

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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: SEaled  
UNITED STATES OF AMERICA : INDICTMENT  
:   
: S1 11 Cr. 629  
:   
PRESTON HARDY, :  
a/k/a "Peanut," :  
JAMES GLOVER, :  
a/k/a "Tone," :  
MICHAEL GLOVER, :  
a/k/a "Mike-Mike," :  
TERRANCE GONZALEZ, :  
a/k/a "Gucci," :  
a/k/a "Geeze," :  
JAMES HARDY, :  
a/k/a "Light," :  
AUDAI HOWARD, :  
a/k/a "Buck," :  
JOSHUA JENKINS, :  
TERRELL LUCAS, :  
~~a/k/a "Ruger Rell,"~~ :  
MIGUEL MARQUEZ, :  
a/k/a "Mikey," :  
a/k/a "Corleone," :  
GENE THOMAS, :  
a/k/a "J-Biz," :  
SHAWN THOMAS, :  
a/k/a "Bigs," and :  
BRANDON WILLIAMS, :  
a/k/a "Big Boy," :  
:   
Defendants. :  
----- X

COUNT ONE

The Grand Jury charges:

BACKGROUND

1. At all times relevant to this Indictment, a drug trafficking organization known as the Cliff Street Gangsters (the "Organization") was operating in and around Yonkers, New York. The principal objective of the Cliff Street Gangsters was

the enrichment of the members and associates of the Organization through the distribution of cocaine base, commonly known as "crack," and high-grade marijuana, including a type of high-grade marijuana known as "purple haze."

2. Members of the Cliff Street Gangsters sold crack cocaine and high-grade marijuana primarily on Cliff Street between Elm Street and Spruce Street in Yonkers, New York. The Cliff Street Gangsters prohibited and prevented non-members, outsiders, and rival narcotics dealers from distributing crack in the area controlled by the Organization. Certain people associated with the Cliff Street Gangsters, such as individuals who had grown up on Cliff Street or who had committed acts of ~~violence on behalf of the Cliff Street Gangsters (the~~ "associates"), were also permitted to sell crack cocaine and marijuana within the area controlled by the Organization.

3. Though it did not have a rigid hierarchy, the Cliff Street Gangsters was led by, among others, PRESTON HARDY, a/k/a "Peanut," the defendant. HARDY was the Organization's chief enforcer, based in part on HARDY's commission of multiple shootings against rival gang members and other individuals who challenged the members of the Organization.

#### MEANS AND METHODS OF THE CONSPIRACY

4. Members and associates of the Cliff Street Gangsters worked together to ensure that all members of the Organization profited from the Organization's crack cocaine and marijuana sales. Generally, multiple members and associates of the Cliff

Street Gangsters would sell quantities of crack cocaine and marijuana at the same time on Cliff Street. The Organization's members would store the bags of crack, which they referred to as "twists," in their mouths, undergarments, or in nearby stash locations, such as mailboxes. Often, several members and associates of the Organization would share a single customer's sale if the customer requested multiple bags of crack or marijuana; that is, several members of the Organization would provide crack or marijuana to the customer to complete the customer's order in order to ensure that multiple members of the Organization would profit from a single customer. The members of the Organization referred to the sharing of sales in this fashion as "breaking down."

5. Members of the Organization would package and store crack cocaine and marijuana in residences in the vicinity of Cliff Street that the Organization used as stash locations. The Organization used multiple stash locations in the vicinity of Cliff Street to weigh, cut, package, and store the Organization's crack and marijuana.

6. Certain members of the Cliff Street Gangsters also maintained firearms for use by all the members and associates of the Organization. Members of the Cliff Street Gangsters would store firearms in hidden, but easily-accessible locations known only to members and associates of the Organization. When a firearm was needed to protect their territory from encroachment by a rival gang, any member or associate of the Organization

could utilize the firearms acquired by other members of the Organization.

VIOLENCE AGAINST RIVAL GANGS

7. Certain members of the Cliff Street Gangsters and their associates committed and agreed, attempted, and threatened to commit acts of violence to protect and expand their drug trafficking operation and to protect fellow members and associates of the Organization. These acts of violence included beatings and shootings intended either to protect the Organization's drug territory, or to retaliate against members of rival gangs who had encroached on the territory controlled by the Cliff Street Gangsters.

~~8. From at least in or about 2005 up to and including in~~  
or about August 2011, the Cliff Street Gangsters engaged in a violent dispute with a gang known as the Strip Boys, which is based in the Schlobohm Housing Project on Schroeder Street in Yonkers, New York. From at least in or about 2008 up to and including in or about August 2011, the Cliff Street Gangsters also engaged in a violent dispute with a gang known as the Grimy Motherfuckers ("GMF"), another rival gang that hailed from the Schlobohm Housing Project.

9. At times relevant to this Indictment, the Cliff Street Gangsters were aligned with another criminal organization from a neighboring area in Yonkers, New York. Specifically, the Cliff Street Gangsters were aligned with individuals from Elm Street, known as the Elm Street Wolves, or the Wolf Unit, against the

Strip Boys and GMF. Members of the Cliff Street Gangsters would often join forces with members of the Elm Street Wolves when engaging in acts of violence against the Strip Boys and GMF.

STATUTORY ALLEGATION

10. From at least in or about 2005 up to and including in or about August 2011, in the Southern District of New York and elsewhere, PRESTON HARDY, a/k/a "Peanut," JAMES GLOVER, a/k/a "Tone," MICHAEL GLOVER, a/k/a "Mike-Mike," TERRANCE GONZALEZ, a/k/a "Gucci," a/k/a "Geeze," JAMES HARDY, a/k/a "Light," AUDAI HOWARD, a/k/a "Buck," JOSHUA JENKINS, TERRELL LUCAS, a/k/a "Ruger Rell," MIGUEL MARQUEZ, a/k/a "Mikey," a/k/a "Corleone," GENE THOMAS, a/k/a "J-Biz," SHAWN THOMAS, a/k/a "Bigs," and BRANDON WILLIAMS, a/k/a "Big Boy," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

11. It was a part and an object of the conspiracy that PRESTON HARDY, a/k/a "Peanut," JAMES GLOVER, a/k/a "Tone," MICHAEL GLOVER, a/k/a "Mike-Mike," TERRANCE GONZALEZ, a/k/a "Gucci," a/k/a "Geeze," JAMES HARDY, a/k/a "Light," AUDAI HOWARD, a/k/a "Buck," JOSHUA JENKINS, TERRELL LUCAS, a/k/a "Ruger Rell," MIGUEL MARQUEZ, a/k/a "Mikey," a/k/a "Corleone," GENE THOMAS, a/k/a "J-Biz," SHAWN THOMAS, a/k/a "Bigs," and BRANDON WILLIAMS, a/k/a "Big Boy," the defendants, and others known and unknown, would and did distribute and possess with

intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

12. The controlled substances involved in the offense were: (1) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Section 841(b)(1)(A); and (2) 50 kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(C).

OVERT ACTS

13. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. On or about October 6, 2010, PRESTON HARDY, a/k/a "Peanut," the defendant, possessed approximately nine twists of crack cocaine in the vicinity of Ash Street and Walnut Street in Yonkers, New York.

b. On or about February 2, 2010, JAMES GLOVER, a/k/a "Tone," the defendant, possessed a firearm in the vicinity of Palisade Avenue and Locust Hill Avenue in Yonkers, New York.

c. On or about June 24, 2010, MICHAEL GLOVER, a/k/a "Mike-Mike," the defendant, possessed a firearm in the vicinity of Elm Street and Oak Street, Yonkers, New York.

d. On or about June 22, 2009, TERRANCE GONZALEZ, a/k/a "Gucci," a/k/a "Geeze," the defendant, possessed a loaded firearm in the vicinity of Palisade Avenue in Yonkers, New York.

e. On or about October 9, 2008, JAMES HARDY, a/k/a "Light," the defendant, possessed approximately 23 twists of crack cocaine in the vicinity of Cliff Street in Yonkers, New York.

f. On or about May 21, 2008, AUDAI HOWARD, a/k/a "Buck," the defendant, possessed approximately ten twists of crack cocaine in the vicinity of Cliff Street and Spruce Street in Yonkers, New York.

g. On or about April 1, 2010, JOSHUA JENKINS, the defendant, possessed approximately four ounces of marijuana in the vicinity of Cliff Street and Elm Street in Yonkers, New York.

h. On or about April 15, 2008, TERRELL LUCAS, a/k/a "Ruger Rell," the defendant, possessed a loaded firearm and four bags of marijuana in the vicinity of Cliff Street in Yonkers, New York.

i. On or about November 12, 2010, MIGUEL MARQUEZ, a/k/a "Mikey," a/k/a "Corleone," the defendant, sold approximately 20 grams of crack cocaine in the vicinity of Glenwood Avenue in Yonkers, New York.

j. On or about October 26, 2010, GENE THOMAS, a/k/a "J-Biz," the defendant, sold approximately 35 grams of crack cocaine in Bronx, New York.

k. On or about October 25, 2010, SHAWN THOMAS, a/k/a "Bigs," the defendant, discussed the sale of crack cocaine over the telephone.

l. On or about February 20, 2011, BRANDON WILLIAMS, a/k/a "Big Boy," the defendant, possessed a Rohm .38 caliber revolver while WILLIAMS was riding in a car with JAMES GLOVER, a/k/a "Tone," and JOSHUA JENKINS, the defendants, and other co-conspirators not named as defendants herein, in the vicinity of Hamilton Avenue and Morris Street in Yonkers, New York.

(Title 21, United States Code, Section 846.)

#### COUNT TWO

The Grand Jury further charges:

14. From at least in or about 2005 up to and including in or about August 2011, in the Southern District of New York, PRESTON HARDY, a/k/a "Peanut," JAMES GLOVER, a/k/a "Tone," MICHAEL GLOVER, a/k/a "Mike-Mike," TERRANCE GONZALEZ, a/k/a "Gucci," a/k/a "Geeze," JAMES HARDY, a/k/a "Light," AUDAI HOWARD, a/k/a "Buck," JOSHUA JENKINS, TERRELL LUCAS, a/k/a "Ruger Rell," MIGUEL MARQUEZ, a/k/a "Mikey," a/k/a "Corleone," SHAWN THOMAS, a/k/a "Bigs," and BRANDON WILLIAMS, a/k/a "Big Boy," the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess

firearms, and did aid and abet the use, carrying, and possession of firearms, which firearms were discharged.

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

COUNT THREE

The Grand Jury further charges:

15. On or about October 26, 2010, in the Southern District of New York, GENE THOMAS, a/k/a "J-Biz," the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 28 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT FOUR

The Grand Jury further charges:

16. On or about October 29, 2010, in the Southern District of New York, MIGUEL MARQUEZ, a/k/a "Mikey," a/k/a "Corleone," the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C); Title 18, United States Code, Section 2.)

COUNT FIVE

The Grand Jury further charges:

17. On or about November 12, 2010, in the Southern District of New York, MIGUEL MARQUEZ, a/k/a "Mikey," a/k/a "Corleone," the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C); Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATIONS

18. As a result of committing one or more of the controlled substance offenses alleged in Counts One, Three, Four, and Five of this Indictment, PRESTON HARDY, a/k/a "Peanut," JAMES GLOVER, a/k/a "Tone," MICHAEL GLOVER, a/k/a "Mike-Mike," TERRANCE GONZALEZ, a/k/a "Gucci," a/k/a "Geeze," JAMES HARDY, a/k/a "Light," AUDAI HOWARD, a/k/a "Buck," JOSHUA JENKINS, TERRELL LUCAS, a/k/a "Ruger Rell," MIGUEL MARQUEZ, a/k/a "Mikey," a/k/a "Corleone," GENE THOMAS, a/k/a "J-Biz," SHAWN THOMAS, a/k/a "Big," and BRANDON WILLIAMS, a/k/a "Big Boy," the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds said defendants obtained directly or indirectly as a result of one or more of the violations and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of one or more

of the violations alleged in Count One, Three, Four, and Five of this Indictment, including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of one or more of the offenses.

Substitute Assets Provision

19. If any of the property described above as being subject to forfeiture, 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 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 intention 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 above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)

[REDACTED]

FOREPERSON

  
PREET BHARARA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

PRESTON HARDY,  
a/k/a "Peanut,"  
JAMES GLOVER,  
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MICHAEL GLOVER,  
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a/k/a "Mikey,"  
a/k/a "Corleone,"  
GENE THOMAS,  
a/k/a "J-Biz,"  
SHAWN THOMAS,  
a/k/a "Bigs."

Defendants.

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SEALED INDICTMENT

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(21 U.S.C. § 812, 841(a)(1), 841(b)(1)(B) and 846)  
(18 U.S.C. §§ 924(c)(1)(A)(iii) and 2)

PREET BHARARA

United States Attorney

