

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA :  
:  
- v. - :  
:  
COREY BROWN, :  
a/k/a "CB," :  
JOSNEL RODRIGUEZ, :  
a/k/a "DO," and :  
CHRISTOPHER CANADA, :  
a/k/a "Brabs," :  
:  
Defendants. :  
:  
----- X

SUPERSEDING INDICTMENT

SI 16 Cr. 559

COUNT ONE

(Racketeering Conspiracy - Brown, Rodriguez and Canada)

The Grand Jury charges:

The Enterprise

1. At all times relevant to this Indictment, COREY BROWN, a/k/a "CB," JOSNEL RODRIGUEZ, a/k/a "DO," and CHRISTOPHER CANADA, a/k/a "Brabs," the defendants, and others known and unknown, were members and associates of Sex Money Murder, ("SMM" or the "Enterprise"), a criminal organization whose members and associates engaged in, among other activities, narcotics trafficking, attempted murder, and murder. SMM operated principally in and around the Bronx, New York.

2. SMM, including its leadership, its membership, and its associates, constituted an "enterprise," as defined by Title 18,

United States Code, Section 1961(4), that is, a group of individuals associated in fact, although not a legal entity. The Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise. At all times relevant to this Indictment, the Enterprise has engaged in, and its activities affected, interstate and foreign commerce. The defendants participated in unlawful and other activity in furtherance of the conduct of the Enterprise's affairs.

3. Members and associates of SMM sold cocaine base, commonly known as "crack cocaine," cocaine, and heroin, in and around the Soundview, Castle Hill, and Bronxdale areas of the Bronx, New York and in upstate New York. SMM controlled crack cocaine, cocaine, and heroin sales within this area by prohibiting and preventing non-members, outsiders, and rival narcotics dealers from distributing crack cocaine in the area controlled by the Enterprise.

4. Certain members and associates of SMM committed and agreed, attempted, and threatened to commit acts of violence to protect and expand their drug trafficking operation and to protect fellow members and associates of the Enterprise. These acts of violence included assaults, attempted murder, and murder intended either to protect the Enterprise's drug territory,

enforce discipline amongst members of SMM, or to otherwise promote the standing and reputation of SMM.

Purposes of the Enterprise

5. The purposes of the Enterprise included the following:
  - a. Preserving and protecting the power, territory, and profits of the Enterprise through murder, attempted murder, and other acts of violence, and threats of violence.
  - b. Promoting and enhancing the Enterprise and the activities of its members and associates.
  - c. Keeping victims and potential victims in fear of the Enterprise and its members and associates through acts and threats of violence.
  - d. Providing assistance to members and associates who committed crimes for and on behalf of the Enterprise.
  - e. Enriching the members and associates of the Enterprise through, among other things, the distribution and sale of narcotics, including crack cocaine, cocaine, and heroin.
  - f. Protecting the Enterprise and its members and associates from detection and prosecution by law enforcement authorities through acts of intimidation and violence against potential witnesses to crimes committed by members of the Enterprise.

detering and punishing any potential witnesses to their crimes and in connection with protecting the Enterprise and its members and associates from detection and prosecution by law enforcement authorities.

The Racketeering Conspiracy

7. From at least in or about 2011, up to and including in or about February 2016, in the Southern District of New York and elsewhere, COREY BROWN, a/k/a "CB," JOSNEL RODRIGUEZ, a/k/a "DO," and CHRISTOPHER CANADA, a/k/a "Brabs," the defendants, and others known and unknown, being persons employed by and associated with the Enterprise described in Paragraphs One through Six of this Indictment, to wit, SMM, knowingly combined, conspired, confederated, and agreed together and with each other to violate the racketeering laws of the United States, to wit, Section 1962(c) of Title 18, United States Code, that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of SMM, which was engaged in, and the activities of which affected, interstate and foreign commerce, through a pattern of racketeering activity consisting of:

- a. Multiple acts involving murder, chargeable under the following provisions of state law:

i. New York Penal Law,  
Sections 20.00, 110.00 and 125.25  
(attempted murder);

ii. New York Penal Law,  
Sections 105.15 and 125.25 (conspiracy  
to murder);

iii. New York Penal Law,  
Sections 20.00, 125.25, and 125.27  
(murder).

b. multiple offenses involving  
the distribution of controlled substances,  
including crack cocaine, cocaine, and  
heroin, in violation of laws of the United  
States, namely Title 21, United States,  
Code, Sections 812, 841(a)(1), and 846, and  
Title 18, United States Code, Section 2.

8. It was a part of the conspiracy that each defendant  
agreed that a conspirator would commit at least two acts of  
racketeering activity in the conduct of the affairs of the  
Enterprise.

(Title 18, United States Code, Section 1962(d).)

COUNT TWO

(Murder in Aid of Racketeering Activity - Brown and Rodriguez)

The Grand Jury further charges:

9. At all times relevant to this Indictment, SMM, as more fully described in Paragraphs One through Six of this Indictment, which are realleged and incorporated by reference as though set forth fully herein, including its leadership, its membership, and its associates, constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact which was 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.

10. At all times relevant to this Indictment, the above-described Enterprise, through its members and associates, 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 the laws of New York State, and offenses involving drug trafficking in violation of 21 U.S.C. §§ 812, 841, and 846.

11. On or about July 15, 2012, in the Southern District of New York, COREY BROWN, a/k/a "CB," and JOSNEL RODRIGUEZ, a/k/a "DO," the defendants, and others known and unknown, as

consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from SMM, and for the purpose of maintaining and increasing position in SMM, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly murdered, and aided and abetted the murder of Vincent Davis, that is, with the intent to cause the death of Davis, did cause the death of Davis, and under circumstances evincing a depraved indifference to human life, did recklessly engage in conduct which created a grave risk of death to another person and thereby caused the death of Davis, in the vicinity of 566 Pugsley Avenue, Bronx, New York, in violation of New York Penal Law, Sections 125.25 and 20.00.

(Title 18, United States Code,  
Sections 1959(a)(1) and 2.)

**COUNT THREE**

**(Conspiracy to Commit  
Murder in Aid of Racketeering Activity - Brown and Rodriguez)**

The Grand Jury further charges:

12. Paragraphs 9 and 10 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

13. In or about July 2012, in the Southern District of New York and elsewhere, COREY BROWN, a/k/a "CB," and JOSNEL RODRIGUEZ, a/k/a "DO," the defendants, and others known and unknown, as consideration for the receipt of, and as

consideration for a promise and agreement to pay, a thing of pecuniary value from SMM, and for the purpose of maintaining and increasing position in SMM, an enterprise engaged in racketeering activity, as described above, knowingly conspired to murder Vincent Davis, in violation of New York Penal Law, Sections 125.25 and 105.15.

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

COUNT FOUR

(Firearms Offense - Brown and Rodriguez)

The United States Attorney further charges:

14. On or about July 15, 2012, in the Southern District of New York, COREY BROWN, a/k/a "CB," and JOSNEL RODRIGUEZ, a/k/a "DO," the defendants, 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 murder in aid of racketeering charged in Count Two of this Indictment, and the conspiracy to commit murder in aid of racketeering charged in Count Three of this Indictment, did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course of those crimes did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, BROWN and RODRIGUEZ caused the death of Vincent Davis by



shooting Davis, and aiding and abetting the same, in the vicinity of 566 Pugsley Avenue, Bronx, New York.

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

COUNT FIVE

(Accessory After the Fact to Murder - Canada)

The Grand Jury further charges:

16. In or about July 2012, in the Southern District of New York, CHRISTOPHER CANADA, a/k/a "Brabs," the defendant, knowing that an offense against the United States had been committed, namely, the murder charged in Count Two of this Indictment, knowingly received, relieved, comforted, and assisted the offenders in order to hinder and prevent the offenders' apprehension, trial, and punishment, to wit, after the murder, CANADA took custody of the murder weapon and, knowing it had been used in the murder, hid it in the Bronx, New York, in an effort to prevent law enforcement from locating it.

(Title 18, United States Code, Section 3.)

FORFEITURE ALLEGATION AS TO COUNT ONE

17. As a result of committing the offense alleged in Count One of this Indictment, COREY BROWN, a/k/a "CB," JOSNEL RODRIGUEZ, a/k/a "DO," and CHRISTOPHER CANADA, a/k/a "Brabs," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963:

a. any interest acquired or maintained as a result

of the offense charged in Count One;

b. any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise established, operated, controlled, conducted, or participated in the conduct of as a result of the offense charged in Count One; and

c. any property constituting, or derived from, any proceeds obtained, directly or indirectly, from the racketeering activity offense charged in Count One.

Substitute Assets Provision

18. If any of the above-described forfeitable property, as a result of any act or omission of COREY BROWN, a/k/a "CB," JOSNEL RODRIGUEZ, a/k/a "DO," and CHRISTOPHER CANADA, a/k/a "Brabs," 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;

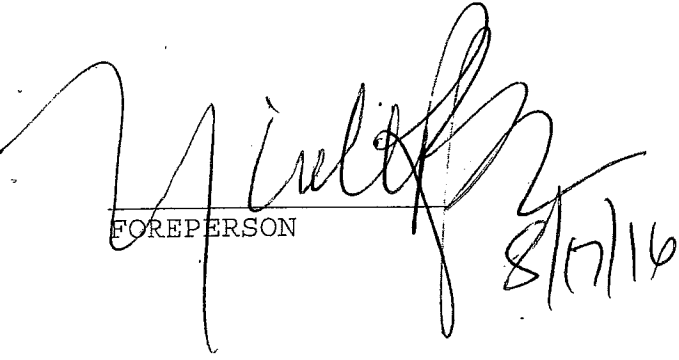
d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty,


it is the intent of the United States, pursuant to 18 U.S.C. §

1963 and 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1966, and Title 21, United States Code, Section 853.)

  
FOREPERSON

8/17/16

  
PREET BHARARA  
United States Attorney

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SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

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COREY BROWN, a/k/a "CB,"  
JOSNEL RODRIGUEZ, a/k/a "DO," and  
CHRISTOPHER CANADA, "Brabs,"  
Defendants.

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SUPERSEDING INDICTMENT

S1 16 Cr. 559

(18 U.S.C. §§ 924(j), 1959, 1962, 3, and 2.)

  
PREET BHARARA

United States Attorney.

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