

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X  
UNITED STATES OF AMERICA : INDICTMENT  
- v. - : S3 15 Cr. 456 (NRB)  
TERRILL STATON, :  
Defendant. :  
- - - - - X

COUNT ONE

The Grand Jury charges:

1. On or about October 29, 2013, in the Southern District of New York and elsewhere, TERRILL STATON, the defendant, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, STATON agreed to carry out a home-invasion robbery of Erwin Elliot, a marijuana dealer, in and around 642 East 221st Street, Bronx, New York.

(Title 18, United States Code, Section 1951.)

**COUNT TWO**

The Grand Jury further charges:

2. On or about October 29, 2013, in the Southern District of New York, TERRILL STATON, the defendant, and others known and unknown, unlawfully and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and did aid and abet the same, to wit, STATON robbed Erwin Elliot, a marijuana dealer, in and around 642 East 221st Street, Bronx, New York.

(Title 18, United States Code, Sections 1951 and 2.)

**COUNT THREE**

The Grand Jury further charges:

3. On or about October 29, 2013, in the Southern District of New York, TERRILL STATON, the defendant, willfully and knowingly, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery charged in Count Two of this Indictment, did use and carry a firearm, and, in furtherance of such crime of violence, did possess a firearm, and in the course of that crime of violence did, through the use of a firearm, cause the death

of a person, which killing is murder as defined in Title 18, United States Code, Section 1111(a), and did aid and abet the same, to wit, in the course of the robbery of Erwin Elliot, STATON shot and killed Elliot.

(Title 18, United States Code, Sections 924(j) and 2.)

#### FORFEITURE ALLEGATIONS

4. As a result of committing one or more of the robbery offenses charged in Counts One and Two of this Indictment, TERRILL STATON, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, any and all property, real or personal, which constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One and Two.

#### Substitute Assets Provision

5. If any of the property described above as being subject to forfeiture, 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 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 intention 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 above forfeitable property.

(Title 18, United States Code, Section 981;  
Title 21, United States Code, Section 853;  
Title 28, United States Code, Section 2461)

  
FOREPERSON 

  
PREET BHARARA *KB*  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

TERRILL STATON,

Defendant.

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INDICTMENT


S3 15 Cr. 456 (NRB)

(18 U.S.C. §§ 924, 1951, and 2.)

PREET BHARARA

United States Attorney.

A TRUE BILL

 Foreperson.

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