

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:
UNITED STATES OF AMERICA :
:
- v. - :
:
ALEXANDER MELENDEZ, :
a/k/a "Kiki," :
:
Defendant. :
:
- - - - - x

INDICTMENT

S1 17 Cr. 791 (LAK)

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2012 up to and including in or about 2017, in the Southern District of New York and elsewhere, ALEXANDER MELENDEZ, a/k/a "Kiki," the defendant, 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.

2. It was a part and an object of the conspiracy that ALEXANDER MELENDEZ, a/k/a "Kiki," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that ALEXANDER MELENDEZ, a/k/a "Kiki," the defendant, conspired to distribute and possess with intent to distribute was 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a

form commonly known as "crack," in violation of Title 21, United States Code, Section 841(b) (1) (A).

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

COUNT TWO

The Grand Jury further charges:

4. From at least in or about 2012 up to and including in or about 2017, on occasions other than the fatal shooting of Shaquille Malcolm that occurred on or about January 2, 2014, as charged in Counts Three and Four of this Indictment, in the Southern District of New York and elsewhere, ALEXANDER MELENDEZ, a/k/a "Kiki," the defendant, during and in relation to a narcotics trafficking crime for which he may be prosecuted in a court of the United States, namely the narcotics conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, some of which firearms were brandished and discharged.

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

COUNT THREE

The Grand Jury further charges:

5. On or about January 2, 2014, in the Southern District of New York, ALEXANDER MELENDEZ, a/k/a "Kiki," the defendant, willfully and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the

United States, namely, the narcotics conspiracy charged in Count One of this Indictment, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and in the course of that crime did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), and did aid and abet the same, to wit, MELENDEZ caused the death of Shaquille Malcolm by shooting Malcolm, and aiding and abetting the same, in the vicinity of 2818 Bronx Park East in the Bronx, New York.

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

COUNT FOUR

The Grand Jury further charges:

6. On or about January 2, 2014, in the Southern District of New York, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, a conspiracy to distribute and to possess with intent to distribute 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," ALEXANDER MELENDEZ, a/k/a "Kiki," the defendant, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Shaquille Malcolm, and aided and abetted the same, and such killing resulted in the vicinity of 2818 Bronx Park East in the Bronx, New York.

(Title 21, United States Code, Section 848(e)(1)(A) and Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

7. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ALEXANDER MELENDEZ, a/k/a "Kiki," 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 ASSET PROVISION

8. 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;

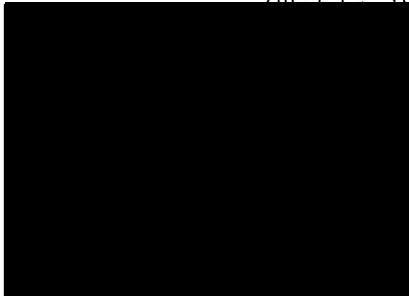
(c) has been placed beyond the jurisdiction of the Court;

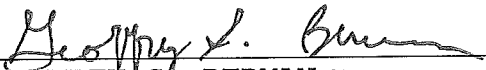
(d) has been substantially diminished in value; or

(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.)





GEOFFREY S. BERMAN *na*
United States Attorney

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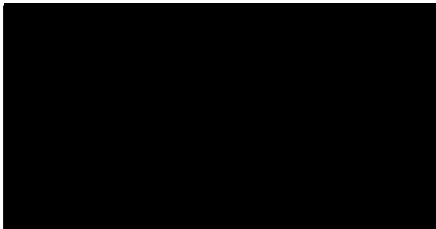
INDICTMENT

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(Title 21, United States Code, Sections 846 and 848;
Title 18, United States Code, Sections 924 and 2.)

GEOFFREY S. BERMAN

United States Attorney.

 E BILL

Foreperson.