

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

- v. - :

SEALED SUPERSEDING  
INDICTMENT

S1 16 Cr. 656 (GHW)

MARC BENVENUTTI, :

JONATHAN PEREZ, :

a/k/a "G," :

KENNETH LACEN, :

a/k/a "Montana," :

VERDELL PICKNEY, :

a/k/a "Verdell Davis," :

a/k/a "V-12," :

PAUL GIST, :

a/k/a "Peewee," :

a/k/a "Sweet Pea," :

ROBERT GIST, :

a/k/a "G-Baby," :

CICERO WILLIAMS, :

a/k/a "Tubes," :

a/k/a "Boobie," :

JOSEPH ENCARNACION, :

a/k/a "Cabeza," :

KELVIN POLANCO, :

a/k/a "Psycho," :

a/k/a "Fresh," :

JABARI ADAMS, :

a/k/a "Flea," :

a/k/a "Bari," :

BRANDON SMITH, :

a/k/a "B Skillz," :

JOSPEH RIVERA, :

a/k/a "Jojo" :



a/k/a "Verdell Davis," a/k/a "V-12," PAUL GIST, a/k/a "Peewee," a/k/a "Sweet Pea," ROBERT GIST, a/k/a "G-Baby," CICERO WILLIAMS, a/k/a "Tubes," a/k/a "Boobie," JOSEPH ENCARNACION, a/k/a "Cabeza," KELVIN POLANCO, a/k/a "Psycho," a/k/a "Fresh," JABARI ADAMS, a/k/a "Flea," a/k/a "Bari," BRANDON SMITH, a/k/a "B Skillz," JOSEPH RIVERA, a/k/a "Jojo," LANCE WRIGHT, CYNTHIA WOODS, a/k/a "Brooklyn," JUNIOR GRIFFIN, KEITH NESBITT, a/k/a "Baldy," GREGORY HERNANDEZ, a/k/a "Kane," EDUARDO ROSA, a/k/a "Lil Bro Ed," LUIS CABAN, a/k/a "Jay," DANIEL RENVILL, a/k/a "D," AMANDA LOPEZ, and MADELINE OLIVARES, the defendants (collectively, the "Defendants"), and others known and unknown, conspired to distribute significant amounts of narcotics, including crack cocaine, cocaine, heroin, oxycodone, and marijuana, in and around, among other places, the Highbridge neighborhood of the Bronx.

3. Members and associates of the Flybridge crew and others working with them operated a drug trafficking organization (the "Flybridge DTO"), which distributed narcotics on a daily basis.

4. The Flybridge DTO controlled narcotics sales between 164<sup>th</sup> Street and 165<sup>th</sup> Street, primarily between Ogden Avenue and Anderson Avenue, including by selling out of restaurants, convenience stores, and in and around apartment buildings in that area.

5. Members and associates of the Flybridge DTO had access to firearms and engaged in acts of violence in order to, among other reasons, protect and maintain their drug business.

MEANS AND METHODS OF THE CONSPIRACY

6. Members of the Flybridge DTO operated in concert to sell narcotics, employing the following means and methods, among others.

7. Members of the Flybridge 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 supervised the conversion of cocaine base into crack cocaine, and the packaging of drugs into retail distribution packages; other of the Defendants managed the distribution of retail packages to the street-level sellers.

8. JONATHAN PEREZ, a/k/a "G," the defendant, supervised other members of the Flybridge DTO and coordinated the supply of narcotics to other drug dealers in the Flybridge DTO. PEREZ personally supplied larger quantities of narcotics to other members of the Flybridge DTO, including MARC BENVENUTTI and JOSPEH ENCARNACION, a/k/a "Cabeza." PEREZ has discussed, in substance and in part, arranging sales of narcotics with EDUARDO ROSA, a/k/a "Lil Bro Ed," the defendant. For example, on or about June 1, 2016, PEREZ asked ROSA "how much you got left,"

and chided ROSA for not selling the entirety of the crack cocaine he had provided, saying "how you only sell like five and I send you mad sales?" PEREZ personally sold crack cocaine to customers, and also arranged for other members of the Flybridge DTO, including MARC BENVENUTTI, the defendant, to sell crack cocaine on PEREZ's behalf. PEREZ would also directly solicit narcotics customers by phone; for instance, on or about May 10, 2016, by texting "Deals all day" to dozens of telephone numbers at a time.

9. KENNETH LACEN, a/k/a "Montana," the defendant, also worked directly with other members of the Flybridge DTO to distribute narcotics. LACEN personally sold crack cocaine to these customers, and also arranged for other members of the Flybridge DTO to sell crack cocaine on LACEN's behalf.

10. Other members of the Flybridge DTO handled many of the day-to-day drug trafficking operations. For example, customers regularly called a phone used by MARC BENVENUTTI, the defendant, to place orders for crack cocaine, and relied on BENVENUTTI to supply them with narcotics. JABARI ADAMS, a/k/a "Flea," a/k/a "Bari," EDUARDO ROSA, a/k/a "Lil Bro Ed," BRANDON SMITH, a/k/a "B Skillz," JOSEPH RIVERA, a/k/a "Jojo," and LANCE WRIGHT, the defendants, engaged in regular, street-level, hand-to-hand sales of crack cocaine on behalf of the Flybridge DTO. CYNTHIA WOODS, a/k/a "Brooklyn," cooked cocaine powder into

crack cocaine for members of the Flybridge DTO, including JONATHAN PEREZ, a/k/a "G," MARC BENVENUTTI, KENNETH LACEN, a/k/a "G," LUIS CABAN, a/k/a "Jay," and JOSEPH ENCARNACION, a/k/a "Cabeza." WOODS also sold crack cocaine out of her apartment to customers. MADELINE OLIVARES assisted in packaging narcotics for sale to customers with and for members of the Flybridge DTO.

11. Other members of the Flybridge DTO similarly worked together to further their narcotics trafficking operation. For example, on or about September 2, 2015, when contacted about a potential sale of crack cocaine and marijuana, BRANDON SMITH, a/k/a "B Skillz," the defendant, told a drug customer, in substance and in part, that he would sell some of the requested crack cocaine and marijuana to the drug customer, but that another member of the organization, KENNETH LACEN, a/k/a "Montana," the defendant, would provide the remainder of crack cocaine for the sale.

12. Flybridge DTO members also supplied each other with narcotics to sell. For example, KELVIN POLANCO, a/k/a "Psycho," a/k/a "Fresh," CICERO WILLIAMS, a/k/a "Tubes," a/k/a "Boobie," JUNIOR GRIFFIN, DANIEL RENVILL, a/k/a "D," and LUIS CABAN, a/k/a "Jay," would supply larger quantities of cocaine and crack cocaine to other members of the Flybridge DTO. POLANCO also supplied wholesale quantities of cocaine and crack cocaine to VERDELL PICKNEY, a/k/a "Verdell Davis," a/k/a "V-12,"

KENNETH LACEN, a/k/a "Montana," and JOSPEH ENCARNACION, a/k/a "Cabeza." PEREZ would also sell larger quantities of crack cocaine to other members of the Flybridge DTO, such as KEITH NESBITT, a/k/a "Baldy," GREGORY HERNANDEZ, a/k/a "Kane," and DANIEL RENVILL, a/k/a "D."

13. Members of the Flybridge DTO possessed and used firearms, and planned and engaged in acts of violence, during the course of the conspiracy, several of which are described below, in order to, among other things, protect and maintain their drug business.

14. In or about March 2014, JONATHAN PEREZ, a/k/a "G," possessed a firearm in the area where the Flybridge DTO operated. On or about March 26, 2014, PEREZ and three other members of the Flybridge DTO, who are not named herein, engaged in a dispute with rival drug dealers regarding drug territory, while in possession of a firearm. The rival drug dealers engaged in a shootout and car chase with PEREZ and his co-conspirators on the Major Deegan Expressway, during the course of which PEREZ was himself shot.

15. In or about May 2015, KENNETH LACEN, a/k/a "Montana," CICERO WILLIAMS, a/k/a "Tubes," a/k/a "Boobie," and VERDELL PICKNEY, a/k/a "Verdell Davis," a/k/a "V-12," the defendants, possessed and discharged firearms in the area where the Flybridge DTO operated and sold narcotics. In or about May

2015, WILLIAMS discharged a gun at LACEN in the course of a dispute regarding a drug debt owed to WILLIAMS. On or about May 28, 2015, PICKNEY and LACEN discharged a firearm in the course of the dispute surrounding the drug debt, and were placed under arrest. On or about March 29, 2016, LACEN told a co-conspirator not named herein ("CC-1") that on the same day that he "and Verdell got booked with the hammey" - that is, the same day they were arrested for a gun - they in fact "had two hammies" that day.

16. On or about March 29, 2016, LACEN told CC-1, that LACEN had "tried to kill" a second co-conspirator not named herein ("CC-2") related to a dispute regarding the drug debt referenced in Paragraph 15, above, and that LACEN "almost killed him right there" but that his "shit jammed." LACEN further stated "word on my mother if my shit would've never jammed bro I would've killed him. He woulda been dead. I woulda been damned for the body right now."

17. Members and associates of the Flybridge DTO stored shared firearms in common locations, which were available for use among other members and associates of the Flybridge DTO in order to, as necessary, protect their drug business. For example, as of at least in or about March 2016, VERDELL PICKNEY, a/k/a "Verdell Davis" a/k/a "V-12," and KENNETH LACEN, a/k/a "Montana," the defendants, stored a shared gun at an apartment

maintained by AMANDA LOPEZ, the defendant. Similarly, as of at least in or about January 2016, ROBERT GIST, a/k/a "G-Baby," and PAUL GIST, a/k/a "Peewee," a/k/a "Sweet Pea," the defendants, stored a shared gun in the vicinity of the territory in which the Flybridge DTO operates.

#### STATUTORY ALLEGATIONS

18. From at least in or about 2014, up to and including in or about September 2016, in the Southern District of New York and elsewhere, MARC BENVENUTTI, JONATHAN PEREZ, a/k/a "G," KENNETH LACEN, a/k/a "Montana," VERDELL PICKNEY, a/k/a "Verdell Davis," a/k/a "V-12," PAUL GIST, a/k/a "Peewee," a/k/a "Sweet Pea," ROBERT GIST, a/k/a "G-Baby," CICERO WILLIAMS, a/k/a "Tubes," a/k/a "Boobie," JOSEPH ENCARNACION, a/k/a "Cabeza," KELVIN POLANCO, a/k/a "Psycho," a/k/a "Fresh," JABARI ADAMS, a/k/a "Flea," a/k/a "Bari," BRANDON SMITH, a/k/a "B Skillz," JOSEPH RIVERA, a/k/a "Jojo," LANCE WRIGHT, CYNTHIA WOODS, a/k/a "Brooklyn," JUNIOR GRIFFIN, KEITH NESBITT, a/k/a "Baldy," GREGORY HERNANDEZ, a/k/a "Kane," EDUARDO ROSA, a/k/a "Lil Bro Ed," LUIS CABAN, a/k/a "Jay," DANIEL RENVILL, a/k/a "D," AMANDA LOPEZ, and MADELINE OLIVARES, 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.

19. It was a part and an object of the conspiracy that MARC BENVENUTTI, JONATHAN PEREZ, a/k/a "G," KENNETH LACEN, a/k/a "Montana," VERDELL PICKNEY, a/k/a "Verdell Davis," a/k/a "V-12," PAUL GIST, a/k/a "Peewee," a/k/a "Sweet Pea," ROBERT GIST, a/k/a "G-Baby," CICERO WILLIAMS, a/k/a "Tubes," a/k/a "Boobie," JOSEPH ENCARNACION, a/k/a "Cabeza," KELVIN POLANCO, a/k/a "Psycho," a/k/a "Fresh," JABARI ADAMS, a/k/a "Flea," a/k/a "Bari," BRANDON SMITH, a/k/a "B Skillz," JOSEPH RIVERA, a/k/a "Jojo," LANCE WRIGHT, CYNTHIA WOODS, a/k/a "Brooklyn," JUNIOR GRIFFIN, KEITH NESBITT, a/k/a "Baldy," GREGORY HERNANDEZ, a/k/a "Kane," EDUARDO ROSA, a/k/a "Lil Bro Ed," LUIS CABAN, a/k/a "Jay," DANIEL RENVILL, a/k/a "D," AMANDA LOPEZ, and MADELINE OLIVARES, the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

20. The controlled substances that MARC BENVENUTTI, JONATHAN PEREZ, a/k/a "G," KENNETH LACEN, a/k/a "Montana," VERDELL PICKNEY, a/k/a "Verdell Davis," a/k/a "V-12," PAUL GIST, a/k/a "Peewee," a/k/a "Sweet Pea," ROBERT GIST, a/k/a "G-Baby," CICERO WILLIAMS, a/k/a "Tubes," a/k/a "Boobie," JOSEPH ENCARNACION, a/k/a "Cabeza," KELVIN POLANCO, a/k/a "Psycho," a/k/a "Fresh," JABARI ADAMS, a/k/a "Flea," a/k/a "Bari," BRANDON SMITH, a/k/a "B Skillz," JOSEPH RIVERA, a/k/a "Jojo," LANCE

WRIGHT, CYNTHIA WOODS, a/k/a "Brooklyn," JUNIOR GRIFFIN, KEITH NESBITT, a/k/a "Baldy," GREGORY HERNANDEZ, a/k/a "Kane," EDUARDO ROSA, a/k/a "Lil Bro Ed," LUIS CABAN, a/k/a "Jay," DANIEL RENVILL, a/k/a "D," AMANDA LOPEZ, and MADELINE OLIVARES, the defendants, conspired to distribute and possess with the intent to distribute were (i) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," 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); (iii) 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(B); (iv) a detectable amount of oxycodone, in the form of Percocet tablets, in violation of 841(b)(1)(C); and (v) 50 kilograms and more of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

#### COUNT TWO

The Grand Jury further charges:

21. From at least in or about 2014, up to and including in or about September 2016, in the Southern District of New York and elsewhere, KENNETH LACEN, a/k/a "Montana,"

CICERO WILLIAMS, a/k/a "Tubes," a/k/a "Boobie," and VERDELL PICKNEY, a/k/a "Verdell Davis," a/k/a "V-12," 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 firearms, which were discharged.

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

### COUNT THREE

22. From at least in or about 2014, up to and including in or about September 2016, in the Southern District of New York and elsewhere, JONATHAN PEREZ, a/k/a "G," PAUL GIST, a/k/a "Peewee," a/k/a "Sweet Pea," ROBERT GIST, a/k/a "G-Baby," and AMANDA LOPEZ, 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 firearms.

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

FORFEITURE ALLEGATION

23. As a result of committing the controlled substance offense alleged in Count One of this Indictment, MARC BENVENUTTI, JONATHAN PEREZ, a/k/a "G," KENNETH LACEN, a/k/a "Montana," VERDELL PICKNEY, a/k/a "Verdell Davis," a/k/a "V-12," PAUL GIST, a/k/a "Peewee," a/k/a "Sweet Pea," ROBERT GIST, a/k/a "G-Baby," CICERO WILLIAMS, a/k/a "Tubes," a/k/a "Boobie," JOSEPH ENCARNACION, a/k/a "Cabeza," KELVIN POLANCO, a/k/a "Psycho," a/k/a "Fresh," JABARI ADAMS, a/k/a "Flea," a/k/a "Bari," BRANDON SMITH, a/k/a "B Skillz," JOSEPH RIVERA, a/k/a "Jojo," LANCE WRIGHT, CYNTHIA WOODS, a/k/a "Brooklyn," JUNIOR GRIFFIN, KEITH NESBITT, a/k/a "Baldy," GREGORY HERNANDEZ, a/k/a "Kane," EDUARDO ROSA, a/k/a "Lil Bro Ed," LUIS CABAN, a/k/a "Jay," DANIEL RENVILL, a/k/a "D," AMANDA LOPEZ, and MADELINE OLIVARES, the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting and derived from any proceeds the defendants obtained directly or indirectly as a result of the offense 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 offense.

SUBSTITUTE ASSET PROVISION

24. If any of the above described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

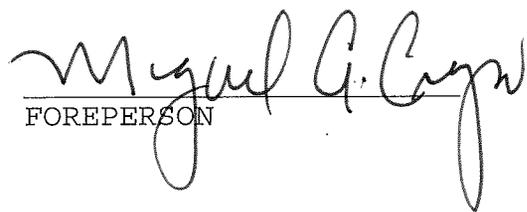
(b) has been transferred or sold to, or deposited with, a third person;

(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; pursuant to Title 21, United States Code, Section 853(p), it is the intent of the United States, to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

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

  
FOREPERSON

  
PREET BHARARA  
United States Attorney

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SOUTHERN DISTRICT OF NEW YORK

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SEALED SUPERSEDING INDICTMENT

S1 16 Cr. 656 (GHW)

(21 U.S.C. § 846;  
18 U.S.C. §§ 924(c)(1)(A) and 2.)

PREET BHARARA

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United States Attorney.

A TRUE BILL

*Myra A. Conway*

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Foreperson.

*9/29/16*