

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

UNITED STATES OF AMERICA	)	CR. NO.: <u>3:15-00478</u>
	)	
	)	21 USC § 846
vs.	)	21 USC § 841(a)(1)
	)	21 USC § 841(b)(1)(A)
PATAR ONEAL MONTGOMERY	)	21 USC § 841(b)(1)(B)
a/k/a Patrick Montgomery	)	21 USC § 841(b)(1)(C)
a/k/a "Dink"	)	21 USC § 853
a/k/a "Dinky"	)	21 USC § 881
ANDRE LEWAYNE BROOKS	)	28 USC § 2461(c)
JIMMY TONY MCDOWELL	)	
a/k/a "Jimmy Fingers"	)	
JERMAINE TERRELL HILTON	)	<u>SUPERSEDING INDICTMENT</u>
a/k/a "Fifty"	)	
MICHAEL ANTONIO FLOYD	)	
a/k/a "Tony"	)	
a/k/a "Tone"	)	
a/k/a "Fat Tony"	)	
RAYSHON JAMAAL FOSTER	)	
a/k/a "Shon"	)	
a/k/a "Terry Brown"	)	
DONALD ANTWON DINGLE	)	
a/k/a "Red"	)	
a/k/a "Flash"	)	
COREY EMANUEL WHITE	)	
a/k/a "Chopper"	)	
a/k/a "Choppa"	)	
a/k/a "El Chop"	)	

COUNT 1

THE GRAND JURY CHARGES:

That on or about March 27, 2012, in the District of South Carolina, the defendant, PATAR ONEAL MONTGOMERY, a/k/a Patrick Montgomery, a/k/a "Dink," a/k/a "Dinky," knowingly, intentionally and unlawfully did possess with intent to distribute 500 grams or more of cocaine, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 2

THE GRAND JURY FURTHER CHARGES:

1. That beginning at a time unknown to the grand jury, but beginning at least in or around 2008, and continuing thereafter, up to and including the date of this Superseding Indictment, in the District of South Carolina, the defendants, PATAR ONEAL MONTGOMERY, a/k/a Patrick Montgomery, a/k/a "Dink," a/k/a "Dinky," ANDRE LEWAYNE BROOKS, JIMMY TONY MCDOWELL, a/k/a "Jimmy Fingers," JERMAINE TERRELL HILTON, a/k/a "Fifty," MICHAEL ANTONIO FLOYD, a/k/a "Tony," a/k/a "Tone," a/k/a "Fat Tony," RAYSHON JAMAAL FOSTER, a/k/a "Shon," a/k/a Terry Brown, DONALD ANTWON DINGLE, a/k/a "Red," a/k/a "Flash," and COREY EMANUEL WHITE, a/k/a "Chopper," a/k/a "Choppa," a/k/a "El Chop," knowingly and intentionally did combine, conspire and agree together and have tacit understanding with Anthony Williams, Sheldon Maurice Bradley, Eric Hickmon, and others, both known and unknown to the grand jury, to knowingly, intentionally and

unlawfully possess with intent to distribute and distribute cocaine and cocaine base (commonly known as “crack” cocaine) , both Schedule II controlled substances:

- a. With respect to PATAR ONEAL MONTGOMERY, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 5 kilograms or more of cocaine and a quantity of cocaine base, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 841(b)(1)(C);
- b. With respect to ANDRE LEWAYNE BROOKS, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is a quantity of cocaine and a quantity of cocaine base, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C);
- c. With respect to JIMMY TONY MCDOWELL, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 5 kilograms or more of cocaine and a quantity of cocaine base, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 841(b)(1)(C);
- d. With respect to JERMAINE TERRELL HILTON, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is a quantity of cocaine and a quantity of cocaine base, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C);

- e. With respect to MICHAEL ANTONIO FLOYD, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 5 kilograms or more of cocaine and a quantity of cocaine base, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 841(b)(1)(C);
- f. With respect to RAYSHON JAMAAL FOSTER, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 500 grams or more of cocaine and 280 grams or more of cocaine base, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B) and 841(b)(1)(A);
- g. With respect to DONALD ANTWON DINGLE, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 500 grams or more of cocaine and 280 grams or more of cocaine base, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B) and 841(b)(1)(A);
- h. With respect to COREY EMANUEL WHITE, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is a quantity of cocaine and 280 grams or more of crack, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 841(b)(1)(A);

All in violation of Title 21, United States Code, Section 846.



## FORFEITURE

### 1. DRUG OFFENSES:

Upon conviction for felony violations of Title 21, United States Code, as charged in this Superseding Indictment, the defendants, PATAR ONEAL MONTGOMERY, a/k/a Patrick Montgomery, a/k/a "Dink," a/k/a "Dinky," ANDRE LEWAYNE BROOKS, JIMMY TONY MCDOWELL, a/k/a "Jimmy Fingers," JERMAINE TERRELL HILTON, a/k/a "Fifty," MICHAEL ANTONIO FLOYD, a/k/a "Tony," a/k/a "Tone," a/k/a "Fat Tony," RAYSHON JAMAAL FOSTER, a/k/a "Shon," a/k/a Terry Brown, DONALD ANTWON DINGLE, a/k/a "Red," a/k/a "Flash," and COREY EMANUEL WHITE, a/k/a "Chopper," a/k/a "Choppa," a/k/a "El Chop," shall forfeit to the United States all of the defendants' right, title and interest in and to any property, real and personal,

- (a) constituting, or derived from any proceeds the defendant obtained, directly or indirectly, as the result of such violation(s) of Title 21, United States Code, and all property traceable to such property;
- (b) used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code;
- (c) any firearms and ammunition (as defined in 18 U.S.C. § 921) -
  - (1) used or intended to be used to facilitate the transportation, sale, receipt, possession or concealment of controlled substances or any proceeds traceable to such property;
  - (2) involved in or used in any knowing violations of 18 U.S.C. §§922 and 924, or violation of any other criminal law of the United States, or intended to be used in a crime of violence;

2. PROPERTY:

Pursuant to Title 21, United States Code, Sections 853(a)(1), 853(a)(2), and 881(6), and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the defendants for offenses charged in this Superseding Indictment includes, but is not limited to, the following:

A. CASH PROCEEDS/MONEY JUDGMENT:

A sum of money equal to all proceeds the Defendants obtained, directly or indirectly, from the Title 21 offenses charged in the Superseding Indictment, that is a minimum of \$350,000.00 and all interest and proceeds traceable thereto, in that such sum equals property, that the Defendants obtained as the result of their violations, for which the defendants are jointly and severally liable.

B. CASH/CURRENCY:

1. \$21675.00 seized from RAYSHON JAMAAL FOSTER on March 20, 2015.
2. \$1148.00 seized from DONALD ANTWON DINGLE on March 20, 2015.

3. SUBSTITUTION OF ASSETS:

If any of the property described above as being subject to forfeiture, 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 person;
- (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 subdivided 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 defendant up to an amount equivalent to the value of the above-described forfeitable property;

Pursuant to Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c).

A TRUE Bill

Redacted

FOREPERSON

  
WILLIAM N. NETTLES  
UNITED STATES ATTORNEY

(jdr)