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★ JUN 20 2019 ★

MEG:NEM/NJM
F. #2018R01751

BROOKLYN OFFICE

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

UNITED STATES OF AMERICA

- against -

RUBEN PABON,

I N D I C T M E N T

Cr. No. **CR 19** 285
(T. 18, U.S.C., §§ 2 and 3551 *et seq.*; T. 21,
U.S.C., §§ 841(a)(1), 841(b)(1)(B)(iii),
841(b)(1)(C), 846, 853(a), 853(p) and
860(a))

CHEN, J.

Defendants.

SCANLON, M.J.

----- X

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Distribute and Possess with Intent to
Distribute Cocaine Base Near a Public Housing Facility)

1. In or about and between November 2018 and June 2019, both dates
being approximate and inclusive, within the Eastern District of New York, the defendants
RUBEN PABON,

together with
others, did knowingly and intentionally conspire to distribute and possess with intent to
distribute a controlled substance, which offense involved a substance containing cocaine
base, a Schedule II controlled substance, in, on and within 1,000 feet of the real property
comprising a housing facility, to wit: the Bushwick Houses, located in Brooklyn, New York

and owned by a public housing authority, to wit: the New York City Housing Authority ("NYCHA"), contrary to Title 21, United States Code, Sections 841(a)(1) and 860. The amount of cocaine base involved in the conspiracy attributable to PABON as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, was 28 grams or more of a substance containing cocaine base.

(Title 21, United States Code, Sections 846, 841(b)(1)(B)(iii), 841(b)(1)(C) and 860(a); Title 18, United States Code, Sections 3551 et seq.)

COUNT FOUR

(Distribution and Possession with Intent to
Distribute Cocaine Base Near a Public Housing Facility)

4. In or about and between January 2019 and June 2019, both dates being approximate and inclusive, within the Eastern District of New York, the defendant RUBEN PABON, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved 28 grams or more of a substance containing cocaine base, a Schedule II controlled substance, in, on and within 1,000 feet of the real property comprising a housing facility, to wit: the Bushwick Houses, located in Brooklyn, New York and owned by a public housing authority, to wit: NYCHA.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(iii) and 860(a);
Title 18, United States Code, Sections 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

6. The United States hereby gives notice to the defendants that, upon their conviction of any of the offenses charged in Counts One through Five, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of such offenses to forfeit: (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of such offenses, and (b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

7. If any of the above-described forfeitable property, as a result of any act or omission of said defendants:

- (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 said defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a) and 853(p))

A TRUE BILL

FOREPERSON

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

No.

UNITED STATES DISTRICT COURT
EASTERN *District of NEW YORK*
CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

RUBEN PABON,

Defendants.

INDICTMENT

(T. 18, U.S.C., §§ 2 and 3551 *et seq.*; T. 21, U.S.C., §§ 841(a)(1),
841(b)(1)(B)(iii), 841(b)(1)(C), 846, 853(a), 853(p) and 860(a))

A true bill.

A large rectangular area of the document has been completely redacted with a solid black color, obscuring a signature.

Filed in open court this _____ day,

of _____ A.D. 20 ____

Clerk

Bail, \$ _____

Nadia E. Moore and Nicholas J. Moscow, Assistant U.S. Attorneys (718) 254-7000