

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MATTHEW SPATOLA,

Defendant.

SUPERSEDING INDICTMENT

S1 26 Cr. 327 (RA)

COUNT ONE

(Narcotics Distribution and Possession with Intent to Distribute)

The Grand Jury charges:

1. On or about July 14, 2026, in the Southern District of New York and elsewhere, MATTHEW SPATOLA, the defendant, knowingly and intentionally distributed and possessed with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1), and aided and abetted the same.

2. The controlled substances involved in the offense were quantities of mixtures and substances containing a detectable amount of fentanyl; quantities of mixtures and substances containing a detectable amount of heroin; and quantities of mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Section 2.)

COUNT TWO

(Distribution and Possession with Intent to Distribute Narcotics Resulting in Death)

The Grand Jury further charges:

3. On or about June 26, 2026, in the Southern District of New York and elsewhere, MATTHEW SPATOLA, the defendant, knowingly and intentionally distributed and possessed

with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1), and aided and abetted the same.

4. The controlled substances involved in the offense were quantities of mixtures and substances containing a detectable amount of cocaine; quantities of mixtures and substances containing a detectable amount of fentanyl; quantities of mixtures and substances containing a detectable amount of clonazepam; and quantities of mixtures and substances containing a detectable amount of alprazolam, in violation of Title 21, United States Code, Section 841(b)(1)(C).

5. The use of such controlled substances resulted in the death of Victim-1 on or about June 26, 2026, in New York, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C); Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

6. As a result of committing the offense alleged in Counts One and Two of this Indictment, MATTHEW SPATOLA, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, 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.

Substitute Assets Provision

7. If any of the above-described forfeitable property, 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;

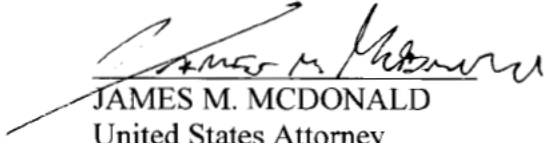
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

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

[REDACTED]

FOREPERSON

8/17/2026


JAMES M. MCDONALD
United States Attorney