

CCC:CMM
F. #2019R01619

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ DEC 17 2019 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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LONG ISLAND OFFICE

UNITED STATES OF AMERICA

INDICTMENT

- against -

MARLON THOMPSON,

Defendant.

Cr. No. **CR 19 596**

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

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THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Distribute and Possess
with Intent to Distribute Controlled Substances)

1. In or about and between April 2018 and May 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MARLON THOMPSON, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute one or more controlled substances, which offense involved (a) a substance containing cocaine base, a Schedule II controlled substance; and (b) a substance containing heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Section 841(a)(1). The amount of cocaine base and heroin involved in the conspiracy attributable to the defendant as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, was (a) 280 grams or more

of a substance containing cocaine base and (b) one kilogram or more of a substance containing heroin.

(Title 21, United States Code, Sections 846, 841(b)(1)(A)(i) and 841(b)(1)(A)(iii); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO

(Distribution of a Controlled Substance Causing Death of Fredrick Koenig)

2. On or about December 25, 2018, within the Eastern District of New York, the defendant MARLON THOMPSON, together with others, did knowingly and intentionally distribute a controlled substance, which offense involved a substance containing N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny1] propanamide ("fentanyl"), a Schedule II controlled substance, and the use of which resulted in the death of Fredrick Koenig.

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

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendant that, upon his conviction of either of the offenses charged herein, 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.

4. 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 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

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

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

MARLON THOMPSON,

Defendant.

INDICTMENT

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

A true bill.

Foreperson

Filed in open court this _____ *day,*

of _____ *A.D. 20* _____

Clerk

Bail, \$ _____

Catherine M. Mirabile, Assistant U.S. Attorney (631) 715-7850