

**KEITH HERD,
a/k/a “Keefy,”
a/k/a “Beefy,”
a/k/a “Turb,”
FURAD LOYAL,
a/k/a “Kiko,”
TYRONE BROWN,
a/k/a “Tytek,”
a/k/a “T,”
a/k/a “Ty,”
a/k/a “Reek,”
RAHEEM TARRY,
a/k/a “Mu,”
a/k/a “Ramu,” and
MURAD FLEMING,
a/k/a “Turn Up,”
a/k/a “Tubby,”**

did knowingly and intentionally conspire and agree with each other and others, known and unknown, to distribute and possess with intent to distribute 1 kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

OBJECT OF THE CONSPIRACY

2. It was the object of the conspiracy for defendants KEITH HERD, a/k/a “Keefy,” a/k/a “Beefy,” a/k/a “Turb” (“HERD”), FURAD LOYAL, a/k/a “Kiko” (“LOYAL”), TYRONE BROWN, a/k/a “Tytek,” a/k/a “T,” a/k/a “Ty,” a/k/a Reek” (“BROWN”), RAHEEM TARRY, a/k/a “Mu,” a/k/a “Ramu” (“TARRY”), MURAD FLEMING, a/k/a “Turn Up,” a/k/a “Tubby” (“FLEMING”), and others to enrich themselves and each other through narcotics trafficking.

MANNER AND MEANS OF THE CONSPIRACY

3. It was a part of the conspiracy that the defendants and other members and associates of the conspiracy (the “New Community DTO”) committed and agreed to traffic in illegal drugs, including heroin and cocaine base.

4. It was further part of the conspiracy that HERD, LOYAL, and other members and associates of the New Community DTO were members of the Brick City Brim set of the Bloods street gang (“BCB Bloods”).

5. It was further part of the conspiracy that HERD was the leader of the BCB Bloods set of the New Community DTO and was the main heroin supplier for the New Community DTO.

6. It was further part of the conspiracy that the New Community DTO engaged in, or controlled, open-air drug trafficking primarily in and around the area of Hayes Street and 14th Avenue at the New Community Corporation community development in Newark, New Jersey, including, among others, the following specific locations:

- a. a five-story building located at 72 Hayes Street (the “Building”); and
- b. a courtyard area along a pedestrian-only path located approximately one block from the Building (the “Desert”).

7. It was further part of the conspiracy that the New Community DTO used the apartments and common areas of the Building to, among other reasons: store, hide, or discard narcotics, narcotics contraband, narcotics

proceeds, and firearms; and lookout for and hide from law enforcement and rival drug dealers or gang members.

8. It was further part of the conspiracy that the New Community DTO paid individuals to act as lookouts for law enforcement and rival drug dealers or gang members.

9. It was further part of the conspiracy that the New Community DTO shared narcotics proceeds and sources of supply and referred customers to each other.

10. It was further part of the conspiracy that the New Community DTO pooled money for its members or associates who were arrested or incarcerated.

11. It was further part of the conspiracy that members and associates of the New Community DTO were discouraged from and threatened against providing information or otherwise cooperating with law enforcement.

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

COUNT TWO
(Continuing Criminal Enterprise)
(Herd)

1. From at least in or around November 2016 through on or about March 5, 2018, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**KEITH HERD,
a/k/a “Keefy,”
a/k/a “Beefy,”
a/k/a “Turb,”**

did knowingly and intentionally engage in a continuing criminal enterprise in that the defendant knowingly and intentionally violated Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), 841(b)(1)(C), 843(b), and 846, which violations include, but are not limited to, the acts alleged in Counts One, Three, and Four of this Third Superseding Indictment, which Counts are realleged and incorporated by reference as though fully set forth in this Count, and which violations were part of a continuing series of violations of the Controlled Substances Act, Title 21, United States Code, Section 801 *et seq.*, undertaken by the defendant in concert with at least five other persons with respect to whom the defendant occupied a position of organizer, supervisor or any position of management, and from which such continuing series of violations the defendant obtained substantial income and resources.

2. Furthermore, HERD was the principal administrator, organizer, supervisor, or leader of the criminal enterprise, which involved possession with intent to distribute and distribution of mixtures and substances containing a detectable amount of heroin, a Schedule I controlled substance, and the

amount of said mixtures and substances was at least 300 times the quantity of heroin listed in Title 21, United States Code, Section 841(b)(1)(B)—that is, at least 30 kilograms of heroin.

All in violation of Title 21, United States Code, Sections 848(a) and (b).

COUNTS THREE AND FOUR

(Distribution and Possession with Intent to Distribute Heroin)
(Herd)

On or about the dates set forth in the table below, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

KEITH HERD
a/k/a "Keefy,"
a/k/a "Beefy,"
a/k/a "Turb,"

did knowingly and intentionally distribute and possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

Count	Date
3	May 2, 2017
4	July 20, 2017

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

COUNT FIVE

(Distribution and Possession with Intent to Distribute Heroin)
(Brown and Tarry)

On or about February 1, 2017, in Essex County, in the District of New Jersey and elsewhere, the defendants,

**TYRONE BROWN,
a/k/a "Tytek,"
a/k/a "T,"
a/k/a "Ty,"
a/k/a "Reek," and
RAHEEM TARRY,
a/k/a "Mu,"
a/k/a "Ramu,"**

did knowingly and intentionally distribute and possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

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

COUNTS SIX AND SEVEN

(Distribution and Possession with Intent to Distribute Fentanyl Analogue)
(Brown)

On or about the dates set forth in the table below, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**TYRONE BROWN,
a/k/a "Tytek,"
a/k/a "T,"
a/k/a "Ty,"
a/k/a "Reek,"**

did knowingly and intentionally distribute and possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of any analogue of N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, namely 4-fluoroisobutyryl fentanyl or para-fluoroisobutyryl fentanyl, a Schedule I controlled substance.

Count	Date
6	September 11, 2017
7	October 17, 2017

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

COUNTS EIGHT THROUGH TWELVE

(Distribution and Possession with Intent to Distribute Heroin)
(Brown)

On or about the dates set forth in the table below, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**TYRONE BROWN,
a/k/a "Tytek,"
a/k/a "T,"
a/k/a "Ty,"
a/k/a "Reek,"**

did knowingly and intentionally distribute and possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

Count	Date
8	February 7, 2017
9	September 26, 2017
10	October 5, 2017
11	October 10, 2017
12	November 8, 2017

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

COUNTS THIRTEEN THROUGH SEVENTEEN
(Distribution and Possession with Intent to Distribute Heroin)
(Tarry)

On or about the dates set forth in the table below, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

RAHEEM TARRY,
a/k/a “Mu,”
a/k/a “Ramu,”

did knowingly and intentionally distribute and possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

Count	Date
13	January 12, 2017
14	March 9, 2017
15	April 21, 2017
16	May 31, 2017
17	October 5, 2017

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

COUNT EIGHTEEN

(Possession with Intent to Distribute Heroin)
(Brown)

On or about December 3, 2017, in Essex County, in the District of New Jersey and elsewhere, the defendant,

**TYRONE BROWN,
a/k/a "Tytek,"
a/k/a "T,"
a/k/a "Ty,"
a/k/a "Reek,"**

did knowingly and intentionally possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

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

COUNT NINETEEN

(Possession with Intent to Distribute Heroin)
(Tarry)

On or about December 3, 2017, in Essex County, in the District of New Jersey and elsewhere, the defendant,

RAHEEM TARRY,
a/k/a "Mu,"
a/k/a "Ramu,"

did knowingly and intentionally possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

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

COUNT TWENTY

(Possession with Intent to Distribute Heroin)
(Loyal)

On or about November 21, 2017, in Essex County, in the District of New Jersey and elsewhere, the defendant,

**FURAD LOYAL,
a/k/a “Kiko,”**

did knowingly and intentionally possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

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

COUNT TWENTY-ONE

(Possession of a Firearm by a Convicted Felon)
(Loyal)

On or about November 21, 2017, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**FURAD LOYAL,
a/k/a "Kiko,"**

knowing that he had previously been convicted in a court of at least one crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting commerce a loaded firearm, namely a 9mm Walther PPX semiautomatic pistol, bearing serial number FAS2771, and 17 rounds of 9mm ammunition.

In violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT TWENTY-TWO

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)
(Loyal)

On or about November 21, 2017, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**FURAD LOYAL,
a/k/a "Kiko,"**

did knowingly possess a firearm, namely a loaded 9mm Walther PPX semiautomatic pistol, bearing serial number FAS2771, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, specifically, the conspiracy to distribute and possess with intent to distribute heroin charged in Count One of this Third Superseding Indictment and the possession with intent to distribute heroin charged in Count Twenty of this Third Superseding Indictment.

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

FORFEITURE ALLEGATION AS TO CONTROLLED SUBSTANCE COUNTS

1. The allegations contained in Counts One through Twenty of this Third Superseding Indictment are incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of the controlled substance offenses alleged in Counts One through Twenty of this Third Superseding Indictment, the defendants,

**KEITH HERD,
a/k/a "Keefy,"
a/k/a "Beefy,"
a/k/a "Turb,"
FURAD LOYAL,
a/k/a "Kiko,"
TYRONE BROWN,
a/k/a "Tytek,"
a/k/a "T,"
a/k/a "Ty,"
a/k/a "Reek,"
RAHEEM TARRY,
a/k/a "Mu,"
a/k/a "Ramu," and
MURAD FLEMING,
a/k/a "Turn Up,"
a/k/a "Tubby,"**

shall forfeit to the United States of America any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of those offenses, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of those offenses.

3. If any of the property described above, 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,

the United States shall be entitled, pursuant to 21 U.S.C. § 853(p), to the forfeiture of any other property of the defendants up to the value of the above-described forfeitable property.

FORFEITURE ALLEGATION

(Loyal)

1. The allegations contained in Counts Twenty-One and Twenty-Two of this Third Superseding Indictment are hereby realleged and incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

2. As the result of committing the firearms offenses alleged in Counts Twenty-One and Twenty-Two of this Third Superseding Indictment, the defendant,

**FURAD LOYAL,
a/k/a "Kiko,"**

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm and ammunition involved in or used in the commission of such offenses, including, but not limited to, the following:

- (1) One loaded 9mm Walther PPX semiautomatic pistol, bearing serial number FAS2771; and
- (2) 17 rounds of 9mm caliber ammunition.

A TRUE BILL,

FOREPERSON


CRAIG CARPENITO
United States Attorney

CASE NUMBER: 18-449

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

KEITH HERD et al.

INDICTMENT FOR

21 U.S.C. § 841
21 U.S.C. § 846
21 U.S.C. § 848
18 U.S.C. § 922(b)(1)
18 U.S.C. § 924(c)(1)(A)
18 U.S.C. § 2

A True Bill,

foreperson

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