

NB:APW/SSA
F. #2021R00830
OCDEF #

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

- against -

CARLOS ACEVEDO,
also known as "AM"
and "cartier_a.m,"
LUIS CERDA,
RAMON COLLADO,
also known as "Greedy,"
"greedy.billzz" and "greedyt2gg,"
NARESH DEONARRAIN,
also known as "Kans"
and "nocheck_kans,"
JASON LIRIANO,
also known as "S.L." and
"jay_bigfella,"
CHARLIE MAISONET,
also known as "Charlie_.rb,"
CAVIER NEDRICK,
also known as "Chief," "big.chiefs"
and "bigchiefsrb,"
ERIC NUNEZ,
also known as "Tok" and "therealtok,"
JOSE ROSADO,
also known as "Cream"
and "elite_cream,"
ALBERTO SANTIAGO,
also known as "Kom" and "dot_kom._,"
JONATHAN SANTIAGO,
also known as "Chop," and
JEFFREY VARGAS,
also known as "Chito" and "chito_1838,"

Defendants.

----- X

SUPERSEDING
INDICTMENT

Cr. No. 21-451 (S-2) (GRB)
(T. 18, U.S.C., §§ 371, 922(g)(1),
924(a)(2), 924(c)(1)(A)(i), 924(d)(1),
982(a)(2), 982(b)(1), 2118(b), 2118(d), 2
and 3551 et seq.; T. 21, U.S.C., §§
841(a)(1), 841(b)(1)(B)(vi),
841(b)(1)(C), 841(b)(1)(D), 841(b)(2),
841(b)(3), 846, 853(a) and 853(p); T. 28,
U.S.C., § 2461(c))

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Distribute and Possess with Intent to Distribute Controlled Substances)

1. In or about and between January 2017 and the date of this Superseding Indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants CARLOS ACEVEDO, also known as “AM” and “cartier_a.m,” RAMON COLLADO, also known as “Greedy,” “greedy.billzz” and “greedyyt2gg,” NARESH DEONARRAIN, also known as “Kans” and “nocheck_kans,” JASON LIRIANO, also known as “S.L.” and “jay_bigfella,” CHARLIE MAISONET, also known as “Charlie_._rb,” CAVIER NEDRICK, also known as “Chief,” “big.chiefs” and “_bigchiefsrb,” ERIC NUNEZ, also known as “Tok” and “therealtok,” JOSE ROSADO, also known as “Cream” and “elite_cream,” ALBERTO SANTIAGO, also known as “Kom” and “dot._kom._,” JONATHAN SANTIAGO, also known as “Chop,” and JEFFREY VARGAS, also known as “Chito” and “chito_1838,” 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 marijuana, a Schedule I controlled substance; (b) a substance containing 3, 4-methylenedioxyamphetamine (“MDMA” or “ecstasy”), a Schedule I controlled substance; (c) a substance containing cocaine, a Schedule II controlled substance; (d) a substance containing oxycodone, a Schedule II controlled substance; (e) a substance containing hydrocodone, a Schedule II controlled substance; (f) a substance containing N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (“fentanyl”), a Schedule II controlled substance; (g) a substance containing alprazolam, a Schedule IV controlled substance; and (h) a substance containing codeine-promethazine, a Schedule V controlled substance, contrary to Title 21, United States Code, Section 841(a)(1). The amount of fentanyl involved in the conspiracy attributable to the

defendants as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, was 40 grams or more of a substance containing fentanyl.

(Title 21, United States Code, Sections 846, 841(b)(1)(B)(vi), 841(b)(1)(C), 841(b)(1)(D), 841(b)(2) and 841(b)(3); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO

(Conspiracy to Commit Burglary Involving Controlled Substances)

2. In or about and between November 2020 and the date of this Superseding Indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants CARLOS ACEVEDO, also known as “AM” and “cartier_a.m,” RAMON COLLADO, also known as “Greedy,” “greedy.billzz” and “greedyyt2gg,” NARESH DEONARRAIN, also known as “Kans” and “nocheck_kans,” JASON LIRIANO, also known as “S.L.” and “jay_bigfella,” CHARLIE MAISONET, also known as “Charlie._rb,” CAVIER NEDRICK, also known as “Chief,” “big.chiefs” and “_bigchiefsrb,” ERIC NUNEZ, also known as “Tok” and “therealtok,” JOSE ROSADO, also known as “Cream” and “elite_cream,” ALBERTO SANTIAGO, also known as “Kom” and “dot._kom._” and JEFFREY VARGAS, also known as “Chito” and “chito_1838,” together with others, did knowingly and willfully conspire to enter and remain in the business premises and property of one or more persons registered with the Drug Enforcement Administration under Section 302 of the Controlled Substances Act, without authority, with the intent to steal one or more materials and compounds containing a quantity of one or more controlled substances, the replacement cost to the registrant of which was not less than \$500, and traveled in interstate commerce and used a facility in interstate commerce to facilitate such entry and attempt and to facilitate remaining in such premises or property, contrary to Title 18, United States Code, Section 2118(b).

3. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendants, together with others, did commit and cause the commission of, among others, the following:

OVERT ACTS

(a) On or about December 9, 2020, ROSADO and SANTIAGO, together with others, unlawfully entered Avonona Pharmacy located at 149-01 Union Turnpike, Queens, New York, when it was closed and removed controlled substances from inside Avonona Pharmacy without permission or authority from the owner.

(b) On or about January 10, 2021, ROSADO and SANTIAGO, together with others, unlawfully entered Big Six Pharmacy located at 61-10 Queens Boulevard, Queens, New York, when it was closed and removed controlled substances from inside Big Six Pharmacy without permission or authority from the owner.

(c) On or about January 21, 2021, ACEVEDO, together with others, posted a picture of at least eight pharmacy bottles of promethazine syrup on Instagram.

(d) On or about January 29, 2021, ROSADO and SANTIAGO, together with others, unlawfully entered EZ RX Pharmacy located at 88-02 4th Avenue, Brooklyn, New York, when it was closed and removed controlled substances from inside EZ RX Pharmacy without permission or authority from the owner.

(e) On or about February 2, 2021, police recovered three bottles containing oxycodone pills and a loaded gun from the vehicle in which ROSADO, LIRIANO and COLLADO were occupants.

(f) On or about March 23, 2021, LIRIANO, DEONARRAIN and MAISONET, together with others, unlawfully entered HealthQuest Pharmacy located at 30-07

31st Avenue, Queens, New York, when it was closed and attempted to remove controlled substances from inside HealthQuest Pharmacy without permission or authority from the owner.

(g) On or about April 20, 2021, NEDRICK, DEONARRAIN and NUNEZ, together with others, unlawfully entered Carman Drugs Pharmacy located at 570 Westbury Avenue, Carle Place, New York, when it was closed and removed controlled substances from inside Carman Drugs Pharmacy without permission or authority from the owner.

(h) On or about April 24, 2021, VARGAS, together with others, unlawfully entered Franklin Square Pharmacy located at 925 Hempstead Turnpike, Franklin Square, New York, when it was closed and removed controlled substances from inside Franklin Square Pharmacy without permission or authority from the owner.

(i) On or about May 31, 2021, NEDRICK and DEONARRAIN, together with others, stole a white Lexus sedan (the "Lexus") in Queens, New York.

(j) On or about May 31, 2021, NEDRICK and DEONARRAIN, together with others, drove the Lexus to Garfield Pharmacy located at 1760 Merrick Avenue, Merrick, New York, unlawfully entered Garfield Pharmacy when it was closed and removed controlled substances from inside Garfield Pharmacy without permission or authority from the owner.

(k) On or about August 12, 2021, MAISONET and VARGAS, together with others, unlawfully entered Stratton Pharmacy located at 1467 Weaver Street, Scarsdale, New York, when it was closed and removed controlled substances from inside Stratton Pharmacy without permission or authority from the owner.

(l) On or about December 7, 2021, VARGAS, together with others, unlawfully entered Ezra Pharmacy, located at 690 Central Avenue, Cedarhurst, New York, when it was closed and removed controlled substances from inside Ezra Pharmacy without permission or authority from the owner.

(m) On or about January 31, 2022, the police recovered 22 hydrocodone bottles containing over 2,000 hydrocodone pills from SANTIAGO's vehicle.

(n) On or about January 31, 2022, the police recovered a loaded gun from SANTIAGO's jacket pocket.

(o) On or about February 12, 2022, the police recovered marijuana, over 1000 ecstasy pills and a loaded gun from DEONARRAIN's vehicle.

(Title 18, United States Code, Sections 2118(d) and 3551 et seq.)

COUNT THREE
(Conspiracy to Commit Bank Larceny)

4. In or about and between November 2020 and April 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants LUIS CERDA, RAMON COLLADO, also known as "Greedy," "greedy.billzz" and "greedyt2gg," JASON LIRIANO, also known as "S.L." and "jay_bigfella," JOSE ROSADO, also known as "Cream" and "elite_cream" and ALBERTO SANTIAGO, also known as "Kom" and "dot._kom._," together with others, did knowingly and willfully conspire to take and carry away, with intent to steal and purloin, property and money exceeding \$1,000, specifically automatic teller machines ("ATMs") containing United States currency belonging to, and in the care, custody, control, management, and possession of any bank, credit union and any savings and loan association, contrary to Title 18, United States Code, Section 2113(b).

5. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendants, together with others, did commit and cause the commission of, among others, the following:

OVERT ACTS

- (a) On or about November 20, 2020, COLLADO, together with others, stole a Toyota Sienna van (“the Sienna”) in Queens, New York.
- (b) On or about November 21, 2020, COLLADO and ROSADO, together with others, unlawfully entered Hillside Halal Deli located at 87-87 Francis Lewis Boulevard, Queens, New York, when it was closed and removed an ATM containing approximately \$33,000 in United States currency.
- (c) On or about November 25, 2020, SANTIAGO, ROSADO and LIRIANO, together with others, drove the Sienna to Super Deli located at 144-10 Northern Boulevard, Queens, New York, unlawfully entered when it was closed and removed an ATM containing approximately \$4,000 in United States currency.
- (d) On or about December 6, 2020, SANTIAGO, ROSADO and CERDA, together with others, unlawfully entered Eleven Laundromat located at 41-19 58th Street, Queens, New York, when it was closed and attempted to remove an ATM from inside Eleven Laundromat.
- (e) On or about January 14, 2021, ROSADO and SANTIAGO, together with others, unlawfully entered a Payomatic Check Cashing business located at 5215 Fourth Avenue, Brooklyn, New York, when it was closed and removed a Payomatic ATM containing approximately \$31,300 in United States currency.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT FOUR

(Felon in Possession of a Firearm and Ammunition)

6. On or about December 6, 2020, within the Eastern District of New York and elsewhere, the defendant LUIS CERDA, 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 a firearm and ammunition, to wit: a black .223 caliber semi-automatic rifle bearing no make, model or serial number (also known as a “ghost gun”) and 43 .223 Federal Lake City cartridges.

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

COUNT FIVE

(Felon in Possession of a Firearm and Ammunition)

7. On or about and between November 25, 2020 and December 6, 2020, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ALBERTO SANTIAGO, also known as “Kom” and “dot._kom._” 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 a firearm and ammunition, to wit: a black .223 caliber semi-automatic rifle bearing no make, model or serial number (also known as a “ghost gun”) and 43 .223 Federal Lake City cartridges.

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

COUNT SIX

(Felon in Possession of a Firearm)

8. On or about December 11, 2020, within the Eastern District of New York and elsewhere, the defendant LUIS CERDA, 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 a firearm, to wit: one .38 caliber Smith & Wesson revolver.

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

COUNT SEVEN
(Burglary Involving Controlled Substances)

9. On or about January 29, 2021, within the Eastern District of New York and elsewhere, the defendants ALBERTO SANTIAGO, also known as “Kom” and “dot_kom_,” and JOSE ROSADO, also known as “Cream” and “elite_cream,” together with others, did knowingly and intentionally enter and remain in the business premises and property of one or more persons registered with the Drug Enforcement Administration under Section 302 of the Controlled Substances Act, without authority, with the intent to steal one or more materials and compounds containing a quantity of one or more controlled substances, to wit: oxycodone, promethazine-codeine cough syrup, alprazolam and hydrocodone-acetaminophen, the replacement cost of which was not less than \$500, and traveled in interstate commerce and used a facility in interstate commerce to facilitate such entry and attempt and to facilitate remaining in such premises or property.

(Title 18, United States Code, Sections 2118(b), 2 and 3551 et seq.)

COUNT EIGHT
(Burglary Involving Controlled Substances)

10. On or about March 23, 2021, within the Eastern District of New York and elsewhere, the defendants JASON LIRIANO, also known as “S.L.” and “jay_bigfella,” NARESH DEONARRAIN, also known as “Kans” and “nocheck_kans,” and CHARLIE MAISONET, also known as “Charlie_r_b,” together with others, did knowingly and intentionally enter and remain in the business premises and property of one or more persons

registered with the Drug Enforcement Administration under Section 302 of the Controlled Substances Act, without authority, with the intent to steal one or more materials and compounds containing a quantity of one or more controlled substances, the replacement cost of which was not less than \$500, and traveled in interstate commerce and used a facility in interstate commerce to facilitate such entry and attempt and to facilitate remaining in such premises or property.

(Title 18, United States Code, Sections 2118(b), 2 and 3551 et seq.)

COUNT NINE

(Burglary Involving Controlled Substances)

11. On or about April 20, 2021, within the Eastern District of New York and elsewhere, the defendants NARESH DEONARRAIN, also known as “Kans” and “nocheck_kans,” CAVIER NEDRICK, also known as “Chief,” “big.chiefs” and “_bigchiefsrb,” and ERIC NUNEZ, also known as “Tok” and “therealtok,” together with others, did knowingly and intentionally enter and remain in the business premises and property of one or more persons registered with the Drug Enforcement Administration under Section 302 of the Controlled Substances Act, without authority, with the intent to steal one or more materials and compounds containing a quantity of one or more controlled substances, to wit: alprazolam, hydrocodone, promethazine-codeine cough syrup and amphetamines, the replacement cost of which was not less than \$500, and traveled in interstate commerce and used a facility in interstate commerce to facilitate such entry and attempt and to facilitate remaining in such premises or property.

(Title 18, United States Code, Sections 2118(b), 2 and 3551 et seq.)

COUNT TEN

(Burglary Involving Controlled Substances)

12. On or about April 24, 2021, within the Eastern District of New York and elsewhere, the defendant JEFFREY VARGAS, also known as “Chito” and “chito_1838,”

together with others, did knowingly and intentionally enter and remain in the business premises and property of one or more persons registered with the Drug Enforcement Administration under Section 302 of the Controlled Substances Act, without authority, with the intent to steal one or more materials and compounds containing a quantity of one or more controlled substances, to wit: promethazine-codeine cough syrup and Tylenol with codeine, the replacement cost of which was not less than \$500, and traveled in interstate commerce and used a facility in interstate commerce to facilitate such entry and attempt and to facilitate remaining in such premises or property.

(Title 18, United States Code, Sections 2118(b), 2 and 3551 et seq.)

COUNT ELEVEN

(Possession with Intent to Distribute Controlled Substances)

13. On or about September 8, 2021, within the Eastern District of New York and elsewhere, the defendant CAVIER NEDRICK, also known as “Chief,” “big.chiefs” and “_bigchiefsrb,” together with others, did knowingly and intentionally possess with intent to distribute a controlled substance, which offense involved (a) a substance containing marijuana, a Schedule I controlled substance; and (b) a substance containing oxycodone, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 841(b)(1)(D);

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

COUNT TWELVE

(Use of a Firearm in Connection with a Drug Trafficking Crime)

14. On or about September 8, 2021, within the Eastern District of New York and elsewhere, the defendant CAVIER NEDRICK, also known as “Chief,” “big.chiefs” and “_bigchiefsrb,” together with others, did knowingly and intentionally use and carry one or more

firearms during and in relation to one or more drug trafficking crimes, to wit: the crimes charged in Count One and Count Eleven, and did knowingly and intentionally possess such firearms in furtherance of said drug trafficking crimes.

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

COUNT THIRTEEN

(Possession with Intent to Distribute Controlled Substances)

15. On or about January 31, 2022, within the Eastern District of New York and elsewhere, the defendant ALBERTO SANTIAGO, also known as “Kom” and “dot._kom._,” together with others, did knowingly and intentionally possess with intent to distribute a controlled substance, which offense involved a substance containing hydrocodone, a Schedule II controlled substance.

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

COUNT FOURTEEN

(Use of a Firearm in Connection with a Drug Trafficking Crime)

16. On or about January 31, 2022, within the Eastern District of New York and elsewhere, the defendant ALBERTO SANTIAGO, also known as “Kom” and “dot._kom._,” together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to one or more drug trafficking crimes, to wit: the crimes charged in Count One and Count Thirteen, and did knowingly and intentionally possess such firearms in furtherance of said drug trafficking crimes.

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

COUNT FIFTEEN
(Felon in Possession of a Firearm)

17. On or about January 31, 2022, within the Eastern District of New York and elsewhere, the defendant ALBERTO SANTIAGO, also known as “Kom” and “dot._kom._,” 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 a firearm, to wit: a .38 caliber Smith & Wesson revolver.

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

COUNT SIXTEEN
(Possession with Intent to Distribute Controlled Substances)

18. On or about February 12, 2022, within the Eastern District of New York and elsewhere, the defendant NARESH DEONARRAIN, also known as “Kans” and “nocheck_kans,” together with others, did knowingly and intentionally possess with intent to distribute one or more controlled substances, which offense involved (a) a substance containing marijuana, a Schedule I controlled substance; and (b) a substance containing MDMA, a Schedule I controlled substance.

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

COUNT SEVENTEEN
(Use of a Firearm in Connection with a Drug Trafficking Crime)

19. On or about February 12, 2022, within the Eastern District of New York and elsewhere, the defendant NARESH DEONARRAIN, also known as “Kans” and “nocheck_kans,” together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to one or more drug trafficking crimes, to wit: the crimes

charged in Count One and Count Sixteen, and did knowingly and intentionally possess such firearms in furtherance of said drug trafficking crimes.

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

COUNT EIGHTEEN

(Use of Firearms in Connection with a Drug Trafficking Crime)

20. In or about and between January 2017 and the date of this Superseding Indictment, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants CARLOS ACEVEDO, also known as “AM” and “cartier_a.m,” RAMON COLLADO, also known as “Greedy,” “greedy.billzz” and “greedyyt2gg,” JASON LIRIANO, also known as “S.L.” and “jay_bigfella,” CHARLIE MAISONET, also known as “Charlie_._rb,” ERIC NUNEZ, also known as “Tok” and “therealtok,” JOSE ROSADO, also known as “Cream” and “elite_cream,” and JEFFREY VARGAS, also known as “Chito” and chito_1838,” 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 said firearms in furtherance of such drug trafficking crime.

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

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE, ELEVEN, THIRTEEN AND SIXTEEN

21. The United States hereby gives notice to the defendants charged in Counts One, Eleven, Thirteen and Sixteen that, upon their conviction of any of 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 the 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:

- (a) One black .223 caliber semi-automatic rifle bearing no make, model or serial number (also known as a “ghost gun”) and 43 .223 Federal Lake City cartridges seized on or about December 6, 2020 from a car in the vicinity of 58th Street and 41st Avenue in Queens, New York;
- (b) One .38 caliber Smith & Wesson revolver seized on or about December 11, 2020, from a residence at 59-19 Fresh Meadow Lane in Queens, New York;
- (c) Approximately \$28,000.00 in United States currency seized on or about September 8, 2021, from a residence at 11 Bud Court in Hauppauge, New York;
- (d) Approximately \$2,800.00 in United States currency seized on or about September 8, 2021, from a black Honda Odyssey parked outside a residence at 11 Bud Court in Hauppauge, New York;
- (e) One Sig Sauer pistol model P320SP seized on or about September 8, 2021, from a black Honda Odyssey parked outside a residence at 11 Bud Court in Hauppauge, New York;
- (f) One .38 caliber Smith & Wesson revolver seized from the defendant ALBERTO SANTIAGO in Queens, New York on or about January 31, 2022; and
- (g) One .38 Caliber Smith & Wesson revolver seized from a 2017 red Lexus in the vicinity of the Van Wyck Expressway between exits 3 and 4 in Queens, New York on or about February 12, 2022.

22. 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 21, United States Code, Sections 853(a) and 853(p))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT THREE

23. The United States hereby gives notice to the defendants that, upon their conviction of the offense charged in Count Three, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(2), which requires any person convicted of such offense, to forfeit any property constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense.

24. 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)(2) and 982(b)(1); Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS FOUR, FIVE, SIX, TWELVE,
FOURTEEN, FIFTEEN, SEVENTEEN AND EIGHTEEN

25. The United States hereby gives notice to the defendants charged in Counts Four, Five, Six, Twelve, Fourteen, Fifteen, Seventeen and Eighteen that, upon their conviction of any of 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, including but not limited to:

- (a) One black .223 caliber semi-automatic rifle bearing no make, model or serial number (also known as a “ghost gun”) and 43 .223 Federal Lake City cartridges seized on or about December 6, 2020 from a car in the vicinity of 58th Street and 41st Avenue in Queens, New York;
- (b) One .38 caliber Smith & Wesson revolver seized on or about December 11, 2020, from a residence at 59-19 Fresh Meadow Lane in Queens, New York;
- (c) Approximately \$28,000.00 in United States currency seized on or about September 8, 2021, from a residence at 11 Bud Court in Hauppauge, New York;
- (d) Approximately \$2,800.00 in United States currency seized on or about September 8, 2021, from a black Honda Odyssey parked outside a residence at 11 Bud Court in Hauppauge, New York;
- (e) One Sig Sauer pistol model P320SP seized on or about September 8, 2021, from a black Honda Odyssey parked outside a residence at 11 Bud Court in Hauppauge, New York;

- (f) One .38 caliber Smith & Wesson revolver seized from the defendant ALBERTO SANTIAGO in Queens, New York on or about January 31, 2022; and
- (g) One .38 Caliber Smith & Wesson revolver seized from a 2017 red Lexus in the vicinity of the Van Wyck between exits 3 and 4 in Queens, New York on or about February 12, 2022.

26. 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)).

A TRUE BILL

FOREPERSON



BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F.#: 2021R00540
FORM DBD-34
JUN. 85

No.

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

CARLOS ACEVEDO, LUIS CERDA, RAMON COLLADO, NARESH
DEONARRAIN, JASON LIRIANO, CHARLIE MAISONET, CAVIER
NEDRICK, ERIC NUNEZ, JOSE ROSADO, ALBERTO SANTIAGO,
and JEFFREY VARGAS

Defendants.

INDICTMENT

T. 18, U.S.C., §§ 371, 922(g)(1), 924(a)(2), 924(c)(1)(A)(i), 924(d), 982(a)(2),
982(b)(1), 2118(b), 2118(d), 2 and 3551 *et seq.*; T. 21, U.S.C., §§ 841(a)(1),
841(b)(1)(B)(vi), 841(b)(1)(C), 841(b)(1)(D), 841(b)(2), 841(b)(3), 846, 853(a) and
853(p); T. 28, U.S.C., § 2461(c)

A true bill.

Foreperson

Filed in open court this ----- day,

of ----- A.D. 20 -----

Clerk

Bail, \$

Samantha Alessi & Andrew Wenzel, Assistant U.S. Attorneys