involved (a) a substance containing cocaine base, a Schedule II controlled substance; (b) a substance containing heroin, a Schedule I controlled substance; and (c) a substance containing fentanyl, a Schedule II controlled substance.

(Title 21, United States Code, Sections 856(a) and 856(b); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT ELEVEN

(Maintaining a Stash House – 9 Bings Boulevard, Swanville, Maine)

11. In or about and between May 2020 and June 2020, both dates being approximate and inclusive, within the District of Maine, the defendants DERRICK AYERS, also known as “Dee” and “Mel,” BERMON CLARKE, also known as “G” and “Blue,” ROMEO GONZALES, NIA GOVAN, also known as “Cam” and “V,” AMANDA WALTON, also known as “A,” and DANIELLE WHITE, together with others, did knowingly and intentionally (a) lease, rent, use and maintain a place, to wit: 9 Bings Boulevard, Swanville, Maine (the “Swanville Stash House”), for the purpose of manufacturing, distributing and using one or more controlled substances, and (b) manage and control the Swanville Stash House as a lessee, agent and occupant and make the Swanville Stash House available for use for the purpose of unlawfully manufacturing, storing, distributing and using one or more controlled substances, which offense involved (a) a substance containing cocaine base, a Schedule II controlled substance; (b) a substance containing heroin, a Schedule I controlled substance; and (c) a substance containing fentanyl, a Schedule II controlled substance.

(Title 21, United States Code, Sections 856(a) and 856(b); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWELVE

(Maintaining a Stash House – 1189 Horseback Road, Levant, Maine)

12. In or about and between May 2020 and June 2020, both dates being approximate and inclusive, within the District of Maine, the defendants DERRICK AYERS, also known as “Dee” and “Mel,” BERMON CLARKE, also known as “G” and “Blue,” RASHAAD CRAIG, also known as “Skeeno,” ERICA FAGGIOLE, NIA GOVAN, also

known as “Cam” and “V,” and AMANDA WALTON, also known as “A,” together with others, did knowingly and intentionally (a) lease, rent, use and maintain a place, to wit: 1189 Horseback Road, Levant, Maine (the “Levant Stash House”), for the purpose of manufacturing, distributing and using one or more controlled substances, and (b) manage and control the Levant Stash House as a lessee, agent and occupant and make the Levant Stash House available for use for the purpose of unlawfully manufacturing, storing, distributing and using one or more controlled substances, which offense involved (a) a substance containing cocaine base, a Schedule II controlled substance; (b) a substance containing heroin, a Schedule I controlled substance; and (c) a substance containing fentanyl, a Schedule II controlled substance.

(Title 21, United States Code, Sections 856(a) and 856(b); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTEEN

(Maintaining a Stash House – 93 Troy Road, Detroit, Maine)

13. In or about June 2020, within the District of Maine, the defendants DERRICK AYERS, also known as “Dee” and “Mel,” JESSICA ALMEIDA, BERMON CLARKE, also known as “G” and “Blue,” ANTONIO FULTON, also known as “Tone,” NIA GOVAN, also known as “Cam” and “V,” and AMANDA WALTON, also known as “A,” together with others, did knowingly and intentionally (a) lease, rent, use and maintain a place, to wit: 93 Troy Road, Detroit, Maine (the “Detroit Stash House”), for the purpose of manufacturing, distributing and using one or more controlled substances, and (b) manage and control the Detroit Stash House as a lessee, agent and occupant and make the Detroit Stash House available for use for the purpose of unlawfully manufacturing, storing, distributing

and using one or more controlled substances, which offense involved (a) a substance containing cocaine base, a Schedule II controlled substance; (b) a substance containing heroin, a Schedule I controlled substance; and (c) a substance containing fentanyl, a Schedule II controlled substance.

(Title 21, United States Code, Sections 856(a) and 856(b); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FOURTEEN

(Maintaining a Stash House – 576 Corinth Road, Garland, Maine)

14. In or about June 2020, within the District of Maine, the defendants DERRICK AYERS, also known as “Dee” and “Mel,” BERMON CLARKE, also known as “G” and “Blue,” QUENTIN DELVALLE, also known as “Q,” NIA GOVAN, also known as “Cam” and “V,” JOANNE LYDEM, and AMANDA WALTON, also known as “A,” together with others, did knowingly and intentionally (a) lease, rent, use and maintain a place, to wit: 576 Corinth Road, Garland, Maine (the “Garland Stash House”), for the purpose of manufacturing, distributing and using one or more controlled substances, and (b) manage and control the Garland Stash House as a lessee, agent and occupant and make the Garland Stash House available for use for the purpose of unlawfully manufacturing, storing, distributing and using one or more controlled substances, which offense involved (a) a substance containing cocaine base, a Schedule II controlled substance; (b) a substance containing heroin, a Schedule I controlled substance; and (c) a substance containing fentanyl, a Schedule II controlled substance.

(Title 21, United States Code, Sections 856(a) and 856(b); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FIFTEEN

(Possession of Cocaine and Fentanyl With Intent to Distribute)

15. In or about June 2020, within the District of New Jersey, the defendants DERRICK AYERS, also known as “Dee” and “Mel,” BERMON CLARKE, also known as “G” and “Blue,” FRANKLIN GILLESPIE, also known as “Spazz” and “Frankie Gino,” and ANTHONY KENNEDY, also known as “Biggie,” together with others, did knowingly and intentionally possess with intent to distribute a controlled substance, which offense involved (a) five kilograms or more of a substance containing cocaine, a Schedule II controlled substance; and (b) 400 grams or more of a substance containing fentanyl, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(ii) and 841(b)(1)(A)(vi); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SIXTEEN

(Possession of Cocaine Base, Heroin and Fentanyl With Intent to Distribute)

16. In or about June 2020, within the District of Maine, the defendants JESSICA ALMEIDA and ANTONIO FULTON, also known as “Tone,” together with others, did knowingly and intentionally possess with intent to distribute one or more controlled substances, which offense involved (a) 28 grams or more of a substance containing cocaine base, a Schedule II controlled substance; (b) a substance containing heroin, a Schedule I controlled substance; and (c) a substance containing fentanyl, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(iii) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SEVENTEEN

(Possession of Cocaine Base, Heroin and Fentanyl With Intent to Distribute)

17. In or about June 2020, within the District of Maine, the defendants RASHAAD CRAIG, also known as “Skeeno,” and ERICA FAGGIOLE, together with others, did knowingly and intentionally possess with intent to distribute one or more controlled substances, which offense involved (a) 28 grams or more of a substance containing cocaine base, a Schedule II controlled substance; (b) a substance containing heroin, a Schedule I controlled substance; and (c) a substance containing fentanyl, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(iii) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT EIGHTEEN

(Possession of Cocaine Base, Heroin and Fentanyl With Intent to Distribute)

18. In or about June 2020, within the District of Maine, the defendants ROMEO GONZALES and DANIELLE WHITE, together with others, did knowingly and intentionally possess with intent to distribute one or more controlled substances, which offense involved (a) 28 grams or more of a substance containing cocaine base, a Schedule II controlled substance; (b) a substance containing heroin, a Schedule I controlled substance; and (c) a substance containing fentanyl, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(iii) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT NINETEEN

(Possession of Cocaine Base, Heroin and Fentanyl With Intent to Distribute)

19. In or about June 2020, within the District of Maine, the defendants QUENTIN DELVALLE, also known as “Q,” and JOANNE LYDEM, together with others, did knowingly and intentionally possess with intent to distribute one or more controlled substances, which offense involved (a) 28 grams or more of a substance containing cocaine base, a Schedule II controlled substance; (b) a substance containing heroin, a Schedule I controlled substance; and (c) a substance containing fentanyl, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(iii) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY

(Felon in Possession of Firearms)

20. On or about June 25, 2020, within the District of New Jersey, the defendant DERRICK AYERS, also known as “Dee” and “Mel,” together with others, knowing that he had previously been convicted in a court of one or more crimes punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce one or more firearms, to wit: (a) one .22 caliber Taurus Model PT-22 pistol bearing serial number AQL76952; (b) one nine-millimeter Glock Model 43 pistol bearing serial number BCGF546; and (c) one .45 caliber Springfield Armory Model XDS pistol bearing serial number S3198690.

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2), 2 and 3551 et seq.)

COUNT TWENTY-ONE
(Felon in Possession of Firearms)

21. On or about September 3, 2020, within the Eastern District of New York, the defendant FRANKLIN GILLESPIE, also known as “Spazz” and “Frankie Gino,” together with others, knowing that he had previously been convicted in a court of one or more crimes punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce one or more firearms, to wit: (a) one nine-millimeter Hi Point Model C9 semi-automatic pistol bearing serial number P1335925; (b) one nine-millimeter semi-automatic pistol bearing serial number BGPX376; and (c) one nine-millimeter MasterPiece Arms pistol bearing serial number F10659.

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE AND EIGHT THROUGH NINETEEN

22. The United States hereby gives notice to the defendants charged in Counts One and Eight through Nineteen that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of such offenses to forfeit: (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as a result of such offenses; and (b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses, including but not limited to the following property:

- (i) One white 2018 Volvo S90 bearing Vehicle Identification Number (“VIN”) LVYBC0AL6JP027634, seized on or about June 25, 2020, in Vernon, Connecticut (the “2018 Volvo”);

- (ii) One gray 2020 Hyundai Sonata bearing VIN 5NPEH4J27LH005502, seized on or about June 25, 2020, in Fairfield, New Jersey (the “2020 Hyundai”);
- (iii) One black 2015 Subaru Outback bearing VIN 4S4BSALC8F3320457, seized on or about June 25, 2020, in Portland, Maine;
- (iv) One 2014 Kia Cadenza bearing VIN KNALN4D77E5152930, seized on or about November 21, 2017, in New York, New York;
- (v) One silver and rose gold Rolex, Oyster Perpetual, Date Just wristwatch, seized on or about June 25, 2020, from a Mercedes E300 sedan in New York, New York;
- (vi) One gold Rolex, Oyster Perpetual, Day Date wrist watch, seized on or about June 25, 2020, in Fairfield, New Jersey;
- (vii) One diamond encrusted Audemars Piguet, Royal Oak, No. 5951 E95125 wristwatch with display case, seized on or about June 25, 2020, from an apartment in Rahway, New Jersey;
- (viii) One rose gold Rolex, Oyster Perpetual, Sky-Dweller wristwatch model number 326935 bearing serial number 895CQ545 and display case, seized on or about June 25, 2020, from an apartment in Rahway, New Jersey;
- (ix) One rose gold diamond encrusted chain link necklace, seized on or about June 25, 2020, from an apartment in Rahway, New Jersey;
- (x) \$87,000 in U.S. currency, seized on or about June 25, 2020, from an apartment in, Rahway, New Jersey;
- (xi) \$25,224 in U.S. currency, seized on or about June 25, 2020, from the 2018 Volvo in Vernon, Connecticut;
- (xii) \$109,928 in U.S. currency, seized on or about June 30, 2020, from the 2018 Volvo in New York, New York;
- (xiii) \$2,000 in U.S. currency, seized on or about July 8, 2020, from the 2020 Hyundai in Yonkers, New York;
- (xiv) \$1,079 in U.S. currency, seized on or about June 25, 2020, from the Carteret Stash House;

- (xv) \$3,602 in U.S. currency, seized on or about June 25, 2020, from DERRICK AYERS in Fairfield, New Jersey;
- (xvi) \$1,885 in U.S. currency, seized on or about June 25, 2020, from Portland, Maine;
- (xvii) \$125,807 in U.S. currency, seized on or about June 25, 2020, from an apartment in Rahway, New Jersey;
- (xviii) \$26,001 in U.S. currency, seized on or about June 25, 2020, from an apartment in Boston, Massachusetts;
- (xix) \$2,642 in U.S. currency, seized on or about June 25, 2020, from an apartment in Brooklyn, New York;
- (xx) \$2,450 in U.S. currency, seized on or about June 25, 2020, from the Garland Stash House;
- (xxi) One Marlin Firearms Company .22 caliber rifle bearing serial number 27410240 seized on or about June 25, 2020, from the Garland Stash House;
- (xxii) One Taurus International PT99AF.9mm caliber firearm bearing serial number TMA95288D seized on or about June 25, 2020, from the Garland Stash House;
- (xxiii) One Iberia Firearms JCP .40 caliber firearm bearing serial number X7267662 seized on or about June 25, 2020, from the Garland Stash House;
- (xxiv) 25 rounds of Winchester-Western Ammunition seized on or about June 25, 2020, from the Garland Stash House; and
- (xxv) 28 rounds of assorted ammunition seized on or about June 25, 2020, from the Garland Stash House (collectively, the "Seized Property").

23. If any of the above-described forfeitable property, 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;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a) and 853(p))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS TWO, FOUR, SIX, SEVEN, TWENTY AND TWENTY-ONE

24. The United States hereby gives notice to the defendants charged in Counts Two, Four, Six, Seven, Twenty and Twenty-One that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922 or Section 924, or any violation of any other criminal law of the United States, including but not limited to:

- (i) One Taurus Model PT-22 .22 caliber pistol bearing serial number AQL76952, seized on or about July 8, 2020, from the 2020 Hyundai in New York, New York;
- (ii) One Glock Model 43 nine-millimeter pistol bearing serial number BCGF546, seized on or about July 8, 2020, from the 2020 Hyundai in New York, New York;
- (iii) One Springfield Armory Model XDS .45 caliber pistol bearing serial number S3198690, seized on or about July 8, 2020, from the 2020 Hyundai in New York, New York;

- (iv) One nine-millimeter Hi Point Model C9 semi-automatic pistol bearing serial number P1335925, seized on or about September 3, 2020 from a white Pontiac G6 in Brooklyn, New York;
- (v) One nine-millimeter semi-automatic pistol bearing serial number BGPX376, seized on or about September 3, 2020 from a white Pontiac G6 in Brooklyn, New York; and
- (vi) One nine-millimeter MasterPiece Arms pistol bearing serial number F10659, seized on or about September 3, 2020 from a white Pontiac G6 in Brooklyn, New York.

25. If any of the above-described forfeitable property, 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;

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 forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS THREE AND FIVE

26. The United States hereby gives notice to the defendants charged in Counts Three and Five that, upon their conviction of either such offense, the government will

seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), which requires any person convicted of such offenses to forfeit any property, real or personal, involved in such offenses, or any property traceable to such property, including but not limited to the Seized Property.

27. If any of the above-described forfeitable property, 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;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any

other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(1) and 982(b)(1); Title 21, United States Code, Section 853(p))

A TRUE BILL

FOREPERSON



SETH D. DUCHARME
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F.# 2018R00788
FORM DBD-34
JUN. 85

No. 20-CR-239 (S-2) (BMC)

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

DERRICK AYERS et al.,

Defendants.

SUPERSEDING INDICTMENT

(T. 18, U.S.C., §§ 922(a)(5), 922(g)(1), 924(a)(1)(D), 924(a)(2), 924(c)(1)(A)(i),
924(d)(1), 982(a)(1), 982(b)(1), 1956(h), 1957, 2 and 3551 et seq.; T. 21, U.S.C., §§ 846,
841(a)(1), 841(b)(1)(A)(i), 841(b)(1)(A)(ii), 841(b)(1)(A)(iii), 841(b)(1)(A)(vi),
841(b)(1)(B)(iii), 841(b)(1)(C), 853(a), 853(p), 856(a) and 856(b); T. 28, U.S.C.,
§ 2461(c))

A true bill.

Foreperson

Filed in open court this _____ *day,*
of _____ *A.D. 20* _____

Clerk

Bail, \$ _____

Drew G. Rolle, Nicholas J. Moscow & Lindsey R. Oken,
Assistant U.S. Attorneys