

COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 :
 UNITED STATES OF AMERICA :
 :
 - v. - :
 :
 LORENZO WAGNER, JR., :
 a/k/a "PO," :
 STEFANO DEMICHELII, :
 a/k/a "Slim," :
 PHILLIP GUZMAN, :
 a/k/a "Goose," :
 JAMES PATTERSON, :
 a/k/a "Doe," :
 MARQUISE ROBERSON, :
 a/k/a "Merk," :
 JUAN URENA, :
 a/k/a "Mario," :
 LORENZO WAGNER, SR., :
 a/k/a "LO," :
 MYRON WAGNER, :
 a/k/a "My Dogg," :
 :
 Defendants. :
 ----- X

SEALED
INDICTMENT
13 Cr. 199

COUNT ONE

The Grand Jury charges:

BACKGROUND

1. At all times relevant to this Indictment, a drug trafficking organization was operating in and around Peekskill, New York (the "Organization"). The principal objective of the Organization was the enrichment of the members and associates of the Organization through the distribution of cocaine base, commonly known as "crack," and heroin. Certain members of the Organization also sold marijuana.

2. Members of the Organization sold crack cocaine and heroin in and around Peekskill. For a period of time in or around 2011 and 2012, the Organization operated out of apartments in the Dunbar Heights housing complex in Peekskill. Organization members and associates used those apartments to cook crack cocaine and to package, store, and resell crack and heroin. At other times the Organization operated out of other locations in and around Peekskill.

3. The Organization's effective leader was LORENZO WAGNER, JR., a/k/a "PO." In order to secure the Organization's control of portions of the Peekskill narcotics trade, WAGNER, JR. ordered multiple shootings against rivals. These shootings were carried out by the Organization's enforcers, including associates of the Organization who were paid to commit acts of violence against rivals.

MEANS AND METHODS OF THE CONSPIRACY

4. Members of the Organization worked together to ensure that all members of the Organization profited from crack cocaine and heroin sales. In particular, Organization members worked together to cook crack and purchase, divide, package, and resell crack and heroin. Members of the Organization also worked together to ensure that crack and heroin were delivered to customers. Certain members and associates of the Organization

maintained firearms in order to protect their drug sales and discourage rival drug distributors.

STATUTORY ALLEGATION

5. From at least in or about January 2008, up to and including in or about March 2013, in the Southern District of New York and elsewhere, LORENZO WAGNER, JR., a/k/a "PO," STEFANO DEMICHELI, a/k/a "Slim," PHILLIP GUZMAN, a/k/a "Goose," JAMES PATTERSON, a/k/a "Doe," MARQUISE ROBERSON, a/k/a "Merk," JUAN URENA, a/k/a "Mario," LORENZO WAGNER, SR., a/k/a "PO," and MYRON WAGNER, a/k/a "My Dogg," 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.

6. It was a part and an object of the conspiracy that LORENZO WAGNER, JR., a/k/a "PO," STEFANO DEMICHELI, a/k/a "Slim," PHILLIP GUZMAN, a/k/a "Goose," JAMES PATTERSON, a/k/a "Doe," MARQUISE ROBERSON, a/k/a "Merk," JUAN URENA, a/k/a "Mario," LORENZO WAGNER, SR., a/k/a "PO," and MYRON WAGNER, a/k/a "My Dogg," the defendants, 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).

7. 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) 1 kilogram and more of mixtures and substances containing a detectable amount of heroin, 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:

8. From at least in or about January 2008 up to and including in or about March 2013, in the Southern District of New York, LORENZO WAGNER, JR., a/k/a "PO" and JAMES PATTERSON, a/k/a "Doe," 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:

9. In or about October 2012, in the Southern District of New York, PHILLIP GUZMAN, a/k/a "Goose," the defendant, after

having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce a firearm, to wit, a .40 caliber handgun, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

FORFEITURE ALLEGATION

1. As a result of committing the controlled substance offense alleged in Count One of this Indictment, LORENZO WAGNER, JR., a/k/a "PO," STEFANO DEMICHELII, a/k/a "Slim," PHILLIP GUZMAN, a/k/a "Goose," JAMES PATTERSON, a/k/a "Doe," MARQUISE ROBERSON, a/k/a "Merk," JUAN URENA, a/k/a "Mario," LORENZO WAGNER, SR., a/k/a "PO," and MYRON WAGNER, a/k/a "My Dogg," 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 the violation and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the violation alleged in Count One of this Indictment, including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of the offense.

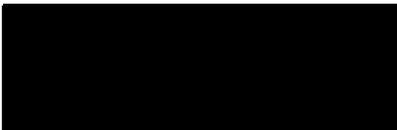
Substitute Assets Provision

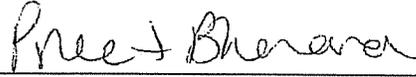
11. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- 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.)




PREET BHARARA
United States Attorney

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LORENZO WAGNER, JR., et al.,

Defendants.

SEALED
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(21 U.S.C. § 846;
18 U.S.C. §§ 922(g), 924(c)(1)(A)(iii) and 2.)

PREET BHARARA

United States Attorney.

Foreperson