

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MEDIN KOSIC,
a/k/a "Dino,"
JASMIN CEJOVIC,
a/k/a "Min,"
PAUL VAN MANEN,
MIRSAD BOGDANOVIC,
a/k/a "Mike,"
SHAUN SULLIVAN,
THEODORE BANASKY,
a/k/a "Freddy,"
a/k/a "Eduardo,"
ANTHONY FRANCESE,
ALEXANDER BUCCI,
JOSEPH CUCCINIELLO,
a/k/a "Cuch,"
KENNETH CHARLTON, and
JENNIFER BOGDANOVIC,

Defendants.

SEALED INDICTMENT

18 Cr. ____ ()

18 CRIM 030

COUNT ONE

The Grand Jury charges:

Overview of the Conspiracy

1. From at least in or about 2015, up to and including in or about January 2018, in the Southern District of New York and elsewhere, MEDIN KOSIC, a/k/a "Dino," JASMIN CEJOVIC, a/k/a "Min," PAUL VAN MANEN, MIRSAD BOGDANOVIC, a/k/a "Mike," SHAUN SULLIVAN, THEODORE BANASKY, a/k/a "Freddy," a/k/a "Eduardo," ANTHONY FRANCESE, ALEXANDER BUCCI, JOSEPH CUCCINIELLO, a/k/a "Cuch," KENNETH CHARLTON, and JENNIFER BOGDANOVIC, the defendants

(collectively, the "Defendants"), and others known and unknown, conspired to distribute heroin and fentanyl in and around New York City, among other places.

2. The Defendants were members of a drug trafficking organization (the "DTO") that obtained narcotics from a supplier in Brooklyn, which were then stored and packaged in Staten Island or Brooklyn, and resold in Brooklyn, Staten Island, and New Jersey, among other places. Certain Defendants also arranged to sell narcotics while in Manhattan.

Roles in the Conspiracy

3. The Defendants played different roles within the DTO. For example, certain Defendants regularly sold heroin (including heroin containing fentanyl) to retail customers; other Defendants obtained wholesale supplies of heroin that they distributed to other members of the DTO; and other Defendants managed "stash houses" where the heroin was stored and packaged prior to distribution.

4. MEDIN KOSIC, a/k/a "Dino," the defendant, supplied JASMIN CEJOVIC, a/k/a "Min," PAUL VAN MANEN, MIRSAĐ BOGDANOVIC, a/k/a "Mike," SHAUN SULLIVAN, THEODORE BANASKY, a/k/a "Freddy," a/k/a "Eduardo," ANTHONY FRANCESE, ALEXANDER BUCCI, and JOSEPH CUCCINIELLO, a/k/a "Cuch," the defendants, with heroin for distribution.

5. THEODORE BANASKY, a/k/a "Freddy," a/k/a "Eduardo," and ANTHONY FRANCESE, the defendants, managed stash houses in Brooklyn and Staten Island on behalf of MEDIN KOSIC, a/k/a "Dino," the defendant, where heroin was stored and packaged prior to further distribution.

6. KENNETH CHARLTON, the defendant, recruited customers for the DTO from, among other places, a drug treatment program.

7. JENNIFER BOGDANOVIC, the defendant, facilitated narcotics transactions between MEDIN KOSIC, a/k/a "Dino," the defendant, and other members of the DTO, including PAUL VAN MANEN, the defendant.

DTO's Awareness of Potency and Risk of Overdose

8. As discussed above, the narcotics sold by the DTO included heroin and fentanyl. At least some of the Defendants were aware that the narcotics distributed by the DTO were particularly potent. Indeed, one of the DTO members, SHAUN SULLIVAN, the defendant, overdosed from heroin that was provided by the DTO. Nevertheless, the DTO continued to distribute narcotics.

9. On or about October 5, 2017, SHAUN SULLIVAN, the defendant, was found unconscious in Staten Island following a drug overdose. SULLIVAN and PAUL VAN MANEN, the defendant, had obtained heroin from MEDIN KOSIC, a/k/a "Dino," the defendant, the night

before SULLIVAN overdosed. SULLIVAN was revived with naloxone. After SULLIVAN overdosed on the heroin supplied by KOSIC, VAN MANEN told KOSIC, in part, that "Shaun . . . this morning he did two pieces and OD'ed." Later that day, in discussing how SULLIVAN had overdosed, KOSIC asked if it was "surprising" to VAN MANEN that SULLIVAN had overdosed. VAN MANEN told KOSIC that it was "not surprising, no."

10. Notwithstanding their awareness of the risk of overdose posed by the narcotics distributed by the DTO, members of the DTO continued to distribute heroin laced with fentanyl to others. On or about October 10, 2017, PAUL VAN MANEN, the defendant, spoke with a narcotics customer ("Customer-1") about the strength of recent heroin compared to previous batches of heroin. VAN MANEN told Customer-1, in sum and substance, that SHAUN SULLIVAN, the defendant, had told VAN MANEN that "fentanyl comes out clear, like champagne." Customer-1 said "the regular one comes back like champagne." VAN MANEN replied that "the one that come back like champagne, it's with fentanyl." Customer-1 expressed surprise that "the regular stuff" contained fentanyl: "Wow, that's why it's so potent."

STATUTORY ALLEGATIONS

11. From at least in or about 2015, through in or about January 2018, in the Southern District of New York and elsewhere,

MEDIN KOSIC, a/k/a "Dino," JASMIN CEJOVIC, a/k/a "Min," PAUL VAN MANEN, MIRSAĐ BOGDANOVIC, a/k/a "Mike," SHAUN SULLIVAN, THEODORE BANASKY, a/k/a "Freddy," a/k/a "Eduardo," ANTHONY FRANCESE, ALEXANDER BUCCI, JOSEPH CUCCINIELLO, a/k/a "Cuch," KENNETH CHARLTON, and JENNIFER BOGDANOVIC, 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.

12. It was a part and an object of the conspiracy that MEDIN KOSIC, a/k/a "Dino," JASMIN CEJOVIC, a/k/a "Min," PAUL VAN MANEN, MIRSAĐ BOGDANOVIC, a/k/a "Mike," SHAUN SULLIVAN, THEODORE BANASKY, a/k/a "Freddy," a/k/a "Eduardo," ANTHONY FRANCESE, ALEXANDER BUCCI, JOSEPH CUCCINIELLO, a/k/a "Cuch," KENNETH CHARLTON, and JENNIFER BOGDANOVIC, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

13. The controlled substances that MEDIN KOSIC, a/k/a "Dino," JASMIN CEJOVIC, a/k/a "Min," PAUL VAN MANEN, MIRSAĐ BOGDANOVIC, a/k/a "Mike," SHAUN SULLIVAN, THEODORE BANASKY, a/k/a "Freddy," a/k/a "Eduardo," ANTHONY FRANCESE, ALEXANDER BUCCI, JOSEPH CUCCINIELLO, a/k/a "Cuch," KENNETH CHARLTON, and JENNIFER BOGDANOVIC, the defendants, conspired to distribute and possess

with intent to distribute were (a) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A), and (b) a quantity of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C).

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

FORFEITURE ALLEGATION

14. As a result of committing the controlled substance offense alleged in Count One of this Indictment, MEDIN KOSIC, a/k/a "Dino," JASMIN CEJOVIC, a/k/a "Min," PAUL VAN MANEN, MIRSA BOGDANOVIC, a/k/a "Mike," SHAUN SULLIVAN, THEODORE BANASKY, a/k/a "Freddy," a/k/a "Eduardo," ANTHONY FRANCESE, ALEXANDER BUCCI, JOSEPH CUCCINIELLO, a/k/a "Cuch," KENNETH CHARLTON, and JENNIFER BOGDANOVIC, the defendants, 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

15. 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;

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 defendants up to the value of the above forfeitable property.

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


FOREPERSON


GEOFFREY S. BERMAN
United States Attorney

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INDICTMENT

18 Cr. ____ (____)

(21 U.S.C. § 846.)

GEOFFREY S. BERMAN
United States Attorney


Foreperson
