

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X  
:  
UNITED STATES OF AMERICA  
:  
- v. - : SUPERSEDING INDICTMENT  
:  
CATHERINE MORALES, : S9 12 Cr. 322 (RJS)  
:  
Defendant. :  
:  
- - - - - X

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2008, up to and including in or about 2013, in the Southern District of New York and elsewhere, CATHERINE MORALES, the defendant, 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 CATHERINE MORALES, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances involved in the offense were: (a) one kilogram and more of mixtures and substances containing a detectable amount of heroin; and (b) 280 grams and

more of mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(A).

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

COUNT TWO

The Grand Jury further charges:

4. From at least in or about 2008, up to and including in or about 2013, in the Southern District of New York and elsewhere, CATHERINE MORALES, the defendant, during and in relation to a drug trafficking crime for which she may be prosecuted in a court of the United States, to wit, 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 were brandished and discharged.

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

COUNT THREE

The Grand Jury further charges:

5. On or about June 28, 2011, in the Southern District of New York, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, namely, a conspiracy to distribute heroin and cocaine base,

CATHERINE MORALES, the defendant, and others known and unknown, intentionally and knowingly killed and counseled, commanded, induced, procured, and caused the intentional killing of Aisha Morales in the vicinity of 1018 East 163rd Street, Bronx, New York, and such killing resulted.

(Title 21, United States Code, Section 848(e)(1)(A);  
Title 18, United States Code, Section 2.)

COUNT FOUR

The Grand Jury further charges:

6. On or about June 28, 2011, in the Southern District of New York, CATHERINE MORALES, the defendant, willfully and knowingly, during and in relation to a drug trafficking crime for which she may be prosecuted in a court of the United States, to wit, the narcotics conspiracy charged in Count One of this Indictment, 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, and in the course of that crime 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(a), to wit, MORALES shot and killed Aisha Morales in the vicinity of 1018 East 163rd Street, Bronx, New York.

(Title 18, United States Code, Sections 924(j)(1) and 2.)

### SPECIAL FINDINGS

7. Counts Three and Four of the Indictment are realleged and incorporated by reference as though fully set forth herein. As to Count Three of the Indictment, alleging the intentional killing of Aisha Morales while engaged in a conspiracy to distribute heroin and cocaine base, and Count Four of the Indictment, alleging the use of a firearm during and in relation to a drug trafficking crime and causing the murder of Aisha Morales, the defendant CATHERINE MORALES:

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

b. intentionally killed Aisha Morales (Title 18, United States Code, Section 3591(a)(2)(A));

c. intentionally inflicted serious bodily injury that resulted in the death of Aisha Morales (Title 18, United States Code, Section 3591(a)(2)(B));

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

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of

death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and Aisha Morales died as a direct result of the act (Title 18, United States Code, Section 3591(a) (2) (D));

f. in the commission of the offense, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense (Title 18, United States Code, Section 3592(c) (5)); and

g. committed the offense after substantial planning and premeditation to cause the death of a person (Title 18, United States Code, Section 3592(c) (9)).

#### FORFEITURE ALLEGATION

8. As a result of committing the controlled substance offense charged in Count One of this Indictment, CATHERINE MORALES, the defendant, 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 defendant 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.

Substitute Asset Provision

9. If any of the above described forfeitable property, as a result of any act or omission of CATHERINE MORALES, 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 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

  
FOREPERSON

  
PREET BHARARA (RK)  
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. -

CATHERINE MORALES,

Defendant.

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SUPERSEDING INDICTMENT

S9 12 Cr. 322 (RJS)

(21 U.S.C. §§ 846 and 848(e)(1)(A);  
18 U.S.C. §§ 924(c)(1)(A), 924(j)(1), and 2)

PREET BHARARA

United States Attorney.

  
Foreperson.

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