

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Crim. No. 20-_____
	:	
v.	:	21 U.S.C. § 846
	:	21 U.S.C. §§ 841(a)(1) and (b)(1)(A)
DAMION HELMES,	:	21 U.S.C. §§ 841(a)(1) and (b)(1)(B)
a/k/a "Checks,"	:	21 U.S.C. §§ 841(a)(1) and (b)(1)(C)
a/k/a "Cutty,"	:	18 U.S.C. § 924(c)(1)(A)(i)
DERRICK HAYES,	:	18 U.S.C. § 922(g)(1)
a/k/a "D-Flex,"	:	
a/k/a "Flex,"	:	SUPERSEDING INDICTMENT
DEQUAN COPELAND,	:	
a/k/a "Just,"	:	
DAWN STEPHENS,	:	
SHANTAY WALKER,	:	
a/k/a "Tay,"	:	
KEITH LOGAN,	:	
a/k/a "Beef,"	:	
SHAMAR DUDLEY,	:	
a/k/a "I-True,"	:	
a/k/a "True,"	:	
a/k/a "Smacks,"	:	
CASSIUS WILLIAMS,	:	
TONYA UNDERWOOD,	:	
ELIZABETH CONOVER,	:	
a/k/a "Betty,"	:	
CURTIS JENKINS,	:	
RALPH LEE, and	:	
ERIC YARBROUGH	:	

The Grand Jury in and for the District of New Jersey, sitting at Trenton,  
charges:

COUNT ONE

(Conspiracy to Distribute and Possess With Intent to Distribute 280  
grams or More of Cocaine Base)

From in or around April 2019 to in or around August 2019, in  
Monmouth County, in the District of New Jersey, and elsewhere, the defendants,

DAMION HELMES, a/k/a "Checks," a/k/a "Cutty,"  
DAWN STEPHENS,  
SHANTAY WALKER, a/k/a "Tay,"  
KEITH LOGAN, a/k/a/ "Beef,"  
SHAMAR DUDLEY, a/k/a "I-True," a/k/a "True," a/k/a "Smacks,"  
TONYA UNDERWOOD,  
ELIZABETH CONOVER, a/k/a "Betty,"  
CURTIS JENKINS,  
RALPH LEE, and  
ERIC YARBROUGH,

did knowingly and intentionally conspire and agree with each other and with  
others, known and unknown, to distribute and possess with intent to distribute  
280 grams or more of a mixture and substance containing a detectable amount of  
cocaine base ("crack cocaine"), a Schedule II controlled substance, contrary to Title  
21, United States Code, Sections 841(a)(1) and (b)(1)(A).

In violation of Title 21, United States Code, Section 846.

COUNT TWO

(Conspiracy to Distribute and Possess With Intent to  
Distribute 500 Grams or More of Cocaine)

From in or around April 2019 to in or around August 2019, in  
Monmouth County, in the District of New Jersey, and elsewhere, the defendants,

DAMION HELMES, a/k/a "Checks," a/k/a "Cutty,"  
DERRICK HAYES, a/k/a "D-Flex," a/k/a "Flex,"  
DEQUAN COPELAND, a/k/a "Just,"  
DAWN STEPHENS,  
SHANTAY WALKER, a/k/a "Tay,"  
KEITH LOGAN, a/k/a "Beef,"  
SHAMAR DUDLEY, a/k/a "I-True," a/k/a "True," a/k/a "Smacks,"  
CASSIUS WILLIAMS,  
TONYA UNDERWOOD,  
ELIZABETH CONOVER, a/k/a "Betty,"  
CURTIS JENKINS,  
RALPH LEE, and  
ERIC YARBROUGH,

did knowingly and intentionally conspire and agree with each other and with  
others, known and unknown, to distribute and to possess with intent to distribute  
500 grams or more of a mixture and substance containing a detectable amount of  
cocaine, a Schedule II controlled substance, contrary to Title 21, United States  
Code, Sections 841(a)(1) and 841(b)(1)(B).

In violation of Title 21, United States Code, Section 846.

COUNT THREE

(Possession with Intent to Distribute Cocaine and Cocaine Base)

On or about August 22, 2019, in Monmouth County, in the District of New Jersey, and elsewhere, the defendant,

DAMION HELMES,  
a/k/a "Checks,"  
a/k/a "Cutty,"

did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and a mixture and substance containing a detectable amount of cocaine base ("crack cocaine"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT FOUR

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about August 22, 2019, in Monmouth County, in the District of New Jersey, and elsewhere, the defendant,

DAMION HELMES,  
a/k/a "Checks,"  
a/k/a "Cutty,"

did knowingly possess a firearm, namely, a Llama .45 caliber semi-automatic handgun, model Gabilondo Y CIA Vitoria, bearing serial number A47440, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute cocaine base ("crack cocaine") and cocaine, as charged in Count Three of this Superseding Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i) and Section 2.

COUNT FIVE  
(Felon in Possession of a Firearm)

On or about August 22, 2019, in Monmouth County, in the District of New Jersey, and elsewhere, the defendant,

DAMION HELMES,  
a/k/a "Checks,"  
a/k/a "Cutty,"

knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year in a court in the State of New Jersey, did knowingly possess a firearm, namely, a Llama .45 caliber semi-automatic handgun, model Gabilondo Y CIA Vitoria, bearing serial number A47440, and the firearm was in and affecting commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT SIX  
(Felon in Possession of a Firearm)

On or about August 22, 2019, in Monmouth County, in the District of New Jersey, and elsewhere, the defendant,

DERRICK HAYES,  
a/k/a "D-Flex,"  
a/k/a "Flex,"

knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year in a court in the State of New Jersey, did knowingly possess a firearm, namely, a Luger Hi-point, model C9, 9 millimeter semi-automatic handgun, bearing serial number P1811908, and the firearm was in and affecting commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

### FORFEITURE ALLEGATION

1. The allegations contained in this Superseding Indictment are incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture pursuant to 21 U.S.C. § 853.

2. As a result of committing the controlled substance offenses in violation of 21 U.S.C. § 846 or 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), as charged in Counts One, Two, and Three of this Superseding Indictment, the defendant,

DAMION HELMES,  
a/k/a "Checks,"  
a/k/a "Cutty,"

shall forfeit to the United States of America, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the said offenses, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses alleged in this Superseding Indictment. The property to be forfeited includes, but is not limited to, approximately \$7,204.00 in United States currency seized from defendant DAMION HELMES on or about August 22, 2019.

3. If by any act or omission of the defendant any of the property subject to forfeiture described above:

- 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,

the United States shall be entitled, pursuant to 21 U.S.C. § 853(p), to forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.

4. Further, the allegations contained in this Superseding Indictment are hereby realleged and incorporated by reference as though set forth in full herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

5. Upon conviction of the offense contrary to and in violation 18 U.S.C. §§ 922(g)(1) or 924(c), as set forth in Counts Four and Five of the Superseding Indictment, the defendant,

DAMION HELMES,  
a/k/a "Checks,"  
a/k/a "Cutty,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearms, magazines, and ammunition involved in or used in the commission of such offense, including, but not limited to, the following:

- a. a Llama .45 caliber semi-automatic handgun, model Gabilondo Y CIA Vitoria, bearing serial number A47440;
- b. five black handgun magazines loaded with .45 caliber ammunition; and
- c. approximately 350 rounds of .45 caliber ammunition.

6. Further, the allegations contained in this Superseding Indictment are hereby realleged and incorporated by reference as though set forth in full herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

7. Upon conviction of the offense contrary to and in violation 18 U.S.C. §§ 922(g)(1), as set forth in Count Six of the Superseding Indictment, the defendant,

DERRICK HAYES,  
a/k/a "D-Flex,"  
a/k/a "Flex,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearms, magazines, and ammunition involved in or used in the commission of such offense, including, but not limited to, the following:

- a. a Luger Hi-point, model C9, 9 millimeter semi-automatic handgun, bearing serial number P1811908; and
- b. approximately six rounds of 9 millimeter ammunition.

A TRUE BILL

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FOREPERSON

  
CRAIG CARPENITO  
United States Attorney

CASE NUMBER: 20-

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United States District Court  
District of New Jersey

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UNITED STATES OF AMERICA

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SUPERSEDING INDICTMENT FOR

21 U.S.C. § 846  
21 U.S.C. § 841  
18 U.S.C. § 924(c)(1)(A)  
18 U.S.C. § 922(g)(1)

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CRAIG CARPENITO  
*UNITED STATES ATTORNEY*  
*NEWARK, NEW JERSEY*

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IAN D. BRATER  
*ASSISTANT UNITED STATES ATTORNEY*  
*TRENTON, NEW JERSEY*

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