

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA :
 :
 - v. - :
 :
 LUIS SEMIDAY, :
 a/k/a "PopOff," :
 RICHARD JIMENEZ, :
 a/k/a "Showtime," :
 KEVIN CRUZ, :
 a/k/a "Juice," :
 IRA LAWSON, :
 a/k/a "Malachi," and :
 CURTIS HINES, :
 a/k/a "Curt," :
 a/k/a "Gz," :
 :
 Defendants. :

SEALED
INDICTMENT

18 Cr.

18 CRIM 779

- - - - - x

COUNT ONE

The Grand Jury charges:

1. On or about February 4, 2018, in the Southern District of New York and elsewhere, LUIS SEMIDAY, a/k/a "PopOff," RICHARD JIMENEZ, a/k/a "Showtime," KEVIN CRUZ, a/k/a "Juice," IRA LAWSON, a/k/a "Malachi," and CURTIS HINES, a/k/a "Curt," a/k/a "Gz," the defendants, and others known and unknown, knowingly did combine, conspire, confederate, and agree together and with others known and unknown 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, the defendants agreed to rob a marijuana dealer at 2334 Washington Avenue in the Bronx, New York.

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

COUNT TWO

The Grand Jury further charges:

2. On or about February 4, 2018, in the Southern District of New York and elsewhere, LUIS SEMIDAY, a/k/a "PopOff," RICHARD JIMENEZ, a/k/a "Showtime," KEVIN CRUZ, a/k/a "Juice," IRA LAWSON, a/k/a "Malachi," and CURTIS HINES, a/k/a "Curt," a/k/a "Gz," the defendants, knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), 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), and did aid and abet the same, to wit, the defendants robbed, and aided and abetted the robbery of, a marijuana dealer at 2334 Washington Avenue in the Bronx, New York.

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

COUNT THREE

The Grand Jury further charges:

3. On or about February 4, 2018, in the Southern District of New York, LUIS SEMIDAY, a/k/a "PopOff," RICHARD JIMENEZ, a/k/a "Showtime," KEVIN CRUZ, a/k/a "Juice," IRA LAWSON, a/k/a "Malachi," and CURTIS HINES, a/k/a "Curt," a/k/a "Gz," the defendants, willfully and knowingly, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery conspiracy and robbery charged in Counts One and Two of this Indictment, did use and carry firearms, and, in furtherance of such crime, did possess firearms, and in the course thereof did, through the use of a firearm, cause the death of a person, which killing is murder as defined in Title 18, United States Code, Section 1111(a), and did aid and abet the same, to wit, in the course of the robbery of a marijuana dealer at 2334 Washington Avenue in the Bronx, New York, Jonathan Tuck, a marijuana customer, was unintentionally shot and killed.

(Title 18, United States Code, Sections 924(j) and 2.)

FORFEITURE ALLEGATION

4. As a result of committing the offenses charged in Counts One and Two of this Indictment, LUIS SEMIDAY, a/k/a

"PopOff," RICHARD JIMENEZ, a/k/a "Showtime," KEVIN CRUZ, a/k/a "Juice," IRA LAWSON, a/k/a "Malachi," and CURTIS HINES, a/k/a "Curt," a/k/a "Gz," 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.

Substitute Assets Provision

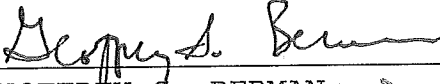
5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third person;
 - c. has been placed beyond the jurisdiction of the Court;

- 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) 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, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FORFEITURE



GEOFFREY S. BERMAN *ms*
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

LUIS SEMIDAY,
a/k/a "PopOff,"
RICHARD JIMENEZ,
a/k/a "Showtime,"
KEVIN CRUZ,
a/k/a "Juice,"
IRA LAWSON,
a/k/a "Malachi," and
CURTIS HINES,
a/k/a "Curt,"
a/k/a "Gz,"

Defendants.

SEALED INDICTMENT

18 Cr.

(18 U.S.C. §§ 1951, 924(j), and 2.)

GEOFFREY S. BERMAN
United States Attorney.


Foreperson 7
