

JMS:KMT/NMA
F. #2020R00304

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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1:20-cr-00323(AMD)(RLM)

UNITED STATES OF AMERICA

SUPERSEDING
INDICTMENT

- against -

DARRIUS SUTTON,
also known as "Darius Sutton"
and "Blizz Meecho,"

Defendant.

Cr. No. 20-323 (S-1) (AMD)
(T. 18, U.S.C., §§ 922(g)(1), 924(a)(2),
924(c)(1)(A)(i), 924(c)(1)(A)(ii),
924(c)(1)(A)(iii), 924(d)(1),
1959(a)(3), 1959(a)(5), 2 and 3551
et seq.; T. 21, U.S.C., § 853(p); T. 28,
U.S.C., § 2461(c))

----- X

THE GRAND JURY CHARGES:

INTRODUCTION TO ALL COUNTS

At all times relevant to this Superseding Indictment, unless otherwise indicated:

The Enterprise

1. The Bamalife gang (hereinafter "Bamalife" or the "enterprise") was a gang comprised primarily of individuals residing in and around the East New York neighborhood of Brooklyn, New York, which included members of the Bloods street gang. Bamalife was, at times, also referred to as the "Cocky Bama Bullies" or "CBB." Members and associates of the enterprise have engaged in fraud, narcotics trafficking and acts of violence, including acts involving murder and assault.
2. Bamalife, including its leaders, members and associates, constituted an "enterprise" as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate

and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

3. Bamalife, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, acts involving murder chargeable under the New York Penal Law and punishable by imprisonment for more than one year; offenses involving the felonious manufacture, importation, receiving, concealment, buying, selling and otherwise dealing in controlled substances, in violation of Title 21, United States Code, Sections 841 and 846; and acts indictable under Title 18, United States Code, Section 1029 (relating to fraud and related activity in connection with access devices) and Section 1344 (relating to financial institution fraud).

Purposes of the Enterprise

4. The purposes of the enterprise included the following:
- (a) Promoting and enhancing the prestige, reputation and position of the enterprise with respect to rival criminal organizations;
 - (b) Preserving and protecting the power and territory of the enterprise through the use of intimidation, threats of violence and acts of violence, including murder and assault;
 - (c) Keeping victims and rivals in fear of the enterprise and its members and associates; and
 - (d) Enriching the members and associates of the enterprise through criminal activity, including fraud, identity theft and drug trafficking.

Means and Methods of the Enterprise

5. Among the means and methods by which members of the enterprise and their associates conducted and participated in the conduct of the affairs of the enterprise were the following:

(a) Members of the enterprise and their associates used, attempted to use and conspired to use fraud, identity theft and drug trafficking as means of obtaining money;

(b) Members of the enterprise and their associates committed, attempted to commit, threatened to commit and conspired to commit acts of violence, including acts involving murder and assault, to enhance the enterprise's prestige and to protect the enterprise's territory; and

(c) Members of the enterprise and their associates used and threatened to use physical violence against various individuals, including members of rival criminal organizations.

The Defendant

6. The defendant DARRIUS SUTTON, also known as "Darius Sutton" and "Blizz Meecho," was a member and associate of the enterprise.

COUNT ONE

(Attempted Murder In-Aid-Of Racketeering – John Doe 1)

7. The allegations contained in paragraphs one through six are realleged and incorporated herein as if fully set forth in this paragraph.

8. On or about August 11, 2019, within the Eastern District of New York, the defendant DARRIUS SUTTON, also known as "Darius Sutton" and "Blizz Meecho,"

together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, Bamalife, an enterprise engaged in racketeering activity, did knowingly and intentionally attempt to murder John Doe 1, an individual whose identity is known to the Grand Jury, in violation of New York Penal Law Sections 125.25(1), 110.00 and 20.00.

(Title 18, United States Code, Sections 1959(a)(5), 2 and 3551 et seq.)

COUNT TWO

(Assault In-Aid-Of Racketeering – John Doe 1)

9. The allegations contained in paragraphs one through six are realleged and incorporated herein as if fully set forth in this paragraph.

10. On or about August 11, 2019, within the Eastern District of New York, the defendant DARRIUS SUTTON, also known as “Darius Sutton” and “Blizz Meecho,” together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, Bamalife, an enterprise engaged in racketeering activity, did knowingly and intentionally assault with a dangerous weapon John Doe 1, in violation of New York Penal Law Sections 120.05(2) and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), 2 and 3551 et seq.)

COUNT THREE

(Possessing, Brandishing and Discharging a Firearm During Crimes of Violence)

11. On or about August 11, 2019, within the Eastern District of New York, the defendant DARRIUS SUTTON, also known as “Darius Sutton” and “Blizz Meecho,” together with others, did knowingly and intentionally use and carry a firearm during and in relation to one or more crimes of violence, to wit: the crimes charged in Counts One and

Two, and did knowingly and intentionally possess such firearm in furtherance of said crimes of violence, which firearm was brandished and discharged.

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

COUNT FOUR
(Felon in Possession of Ammunition)

12. On or about August 11, 2019, within the Eastern District of New York, the defendant DARRIUS SUTTON, also known as “Darius Sutton” and “Blizz Meecho,” 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 ammunition, to wit: .380 caliber Remington-Peters ammunition and .380 caliber Prvi Partizan ammunition.

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

COUNT FIVE
(Felon in Possession of Ammunition)

13. On or about April 20, 2020, within the Eastern District of New York, the defendant DARRIUS SUTTON, also known as “Darius Sutton” and “Blizz Meecho,” 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 ammunition, to wit: 9mm Luger caliber Federal Cartridge ammunition and .380 auto caliber Winchester ammunition.

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

COUNT SIX

(Attempted Murder In-Aid-Of Racketeering – John Doe 2)

14. The allegations contained in paragraphs one through six are realleged and incorporated herein as if fully set forth in this paragraph.

15. On or about May 16, 2020, within the Eastern District of New York, the defendant DARRIUS SUTTON, also known as “Darius Sutton” and “Blizz Meecho,” together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, Bamalife, an enterprise engaged in racketeering activity, did knowingly and intentionally attempt to murder John Doe 2, an individual whose identity is known to the Grand Jury, in violation of New York Penal Law Sections 125.25(1), 110.00 and 20.00.

(Title 18, United States Code, Sections 1959(a)(5), 2 and 3551 et seq.)

COUNT SEVEN

(Assault In-Aid-Of Racketeering – John Doe 2)

16. The allegations contained in paragraphs one through six are realleged and incorporated herein as if fully set forth in this paragraph.

17. On or about May 16, 2020, within the Eastern District of New York, the defendant DARRIUS SUTTON, also known as “Darius Sutton” and “Blizz Meecho,” together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, Bamalife, an enterprise engaged in racketeering activity, did knowingly and intentionally assault with a dangerous weapon John Doe 2, in violation of New York Penal Law Sections 120.05(2) and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), 2 and 3551 et seq.)

COUNT EIGHT

(Possessing, Brandishing and Discharging a Firearm During Crimes of Violence)

18. On or about May 16, 2020, within the Eastern District of New York, the defendant DARRIUS SUTTON, also known as “Darius Sutton” and “Blizz Meecho,” together with others, did knowingly and intentionally use and carry a firearm during and in relation to one or more crimes of violence, to wit: the crimes charged in Counts Six and Seven, and did knowingly and intentionally possess such firearm in furtherance of said crimes of violence, which firearm was brandished and discharged.

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

COUNT NINE

(Felon in Possession of Ammunition)

19. On or about May 16, 2020, within the Eastern District of New York, the defendant DARRIUS SUTTON, also known as “Darius Sutton” and “Blizz Meecho,” 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 ammunition, to wit: 9mm Luger caliber PMC ammunition.

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

CRIMINAL FORFEITURE ALLEGATION

20. The United States hereby gives notice to the defendant that, upon his conviction of any of the offenses charged herein, 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:

- (a) .380 caliber Remington-Peters ammunition and .380 caliber Prvi Partizan ammunition, seized on or about August 11, 2019, in the vicinity of 20 Williams Avenue in Brooklyn, New York;
- (b) 9mm Luger caliber Federal Cartridge ammunition and .380 auto caliber Winchester ammunition, seized on or about April 20, 2020, in the vicinity of 375 Sheffield Ave in Brooklyn, New York; and
- (c) 9mm Luger caliber PMC ammunition, seized on or about May 16, 2020, in the vicinity of 2211 Pitkin Avenue, in Brooklyn, New York.

21. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (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 defendant 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))

A TRUE BILL

FOREPERSON

JACQUELYN M. KASULIS
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F #: 2020R0304
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

DARRIUS SUTTON,

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 922(g)(1), 924(a)(2), 924(c)(1)(A)(i),
924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 924(d)(1), 981(a)(1)(C), 1959(a)(3),
1959(a)(5), 2 and 3551 et seq.; T. 21, U.S.C., §§ 853(p); 2461(c))



Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Kevin Trowel & Nick Axelrod, Assistant U.S. Attorneys (718) 254-7000