

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MODOU TOURAY,
a/k/a, "LDOT,"
TYSHAWN MORRIS,
a/k/a "YaYa,"
JEREMIAH MARTINEZ,
a/k/a, "JJ,"
JERIMIAH MORGAN,
a/k/a, "Goon,"
NYJAH WYNTER,
a/k/a "Glizzy,"
DAMION ELLIOT,
a/k/a, "Upit,"
DAVON BEST KELLY,
a/k/a "Benz,"
SETH COLON,
EDWIN POZO,
a/k/a "Swerv," and
RAEKWON KING,
a/k/a, "Buzzin',"

Defendants.

**SEALED SUPERSEDING
INDICTMENT**

S1 26 Cr. 207

COUNT ONE
(Racketeering Conspiracy)

The Grand Jury charges:

THE BRONXDALE/YDS ENTERPRISE

1. From at least in or about 2020 through at least in or about May 2026, MODOU TOURAY, a/k/a, "LDOT," JEREMIAH MARTINEZ, a/k/a, "JJ," JERIMIAH MORGAN, a/k/a, "Goon," SETH COLON, TYSHAWN MORRIS, a/k/a "YaYa," EDWIN POZO, a/k/a "Swerv,"

DAMION ELLIOT, a/k/a, "Upit," DAVON BEST KELLY, a/k/a "Benz," NYJAH WYNTER, a/k/a "Glizzy," RAEKWON KING, a/k/a, "Buzzin'," the defendants, and others known and unknown, were members and associates of Bronxdale/YDS (short for "Youngest" or "Youngins" "Doin Shit"), a street gang and organization that operated principally in the Sotomayor Houses, a public housing development of the New York City Housing Authority (previously named the Bronxdale Houses) in the Bronx, New York. Members and associates of Bronxdale/YDS engaged in, among other activities, acts involving murder, assault, robbery, the distribution of controlled substances, and wire and bank fraud in and around the greater metropolitan area of New York City, including in the Bronx, Manhattan, and Queens, in New York counties north of New York City, and in parts of New Jersey.

2. Bronxdale/YDS, including its leaders, members, and associates, constituted an "enterprise," as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce ("Bronxdale/YDS" or the "Enterprise"). The Bronxdale/YDS enterprise constituted an ongoing organization whose members and associates functioned as a continuing unit for a common purpose of achieving the objectives of Bronxdale/YDS.

3. MODOU TOURAY, a/k/a, "LDOT," JEREMIAH MARTINEZ, a/k/a, "JJ," JERIMIAH MORGAN, a/k/a, "Goon," SETH COLON, TYSHAWN MORRIS, a/k/a "YaYa," EDWIN POZO, a/k/a "Swerv," DAMION ELLIOT, a/k/a, "Upit," DAVON BEST KELLY, a/k/a "Benz," NYJAH WYNTER, a/k/a "Glizzy," RAEKWON KING, a/k/a, "Buzzin'," the defendants were members and associates of the Enterprise and participated in unlawful and other activities in furtherance of the Enterprise's affairs.

PURPOSES OF THE ENTERPRISE

4. The purposes of Bronxdale/YDS included the following:
 - a. Preserving and protecting the power and territory of Bronxdale/YDS and its members and associates through the use of intimidation, threats of violence, and acts of violence, to include murder, assault, and robbery.
 - b. Keeping victims and potential victims in fear of Bronxdale/YDS and its members and associates through acts and threats of violence.
 - c. Enriching members and associates of Bronxdale/YDS through, among other things, robberies; the distribution of controlled substances, including marihuana and promethazine and codeine syrup, commonly referred to as "lean,"; and wire fraud and bank fraud.
 - d. Promoting and enhancing Bronxdale/YDS and the reputation and activities of its members and associates.
 - e. Providing assistance to members and associates of Bronxdale/YDS who committed crimes for and on behalf of the Enterprise, including those imprisoned for such crimes.

MEANS AND METHODS OF THE ENTERPRISE

5. Among the means and methods by which members and associates of Bronxdale/YDS conducted and participated in the conduct of the affairs of Bronxdale/YDS enterprise were the following:
 - a. Members and associates of Bronxdale/YDS committed, conspired to commit, and attempted and threatened to commit acts of violence, including acts involving murder and assault, to protect and to expand the criminal operations of the Enterprise, to resolve disputes within the Enterprise, and to challenge and retaliate against members of rival gangs and other individuals adverse to the Enterprise.

b. Members and associates of Bronxdale/YDS committed wire fraud and bank fraud, including schemes in which they obtained bank account information from co-conspirators and fraudulently deposited stolen checks into bank accounts controlled by members and associates of the Enterprise, then immediately withdrew the deposited funds from those bank accounts.

c. Members and associates of Bronxdale/YDS sold controlled substances, including marihuana and promethazine and codeine syrup, commonly referred to as “lean.”

d. Members and associates of Bronxdale/YDS committed robberies, including of drug traffickers, and on certain occasions transported the proceeds of robberies interstate.

e. Members and associates of Bronxdale/YDS obtained, possessed, and used firearms and ammunition.

THE RACKETEERING CONSPIRACY

6. From at least in or about 2020 through at least in or about May 2026, in the Southern District of New York and elsewhere, MODOU TOURAY, a/k/a, “LDOT,” JEREMIAH MARTINEZ, a/k/a, “JJ,” JERIMIAH MORGAN, a/k/a, “Goon,” SETH COLON, TYSHAWN MORRIS, a/k/a “YaYa,” EDWIN POZO, a/k/a “Swerv,” DAMION ELLIOT, a/k/a, “Upit,” DAVON BEST KELLY, a/k/a “Benz,” NYJAH WYNTER, a/k/a “Glizzy,” RAEKWON KING, a/k/a, “Buzzin’,” the defendants, and others known and unknown, being persons employed by and associated with Bronxdale/YDS, 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), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the Enterprise through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), which pattern of racketeering consisted of:

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

b. multiple acts involving robbery, chargeable under the following provisions of state law: New York Penal Law Sections 160.00, 160.05, 160.10, and 160.15 (robbery), 105.10 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting); and New Jersey Revised Statutes, Sections 2C:15-1 (robbery), 2C:5-2 (conspiracy), 2C:5-1 (attempt), and 2C:2-6 (aiding and abetting);

c. acts indictable under Title 18, United States Code, Sections 1343 (relating to wire fraud), 1344 (relating to financial institution fraud), and 2 (aiding and abetting);

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

e. acts indictable under Title 18, United States Code, Sections 2314 and 2315 (relating to interstate transportation of stolen property) and 2 (aiding and abetting); and

f. multiple offenses involving the distribution of controlled substances, including marihuana and promethazine and codeine syrup, commonly referred to as "lean," chargeable under Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute) and 846 (conspiracy).

7. It was a part of the conspiracy that MODOU TOURAY, a/k/a, "LDOT," JEREMIAH MARTINEZ, a/k/a, "JJ," JERIMIAH MORGAN, a/k/a, "Goon," SETH COLON, TYSHAWN MORRIS, a/k/a "YaYa," EDWIN POZO, a/k/a "Swerv," DAMION ELLIOT, a/k/a, "Upit," DAVON BEST KELLY, a/k/a "Benz," NYJAH WYNTER, a/k/a "Glizzy," RAEKWON

KING, a/k/a, "Buzzin'," the defendants, 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

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

The Grand Jury further charges:

8. At all times relevant to this Indictment, Bronxdale/YDS, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leaders, members, and 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 that 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.

9. The Enterprise, 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:

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

b. multiple acts involving robbery, chargeable under the following provisions of state law: New York Penal Law Sections 160.00, 160.05 (robbery), 105.10 (conspiracy), 110.00

(attempt), and 20.00 (aiding and abetting); and New Jersey Revised Statutes, Sections 2C:15-1 (robbery), 2C:5-2 (conspiracy), 2C:5-1 (attempt), and 2C:2-6 (aiding and abetting);

c. multiple acts indictable under Title 18, United States Code, Sections 1343 (relating to wire fraud), 1344 (relating to financial institution fraud), and 2;

d. multiple acts indictable under Title 18, United States Code, Sections 1951 (relating to interference with commerce, robbery, or extortion) and 2;

e. multiple acts indictable under Title 18, United States Code, Sections 2314 and 2315 (relating to interstate transportation of stolen property) and 2; and

f. multiple offenses involving the distribution of controlled substances, including marihuana and promethazine and codeine syrup, commonly referred to as “lean,” chargeable under Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute) and 846 (conspiracy), and Title 18, United States Code, Section 2.

10. On or about May 24, 2021, in the Southern District of New York and elsewhere, TYSHAWN MORRIS, a/k/a “YaYa,” and EDWIN POZO, a/k/a “Swerv,” the defendants, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Bronxdale/YDS, and for the purpose of gaining entrance to and maintaining and increasing position in Bronxdale/YDS, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, in the vicinity of 1560 Watson Avenue in the Bronx, New York, MORRIS and POZO slashed a rival gang member with a knife, causing a large laceration on that rival gang member’s neck, in violation of New York Penal Law, Sections 125.25, 120.05, 120.10, 110.00, and 20.00.

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

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

The Grand Jury further charges:

11. At all times relevant to this Indictment, Bronxdale/YDS, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leaders, members, and 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 that 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.

12. The Enterprise, through its 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:

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

b. multiple acts involving robbery, chargeable under the following provisions of state law: New York Penal Law Sections 160.00, 160.05 (robbery), 105.10 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting); and New Jersey Revised Statutes, Sections 2C:15-1 (robbery), 2C:5-2 (conspiracy), 2C:5-1 (attempt), and 2C:2-6 (aiding and abetting);

c. multiple acts indictable under Title 18, United States Code, Sections 1343 (relating to wire fraud), 1344 (relating to financial institution fraud), and 2;

d. multiple acts indictable under Title 18, United States Code, Sections 1951 (relating to interference with commerce, robbery, or extortion) and 2;

e. multiple acts indictable under Title 18, United States Code, Sections 2314 and 2315 (relating to interstate transportation of stolen property) and 2; and

f. multiple offenses involving the distribution of controlled substances, including marihuana and promethazine and codeine syrup, commonly referred to as “lean,” chargeable under Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute) and 846 (conspiracy), and Title 18, United States Code, Section 2.

13. On or about May 13, 2022, in the Southern District of New York and elsewhere, TYSHAWN MORRIS, a/k/a “YaYa,” the defendant, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Bronxdale/YDS, and for the purpose of gaining entrance to and maintaining and increasing position in Bronxdale/YDS, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and aided and abetted the same, to wit, in the vicinity of 930 Grand Concourse in the Bronx, New York, MORRIS struck a rival gang member in the head with a metal rod, causing a laceration to that rival gang member’s head, in violation of New York Penal Law, Sections 120.05(2), and 20.00.

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

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

The Grand Jury further charges:

14. At all times relevant to this Indictment, Bronxdale/YDS, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leaders, members, and 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 that 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.

15. The Enterprise, through its 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:

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

b. multiple acts involving robbery, chargeable under the following provisions of state law: New York Penal Law Sections 160.00, 160.05 (robbery), 105.10 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting); and New Jersey Revised Statutes, Sections 2C:15-1 (robbery), 2C:5-2 (conspiracy), 2C:5-1 (attempt), and 2C:2-6 (aiding and abetting);

c. multiple acts indictable under Title 18, United States Code, Sections 1343 (relating to wire fraud), 1344 (relating to financial institution fraud), and 2;

d. multiple acts indictable under Title 18, United States Code, Sections 1951 (relating to interference with commerce, robbery, or extortion) and 2;

e. multiple acts indictable under Title 18, United States Code, Sections 2314 and 2315 (relating to interstate transportation of stolen property) and 2; and

f. multiple offenses involving the distribution of controlled substances, including marihuana and promethazine and codeine syrup, commonly referred to as "lean," chargeable under Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute) and 846 (conspiracy), and Title 18, United States Code, Section 2.

16. On or about September 29, 2023, in the Southern District of New York and elsewhere, MODOU TOURAY, a/k/a “LDOT,” and JERIMIAH MORGAN, a/k/a “Goon,” the defendants, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Bronxdale/YDS, and for the purpose of gaining entrance to and maintaining and increasing position in Bronxdale/YDS, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and aided and abetted the same, to wit, in the vicinity of the intersection of Watson Avenue and Rosedale Avenue in the Bronx, New York, TOURAY and MORGAN used a firearm to shoot an individual, striking that individual in the chest, and aided and abetted the same, in violation of New York Penal Law, Sections 125.25(1), 120.10(1), 120.05(1) and (2), 110.00, and 20.00.

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

COUNT FIVE
(Conspiracy to Commit Hobbs Act Robbery)

The Grand Jury further charges:

17. From at least in or about 2020 through at least in or about 2024, in the Southern District of New York and elsewhere, MODOU TOURAY, a/k/a, “LDOT,” JEREMIAH MARTINEZ, a/k/a, “JJ,” JERIMIAH MORGAN, a/k/a, “Goon,” DAMION ELLIOT, a/k/a, “Upit,” NYJAH WYNTER, a/k/a “Glizzy,” EDWIN POZO, a/k/a “Swerv,” and TYSHAWN MORRIS, a/k/a “YaYa,” the defendants, and others known and unknown, knowingly combined, conspired, confederated, and agreed 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, TOURAY,

MARTINEZ, MORGAN, ELLIOT, WYNTER, POZO and MORRIS agreed to commit armed robberies of drug dealers in in the Bronx, New York and elsewhere.

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

COUNT SIX
(Hobbs Act Robbery)

The Grand Jury further charges:

18. On or about September 29, 2023, in the Southern District of New York and elsewhere, MODOU TOURAY, a/k/a, “LDOT,” and JERIMIAH MORGAN, a/k/a, “Goon,” the defendants, knowingly committed robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby obstructed, delayed, and affected 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 aided and abetted the same, to wit, TOURAY and MORGAN committed a gunpoint robbery of marihuana from an individual in the vicinity of Watson Avenue and Beach Avenue in the Bronx, New York.

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

COUNT SEVEN
(Firearm Use, Carrying, and Possession)

The Grand Jury further charges:

19. On or about September 29, 2023, in the Southern District of New York and elsewhere, MODOU TOURAY, a/k/a, “LDOT,” and JERIMIAH MORGAN, a/k/a, “Goon,” 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 Attempted Murder and Assault with a Dangerous Weapon in Aid of Racketeering charged in Count Four of this Indictment and the Hobbs Act robbery 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.)

COUNT EIGHT
(Hobbs Act Robbery)

The Grand Jury further charges:

20. On or about October 2, 2024, in the Southern District of New York and elsewhere, MODOU TOURAY, a/k/a, "LDOT," and DAVON BEST KELLY, a/k/a "Benz," the defendants, knowingly committed robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby obstructed, delayed, and affected 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 aided and abetted the same, to wit, TOURAY and KELLY committed a gunpoint robbery of a rideshare driver in the vicinity of 1825 Bruckner Boulevard in the Bronx, New York.

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

COUNT NINE
(Firearm Use, Carrying, and Possession)

The Grand Jury further charges:

21. On or about October 2, 2024, in the Southern District of New York and elsewhere, MODOU TOURAY, a/k/a, "LDOT," and DAVON BEST KELLY, a/k/a "Benz," 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 Hobbs Act robbery charged in Count Eight 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.

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

COUNT TEN
(Possession of Ammunition After a Felony Conviction)

The Grand Jury further charges:

22. On or about December 23, 2024, in the Southern District of New York and elsewhere, JERIMIAH MORGAN, a/k/a, "Goon," the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, to wit, approximately two 9-millimeter cartridge cases, one .40 caliber cartridge case, one .380 caliber cartridge case, one .32 caliber cartridge case, and one .25 caliber cartridge case, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Section 922(g)(1).)

FORFEITURE ALLEGATIONS

23. Upon conviction of the offense alleged in Count One of this Indictment, MODOU TOURAY, a/k/a, "LDOT," JEREMIAH MARTINEZ, a/k/a, "JJ," JERIMIAH MORGAN, a/k/a, "Goon," SETH COLON, TYSHAWN MORRIS, a/k/a "YaYa," EDWIN POZO, a/k/a "Swerv," DAMION ELLIOT, a/k/a, "Upit," DAVON BEST KELLY, a/k/a "Benz," NYJAH WYNTER, a/k/a "Glizzy," and RAEKWON KING, a/k/a, "Buzzin'," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963, any and all interests the defendant 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.

24. Upon conviction of the offenses alleged in Counts Five, Six, and Eight of this Indictment, MODOU TOURAY, a/k/a, "LDOT," JEREMIAH MARTINEZ, a/k/a, "JJ," JERIMIAH MORGAN, a/k/a, "Goon," DAMION ELLIOT, a/k/a, "Upit," NYJAH WYNTER, a/k/a "Glizzy," TYSHAWN MORRIS, a/k/a "YaYa," and DAVON BEST KELLY, a/k/a "Benz," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

25. Upon conviction of the offenses alleged in Counts Seven, Nine, and Ten of this Indictment, MODOU TOURAY, a/k/a, "LDOT," DAVON BEST KELLY, a/k/a "Benz," JERIMIAH MORGAN, a/k/a, "Goon," and NYJAH WYNTER, a/k/a "Glizzy," 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 or used in or intended to be used in said offenses.

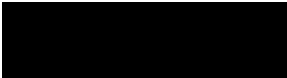
Substitute Assets Provision

26. If any of the above-described forfeitable property, as a result of any act or omission of MODOU TOURAY, a/k/a, "LDOT," JEREMIAH MARTINEZ, a/k/a, "JJ," JERIMIAH MORGAN, a/k/a, "Goon," SETH COLON, TYSHAWN MORRIS, a/k/a "YaYa," EDWIN POZO, a/k/a "Swerv," DAMION ELLIOT, a/k/a, "Upit," DAVON BEST KELLY, a/k/a "Benz," NYJAH WYNTER, a/k/a "Glizzy," RAEKWON KING, a/k/a, "Buzzin'," 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 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, Sections 924 and 1963;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)

 6/1/26
FOREPERSON


JAY CLAYTON
United States Attorney