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BROOKLYN OFFICE

MKM:MEG/AS/DG
F. #2017R00246

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

TYVON BANNISTER,
also known as "Turtle,"

Defendant.

- - - - - X

THE GRAND JURY CHARGES:

INDICTMENT

Cr. No. **CR 17 00116**
(T. 18, U.S.C., §§ 924(c)(1)(A)(i),
924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 924(d),
924(j)(1), 1959(a)(1), 2 and 3551 et seq.;
T. 21, U.S.C., § 853(p); T. 28, U.S.C.,
§ 2461(c))

COGAN, J.

ORENSTEIN, M.J.

INTRODUCTION

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

The Enterprise

1. The Cypress Gangsta Crips ("CGC" or the "enterprise"), was a gang comprised of individuals residing in and around the Cypress Hills Houses, a New York City Housing Authority complex located in East New York, Brooklyn, New York ("Cypress"), and was a "set," or subgroup, of the Crips street gang. Many members of CGC also identified themselves by their membership in either of two local crews within Cypress that were closely aligned with each other, namely, "P.T.F." (which stands for "Protect the Family"), a local crew that was comprised of CGC members and associates who were affiliated with what was referred to as the "Backside" section of Cypress, and "H.G." (which stands for "Handsum Gang"), a local crew that was comprised of CGC members and associates who were affiliated with what was referred to as the "Teamside" section of

Cypress. Members and associates of CGC have engaged in drug trafficking and firearms trafficking, and have committed acts of violence, including murder, attempted murder, robbery and assault, as well as other crimes.

2. The defendant TYVON BANNISTER, also known as "Turtle," was a member of CGC.

3. CGC, 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.

4. CGC, 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 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 (relating to interference with commerce by robbery and extortion), and offenses involving drug trafficking, punishable under Title 21, United States Code, Sections 841 and 846.

Purposes of the Enterprise

5. The purposes of CGC included the following:

a. Enriching the members and associates of the enterprise through criminal activity, including drug trafficking, firearms trafficking and robbery;

- b. Promoting and enhancing the prestige, reputation and position of the enterprise with respect to rival criminal organizations;
- c. 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, attempted murder, robbery and assault;
- d. Keeping victims and rivals in fear of the enterprise and its members and associates; and
- e. Concealing the activities of the enterprise from law enforcement.

Means and Methods of the Enterprise

- 6. Among the means and methods by which the defendant and his associates conducted and participated in the conduct of the affairs of the enterprise were the following:
 - a. Members of the enterprise and their associates used, attempted to use and conspired to use drug trafficking, firearms trafficking and robbery as means of obtaining money;
 - b. Members of the enterprise and their associates have committed, attempted to commit and threatened to commit acts of violence, including acts involving murder, robbery and assault, to enhance the enterprise's prestige and protect and expand the enterprise's criminal operations; and

c. Members of the enterprise and their associates have used and threatened to use physical violence against various individuals, including members of rival criminal organizations.

COUNT ONE
(Murder In-Aid-Of Racketeering)

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

8. On or about July 8, 2014, within the Eastern District of New York, the defendant TYVON BANNISTER, also known as "Turtle," together with others, for the purpose of maintaining and increasing position in CGC, an enterprise engaged in racketeering activity, did knowingly and intentionally murder Rayvon Henriques, 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 TWO
(Using, Carrying and Possessing Firearms)

9. On or about July 8, 2014, within the Eastern District of New York, the defendant TYVON BANNISTER, also known as "Turtle," 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
(Causing Death Through Use of a Firearm)

10. On or about July 8, 2014, within the Eastern District of New York, the defendant TYVON BANNISTER, also known as "Turtle," together with others, in the course of a violation of Title 18, United States Code, Section 924(c), to wit: the crime charged in Count Two, did knowingly and intentionally cause the death of a person through the use of one or more firearms, which killing was murder as defined in Title 18, United States Code, Section 1111(a), in that the defendant, together with others, with malice aforethought, did unlawfully kill Rayvon Henriques.

(Title 18, United States Code, Sections 924(j)(1), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATIONS
AS TO COUNTS TWO AND THREE

11. The United States hereby gives notice to the defendant that, upon his conviction of either of the offenses charged in Counts Two and Three, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d) 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.

12. 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,

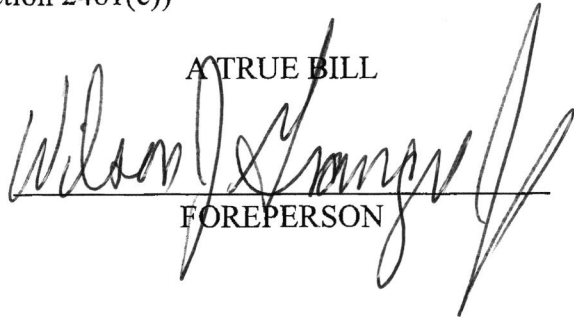
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))



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

A TRUE BILL



FOREPERSON

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

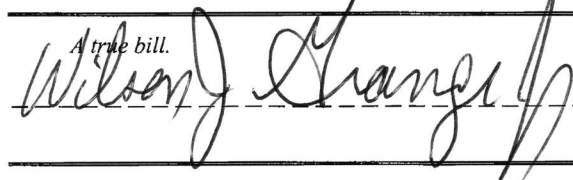
vs.

TYVON BANNISTER, also known as "Turtle,"

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 924(d), 924(j),
1959(a)(1), 2 and 3551 et seq.; T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

A true bill.


Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Margaret Gandy/Andrey Spektor/David Gopstein, Assistant U.S. Attorneys (718) 254-7000