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BROOKLYN OFFICE

NS:NEM  
F. #2018R01519/OCDCTF#NY-NYE-830

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

S U P E R S E D I N G  
I N D I C T M E N T

- against -

MELVI AMADOR-RIOS,  
also known as "Letal"  
and "Pinky,"  
JOSUE LEIVA,  
also known as "Colocho,"  
LUIS RIVAS,  
also known as "Inquieto"  
and "Kiko," and  
ANTONIO SALVADOR,  
also known as "Pantro,"

Cr. No. 18-398 (S-3)(RRM)  
(T. 18, U.S.C., §§ 924(c)(1)(A)(i),  
924(c)(1)(A)(ii), 924(c)(1)(A)(iii),  
924(d)(1), 981(a)(1)(C), 1951(a),  
1959(a)(1), 1959(a)(3), 1959(a)(5),  
1962(c), 1963, 1963(a), 1963(m), 2 and  
3551 et seq.; T. 21, U.S.C., § 853(p);  
T. 28, U.S.C., § 2461(c))

Defendants.

----- X

THE GRAND JURY CHARGES:

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

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

The Enterprise

1. La Mara Salvatrucha, also known as the "MS-13" (hereinafter the  
"MS-13" or the "enterprise"), was a transnational criminal organization comprised primarily  
of immigrants from Central America, with members located throughout Queens, New York,  
Long Island, New York, and elsewhere, divided into local chapters, or "cliques."

2. The MS-13 routinely held meetings to plan criminal activity, and members paid dues into a treasury. The treasury funds were used to purchase firearms, ammunition and other weapons for use in criminal activity. Additionally, treasury funds were sent to MS-13 gang members in Central America. Members of the MS-13 sometimes signified their membership with the colors of blue and white, and with graffiti and tattoos reading, among other things, "13," "MS" and "MARA SALVATRUCHA," frequently written in gothic lettering.

3. Members of the MS-13 engaged in acts of violence, including murder, attempted murder, assault, robbery, extortion, witness tampering and witness retaliation, as well as other criminal activity, including narcotics trafficking. Participation in criminal activity by a member, especially violence directed at rival gang members or at MS-13 members or associates believed to have violated the gang's rules, increased the respect accorded to the member and could result in promotion to a leadership position. Members of the MS-13 purchased, maintained and circulated firearms and other weapons for use in criminal activity.

4. The MS-13, including its leadership, members and associates, constituted an "enterprise" as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact that was 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.

### Purposes of the Enterprise

5. The purposes of the enterprise included the following:

- (a) Promoting and enhancing the prestige, reputation and position of the enterprise with respect to rival criminal organizations.
- (b) 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 assault and murder.
- (c) Keeping victims and rivals in fear of the enterprise and its members and associates.
- (d) Enriching the members and associates of the enterprise through criminal activity, including robbery, extortion and narcotics trafficking.
- (e) Ensuring discipline within the enterprise and compliance with the enterprise's rules by members and associates through threats of violence and acts of violence.

### Means and Methods of the Enterprise

6. Among the means and methods by which members of the MS-13 and their associates conducted and participated in the conduct of the affairs of the enterprise were the following:

- (a) Members of the MS-13 and their associates committed, attempted to commit and threatened to commit acts of violence, including murder, attempted murder, robbery and assault, to enhance the enterprise's prestige and protect and expand the enterprise's criminal operations.

(b) Members of the MS-13 and their associates used and threatened to use physical violence against various individuals, including members of rival criminal organizations and against MS-13 members or associates believed to have violated the enterprise's rules.

(c) Members of the MS-13 and their associates used, attempted to use and conspired to use robbery, extortion and narcotics trafficking as means of obtaining money.

#### The Defendants

7. The defendants MELVI AMADOR-RIOS, also known as "Letal" and "Pinky," LUIS RIVAS, also known as "Inquieto" and "Kiko," and ANTONIO SALVADOR, also known as "Pantro," were members of the MS-13. At various times relevant to this Superseding Indictment, the defendant JOSUE LEIVA, also known as "Colocho," was an associate and member of the MS-13.

#### COUNT ONE (Racketeering)

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

9. In or about and between October 2016 and February 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MELVI AMADOR-RIOS, also known as "Letal" and "Pinky," JOSUE LEIVA, also known as "Colocho," and LUIS RIVAS, also known as "Inquieto" and "Kiko," together with others, being persons employed by and associated with the MS-13, an enterprise that engaged in, and the activities of which affected, interstate and foreign commerce, did

knowingly and intentionally conduct and participate, directly and indirectly, in the conduct of the affairs of the MS-13 through a pattern of racketeering activity, as that term is defined by Title 18, United States Code, Sections 1961(1) and 1961(5), consisting of the racketeering acts set forth below.

RACKETEERING ACT ONE

(Conspiracy to Murder Rival Gang Members and Attempted Murder of John Doe 1)

10. The defendant MELVI AMADOR-RIOS, together with others, committed the following acts, either one of which alone constitutes Racketeering Act One:

A. Conspiracy to Murder

11. On or about and between October 22, 2016 and October 23, 2016, both dates being approximate and inclusive, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, together with others, did knowingly and intentionally conspire to cause the death of one or more persons, to wit: members of the 18th Street gang located in Queens, New York, in violation of New York Penal Law Sections 125.25(1) and 105.15.

B. Attempted Murder of John Doe 1

12. On or about and between October 22, 2016 and October 23, 2016, both dates being approximate and inclusive, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, together with others, did knowingly and intentionally attempt to cause the death of another person, 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), 110.00 and 20.00.

RACKETEERING ACT TWO  
(Hobbs Act Robbery)

13. On or about January 8, 2017, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS and LUIS RIVAS, together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by the robbery of United States currency from one or more employees of a money transfer business located at 90-45A 148th Street, Jamaica, New York, in violation of Title 18, United States Code, Sections 1951(a) and 2.

RACKETEERING ACT THREE  
(Conspiracy to Murder John Doe 2)

14. In or about and between January 2017 and April 2017, both dates being approximate and inclusive, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, together with others, did knowingly and intentionally conspire to cause the death of another person, 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.

RACKETEERING ACT FOUR  
(Conspiracy to Murder John Doe 3)

15. In or about May 2017, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, together with others, did knowingly and intentionally conspire to cause the death of another person, to wit: John Doe 3, an individual whose identity is known to the Grand Jury, in violation of New York Penal Law Sections 125.25(1) and 105.15.

RACKETEERING ACT FIVE

(Conspiracy to Murder Julio Vasquez and Murder of Julio Vasquez)

16. The defendants MELVI AMADOR-RIOS, JOSUE LEIVA and LUIS RIVAS, together with others, committed the following acts, either one of which alone constitutes Racketeering Act Five:

A. Conspiracy to Murder

17. In or about May 2017, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, JOSUE LEIVA and LUIS RIVAS, together with others, did knowingly and intentionally conspire to cause the death of another person, to wit: Julio Vasquez, in violation of New York Penal Law Sections 125.25(1) and 105.15.

B. Murder of Julio Vasquez

18. On or about May 16, 2017, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, JOSUE LEIVA and LUIS RIVAS, together with others, with intent to cause the death of another person, to wit: Julio Vasquez, did knowingly and intentionally cause his death, in violation of New York Penal Law Sections 125.25(1) and 20.00.

RACKETEERING ACT SIX

(Hobbs Act Robbery)

19. On or about January 2, 2018, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS and JOSUE LEIVA, together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by the robbery of United States currency from one or more employees of a convenience store located at 90-45 148th Street, Jamaica, New York, in violation of Title 18, United States Code, Sections 1951(a) and 2.

RACKETEERING ACT SEVEN  
(Hobbs Act Robbery)

20. On or about January 8, 2018, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by the robbery of United States currency from one or more employees of a convenience store located at 123-07 Jamaica Avenue, Jamaica, New York, in violation of Title 18, United States Code, Sections 1951(a) and 2.

RACKETEERING ACT EIGHT  
(Hobbs Act Robbery)

21. On or about January 12, 2018, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by the robbery of United States currency from one or more employees of a convenience store located at 126-09 Jamaica Avenue, Jamaica, New York, in violation of Title 18, United States Code, Sections 1951(a) and 2.

(Title 18, United States Code, Sections 1962(c), 1963 and 3551 et seq.)

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

22. In or about and between October 2016 and February 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” JOSUE LEIVA, also known as “Colocho,” and LUIS RIVAS, also known as “Inquieto” and “Kiko,” 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.)

### COUNT THREE

(Conspiracy to Murder In-Aid-of Racketeering – Members of the 18th Street Gang)

23. At all times relevant to this Superseding Indictment, the MS-13, as more fully described in paragraphs one through seven, which are realleged and incorporated as if fully set forth in this paragraph, including its leadership and membership, 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 was 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.

24. At all times relevant to this Superseding Indictment, the MS-13, 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 involving murder, robbery and dealing in controlled substances chargeable under New York Penal Law and punishable by imprisonment for more than one year, acts indictable under Title 18, United States Code, Section 1951(a) (Hobbs Act robbery) and offenses involving felonious buying, selling and dealing in controlled substances punishable under Title 21, United States Code, Sections 841 and 846.

25. On or about and between October 22, 2016 and October 23, 2016, both dates being approximate and inclusive, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” and ANTONIO SALVADOR, also known as “Pantro,” together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, the MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally conspire to murder one or more persons, to wit: members of the 18th Street gang in Queens, New York, 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

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

26. The allegations contained in paragraphs one through seven, twenty-three and twenty-four are realleged and incorporated as if fully set forth in this paragraph.

27. On or about and between October 22, 2016 and October 23, 2016, both dates being approximate and inclusive, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” and ANTONIO SALVADOR, also known as “Pantro,” together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, the MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally assault with a dangerous weapon John Doe 1, in violation of New York Penal Law Sections 120.05(2) and 20.00, and assault John Doe 1 resulting in serious bodily injury, in violation of New York Penal Law Sections 120.05(1) and 20.00.

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

COUNT FIVE

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

28. The allegations contained in paragraphs one through seven, twenty-three and twenty-four are realleged and incorporated as if fully set forth in this paragraph.

29. On or about and between October 22, 2016 and October 23, 2016, both dates being approximate and inclusive, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” and ANTONIO SALVADOR, also known as “Pantro,” together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, the MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally attempt to murder John Doe 1, in violation of New York Penal Law Sections 125.25(1), 110.00 and 20.00.

(Title 18, United States Code, Sections 1959(a)(5), 2 and 3551 et seq.)

COUNT SIX

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

30. On or about and between October 22, 2016 and October 23, 2016, both dates being approximate and inclusive, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” and ANTONIO SALVADOR, also known as “Pantro,” together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to one or more crimes of violence, to wit: the crimes charged in Counts Four and Five, and did knowingly and intentionally possess such firearms in furtherance of said crimes 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.)

COUNT SEVEN  
(Hobbs Act Robbery)

31. On or about January 8, 2017, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” and LUIS RIVAS, also known as “Inquieto” and “Kiko,” together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by the robbery of United States currency from one or more employees of a money transfer business located at 90-45A 148th Street, Jamaica, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT EIGHT  
(Possessing and Brandishing a Firearm During a Crime of Violence)

32. On or about January 8, 2017, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” and LUIS RIVAS, also known as “Inquieto” and “Kiko,” 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 Seven, and did knowingly and intentionally possess such firearms in furtherance of said crime of violence, one or more of which firearms was brandished.

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

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

33. The allegations contained in paragraphs one through seven, twenty-three and twenty-four are realleged and incorporated as if fully set forth in this paragraph.

34. In or about and between January 2017 and April 2017, both dates being approximate and inclusive, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, the MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally conspire to murder John Doe 2, 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 TEN

(Conspiracy to Murder In-Aid-Of Racketeering – John Doe 3)

35. The allegations contained in paragraphs one through seven, twenty-three and twenty-four are realleged and incorporated as if fully set forth in this paragraph.

36. In or about May 2017, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, the MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally conspire to murder John Doe 3, 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 ELEVEN

(Conspiracy to Murder In-Aid-of Racketeering – Julio Vasquez)

37. The allegations contained in paragraphs one through seven, twenty-three and twenty-four are realleged and incorporated as if fully set forth in this paragraph.

38. In or about May 2017, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” JOSUE LEIVA,

also known as “Colocho,” and LUIS RIVAS, also known as “Inquieto” and “Kiko,” together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, the MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally conspire to murder Julio Vasquez, 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 TWELVE

(Murder In-Aid-of Racketeering – Julio Vasquez)

39. The allegations contained in paragraphs one through seven, twenty-three and twenty-four are realleged and incorporated as if fully set forth in this paragraph.

40. On or about May 16, 2017, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” JOSUE LEIVA, also known as “Colocho,” and LUIS RIVAS, also known as “Inquieto” and “Kiko,” together with others, for the purpose of gaining entrance to, and maintaining and increasing position in, the MS-13, an enterprise engaged in racketeering activity, did knowingly and intentionally murder Julio Vasquez, 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 THIRTEEN

(Hobbs Act Robbery)

41. On or about January 2, 2018, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” and JOSUE LEIVA, also known as “Colocho,” together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in

commerce, by the robbery of United States currency from one or more employees of a convenience store located at 90-45 148th Street, Jamaica, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT FOURTEEN

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

42. On or about January 2, 2018, within the Eastern District of New York, the defendants MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” and JOSUE LEIVA, also known as “Colocho,” 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 Thirteen, and did knowingly and intentionally possess such firearms in furtherance of said crime of violence, one or more of which firearms was brandished.

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

COUNT FIFTEEN

(Hobbs Act Robbery)

43. On or about January 8, 2018, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by the robbery of United States currency from one or more employees of a convenience store located at 123-07 Jamaica Avenue, Jamaica, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT SIXTEEN

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

44. On or about January 8, 2018, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” 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 Fifteen, and did knowingly and intentionally possess such firearms in furtherance of said crime of violence, one or more of which firearms was brandished.

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

COUNT SEVENTEEN

(Hobbs Act Robbery)

45. On or about January 12, 2018, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by the robbery of United States currency from one or more employees of a convenience store located at 126-09 Jamaica Avenue, Jamaica, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT EIGHTEEN

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

46. On or about January 12, 2018, within the Eastern District of New York, the defendant MELVI AMADOR-RIOS, also known as “Letal” and “Pinky,” 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 Seventeen, and did knowingly and intentionally possess such firearms in furtherance of said crime of violence, one or more of which firearms was brandished.

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

CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNT ONE

47. The United States hereby gives notice to the defendants charged in Count One that, upon their conviction of such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 1963(a), which requires any person convicted of such offense to forfeit: (a) any interest the person acquired or maintained in violation of Title 18, United States Code, Section 1962; (b) any interest in, security of, claim against or property or contractual right of any kind affording a source of influence over any enterprise which the person has established, operated, controlled, conducted or participated in the conduct of, in violation of Title 18, United States Code, Section 1962; and (c) any property constituting, or derived from, any proceeds which the person obtained, directly or indirectly, from racketeering activity in violation of Title 18, United States Code, Section 1962.

48. If any of the above-described forfeitable property, 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 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 18, United States Code, Section 1963(m), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 1963(a) and 1963(m))

**CRIMINAL FORFEITURE ALLEGATION AS TO  
COUNTS TWO THROUGH SIX, EIGHT, FOURTEEN, SIXTEEN AND EIGHTEEN**

49. The United States hereby gives notice to the defendants charged in Counts Two through Six, Eight, Fourteen, Sixteen and Eighteen, that, upon their conviction of any such offenses, 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 924, or any violation of any other federal criminal law of the United States.

50. If any of the above-described forfeitable property, 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 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 defendants 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))

**CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNTS SEVEN, THIRTEEN, FIFTEEN AND SEVENTEEN**

51. The United States hereby gives notice to the defendants charged in Counts Seven, Thirteen, Fifteen and Seventeen that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with: (a) Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offenses; and (b) Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any firearm or ammunition involved in or used in any knowing violation of any federal criminal law of the United States.

52. If any of the above-described forfeitable property, 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 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 defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 924(d)(1) and 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL

FOREPERSON

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

No. \_\_\_\_\_

---

# UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

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THE UNITED STATES OF AMERICA

vs.

*MELVI AMADOR-RIOS, aka "Letal" and "Pinky," et al.,*

Defendants.

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## SUPERSEDING INDICTMENT

(T. 18, U.S.C., §§ 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 924(d)(1),  
981(a)(1)(C), 1951(a), 1959(a)(1), 1959(a)(3), 1959(a)(5), 1962(c), 1963, 1963(a),  
1963(m), 2 and 3551 et seq.; T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

*A true bill.*

[REDACTED]

*Foreperson*

*Filed in open court this* \_\_\_\_\_ *day.*

*of* \_\_\_\_\_ *A.D. 20* \_\_\_\_\_

*Clerk*

*Bail, \$* \_\_\_\_\_

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*Nadia E. Moore, Assistant U.S. Attorney (718) 254-6362*