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MEG:JMS/DGR/NJM  
F.#2019R00082

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

DAJAHN MCBEAN,  
also known as "Jeezy Mula,"  
SEMAJ SMITH,  
also known as "Bam Bam" and  
"Real Ryte Sport," and  
MARK WAITERS,  
also known as "Telly,"

Defendants.

~~INDICTMENT~~ 20 260

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), 1959(a)(5), 2  
and 3551 et seq.; T. 21, U.S.C.,  
§ 853(p); T. 28, U.S.C., § 2461(c))

ROSS, J.

----- X

MANN, CH. M.J.

THE GRAND JURY CHARGES:

INTRODUCTION

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

The Enterprise

1. The Real Ryte gang ("Real Ryte" or the "enterprise") was a "set," or subgroup, of the Bloods street gang. Real Ryte was comprised of individuals residing in and around Brooklyn, New York, among other places. Members and associates of Real Ryte have engaged in crimes, including bank fraud and trafficking in stolen identities, and have committed acts of violence, including acts involving murder and assault, as well as other crimes.

2. Real RYTE, including its leadership, membership 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.

3. Real RYTE, 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) acts indictable under Title 18, United States Code, Sections 1028 (fraud and related activity in connection with identification documents) and 1029 (fraud and related activities in connection with access devices); and (b) acts involving murder that are chargeable under New York Penal Law and punishable by imprisonment for more than one year in custody.

#### Purposes of the Enterprise

4. The purposes of Real RYTE 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 acts involving murder and assault;
  - (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 bank fraud and trafficking in stolen identities; and

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

Methods and Means of the Enterprise

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

(a) Members 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

(b) Members of the enterprise and their associates used, attempted to use and conspired to use fraud and trafficking in stolen identities as means of obtaining money.

The Defendants

6. The defendants DAJAHN MCBEAN, also known as "Jeezy Mula," SEMAJ SMITH, also known as "Bam Bam" and "Real Ryte Sport," and MARK WAITERS, also known as "Telly," were members of Real Ryte and participated in the operation and management of the enterprise.

COUNT ONE

(Conspiracy to Commit Murder In-Aid-Of Racketeering – Members of Breadgang)

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 and between 2015 and 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DAJAHN MCBEAN, also known as "Jeezy Mula," SEMAJ SMITH, also known as "Bam Bam" and "Real Ryte Sport," and MARK WAITERS, also known as "Telly," together with others, for the purpose of maintaining and increasing position in Real Ryte, an enterprise engaged in racketeering activity, did knowingly and intentionally conspire to murder one or more individuals, to wit: members of the rival crew "Breadgang," 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

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

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

10. On or about January 3, 2017, within the Eastern District of New York and elsewhere, the defendants DAJAHN MCBEAN, also known as "Jeezy Mula," SEMAJ SMITH, also known as "Bam Bam" and "Real Ryte Sport," and MARK WAITERS, also known as "Telly," together with others, for the purpose of maintaining and increasing position in Real Ryte, an enterprise engaged in racketeering activity, did knowingly and intentionally attempt to murder 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.

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

COUNT THREE

(Assault In-Aid-Of Racketeering – John Doe #2)

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

12. On or about January 3, 2017, within the Eastern District of New York and elsewhere, the defendants DAJAHN MCBEAN, also known as “Jeezy Mula,” SEMAJ SMITH, also known as “Bam Bam” and “Real Ryte Sport,” and MARK WAITERS, also known as “Telly,” together with others, for the purpose of maintaining and increasing position in Real Ryte, an enterprise engaged in racketeering activity, did knowingly and intentionally assault John Doe #2, an individual whose identity is known to the Grand Jury, with a dangerous weapon, in violation of New York Penal Law Sections 120.05(2) and 20.00.

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

COUNT FOUR

(Using, Carrying and Possessing Firearms)

13. On or about January 3, 2017, within the Eastern District of New York and elsewhere, the defendants DAJAHN MCBEAN, also known as “Jeezy Mula,” SEMAJ SMITH, also known as “Bam Bam” and “Real Ryte Sport,” and MARK WAITERS, also known as “Telly,” 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 Two and Three, 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.)

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT FOUR

14. The United States hereby gives notice to the defendants that, upon their conviction of the offense charged in Count Four, 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.

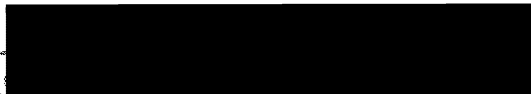
15. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (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;

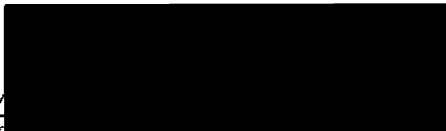
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(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))

A TRUE BILL



FOREPERSON



SETH D. DUCHARME  
ACTING UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

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

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**UNITED STATES DISTRICT COURT**

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

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THE UNITED STATES OF AMERICA

vs.

DAJAHN MCBEAN, also known as "Jeezy Mula," SEMAJ SMITH, also known as "Bam Bam" and "Real Ryte Sport," and MARK WAITERS, also known as "Telly,"

Defendants.

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**INDICTMENT**

(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), 1959(a)(5), 2 and 3551 et seq.;  
T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))



Foreperson

Filed in open court this \_\_\_\_\_ day,

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

Clerk

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

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*Jennifer M. Sasso, Drew G. Rolle and Nicholas J. Moscow, Assistant U.S. Attorneys (718) 254-7000*