

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ALEJANDRO COLON,
a/k/a "Ale," and
OSCAR OLIVENCIA,
a/k/a "Jon-O,"
a/k/a "Young O,"

Defendants.

INDICTMENT

26 Cr. ()

26 CRIM 150

COUNT ONE
(Racketeering Conspiracy)

The Grand Jury charges:

The Enterprise

1. At all times relevant to this Indictment, ALEJANDRO COLON, a/k/a "Ale," and OSCAR OLIVENCIA, a/k/a "Jon-O," a/k/a "Young O," the defendants, and others known and unknown, were members and associates of the A-Town Trinitarios ("A-Town" or "the Enterprise"), a criminal organization whose members and associates engaged in, among other activities, acts involving murder, assault, robbery, controlled substances trafficking, and wire, mail, and bank fraud. The Enterprise operated principally in and around the Bronx and New York, New York.

2. A-Town, 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 and associates 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 was engaged in, and its activities affected, interstate and foreign commerce. The defendant participated in the operation and management of the Enterprise and participated in unlawful and other activity in furtherance of the conduct of the Enterprise's affairs.

3. ALEJANDRO COLON, a/k/a "Ale," and OSCAR OLIVENCIA, a/k/a "Jon-O," a/k/a "Young O," the defendants, participated in the operation and management of the Enterprise and participated in unlawful and other activities in furtherance of the conduct of the Enterprise's affairs.

Purposes of the Enterprise

4. The purposes of the Enterprise included the following:

a. Enriching the members and associates of A-Town through, among other things, (1) the distribution of controlled substances, including heroin, cocaine, cocaine base in a form commonly known as "crack," marihuana, and oxycodone; (2) robberies; and (3) wire, mail, and bank fraud.

b. Preserving and protecting the power, territory, and profits of the Enterprise and its members and associates through acts involving murder, robbery, assault, other acts of violence, and threats of violence.

c. Promoting and enhancing the Enterprise and the reputation and activities of its members and associates.

d. Keeping victims and potential victims in fear of the Enterprise and its members and associates through acts and threats of violence.

e. 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.

f. Assisting members and associates of the Enterprise who committed crimes for and on behalf of the Enterprise, including members and associates who were imprisoned for those crimes.

Means and Methods of the Enterprise

5. Among the means and methods employed by the members and associates of the Enterprise in conducting and participating in the conduct of the affairs of the Enterprise were the following:

a. Members and associates of the Enterprise committed, conspired to commit, and attempted and threatened to commit acts of violence, including acts involving murder, robbery, and assault, to protect and expand the Enterprise's criminal operations, to resolve disputes within the gang, and against rival gang members and disfavored members of the Enterprise.

b. Members and associates of the Enterprise used violence and threats of violence, including acts involving murder, robbery, and assault, against others, including rival gang members and to maintain discipline within the Enterprise.

c. Members and associates of the Enterprise sold controlled substances, including heroin, cocaine, cocaine base in a form commonly known as "crack," marihuana, and oxycodone.

d. Members and associates of the Enterprise obtained, possessed, and used firearms.

e. Members and associates of the Enterprise committed wire, mail, and bank fraud, including by stealing, manufacturing, and cashing fraudulent checks.

f. Members and associates of the Enterprise promoted and celebrated the criminal conduct of the Enterprise on social media websites such as Instagram and Facebook.

g. Members and associates of the Enterprise committed acts of intimidation and made threats as a means of deterring 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

6. From at least in or about 2018 through in or about 2025, in the Southern District of New York and elsewhere, ALEJANDRO COLON, a/k/a “Ale,” and OSCAR OLIVENCIA, a/k/a “Jon-O,” a/k/a “Young O,” the defendants, and others known and unknown, being persons employed by and associated with the Enterprise described above, namely, A-Town, an enterprise engaged in, and the activities of which affected, interstate and foreign commerce, knowingly combined, conspired, confederated, and agreed together and with each other to violate Title 18, United States Code, Section 1962(c), to wit, to conduct and participate, directly and indirectly, in the conduct of the affairs of A-Town through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisting of:

a. Multiple acts involving murder, chargeable under the following provisions of state law: New York Penal Law, Sections 125.25 (murder), 110.00 (attempt), 105.15 (conspiracy), and 20.00 (aiding and abetting);

b. Multiple acts involving robbery, indictable under the following provisions of state law: New York Penal Law, Sections 160.00, 160.05, 160.10, 160.15 (robbery), 105.10 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

c. Multiple acts indictable under Title 18, United States Code, Sections 1951 (relating to interference with commerce by robbery and extortion) and 2 (aiding and abetting);

d. Multiple acts chargeable under Title 18, United States Code, Sections 1341 (relating to mail fraud), 1343 (relating to wire fraud), 1344 (relating to bank fraud), and 2 (aiding and abetting); and

e. Multiple offenses involving the distribution of controlled substances, including heroin, cocaine, cocaine base in a form commonly known as "crack," marihuana, and oxycodone chargeable under Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(A), (b)(1)(C), (b)(1)(D), and 846.

7. It was part of the conspiracy that ALEJANDRO COLON, a/k/a "Ale," and OSCAR OLIVENCIA, a/k/a "Jon-O," a/k/a "Young O," the defendants, and others known and unknown, agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the Enterprise.

COUNT TWO

(Assault with a Dangerous Weapon and Attempted Assault with a Dangerous Weapon in Aid of Racketeering)

The Grand Jury further charges:

8. At all times relevant to this Indictment, A-Town, as more fully described in paragraphs One through Five of Count One of this Indictment, which are repeated 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, although not a legal entity, that engaged in, and the activities of which affected, interstate and foreign commerce. A-Town constituted an ongoing organization whose members and associates functioned as a continuing unit for a common purpose of achieving the objectives of A-Town.

9. At all times relevant to this Indictment, A-Town, through its leaders, members, and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of the laws of the State of New York and punishable by more than one year of imprisonment; acts involving robbery, in violation of the laws of the State of New York and punishable by more than one year of imprisonment; acts indictable under Title 18, United States Code, Section 1951 (relating to interference with commerce by robbery and extortion) and 2 (aiding and abetting), acts indictable under Title 18, United States Code, 1341 (relating to mail fraud), Sections 1343 (relating to wire fraud), 1344 (relating to bank fraud), and 2 (aiding and abetting), and offenses involving the distribution of controlled substances, including heroin, cocaine, cocaine base in a form commonly known as “crack,” marihuana, and oxycodone chargeable under Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(A), 841(b)(1)(C), 841(b)(1)(D), and 846.

10. On or about February 7, 2023, in the Southern District of New York and elsewhere, ALEJANDRO COLON, a/k/a “Ale,” and OSCAR OLIVENCIA, a/k/a “Jon-O,” a/k/a “Young O,” the defendants, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from A-Town, and for the purpose of gaining entrance to and maintaining and increasing position in A-Town, an enterprise engaged in racketeering activity, as described above, knowingly assaulted one person (“Victim-1”) with a dangerous weapon and attempted to assault another person (“Victim-2”) with a dangerous weapon, and aided

and abetted the same, to wit, in the vicinity of 2065 Jerome Avenue in the Bronx, New York, OLIVENCIA and COLON used a firearm to attempt to shoot Victim-2 and to shoot Victim-1, causing serious bodily injury to Victim-1, in violation of New York Penal Law Sections 120.10(1), 120.05(1) and (2), 120.14(1), 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), (a)(6), and 2.)

COUNT THREE
(Firearms Offense)

The Grand Jury further charges:

11. On or about February 7, 2023, in the Southern District of New York and elsewhere, ALEJANDRO COLON, a/k/a “Ale,” and OSCAR OLIVENCIA, a/k/a “Jon-O,” a/k/a “Young O,” the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the assault with a dangerous weapon in aid of racketeering charged in Count Two of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed a firearm, and aided and abetted the use, carrying, and possession of a firearm, which was brandished and discharged.

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

COUNT FOUR
(Assault with a Dangerous Weapon in Aid of Racketeering)

The Grand Jury further charges:

12. At all times relevant to this Indictment, A-Town, as more fully described in paragraphs One through Five of Count One of this Indictment, which are repeated 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, although not a legal entity, that engaged in, and

the activities of which affected, interstate and foreign commerce. A-Town constituted an ongoing organization whose members and associates functioned as a continuing unit for a common purpose of achieving the objectives of A-Town.

13. At all times relevant to this Indictment, A-Town, through its leaders, members, and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of the laws of the State of New York and punishable by more than one year of imprisonment; acts involving robbery, in violation of the laws of the State of New York and punishable by more than one year of imprisonment; acts indictable under Title 18, United States Code, Section 1951 (relating to interference with commerce by robbery and extortion) and 2 (aiding and abetting), acts indictable under Title 18, United States Code, Sections 1341 (relating to mail fraud), 1343 (relating to wire fraud), 1344 (relating to bank fraud), and 2 (aiding and abetting), and offenses involving the distribution of controlled substances, including heroin, cocaine, cocaine base in a form commonly known as “crack,” marihuana, and oxycodone chargeable under Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(A), 841(b)(1)(C), 841(b)(1)(D), and 846.

14. On or about February 7, 2023, in the Southern District of New York and elsewhere, ALEJANDRO COLON, a/k/a “Ale,” and OSCAR OLIVENCIA, a/k/a “Jon-O,” a/k/a “Young O,” the defendants, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from A-Town, and for the purpose of gaining entrance to and maintaining and increasing position in A-Town, an enterprise engaged in racketeering activity, as described above, knowingly assaulted Victim-2 with a dangerous weapon, and aided and abetted the same, to wit, in the vicinity of 2065 Jerome Avenue in the Bronx, New York, OLIVENCIA and COLON used a firearm to shoot Victim-2, causing serious bodily injury to

Victim-2, in violation of New York Penal Law Sections 120.10(1), 120.05(1) and (2), 120.14(1), and 20.00.

(Title 18, United States Code, Sections 1959(a)(3) and 2.)

COUNT FIVE
(Firearms Offense)

The Grand Jury further charges:

15. On or about February 7, 2023, in the Southern District of New York and elsewhere, ALEJANDRO COLON, a/k/a “Ale,” and OSCAR OLIVENCIA, a/k/a “Jon-O,” a/k/a “Young O,” the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the assault with a dangerous weapon in aid of racketeering charged in Count Four of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed a firearm, and aided and abetted the use, carrying, and possession of a firearm, which was brandished and discharged.

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

COUNT SIX
**(Attempted Murder, Assault with a Dangerous Weapon, and
Attempted Assault with a Dangerous Weapon in Aid of Racketeering)**

The Grand Jury further charges:

16. At all times relevant to this Indictment, A-Town, as more fully described in paragraphs One through Five of Count One of this Indictment, which are repeated 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, although not a legal entity, that engaged in, and the activities of which affected, interstate and foreign commerce. A-Town constituted an ongoing

organization whose members and associates functioned as a continuing unit for a common purpose of achieving the objectives of A-Town.

17. At all times relevant to this Indictment, A-Town, through its leaders, members, and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of the laws of the State of New York and punishable by more than one year of imprisonment; acts involving robbery, in violation of the laws of the State of New York and punishable by more than one year of imprisonment; acts indictable under Title 18, United States Code, Section 1951 (relating to interference with commerce by robbery and extortion) and 2 (aiding and abetting), acts indictable under Title 18, United States Code, Sections 1341 (relating to mail fraud), 1343 (relating to wire fraud), 1344 (relating to bank fraud), and 2 (aiding and abetting), and offenses involving the distribution of controlled substances, including heroin, cocaine, cocaine base in a form commonly known as “crack,” marihuana, and oxycodone chargeable under Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(A), 841(b)(1)(C), 841(b)(1)(D), and 846.

18. On or about February 7, 2023, in the Southern District of New York and elsewhere, ALEJANDRO COLON, a/k/a “Ale,” and OSCAR OLIVENCIA, a/k/a “Jon-O,” a/k/a “Young O,” the defendants, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from A-Town, and for the purpose of gaining entrance to and maintaining and increasing position in A-Town, an enterprise engaged in racketeering activity, as described above, knowingly attempted to murder a person (“Victim-3”), assaulted Victim-3 with a dangerous weapon, and attempted to assault Victim-3 with a dangerous weapon, and aided and abetted the same, to wit, in the vicinity of the intersection of Jerome Avenue and Burnside Avenue in the Bronx, New York, after shooting Victim-1 and Victim-2, OLIVENICA and

COLON used a firearm to shoot at Victim-3, in violation of New York Penal Law Sections 125.25(1), 120.10(1), 120.05(1) and (2), 120.14(1), 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), (a)(5), (a)(6), and 2.)

COUNT SEVEN
(Firearms Offense)

The Grand Jury further charges:

19. On or about February 7, 2023, in the Southern District of New York and elsewhere, ALEJANDRO COLON, a/k/a “Ale,” and OSCAR OLIVENCIA, a/k/a “Jon-O,” a/k/a “Young O,” the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, assault with a dangerous weapon in aid of racketeering charged in Count Six of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed a firearm, and aided and abetted the use, carrying, and possession of a firearm, which was brandished and discharged.

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

FORFEITURE ALLEGATIONS

20. As a result of committing the offense alleged in Count One of this Indictment, ALEJANDRO COLON, a/k/a “Ale,” and OSCAR OLIVENCIA, a/k/a “Jon-O,” a/k/a “Young O,” the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963, any and all interests the defendants acquired or maintained in violation of Title 18, United States Code, Section 1962; any and all interests in, securities of, claims against, and property or contractual rights of any kind affording a source of influence over, the enterprise named and described herein which the defendants established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962; and any and all property constituting and derived from proceeds obtained, directly and indirectly, from the

offense alleged in Count One of this Indictment including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

21. As a result of committing the offenses alleged in Counts Three, Five, and Seven of this Indictment, ALEJANDRO COLON, a/k/a "Ale," and OSCAR OLIVENCIA, a/k/a "Jon-O," a/k/a "Young O," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any and all firearms and ammunition involved in, used in, or intended to be used in said offense.

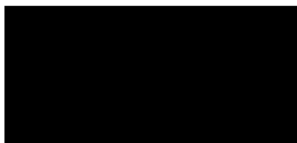
Substitute Assets Provision

22. If any of the above-described forfeitable property, as a result of any act or omission of ALEJANDRO COLON, a/k/a "Ale," and OSCAR OLIVENCIA, a/k/a "Jon-O," a/k/a "Young O," 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 18, United States Code, Section 1963(m) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 924(d) and 1963; and
Title 28, United States Code, Section 2461.)



FOREPERSON

A handwritten signature in cursive script, reading "Jay Clayton".

JAY CLAYTON

United States Attorney