

TH:DR/DJM/MND
F. #2025R00508

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

TIMOTHY SPENCE,
also known as “Little Tim,”

Defendant.

----- X

I N F O R M A T I O N

Cr. No. _____
(T. 18, U.S.C., §§ 924(c)(1)(A)(i),
924(c)(1)(A)(ii), 924(c)(1)(A)(iii),
924(d)(1), 1959(a)(3), 2 and 3551 et seq.;
T. 21, U.S.C., § 853(p); T. 28, U.S.C.,
§ 2461(c))

THE UNITED STATES ATTORNEY CHARGES:

I N T R O D U C T I O N

At all times relevant to this Information, unless otherwise indicated:

The Enterprise

1. The “5-9 Brims” (hereinafter “5-9 Brims” or the “Enterprise”) was a set of the Bloods street gang formed in Los Angeles, California in the early 1970s. In the 1990s, certain individual “sets” of the Bloods street gang, including the 5-9 Brims, began operating on the east coast of the United States, including in New York, under what was known as the “United Blood Nation,” also known as the “UBN.”

2. In the early 2000s, members and associates of the 5-9 Brims broke away from the UBN and began operating under the “New York Blood Brim Army,” also known as the “NYBBA,” which was composed of, in part, multiple subsets known as “hoods,” which included the 5-9 Brims, the Bloodhound Brims, the Mac Balla Brims and the Low Rida Brims, among others. Despite having different names and being comprised of individuals from different areas of New York, each subset of the NYBBA, including the 5-9 Brims, maintained common tattoos,

communication codes, language and gestures, and members of every set were identifiable as Bloods because they wore the color red. The 5-9 Brims was a gang comprised primarily of individuals residing in and around Brooklyn, Queens, the Bronx and Manhattan, New York, and elsewhere.

3. Members and associates of the 5-9 Brims have committed acts of violence, including acts involving murder and assault, as well as other crimes, including robbery, drug trafficking, and fraud as a means of obtaining money. Participation in criminal activity by a member, especially violence directed at rival gang members, increased the respect accorded to the member and is expected within the gang.

4. The 5-9 Brims, including its leaders, members and associates, constituted an “enterprise,” as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce. The Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise.

5. The 5-9 Brims, through its members and associates, engaged in racketeering activity, as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), that is (a) multiple acts involving murder, chargeable under New York State Penal Law Sections 125.25, 110.00, 105.15 and 20.00; (b) multiple acts involving robbery, chargeable under New York State Penal Law Sections 160.15, 160.10, 160.05, 110.00, 105.10, 105.13 and 20.00; (c) multiple acts indictable under (i) Title 18, United States Code, Section 1951 (relating to interference with commerce, robbery or extortion), (ii) Title 18, United States Code, Section 1028 (relating to fraud and related activity in connection with identification documents), (iii) Title 18, United States Code, Section 1029 (relating to fraud and related activity in

connection with access devices), and (iv) Title 18, United States Code, Section 1344 (relating to financial institution fraud); and (d) multiple offenses involving dealing in controlled substances, in violation of Title 21, United States Code, Sections 841 and 846.

Purposes of the Enterprise

6. The purposes of the Enterprise included the following:

(a) enriching members and associates of the Enterprise through criminal activity, including drug trafficking, robbery, fraud and trafficking in stolen identities;

(b) promoting and enhancing the prestige, reputation and position of the Enterprise with respect to rival criminal organizations;

(c) preserving and protecting the power, territory and criminal ventures of the Enterprise through the use of intimidation, threats of violence and acts of violence, including murder, robbery and assault; and

(d) keeping victims and rivals in fear of the Enterprise and its members and associates.

Means and Methods of the Enterprise

7. Among the means and methods by which the members and associates of the Enterprise conducted and participated in the conduct of the affairs of the Enterprise were the following:

(a) members and associates of the Enterprise used, attempted to use and conspired to use drug trafficking, robbery, fraud and trafficking in stolen identities as a means of obtaining money;

(b) members and associates of the Enterprise committed, attempted to commit and threatened to commit acts of violence, including acts involving murder, robbery and

assault, to enhance the Enterprise's prestige and protect and expand the Enterprise's criminal operations; and

(c) members and associates of the Enterprise used and threatened to use physical violence against various individuals, including members of rival criminal organizations.

The Defendant

8. The defendant TIMOTHY SPENCE, also known as "Little Tim," was a member of the 5-9 Brims Enterprise.

COUNT ONE

(Assault in-Aid-of Racketeering)

9. The allegations contained in paragraphs one through eight are realleged and incorporated as if fully set forth in this paragraph.

10. On or about August 17, 2025, within the Eastern District of New York and elsewhere, the defendant TIMOTHY SPENCE, also known as "Little Tim," together with others, for the purpose of maintaining and increasing position in the 5-9 Brims, an enterprise engaged in racketeering activity, did knowingly and intentionally assault members of a rival gang, to wit: members of the Folk Nation Gangster Disciples, including Jamel Childs, with a dangerous weapon, in violation of New York Penal Law Sections 120.05(2) and 20.00, and did knowingly and intentionally assault Jamel Childs resulting in serious bodily injury, in violation of New York Penal Law Sections 120.05(1), 120.10(1) and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), 2 and 3551 et seq.)

COUNT TWO

(Possessing, Brandishing and Discharging a Firearm During a Crime of Violence)

11. On or about August 17, 2025, within the Eastern District of New York and elsewhere, the defendant TIMOTHY SPENCE, also known as "Little Tim," together with others,

did knowingly and intentionally use and carry one or more firearms during and in relation to a crime of violence, to wit: the crime charged in Count One, and did knowingly and intentionally possess such firearms in furtherance of said crime of violence, one or more of which firearms was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT TWO

12. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count Two, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922 or Section 924.

13. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a 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 divided

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 forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

By David Pitluck, Assistant U.S. Attorney
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