

★ APR 26 2018 ★

BROOKLYN OFFICE

TJS:SD/JPL
F. #2018R00178

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

- against -

YANKI MISAEEL CRUZ-MATEO,
also known as "Yenki Misael
Cruz Mateo," "Yankee Mateo,"
"Doggy" and "Wino,"

ISRAEL MENDIOLA FLORES,
also known as "Chapito" and
"Sinaloa,"

SERGIO GERARDO HERRERA-
HIDALGO,
also known as "Gerardo Herrera"
and "Street Boy,"

CRISTIAN PEREZ,
also known as "Christian Perez"
and "Muletas,"

YONI ALEXANDER SIERRA,
also known as "Arca," "Arc
Angel" and "Wasson,"

JOSE JIMENEZ CHACON,
also known as "Little One," and

SAUDI LEVY RAMIREZ,
also known as "El Malo" and
"Little Bad,"

Defendants.

-----X

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this Superseding Indictment, unless otherwise
indicated:

SUPERSEDING
INDICTMENT

Cr. No. 18-139 (S-1)(LMD)
(T. 18, U.S.C., §§ 922(g)(5)(A),
924(a)(2), 924(d)(1), 1959(a)(1),
1959(a)(5), 2, 3 and 3551 et seq.; T. 21,
U.S.C., § 853(p); T. 28, U.S.C.,
§ 2461(c))

The Enterprise

1. The 18th Street gang (“18th Street” or the “enterprise”) was a violent street gang with members located throughout Queens, New York, and elsewhere, divided into local chapters or “canchas.” Members and associates of 18th Street engaged in murder, attempted murder, assault, narcotics trafficking and extortion, as well as other crimes.

2. The 18th Street gang, including its leadership, membership and associates, constituted an “enterprise” as defined by 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.

3. The 18th Street gang, 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, acts and threats involving murder that are chargeable under New York Penal Law and punishable by imprisonment for more than one year, and offenses involving narcotics trafficking, punishable under Title 21, United States Code, Sections 841 and 846.

Purposes of the Enterprise

4. The purposes of the enterprise included the following:

(a) Enriching the members and associates of the enterprise through criminal activity, including narcotics trafficking and extortion;

(b) Promoting and enhancing the prestige, reputation and position of the enterprise through the use of intimidation, threats of violence and acts of violence, including murder, attempted murder and assault;

(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, attempted murder and assault;

(d) Keeping victims and rivals in fear of the enterprise and its members and associates; and

(e) Concealing the activities of the enterprise from law enforcement.

Means and Methods of the Enterprise

5. Among the means and methods by which the defendants and their associates conducted and participated in the conduct of the affairs of the enterprise were the following:

(a) Members and associates of the enterprise and their associates used, attempted to use and conspired to use drug trafficking and extortion as means of obtaining money;

(b) Members and associates of the enterprise and their associates committed, attempted to commit and threatened to commit acts of violence, including acts involving murder 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 and their associates used and threatened to use physical violence against various individuals, including witnesses, victims or informants and members of rival criminal organizations.

The Defendants

6. At all times relevant to this Superseding Indictment, the defendants YANKI MISAEEL CRUZ-MATEO, also known as “Yenki Misael Cruz Mateo,” “Yankee Mateo,” “Doggy” and “Wino,” ISRAEL MENDIOLA FLORES, also known as “Chapito” and “Sinaloa,” SERGIO GERARDO HERRERA-HIDALGO, also known as “Gerardo Herrera” and “Street Boy,” CRISTIAN PEREZ, also known as “Christian Perez” and “Muletas,” YONI ALEXANDER SIERRA, also known as “Arca,” “Arc Angel” and “Wasson,” JOSE JIMENEZ CHACON, also known as “Little One,” and SAUDI LEVY RAMIREZ, also known as “El Malo” and “Little Bad,” were members and associates of the enterprise.

COUNT ONE

(Conspiracy to Commit Murder In-Aid-Of Racketeering – John Doe 1)

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

8. In or about October 2017, within the Eastern District of New York and elsewhere, the defendants YANKI MISAEEL CRUZ-MATEO, also known as “Yenki Misael Cruz Mateo,” “Yankee Mateo,” “Doggy” and “Wino,” ISRAEL MENDIOLA FLORES, also known as “Chapito” and “Sinaloa,” and SERGIO GERARDO HERRERA-HIDALGO, also known as “Gerardo Herrera” and “Street Boy,” together with others, for the purpose of gaining entrance to and maintaining and increasing position in the 18th Street gang, an enterprise engaged in racketeering activity, did knowingly and intentionally conspire to

murder an individual, to wit: John Doe 1, an individual whose identity is known to the Grand Jury, in violation of New York Penal Law Sections 125.25(1) and 105.15.

(Title 18, United States Code, Sections 1959(a)(5) and 3551 et seq.)

COUNT TWO

(Murder In-Aid-Of Racketeering – John Doe 1)

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

10. On or about October 25, 2017, within the Eastern District of New York and elsewhere, the defendants YANKI MISAEL CRUZ-MATEO, also known as “Yenki Misael Cruz Mateo,” “Yankee Mateo,” “Doggy” and “Wino,” ISRAEL MENDIOLA FLORES, also known as “Chapito” and “Sinaloa,” and SERGIO GERARDO HERRERA-HIDALGO, also known as “Gerardo Herrera” and “Street Boy,” together with others, for the purpose of gaining entrance to and maintaining and increasing position in the 18th Street gang, an enterprise engaged in racketeering activity, did knowingly and intentionally murder John Doe 1, in violation of New York Penal Law Sections 125.25(1) and 20.00.

(Title 18, United States Code, Sections 1959(a)(1), 2 and 3551 et seq.)

COUNT THREE

(Conspiracy to Commit Murder In-Aid-Of Racketeering – John Doe 2)

11. The allegations set forth in paragraphs one through six are realleged and incorporated as if fully set forth in this paragraph.

12. In or about February 2018, within the Eastern District of New York and elsewhere, the defendants YANKI MISAEL CRUZ-MATEO, also known as “Yenki Misael Cruz Mateo,” “Yankee Mateo,” “Doggy” and “Wino,” YONI ALEXANDER SIERRA, also known as “Arca,” “Arc Angel” and “Wasson,” JOSE JIMENEZ CHACON, also known as

“Little One,” and SAUDI LEVY RAMIREZ, also known as “El Malo” and “Little Bad,” together with others, for the purpose of gaining entrance to and maintaining and increasing position in the 18th Street gang, an enterprise engaged in racketeering activity, did knowingly and intentionally conspire to murder an individual, to wit: John Doe 2, an individual whose identity is known to the Grand Jury, in violation of New York Penal Law Sections 125.25(1) and 105.15.

(Title 18, United States Code, Sections 1959(a)(5) and 3551 et seq.)

COUNT FOUR

(Murder In-Aid-Of Racketeering – John Doe 2)

13. The allegations set forth in paragraphs one through six are realleged and incorporated as if fully set forth in this paragraph.

14. On or about February 2, 2018, within the Eastern District of New York, the defendant YANKI MISAEL CRUZ-MATEO, also known as “Yenki Misael Cruz Mateo,” “Yankee Mateo,” “Doggy” and “Wino,” together with others, for the purpose of gaining entrance to and maintaining and increasing position in the 18th Street gang, an enterprise engaged in racketeering activity, did knowingly and intentionally murder John Doe 2, in violation of New York Penal Law Sections 125.25(1) and 20.00.

(Title 18, United States Code, Sections 1959(a)(1), 2 and 3551 et seq.)

COUNT FIVE

(Alien in Possession of a Firearm)

15. In or about and between October 2017 and February 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant YANKI MISAEL CRUZ-MATEO, also known as “Yenki Misael Cruz Mateo,” “Yankee Mateo,” “Doggy” and “Wino,” then being an alien who was illegally and

unlawfully in the United States, did knowingly and intentionally possess in and affecting interstate and foreign commerce a firearm, to wit: a .380 caliber semiautomatic pistol, and ammunition.

(Title 18, United States Code, Sections 922(g)(5)(A), 924(a)(2) and 3551

et seq.)

COUNT SIX

(Assisting a Federal Offender)

16. In or about and between October 2017 and February 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant CRISTIAN PEREZ, also known as “Christian Perez” and “Muletas,” knowing that one or more offenses against the United States had been committed, to wit: (a) conspiracy to commit murder in-aid-of racketeering and (b) murder in-aid-of racketeering, did knowingly and intentionally receive, relieve, comfort and assist the offender, to wit: the defendant YANKI MISAEEL CRUZ-MATEO, also known as “Yenki Misael Cruz-Mateo,” “Yankee Mateo,” “Doggy” and “Wino,” in order to hinder and prevent CRUZ-MATEO’s apprehension.

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

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT FIVE

17. The United States hereby gives notice to the defendant charged in Count Five that, upon his conviction of that offense, 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 violations of Title 18, United States Code, Section 922, including but not limited to: one .380 caliber semiautomatic pistol, and ammunition.

18. If any of the above-described forfeitable property, as a result of any act or omission of such 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 such 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))

A TRUE BILL


FOREPERSON

RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: 
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. O.136

F. #2018R00178
FORM DBD-34
JUN. 85

No. 18-CR-139 (S-1)(LMD)

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

YANKI MISAEL CRUZ-MATEO et al.

Defendants.

SUPERSEDING INDICTMENT

(T. 18, U.S.C., §§ 922(g)(5)(A), 924(a)(2), 924(d)(1), 1959(a)(1),
1959(a)(5), 2, 3 and 3551 *et seq.*; T. 21, U.S.C., § 853(p); T. 28,
U.S.C., § 2461(c))

A true bill.



Foreperson

Filed in open court this _____ day, of _____
A.D. 20 _____

Clerk

Bail, \$ _____

Soumya Dayananda, Jonathan P. Lax Assistant U.S. Attorneys (718) 254-7996/6139