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JJD:LTG
F. #2016R01300

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

JAIME RIVERA,

Defendant.

INDICTMENT

Cr. No. **CR 17 050**
(T. 18, U.S.C., §§ 924(j)(1), 1959(a)(1)
and 3551 et seq.)

FEUERSTEIN, J.

LOCKE, M. J.

----- X

THE GRAND JURY CHARGES:

INTRODUCTION TO ALL COUNTS

At all times relevant to this Indictment:

The Enterprise

1. The Almighty Latin King and Queen Nation street gang (hereinafter the "Latin Kings") was a Chicago-based violent street gang comprised of mainly Spanish speaking or Hispanic members, with members located throughout Long Island and elsewhere, divided into local chapters or "divisions." The defendant JAIME RIVERA was a member of the Latin Kings.

2. The Latin Kings routinely held meetings to, among other things, plan criminal activity. At meetings, members paid dues into a treasury. The treasury funds were used, among other things, to assist members who had been arrested and to enrich the leaders of the gang. Members of the Latin Kings sometimes signified their membership and

allegiance to the gang by wearing the colors black and gold, wearing beads, using the phrase "Amor del Rey" and "A.D.R.," which means love of the king, displaying special hand signals and salutes, and wearing tattoos depicting a five-pointed crown which included, among other phrases, "ALKQN" and "A.D.R."

3. Members of the Latin Kings engaged in acts of violence, including murder, attempted murder, robbery, assault and narcotics trafficking, as well as other criminal activity. Participation in criminal activity by a member, especially violence directed at rivals and perceived rivals, increased the respect accorded to that member and could result in a promotion to a leadership position.

4. The Latin Kings, 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 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 including, among other things: (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 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 robbery and narcotics trafficking; and (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.

5. The Latin Kings, 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 and robbery that are 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 (interference with commerce by robbery); and offenses involving narcotics trafficking, punishable under Title 21, United States Code, Sections 841(a)(1) and 846.

COUNT ONE
(Murder of Tafare Berryman)

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

7. On or about April 3, 2005, within the Eastern District of New York, the defendant JAIME RIVERA, for the purpose of gaining entrance to and maintaining and increasing position in the Latin Kings, an enterprise engaged in racketeering activity, did knowingly and intentionally murder Tafare Berryman, in violation of New York Penal Law Section 125.25(1).

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

COUNT TWO
(Firearm-Related Murder of Tafare Berryman)

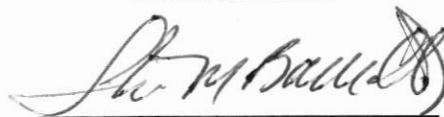
8. The allegations contained in paragraphs one through five are realleged and incorporated as if fully set forth in this paragraph.

9. On or about April 3, 2005, within the Eastern District of New York, the defendant JAIME RIVERA, in the course of a violation of Title 18, United States Code,

Section 924(c), to wit: the knowing and intentional use of a firearm in connection with a crime of violence, to wit: the crime charged in Count One, did knowingly and intentionally cause the death of a person through the use of a firearm, which killing was murder as defined in Title 18, United States Code, Section 1111(a), in that the defendant, with malice aforethought, did unlawfully kill Tafare Berryman willfully, deliberately, maliciously and with premeditation.

(Title 18, United States Code, Sections 924(j)(1) and 3551 et seq.)

A TRUE BILL



FOREPERSON



ROBERT L. CABERS
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No. _____

UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF NEW YORK
CRIMINAL DIVISION**

UNITED STATES OF AMERICA

vs.

JAIME RIVERA,Defendants.

INDICTMENTT. 18, U.S.C., §§ 924(j)(1), 1959(a)(1) and 3551 et seq.;

Stm Barrett ^{A true bill}

Foreman

Filed in open court this _____ day.

of _____ A.D. 20 _____

ClerkBail, \$ _____

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