

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Stanley R. Chesler
	:	
v.	:	Crim. No. 14-220
	:	
KWASI MACK,	:	18 U.S.C. §§ 922(g)(1),
a/k/a "Welchs" and	:	924(c)(i)(A), 1959(a), and 2
COREY BATTS,	:	21 U.S.C. §§ 841(a),
a/k/a "C-Murder,"	:	841(b)(1)(B), and 846
a/k/a "Cee"	:	

S E C O N D S U P E R S E D I N G I N D I C T M E N T

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

COUNT ONE
(Violent Crime In Aid of Racketeering -
Conspiracy to Commit Murder)
(Defendants Mack and Batts)

The Enterprise

1. At various times relevant to this Indictment, in the District of New Jersey, and elsewhere, defendants KWASI MACK, a/k/a "Welchs," COREY BATTS, a/k/a "C-Murder," a/k/a "Cee," and others, known and unknown, were members of a criminal organization, that is, an enterprise, as defined in Title 18, United States Code, Section 1959(b)(2), namely the New Jersey set of the Grape Street Crips (hereinafter, the "Grape Street Crips"), 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.

2. The Grape Street Crips have followed many of the same traditions and protocols of the Crips street gang, including: (a) visible demonstrations of gang affiliation, such as an identification with the colors purple and blue, which appear in clothing, hats, and bandannas worn by Grape Street Crips members, and tattoos signifying their membership in the Grape Street Crips; and (b) a system of rules and regulations governing admission to and membership in the Grape Street Crips.

3. The rules governing the Grape Street Crips, establish, among other things: (a) a hierarchical power structure in which members are given formal designations or ranks signifying their status within the gang; and (b) a system of discipline and punishment for those members who violated rules, failed to carry out orders from higher-ups, or "disrespected" the gang, in which offending members could be stripped of rank, placed on probationary status, and/or physically assaulted.

Purposes of the Grape Street Crips Enterprise

4. The purposes of the Grape Street Crips included the following:

a. Enriching the members and associates of the enterprise, including those who were in prison, through, among

other things, acts in violation of the laws of the United States and the State of New Jersey involving conspiracy to commit murder, attempted murder, conspiracy to commit aggravated assault, aggravated assault, and trafficking in controlled substances.

b. Preserving and protecting the power and influence of the enterprise, and its members, both in and out of prison, through the use of acts in violation of the laws of the United States and the State of New Jersey involving conspiracy to commit murder, attempted murder, conspiracy to commit aggravated assault, aggravated assault, and trafficking in controlled substances.

c. Promoting and enhancing the reputation of the enterprise and of its members, both in and out of prison.

Method and Means of the Enterprise

5. Among the method and means by which KWASI MACK, a/k/a "Welchs," COREY BATTS, a/k/a "C-Murder," a/k/a "Cee," and other members of the Grape Street Crips conducted and participated in the conduct of the affairs of the Grape Street Crips were the following:

a. The Grape Street Crips used intimidation and violence, including acts involving conspiracy to commit murder, attempted murder, conspiracy to commit aggravated assault, and aggravated assault to avenge attacks or perceived slights

against other members of the Grape Street Crips; to punish enterprise members who had been disloyal; to retaliate against rivals; to silence individuals who were perceived to be cooperating with law enforcement against members and associates of Grape Street Crips; and to maintain and enhance the reputation of the Grape Street Crips for the purpose of protecting and otherwise assisting their drug trafficking business.

b. Participation in criminal activity by a member, particularly violent acts directed at rivals or as directed by the gang leadership, increased the respect accorded to that member, resulted in that member maintaining and increasing position in the gang, and could result in a promotion to a leadership position.

c. Members of the Grape Street Crips, including KWASI MACK, a/k/a "Welchs," and COREY BATTS, a/k/a "C-Murder," a/k/a "Cee," were directed to carry or have immediate access to firearms, and did in fact use and carry firearms, in order to protect themselves, their controlled substances, and their illegal proceeds, and to threaten others in furtherance of the interests of the criminal enterprise.

d. Members of the Grape Street Crips, including KWASI MACK, a/k/a "Welchs," COREY BATTS, a/k/a "C-Murder," a/k/a "Cee," trafficked in illegal drugs in Newark, New Jersey.

6. The Grape Street Crips, through its members, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, acts involving murder, in violation of New Jersey law, and narcotics trafficking in violation of Title 21, United States Code, Sections 841(a), 841(b)(1)(B), and 846.

Violent Crime in Aid of Racketeering

7. From on or about October 5, 2013, through on or about October 27, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendants,

KWASI MACK,
a/k/a "Welchs," and
COREY BATTIS,
a/k/a "C-Murder,"
a/k/a "Cee,"

for the purpose of gaining entrance to, and maintaining and increasing position in, the Grape Street Crips, an enterprise engaged in racketeering activity, did knowingly and purposely conspire and agree with others to murder Victim One, contrary to N.J.S.A. 2C:11-3(a)(1), 2C:11-3(a)(2), and 2C:5-2.

In violation of Title 18, United States Code, Section 1959(a)(5).

COUNT TWO
(Attempted Murder in Aid of Racketeering)
(Defendants Mack and Batts)

1. The allegations contained in Paragraphs One through Six of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. On or about October 27, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendants,

KWASI MACK,
a/k/a "Welchs," and
COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

for the purpose of gaining entrance to, and maintaining and increasing position in, the Grape Street Crips, an enterprise engaged in racketeering activity, together with others known and unknown, did knowingly and purposely attempt to murder Victim One, contrary to N.J.S.A. 2C:11-3(a)(1), 2C:11-3(a)(2), and 2C:5-1(a).

In violation of Title 18, United States Code, Section 1959(a)(5), and Title 18, United States Code, Section 2.

COUNT THREE
(Attempted Murder in Aid of Racketeering)
(Defendants Mack and Batts)

1. The allegations contained in Paragraphs One through Six of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. On or about October 27, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendants,

KWASI MACK,
a/k/a "Welchs," and
COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

for the purpose of gaining entrance to, and maintaining and increasing position in, the Grape Street Crips, an enterprise engaged in racketeering activity, together with others known and unknown, did knowingly and purposely attempt to murder Victim Two, contrary to N.J.S.A. 2C:11-3(a)(1), 2C:11-3(a)(2), and 2C:5-1(a).

In violation of Title 18, United States Code, Section 1959(a)(5), and Title 18, United States Code, Section 2.

COUNT FOUR
(Violent Crime In Aid of Racketeering -
Conspiracy to Assault with a Dangerous Weapon)
(Defendants Mack and Batts)

1. The allegations contained in Paragraphs One through Six of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From on or about October 5, 2013, through on or about October 27, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendants,

KWASI MACK,
a/k/a "Welchs," and
COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

for the purpose of gaining entrance to, and maintaining and increasing position in, the Grape Street Crips, an enterprise engaged in racketeering activity, together with others known and unknown, did knowingly and purposely conspire to assault Victim One with a dangerous weapon, contrary to N.J.S.A. 2C:12-1(b)(2) and 2C:5-2.

In violation of Title 18, United States Code, Section 1959(a)(6).

COUNT FIVE
(Assault with a Dangerous Weapon in Aid of Racketeering)
(Defendants Mack and Batts)

1. The allegations contained in Paragraphs One through Six of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. On or about October 27, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendants,

KWASI MACK,
a/k/a "Welchs," and
COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

for the purpose of gaining entrance to, and maintaining and increasing position in, the Grape Street Crips, an enterprise engaged in racketeering activity, did knowingly and purposely assault Victim One with a dangerous weapon, specifically, a firearm, contrary to N.J.S.A. 2C:12-1(b)(2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(3), and Title 18, United States Code, Section 2.

COUNT SIX
(Assault with a Dangerous Weapon in Aid of Racketeering)
(Defendants Mack and Batts)

1. The allegations contained in Paragraphs One through Six of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. On or about October 27, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendants,

KWASI MACK,
a/k/a "Welchs," and
COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

for the purpose of gaining entrance to, and maintaining and increasing position in, the Grape Street Crips, an enterprise engaged in racketeering activity, did knowingly and purposely assault Victim Two with a dangerous weapon, specifically, a firearm, contrary to N.J.S.A. 2C:12-1(b)(2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(3), and Title 18, United States Code, Section 2.

COUNT SEVEN
(Use of a Firearm During a Crime of Violence)
(Defendants Mack and Batts)

On or about October 27, 2013, in Essex County, in the
District of New Jersey and elsewhere, defendant

KWASI MACK,
a/k/a "Welchs," and
COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

during and in relation to a crime of violence for which each may
be prosecuted in a court of the United States, specifically the
attempted murders charged in Count Two and Count Three of this
Indictment and the assaults in aid of racketeering charged in
Count Five and Count Six of this Indictment, did knowingly use
and carry a firearm, which was discharged.

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

COUNT EIGHT
(Assault with a Dangerous Weapon in Aid of Racketeering)
(Defendant Mack)

1. The allegations contained in Paragraphs One through Six of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. On or about October 7, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

KWASI MACK,
a/k/a "Welchs,"

for the purpose of gaining entrance to, and maintaining and increasing position in, the Grape Street Crips, which enterprise was engaged in racketeering activity, did knowingly and purposely assault another with a dangerous weapon, specifically, a firearm, contrary to N.J.S.A. 2C:12-1(b)(2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(3), and Title 18, United States Code, Section 2.

COUNT NINE
(Violent Crime In Aid of Racketeering -
Conspiracy to Assault with a Dangerous Weapon)
(Defendant Mack)

1. The allegations contained in Paragraphs One through Six of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. On or about October 7, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

KWASI MACK,
a/k/a "Welchs,"

for the purpose of gaining entrance to, and maintaining and increasing position in, the Grape Street Crips, an enterprise engaged in racketeering activity, together with others known and unknown, did knowingly and purposely conspire assault another with a dangerous weapon, specifically, a firearm, contrary to N.J.S.A. 2C:12-1(b) (2) and 2C:5-2.

In violation of Title 18, United States Code, Section 1959(a) (6) .

COUNT TEN
(Use of a Firearm in Furtherance of a Crime of Violence)
(Defendant Mack)

On or about October 7, 2013, in Essex County, in the District of New Jersey and elsewhere, defendant

KWASI MACK,
a/k/a "Welchs,"

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, specifically the assault in aid of racketeering charged in Count Eight of this Indictment, did knowingly use and carry a firearm, and, in furtherance of such crime, did possess a firearm, namely, a Ruger Model P95DC 9mm semi-automatic pistol, bearing serial number 311-70017, which was discharged.

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

COUNT ELEVEN
(Conspiracy to Distribute Heroin)
(Defendants Mack and Batts)

From in or around July 2013, through on or about November 10, 2013, in Essex County, in the District of New Jersey and elsewhere, defendants,

KWASI MACK,
a/k/a "Welchs," and
COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

did knowingly and intentionally conspire and agree with others to distribute, and to possess with intent to distribute, 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Sections 841(a) and (b)(1)(B).

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

COUNT TWELVE THROUGH COUNT FOURTEEN
(Distribution, and Possession with
Intent to Distribute, Heroin)
(Defendant Batts)

On or about the dates set forth in the table below, in Essex County, in the District of New Jersey and elsewhere, defendant

COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

did knowingly and intentionally distribute, and possess with intent to distribute, a quantity of heroin, a Schedule I controlled substance.

Count	Date
12	July 2, 2013
13	August 15, 2013
14	September 26, 2013

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

COUNT FIFTEEN

**(Use of a Firearm in Furtherance of a Drug Trafficking Crime)
(Defendant Mack)**

From on or about October 3, 2013, through on or about October 7, 2013, in Essex County, in the District of New Jersey and elsewhere, defendant

KWASI MACK,
a/k/a "Welchs,"

during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, specifically the conspiracy to distribute, and possess with intent to distribute, heroin charged in Count Eleven of this Indictment, did knowingly use and carry a firearm, and, in furtherance of such crime, did possess a firearm, namely, a Ruger Model P95DC 9mm semi-automatic pistol, bearing serial number 311-70017.

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

COUNT SIXTEEN
(Use of a Firearm in Furtherance of a Drug Trafficking Crime)
(Defendant Batts)

On or about November 10, 2013, in Essex County, in the District of New Jersey and elsewhere, defendant

COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, specifically the conspiracy to distribute, and possess with intent to distribute, heroin charged in Count Eleven of this Indictment, did knowingly use and carry a firearm, and, in furtherance of such crime, did possess a firearm, namely, a Colt .45 caliber firearm, bearing serial number 39322-LW.

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

COUNT SEVENTEEN
(Felon in Possession of a Firearm)
(Defendant Mack)

From on or about October 3, 2013, through on or about October 7, 2013, in Essex County, in the District of New Jersey and elsewhere, defendant

KWASI MACK,
a/k/a "Welchs,"

having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Essex County, did knowingly possess in and affecting commerce a firearm, namely, a Ruger Model P95DC 9mm semi-automatic pistol, bearing serial number 311-70017.

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

COUNT EIGHTEEN
(Felon in Possession of a Firearm)
(Defendant Batts)

On or about November 10, 2013, in Essex County, in the District of New Jersey and elsewhere, defendant

COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Essex County, did knowingly possess in and affecting commerce a firearm, namely, a Colt .45 caliber firearm, bearing serial number 39322-LW.

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

FORFEITURE ALLEGATION
(Defendant Mack)

1. The allegations contained in Counts One through Eighteen of this Indictment are incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of an offense in violation of Title 18, United States Code, Section 924(c) set forth in Count Seven, Count Ten, and Count Fifteen of this Indictment, or of an offense in violation of Title 18, United States Code, Section 922(g)(1) set forth in Count Seventeen of this Indictment, defendant

KWASI MACK,
a/k/a "Welchs,"

shall forfeit to the United States any firearms and ammunition involved in and used in the commission of that offense, including the following: a Ruger Model P95DC 9mm semi-automatic pistol, bearing serial number 311-70017.

All pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

FORFEITURE ALLEGATION
(Defendant Batts)

1. The allegations contained in Counts One through Eighteen of this Indictment are incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of an offense in violation of Title 18, United States Code, Section 924(c) set forth in Count Seven and Count Sixteen of this Indictment or of an offense in violation of Title 18, United States Code, Section 922(g)(1) set forth in Count Eighteen of this Indictment, defendant


COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee,"

shall forfeit to the United States any firearms and ammunition involved in and used in the commission of that offense, including the following: a Colt .45 caliber firearm, bearing serial number 39322-LW.

All pursuant to Title 18, United States Code, Section
924(d)(1) and Title 28, United States Code, Section 2461(c).

A TRUE BILL

Foreperson



PAUL J. FISHMAN
United States Attorney

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

KWASI MACK,
a/k/a "Welchs" and
COREY BATTS,
a/k/a "C-Murder,"
a/k/a "Cee"

SECOND SUPERSEDING INDICTMENT FOR

18 U.S.C. §§ 922(g)(1),
924(c)(1)(A), 1959(a), and 2
21 U.S.C. §§ 841(a), 841(b)(1)(B),
and 846

A True Bill,

Foreperson

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