

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- v. -

JEAN CARMONA,

Defendant.

- - - - - X

: SEALED INDICTMENT

: 22 Cr. ( )

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X

22 CRIM 355

COUNT ONE

**(The 200s Enterprise Racketeering Conspiracy)**

The Grand Jury charges:

THE 200s ENTERPRISE

1. From in or about 2018, up to and including in or about June 2022, JEAN CARMONA, the defendant, and others known and unknown, were members and associates of the 200s, a criminal organization whose members and associates engaged in, among other things, acts involving murder, the distribution of controlled substances, and fraud, and who operated principally in New York, New York.

2. The 200s, including its leadership, membership, and associates, constituted an "enterprise" (the "200s Enterprise") as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact, although not a legal entity. The 200s Enterprise constituted an ongoing organization

whose members functioned as a continuing unit for a common purpose of achieving the objectives of the 200s Enterprise. At all times relevant to this Indictment, the 200s Enterprise was engaged in, and its activities affected, interstate and foreign commerce.

3. JEAN CARMONA, the defendant, was a member of the 200s Enterprise who participated in the operation of the 200s Enterprise and participated in unlawful and other activities in furtherance of the conduct of the 200s Enterprise's affairs.

#### PURPOSES OF THE 200s ENTERPRISE

4. The purposes of the 200s Enterprise included the following:

a. Enriching the members and associates of the 200s Enterprise through, among other things, the distribution of controlled substances including marijuana.

b. Preserving and protecting the power of the 200s Enterprise and its members and associates through acts involving murder, other acts of violence, and threats of violence.

c. Promoting and enhancing the 200s Enterprise and the reputation and activities of its members and associates.

#### MEANS AND METHODS OF THE 200s ENTERPRISE

5. Among the means and methods employed by the members and associates in conducting and participating in the conduct of the affairs of the 200s Enterprise were the following:

a. Members and associates of the 200s Enterprise committed, conspired to commit, and attempted to commit acts of violence, including acts involving murder, to protect and expand the Enterprise's criminal operations, and in connection with rivalries with members of other street gangs.

b. Members and associates of the 200s Enterprise sold controlled substances, including marijuana.

#### THE RACKETEERING VIOLATION

6. From in or about 2018, up to and including in or about June 2022, in the Southern District of New York and elsewhere, JEAN CARMONA, the defendant, and others known and unknown, being persons employed by and associated with the 200s Enterprise described in Paragraphs 1 through 5 of this Indictment, knowingly combined, conspired, confederated, and agreed with each other to violate the racketeering laws of the United States, to wit, Section 1962(c) of Title 18, United States Code, that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the 200s Enterprise, which was engaged in, and the activities of which affected, interstate and foreign commerce, through a pattern of racketeering activity, as defined in Title 18, United States Code, Section 1961(1) and (5), consisting of multiple:

a. Acts involving murder, in violation of New York Penal Law, Sections 125.25(1) and (2) (murder), 105.15 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

(conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

b. Offenses involving trafficking in controlled substances, chargeable under Title 21, United States Code, Sections 812, 841(a)(1), and 846; and

7. It was a part of the conspiracy that the defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the 200s Enterprise.

Notice of Special Sentencing Factors

8. On or about January 31, 2019, in the Southern District of New York, JEAN CARMONA, the defendant, and others known and unknown, knowingly murdered and aided and abetted the murder of Roberto Vasquez in the vicinity of 158th Street and Broadway Avenue, in Manhattan, New York, in violation of New York Penal Law, Sections 125.25(1) and (2) and 20.00, in that, (i) with intent to cause the death of another person, CARMONA caused the death of Roberto Vasquez, and aided and abetted the same; and (ii) under circumstances evincing a depraved indifference to human life, CARMONA recklessly engaged in conduct which created a grave risk of death to another person, and thereby caused the death of Vasquez, and aided and abetted the same.

(Title 18, United States Code, Section 1962(d).)

COUNT TWO  
(Murder in Aid of Racketeering)

The Grand Jury further charges:

9. At all times relevant to this Indictment, the 200s, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, membership, 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, although not a legal entity, that engaged in, and the activities of which affected, interstate and foreign commerce. The 200s Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the 200s Enterprise.

10. At all relevant times to this Indictment, the 200s Enterprise, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of New York Penal Law, and offenses involving the distribution of controlled substances, chargeable under Title 21, United States Code, Sections 812, 841(a)(1), and 846.

11. On or about January 31, 2019, in the Southern District of New York, JEAN CARMONA, the defendant, and others known and unknown, for the purpose of gaining entrance to and maintaining and increasing position in the 200s Enterprise, an enterprise engaged in racketeering activity, as described above, knowingly murdered and aided and abetted the murder of Roberto Vasquez in the vicinity of 158th Street and Broadway Avenue, in Manhattan, New York, in that, (i) with intent to cause the death of another person, CARMONA caused the death of Robert Vasquez, and aided and abetted the same; and (ii) under circumstances evincing a depraved indifference to human life, CARMONA recklessly engaged in conduct which created a grave risk of death to another person, and thereby caused the death of Vasquez, and aided and abetted the same, in violation of New York Penal Law, Sections 125.25(1), 125.25(2), and 20.00.

(Title 18, United States Code,  
Sections 1959(a)(1) and 2.)

**COUNT THREE**  
**(Murder with a Firearm)**

The Grand Jury further charges:

12. On or about January 31, 2019, in the Southern District of New York, JEAN CARMONA, the defendant, and others known and unknown, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the murder in aid of racketeering charged in Count Two of this

Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime of violence, did knowingly possess a firearm, and in the course of that crime of violence did cause the death of a person through the use of a firearm, which killing is a murder as defined in Title 18, United States Code, Section 1111(a), and did aid and abet the same, to wit, CARMONA participated in the shooting and murder of Roberto Vasquez, who was an innocent bystander mistaken for a rival gang member, in the vicinity of 158th Street and Broadway Avenue, in Manhattan, New York.

(Title 18, United States Code, Sections 924(j) and 2.)

**COUNT FOUR**

**(Attempted Murder and Assault with a Dangerous Weapon in Aid of Racketeering)**

The Grand Jury further charges:

13. Paragraphs One through Five and Paragraph Ten of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

14. On or about January 31, 2019, in the Southern District of New York, JEAN CARMONA, the defendant, and others known and unknown, for the purpose of gaining entrance to and maintaining and increasing position in the 200s Enterprise, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly attempted to murder an individual (the "Victim"), and intentionally and knowingly assaulted an individual

(the "Victim") with a dangerous weapon, and aided and abetted the same, to wit, CARMONA participated in the shooting of the Victim, who was a second innocent bystander mistaken for a rival gang member, in the vicinity of 158th Street and Broadway Avenue, in Manhattan, New York, in violation of New York Penal Law, Sections 125.25, 120.05(1), (2), and (6), 120.10(1)-(4), 110.00, and 20.00.

(Title 18, United States Code,  
Sections 1959(a)(5), 1959(a)(3), and 2.)

**COUNT FIVE**  
**(Firearm Offense)**

The Grand Jury further charges:

15. On or about January 31, 2019, in the Southern District of New York, JEAN CARMONA, the defendant, and others known and unknown, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the violent crime in aid of racketeering charged in Count Four of this Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did knowingly possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was brandished and discharged.

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

**SPECIAL FINDINGS AS TO JEAN CARMONA**

16. Counts Two and Three of the Indictment are realleged and incorporated by reference as though fully set forth herein. As to



Counts Two and Three of the Indictment, alleging the murder of Robert Vasquez, JEAN CARMONA, the defendant:

a. was 18 years of age or older at the time of the offenses; and

b. intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offenses, and Robert Vasquez died as a direct result of the act (Title 18, United States Code, Section 3591(a)(2)(C)).

#### **FORFEITURE ALLEGATIONS**

17. As a result of committing the offense alleged in Count One of this Indictment, JEAN CARMONA, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963:

a. any and all interest the defendant acquired and maintained in violation of Title 18, United States Code, Section 1962;

b. any and all interest in, security of, claims against, and property and contractual rights of any kind affording a source of influence over, the enterprise named and described herein, which the defendant has established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962; and

c. any and all property constituting and derived from any proceeds which the defendant obtained, directly and indirectly, from racketeering activity, in violation of Title 18, United States Code, Section 1962, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense alleged in Count One.

Substitute Assets Provision

18. 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 person;

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;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 1963(m) to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1963.)



FOREPERSON

Damian Williams  
DAMIAN WILLIAMS  
United States Attorney

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(18 U.S.C. §§ 1959, 1962, 924(c),  
924(j), and 2;)

DAMIAN WILLIAMS  
United States Attorney.

Foreperson.

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