

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

x

UNITED STATES OF AMERICA

: SEALED SUPERSEDING
: INDICTMENT

- v. -

: S1 12 Cr. 712 (SHS)

ROGER KEY,
a/k/a "Luchie,"
RUBEN DAVIS,
a/k/a "BR,"
a/k/a "Bloody Ruben,"
a/k/a "Fat Man,"
a/k/a "Fat Boy,"
RUBEN FERNANDEZ,
a/k/a "Pops,"
RICHARD PALMER,
a/k/a "P.O.,"
a/k/a "P.O.P.,"
PEDRO MARQUEZ,
a/k/a "Burns,"
a/k/a "Bern,"
ANDREA ISAROON,
a/k/a "Chaz,"
KEITH PURVIS,
a/k/a "Kiz,"
DENNIS FREDERICKS,
a/k/a "Ice,"
CLAYTON MOLLETTE,
a/k/a "Killer,"
a/k/a "Clay,"
GEORGE DAVIS,
a/k/a "Chee Chee,"
STEVEN HERBERT,
a/k/a "Atta,"
SHUNDU DAVIS,
a/k/a "Du,"
JAMES MARTIN,
DEXTER ERBY,
a/k/a "Addi,"
a/k/a "Dida,"
YOUSOUF DIOMADE,
a/k/a "78,"
MOUSTAPHA GUEYE,
KHALILAH MATTOCKS,
a/k/a "Lils,"

Defendants.

x

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2009, up to and including in or about May 2012, in the Southern District of New York and elsewhere, ROGER KEY, a/k/a "Luchie," RUBEN DAVIS, a/k/a "BR," a/k/a "Bloody Ruben," a/k/a "Fat Man," a/k/a "Fat Boy," RUBEN FERNANDEZ, a/k/a "Pops," RICHARD PALMER, a/k/a "P.O.," a/k/a "P.O.P.," PEDRO MARQUEZ, a/k/a "Burns," a/k/a "Bern," ANDREA ISAROON, a/k/a "Chaz," KEITH PURVIS, a/k/a "Kiz," DENNIS FREDERICKS, a/k/a "Ice," CLAYTON MOLLETTE, a/k/a "Killer," a/k/a "Clay," GEORGE DAVIS, a/k/a "Chee Chee," STEVEN HERBERT, a/k/a "Atta," SHUNDU DAVIS, a/k/a "Du," JAMES MARTIN, DEXTER ERBY, a/k/a "Addi," a/k/a "Dida," YOUSOUF DIOMADE, a/k/a "78," MOUSTAPHA GUEYE, KHALILAH MATTOCKS, a/k/a "Lils," 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.

2. It was a part and an object of the conspiracy that ROGER KEY, a/k/a "Luchie," RUBEN DAVIS, a/k/a "BR," a/k/a "Bloody Ruben," a/k/a "Fat Man," a/k/a "Fat Boy," RUBEN FERNANDEZ, a/k/a "Pops," RICHARD PALMER, a/k/a "P.O.," a/k/a "P.O.P.," PEDRO MARQUEZ, a/k/a "Burns," a/k/a "Bern," ANDREA ISAROON, a/k/a "Chaz," KEITH PURVIS, a/k/a "Kiz," DENNIS FREDERICKS, a/k/a "Ice," CLAYTON MOLLETTE, a/k/a "Killer," a/k/a "Clay," GEORGE DAVIS, a/k/a "Chee Chee," STEVEN HERBERT,

a/k/a "Atta," SHUNDU DAVIS, a/k/a "Du," JAMES MARTIN, DEXTER ERBY, a/k/a "Addi," a/k/a "Dida," YOUSOUF DIOMADE, a/k/a "78," MOUSTAPHA GUEYE, KHALILAH MATTOCKS, a/k/a "Lils," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance in violation of 21 U.S.C. § 841(a)(1).

3. The controlled substances involved in the offense were (a) five kilograms and more of mixtures and substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, in violation of 21 U.S.C. § 841(b)(1)(A); (b) 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 (c) a quantity of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(D).

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

COUNT TWO

The Grand Jury further charges:

4. From at least in or about 2009, up to and including in or about May 2012, in the Southern District of New York and elsewhere, ROGER KEY, a/k/a "Luchie," RUBEN DAVIS, a/k/a "BR," a/k/a "Bloody Ruben," a/k/a "Fat Man," a/k/a "Fat Boy," RICHARD PALMER, a/k/a "P.O.," a/k/a "P.O.P.," PEDRO MARQUEZ, a/k/a "Burns," a/k/a "Bern," KEITH PURVIS, a/k/a "Kiz," GEORGE

DAVIS, a/k/a "Chee Chee," and SHUNDU DAVIS, a/k/a "Du," 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 a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm.

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

COUNT THREE

The Grand Jury further charges:

5. In or about November 2011, in the Southern District of New York and elsewhere, ROGER KEY, a/k/a "Luchie," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to use and cause another to use a facility of interstate commerce, with intent that a murder be committed in violation of the laws of any State and the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, to wit, in exchange for a promise of payment to a co-conspirator not named as a defendant herein ("CC-1"), KEY agreed with CC-1 and others in the Bronx, New York, to kill another individual ("Victim-1"), which arrangements depended in part upon communications by cellular telephones operating on interstate

networks, and which resulted in the shooting, and personal injury, of another individual ("Victim-2") in Brooklyn, New York.

(Title 18, United States Code, Section 1958.)

COUNT FOUR

The Grand Jury further charges:

6. On or about November 16, 2011, in the Southern District of New York and elsewhere, ROGER KEY, a/k/a "Luchie," the defendant, willfully and knowingly did use and cause another to use a facility of interstate commerce, with intent that a murder be committed in violation of the laws of any State and the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value, to wit, in exchange for a promise of payment to a co-conspirator not named as a defendant herein ("CC-1"), KEY directed CC-1 in the Bronx, New York, to kill, along with others, another individual ("Victim-1"), which arrangements depended in part upon communications by cellular telephones operating on interstate networks, and which resulted in the shooting, and personal injury, of another individual ("Victim-2") in Brooklyn, New York.

(Title 18, United States Code, Sections 1958 and 2.)

COUNT FIVE

The Grand Jury further charges:

7. On or about November 16, 2011, in the Southern District of New York and elsewhere, ROGER KEY, a/k/a "Luchie,"

the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the attempted murder-for-hire charged in Count Four of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was discharged.

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

FORFEITURE ALLEGATIONS

8. As a result of committing the controlled substance offense charged in Count One of this Indictment, ROGER KEY, a/k/a "Luchie," RUBEN DAVIS, a/k/a "BR," a/k/a "Bloody Ruben," a/k/a "Fat Man," a/k/a "Fat Boy," RUBEN FERNANDEZ, a/k/a "Pops," RICHARD PALMER, a/k/a "P.O.," a/k/a "P.O.P.," PEDRO MARQUEZ, a/k/a "Burns," a/k/a "Bern," ANDREA ISAROON, a/k/a "Chaz," KEITH PURVIS, a/k/a "Kiz," DENNIS FREDERICKS, a/k/a "Ice," CLAYTON MOLLETTE, a/k/a "Killer," a/k/a "Clay," GEORGE DAVIS, a/k/a "Chee Chee," STEVEN HERBERT, a/k/a "Atta," SHUNDU DAVIS, a/k/a "Du," JAMES MARTIN, DEXTER ERBY, a/k/a "Addi," a/k/a "Dida," YOUSOUF DIOMADE, a/k/a "78," MOUSTAPHA GUEYE, KHALILAH MATTOCKS, a/k/a "Lils," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the

offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense charged in Count One of this Indictment.

9. As a result of committing the murder-for-hire offenses charged in Counts Three and Four of this Indictment, ROGER KEY, a/k/a "Luchie," the defendant, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, any and all property constituting or derived from any proceeds KEY obtained directly or indirectly as a result of the said violations and any and all property that constitutes or is derived from proceeds traceable to the commission of the violations alleged in Counts Three and Four of this Indictment.

Substitute Assets

10. 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, 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 subdivided 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 said defendants up to the value of the
forfeitable property.

(Title 18, United States Code, Section 981,
Title 28, United States Code, Section 2461, and Title 21, United
States Code, Section 853(p).)



~~FOREPERSON~~

1-8-13

Preet Bharara

PREET BHARARA

United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ROGER KEY, a/k/a "Luchie," RUBEN DAVIS, a/k/a "BR," a/k/a "Bloody
Ruben," a/k/a "Fat Man," a/k/a "Fat Boy," RUBEN FERNANDEZ, a/k/a
"Pops," RICHARD PALMER, a/k/a "P.O.," a/k/a "P.O.P.," PEDRO
MARQUEZ, a/k/a "Burns," a/k/a "Bern," ANDREA ISAROON, a/k/a
"Chaz," KEITH PURVIS, a/k/a "Kiz," DENNIS FREDERICKS, a/k/a
"Ice," CLAYTON MOLLETTE, a/k/a "Killer," a/k/a "Clay," GEORGE
DAVIS, a/k/a "Chee Chee," STEVEN HERBERT, a/k/a "Atta," SHUNDU
DAVIS, a/k/a "Du," JAMES MARTIN, DEXTER ERBY, a/k/a "Addi," a/k/a
"Dida," YOUSOUF DIOMADE, a/k/a "78," MOUSTAPHA GUEYE, and
KHALILAH MATTOCKS, a/k/a "Lils,"

Defendants.

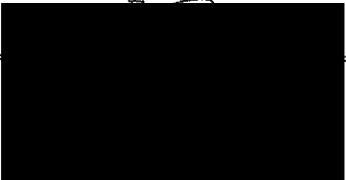
SEALED SUPERSEDING INDICTMENT

S1 12 Cr. 712 (SHS)

(Title 21, United States Code, Section 846, Title 18, United
States Code,
§§ 924(c) and 2.)

PREET BHARARA
United States Attorney.

A TRUE BILL

 1-8-13