

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

DEMETRIUS FLOWERS,
a/k/a "Mojo,"
JOSEPH SMITH,
a/k/a "Joe Lite,"
FRANK O'BRYANT,
a/k/a "Frank White,"
ELADIO PADILLA,
a/k/a "Nino,"
QUINZELL FRAZIER,
a/k/a "Q Black,"
a/k/a "Blizzy,"
JONATHAN SAEZ,
a/k/a "John J,"
a/k/a "J,"
BRIAN MCBETH,
a/k/a "Smoove,"
FRANCISCO REYES,
a/k/a "Bundlez,"
LUIS CRUZ,
a/k/a "Manny,"
RALPHIE DEJESUS,
a/k/a "Nuws,"
GABRIEL OCASCIO,
a/k/a "Fifty,"
RAHIM SOLANO,
a/k/a "Rah,"
a/k/a "Radio,"
MICHAEL MESTRE,
a/k/a "Getty,"
a/k/a "Wax,"
SAQURAN CURTIS,
a/k/a "Esai,"
CHRISTOPHER NAPOLEONIS,
a/k/a "Pudge," and
ROBERT WILSON,
a/k/a "Rubar,"
a/k/a "Lil Rubar,"

Defendants.

SEALED INDICTMENT

16 Cr.

16 CRIM 317

COUNT ONE

(Conspiracy to Distribute Narcotics)

The Grand Jury charges:

BACKGROUND

1. The Diego Beekman Houses ("Beekman Houses") is a private housing complex comprised of approximately thirty-eight apartment buildings across six city blocks located in the Mott Haven neighborhood of the Bronx, New York.

2. From at least in or about 2010, up to and including in or about May 2016, in the Southern District of New York and elsewhere, DEMETRIUS FLOWERS, a/k/a "Mojo," JOSEPH SMITH, a/k/a "Joe Lite," FRANK O'BRYANT, a/k/a "Frank White," ELADIO PADILLA, a/k/a "Nino," QUINZELL FRAZIER, a/k/a "Q Black," a/k/a "Blizzy," JONATHAN SAEZ, a/k/a "John J," a/k/a "J," BRIAN MCBETH, a/k/a "Smooove," FRANCISCO REYES, a/k/a "Bundlez," LUIS CRUZ, a/k/a "Manny," RALPHIE DEJESUS, a/k/a "Nuws," GABRIEL OCASCIO, a/k/a "Fifty," RAHIM SOLANO, a/k/a "Rah," a/k/a "Radio," MICHAEL MESTRE, a/k/a "Getty," a/k/a "Wax," SAQURAN CURTIS, a/k/a "Esai," CHRISTOPHER NAPOLEONIS, a/k/a "Pudge," and ROBERT WILSON, a/k/a "Rubar," a/k/a "Lil Rubar," the defendants (collectively, the "Defendants"), and others known and unknown, conspired to distribute significant amounts of narcotics, including crack cocaine, heroin, and marijuana, in and around, among other places, the Beekman Houses.

3. The Defendants and others working with them operated a drug trafficking organization (the "Beekman Houses DTO"), which distributed narcotics on a daily basis.

4. The Beekman Houses DTO sold narcotics in locations in and around the Beekman Houses in the Bronx, including, for example, on public streets, inside apartment buildings, and in the vicinity of New York City schools.

5. Some of the members of the Beekman Houses DTO were affiliated with a subset of the Bloods Street Gang, known as the "Low Rider Brims," and other members were affiliated with a gang known as the "Young Shooters."

6. Members of the Beekman Houses DTO had access to firearms and engaged in acts of violence to, among other reasons, protect and maintain their drug trafficking business, including: (a) acts of violence against "MMG," a rival gang which is based in the Moore public housing development in the Bronx; and (b) acts of violence against members and associates of the "YGz," which has members based in the Mill Brook public housing development in the Bronx, as well as other locations throughout the Bronx.

MEANS AND METHODS OF THE CONSPIRACY

7. Members of the Beekman Houses DTO operated in concert to sell narcotics, employing the following means and methods, among others.

8. Members of the Beekman Houses DTO fulfilled different roles within the DTO. Among other roles, certain of the Defendants regularly sold narcotics to retail customers in hand-to-hand drug transactions; other of the Defendants obtained wholesale supplies of drugs; and other of the Defendants managed the distribution of retail packages to the street-level sellers and the collection of narcotics proceeds.

9. DEMETRIUS FLOWERS, a/k/a "Mojo" and JOSEPH SMITH, a/k/a "Joe Lite," the defendants, were leaders of the Beekman Houses DTO, and were affiliated with the Low Rider Brims. For example, FLOWERS had access to suppliers of wholesale quantities of crack cocaine, provided narcotics to other Beekman Houses DTO members, and provided firearms to other members of the Beekman Houses DTO for use in connection with the drug trafficking business. Similarly, SMITH provided other members of the Beekman Houses DTO with narcotics, which they sold on his behalf, and directed other members of the Beekman Houses DTO to commit acts of violence in furtherance of the narcotics conspiracy. SMITH also engaged in regular street-level hand-to-hand sales of crack cocaine, heroin, and marijuana.

10. FRANK O'BRYANT, a/k/a "Frank White," ELADIO PADILLA, a/k/a "Nino," QUINZELL FRAZIER, a/k/a "Q Black," a/k/a "Blizzy," JONATHAN SAEZ, a/k/a "John J," a/k/a "J," BRIAN MCBETH, a/k/a "Smooove," FRANCISCO REYES, a/k/a "Bundlez," LUIS CRUZ, a/k/a

"Manny," RALPHIE DEJESUS, a/k/a "Nuws," GABRIEL OCASCIO, a/k/a "Fifty," RAHIM SOLANO, a/k/a "Rah," a/k/a "Radio," MICHAEL MESTRE, a/k/a "Getty," a/k/a "Wax," SAQURAN CURTIS, a/k/a "Esai," CHRISTOPHER NAPOLEONIS, a/k/a "Pudge," and ROBERT WILSON, a/k/a "Rubar," a/k/a "Lil Rubar," were members of the Beekman Houses DTO who participated in, among other things, street-level hand-to-hand sales of narcotics.

11. Members of the Beekman Houses DTO possessed and used firearms, and planned and engaged in acts of violence, including, shootings, stabbings, and robberies, during the course of the conspiracy, several of which are described below, to, among other reasons, protect and maintain their drug business and control the Beekman Houses DTO's territory to sell drugs.

12. Among the acts of violence committed in the Bronx by members of the Beekman Houses DTO were: (a) a shooting at MMG gang members on a public street in the day-time in the vicinity of Jackson Avenue between 147th Street and 149th Street, on or about May 20, 2013, and (b) a shooting into a residential apartment at YGz members in the vicinity of 140th Street between Cypress Avenue and Jackson Avenue, on or about May 6, 2014.

STATUTORY ALLEGATIONS

13. From at least in or about 2010, up to and including in or about 2016, in the Southern District of New York and

elsewhere, DEMETRIUS FLOWERS, a/k/a "Mojo," JOSEPH SMITH, a/k/a "Joe Lite," FRANK O'BRYANT, a/k/a "Frank White," ELADIO PADILLA, a/k/a "Nino," QUINZELL FRAZIER, a/k/a "Q Black," a/k/a "Blizzy," JONATHAN SAEZ, a/k/a "John J," a/k/a "J," BRIAN MCBETH, a/k/a "Smooove," FRANCISCO REYES, a/k/a "Bundlez," LUIS CRUZ, a/k/a "Manny," RALPHIE DEJESUS, a/k/a "Nuws," GABRIEL OCASCIO, a/k/a "Fifty," RAHIM SOLANO, a/k/a "Rah," a/k/a "Radio," MICHAEL MESTRE, a/k/a "Getty," a/k/a "Wax," SAQURAN CURTIS, a/k/a "Esai," CHRISTOPHER NAPOLEONIS, a/k/a "Pudge," and ROBERT WILSON, a/k/a "Rubar," a/k/a "Lil Rubar," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

14. It was a part and an object of the conspiracy that DEMETRIUS FLOWERS, a/k/a "Mojo," JOSEPH SMITH, a/k/a "Joe Lite," FRANK O'BRYANT, a/k/a "Frank White," ELADIO PADILLA, a/k/a "Nino," QUINZELL FRAZIER, a/k/a "Q Black," a/k/a "Blizzy," JONATHAN SAEZ, a/k/a "John J," a/k/a "J," BRIAN MCBETH, a/k/a "Smooove," FRANCISCO REYES, a/k/a "Bundlez," LUIS CRUZ, a/k/a "Manny," RALPHIE DEJESUS, a/k/a "Nuws," GABRIEL OCASCIO, a/k/a "Fifty," RAHIM SOLANO, a/k/a "Rah," a/k/a "Radio," MICHAEL MESTRE, a/k/a "Getty," a/k/a "Wax," SAQURAN CURTIS, a/k/a "Esai," CHRISTOPHER NAPOLEONIS, a/k/a "Pudge," and ROBERT WILSON, a/k/a "Rubar," a/k/a "Lil Rubar," the defendants, and

others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a)(1).

15. The controlled substances involved in the offense were: (i) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack cocaine," in violation of Title 21, United States Code, Section 841(b)(1)(A); (ii) 100 grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(B); and (iii) 100 kilograms and more of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(B).

(Title 21, United States Code, Sections 812, 841(a)(1),
841(b)(1)(A), 841(b)(1)(B).)

COUNT TWO

(Use of Firearms in Furtherance of Drug Trafficking)

The Grand Jury further charges:

16. From at least in or about 2010 up to and including in or about May 2016, in the Southern District of New York and elsewhere, DEMETRIUS FLOWERS, a/k/a "Mojo," JOSEPH SMITH, a/k/a "Joe Lite," FRANK O'BRYANT, a/k/a "Frank White," ELADIO PADILLA, a/k/a "Nino," QUINZELL FRAZIER, a/k/a "Q Black," a/k/a "Blizzy," JONATHAN SAEZ, a/k/a "John J," a/k/a "J," BRIAN MCBETH, a/k/a "Smooove," FRANCISCO REYES, a/k/a "Bundlez," LUIS CRUZ, a/k/a

"Manny," RALPHIE DEJESUS, a/k/a "Nuws," GABRIEL OCASCIO, a/k/a "Fifty," RAHIM SOLANO, a/k/a "Rah," a/k/a "Radio," and MICHAEL MESTRE, a/k/a "Getty," a/k/a "Wax," the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of a firearms, to wit, handguns, some of which were discharged.

(Title 18, United States Code,
Sections 924(c) (1) (A) (iii) and 2.)

COUNT THREE

(Felon in Possession of a Firearm)

The Grand Jury further charges:

17. On or about May 1, 2016, in the Southern District of New York and elsewhere, DEMETRIUS FLOWERS, a/k/a "Mojo," the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, namely a conviction on or about October 7, 2002, in Bronx County Supreme Court, of Criminal Possession of a Loaded Firearm in the Third Degree, in violation of New York Penal Law 265.02(4), a class D felony, knowingly did possess in and affecting commerce a firearm, to wit, a defaced A.A. Arms model AP-9 semi-automatic

handgun, which had previously been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(g)(1) and 2.)

FORFEITURE ALLEGATION

18. As a result of committing the controlled substance offense alleged in Count One of this Indictment, DEMETRIUS FLOWERS, a/k/a "Mojo," JOSEPH SMITH, a/k/a "Joe Lite," FRANK O'BRYANT, a/k/a "Frank White," ELADIO PADILLA, a/k/a "Nino," QUINZELL FRAZIER, a/k/a "Q Black," a/k/a "Blizzy," JONATHAN SAEZ, a/k/a "John J," a/k/a "J," BRIAN MCBETH, a/k/a "Smooth," FRANCISCO REYES, a/k/a "Bundlez," LUIS CRUZ, a/k/a "Manny," RALPHIE DEJESUS, a/k/a "Nuws," GABRIEL OCASCIO, a/k/a "Fifty," RAHIM SOLANO, a/k/a "Rah," a/k/a "Radio," MICHAEL MESTRE, a/k/a "Getty," a/k/a "Wax," SAQURAN CURTIS, a/k/a "Esai," CHRISTOPHER NAPOLEONIS, a/k/a "Pudge," and ROBERT WILSON, a/k/a "Rubar," a/k/a "Lil Rubar," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violation 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 controlled substance violation alleged in Count One of this Indictment.

SUBSTITUTE ASSET PROVISION

19. 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 to seek forfeiture of any other property of the defendants up to the value of the forfeitable property.

(Title 21, United States Code, Section 853.)

FOREPERSON 



PREET BHARARA
United States Attorney

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Defendants.

SEALED INDICTMENT

16 Cr.

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

PREET BHARARA

United States Attorney

Foreperson
