

**FILED**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

JUL 15 2015

At \_\_\_\_\_ M  
ROBERT N. TRGOVICH, Clerk  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA	)	CAUSE NO. 2:15 CR 39 JVB
	)	
v.	)	18 U.S.C. § 1959(a)(5)
	)	18 U.S.C. § 1959(a)(1)
JULIO IVAN CARTAGENA,	)	18 U.S.C. § 924(c)(1)(A)
a/k/a "Juli";	)	18 U.S.C. § 924(j)
CHARLES GARCIA-BERRIOS,	)	18 U.S.C. § 922(g)
a/k/a "Charlie"; and	)	18 U.S.C. § 2
MARCUS LOVELL JENKINS,	)	
a/k/a "Vice"	)	

**SUPERSEDING INDICTMENT**

**THE GRAND JURY CHARGES:**

**COUNT 1**

**(Attempted Murder in Aid of Racketeering)**

At all times material to this Superseding Indictment:

1. The defendants, CHARLES GARCIA-BERRIOS and JULIO IVAN CARTAGENA, were members and associates of a criminal organization known as the "Two Six Nation" (hereinafter the "TWO SIX"), that operated in the Northern District of Indiana and elsewhere, and whose members and associates engaged in acts of drug trafficking.

2. The TWO SIX, constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact, which engaged in and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members and associates functioned as a continuing unit for a

common purpose of achieving the objectives of the enterprise.

3. The TWO SIX, 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, narcotics trafficking in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

4. On or about August 31, 2013, in Lake County, Indiana, within the Northern District of Indiana, for the purpose of gaining entrance to and maintaining and increasing position in the TWO SIX, an enterprise engaged in racketeering activity,

**CHARLES GARCIA-BERRIOS**  
and  
**JULIO IVAN CARTAGENA**

the defendants herein, did intentionally attempt to murder Victim 1 and Victim 2, in violation of Indiana Penal Code, Sections 35-42-1-1 (Murder), 35-41-5-1 (Attempt), and 35-41-2-4 (Aiding, inducing, or causing an offense), and did aid, abet, counsel, command, induce, and cause another to commit said offense.

All in violation of Title 18, United States Code, Sections 1959(a)(5) and 2.

**THE GRAND JURY CHARGES:**

**COUNT 2**

**(Use of a Firearm During and Relation to a Crime of Violence)**

1. On or around August 31, 2013, in Lake County, Indiana, within the Northern District of Indiana,

**CHARLES GARCIA-BERRIOS**  
and  
**JULIO IVAN CARTAGENA**

defendants herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence, that is, Attempted Murder in Aid of Racketeering, as alleged in Count 1 of this Superseding Indictment, and did aid, abet, counsel, command, induce, and cause another to commit said offense.

All in violation of Title 18, United States Code, Sections 924(c), and 2.

**THE GRAND JURY FURTHER CHARGES:**

**COUNT 3**

**(Murder in Aid of Racketeering)**

At all times material to this Superseding Indictment:

1. The defendants, CHARLES GARCIA-BERRIOS and MARCUS LOVELL JENKINS, were members and associates of a criminal organization known as the “Two Six Nation” (hereinafter the “TWO SIX”), that operated in the Northern District of Indiana and elsewhere, and whose members and associates engaged in acts of drug trafficking.

2. Paragraphs 2 and 3 of Count 1 of this Superseding Indictment are realleged and incorporated by reference as though fully set forth herein.

3. On or about July 26, 2014, in Lake County, Indiana, within the Northern District of Indiana, for the purpose of gaining entrance to and maintaining and increasing position in the TWO SIX, an enterprise engaged in racketeering activity,

**CHARLES GARCIA-BERRIOS**  
and  
**MARCUS LOVELL JENKINS**

the defendants herein, did intentionally murder Kemond Coleman, in violation of Indiana Penal Code, Sections 35-42-1-1 (Murder), and 35-41-2-4 (Aiding, inducing, or causing an offense) and did aid, abet, counsel, command, induce, and cause another to commit said offense.

All in violation of Title 18, United States Code, Sections 1959(a)(1) and 2.

**THE GRAND JURY FURTHER CHARGES:**

**COUNT 4**

**(Use of a Firearm During and in Relation to a Crime of Violence Resulting in Death)**

1. On or around July 26, 2014, in Lake County, Indiana, within the Northern District of Indiana,

**CHARLES GARCIA-BERRIOS**  
and  
**MARCUS LOVELL JENKINS**

defendants herein, did knowingly carry, use, and discharge a firearm during and in relation to a crime of violence, that is, Murder in Aid of Racketeering, as alleged in Count 1 of this Superseding Indictment, and did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111, in that the defendants, **CHARLES GARCIA-BERRIOS** and **MARCUS LOVELL JENKINS**, with malice aforethought, unlawfully killed a human being, that is Kemond Coleman, willfully, deliberately, and maliciously, and did aid, abet, counsel, command, induce, and cause another to commit said offense.

All in violation of Title 18, United States Code, Sections 924(c), 924(j), and 2.

**THE GRAND JURY FURTHER CHARGES:**

**COUNT 5**

**(Possession of a Firearm by a Prohibited Person)**

1. Between in or around December 2014 and May 28, 2015, in Lake County, Indiana, within the Northern District of Indiana,

**MARCUS LOVELL JENKINS**

defendant herein, having been convicted of Burglary on January 16, 2013, in the Superior Court of Lake County, Indiana, in Cause Number 45G01-1112-FB-00118, said crime being punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting commerce a firearm and ammunition, to wit: one Norinco 9mm semi-automatic rifle, serial number MSA00020, fourteen .30-06 caliber rifle cartridges, seven .40 caliber pistol cartridges, and ten .380 caliber pistol cartridges.

All in violation of Title 18, United States Code, Section 922(g).

**FORFEITURE ALLEGATIONS**

1. The allegations of Counts 2, 4, and 5 of this Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeitures to the United States of America pursuant to the provisions of Title 18 United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense alleged in Counts 2, 4, and 5 of this Superseding Indictment, the defendants, **JULIO IVAN CARTAGENA**, **CHARLES GARCIA-BERRIOS**, and **MARCUS LOVELL JENKINS**, defendants herein, shall forfeit to the United States of America pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461, any firearm or ammunition which was involved in or used in a knowing violation of Title 18, United States Code, Sections 924(c) and 924(j), as alleged in Counts 2 and 4, and Section 922(g), as alleged in Count 5, including but not limited to the property described below:

- A Norinco 9mm semi-automatic rifle, serial number MSA00020.

**A TRUE BILL**

\_\_\_\_\_  
/s/ Foreperson  
FOREPERSON

DAVID A. CAPP  
United States Attorney

LESLIE R. CALDWELL  
Assistant Attorney General

By: /s/ David J. Nozick  
David J. Nozick  
Assistant United States Attorney

By: /s/ Andrew L. Creighton  
Andrew L. Creighton  
Trial Attorney  
United States Dept. of Justice