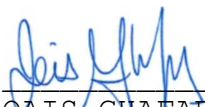


Approved: 
QAIS GHAFARY
Assistant United States Attorney

Before: HONORABLE ANDREW E. KRAUSE
United States Magistrate Judge
Southern District of New York

UNITED STATES OF AMERICA

- v. -

RAI THOMAS,
a/k/a "Bandz,"

Defendant.

SEALED COMPLAINT 22MJ5962

Violations of 18
U.S.C. §§ 1591(a) and
(b) (2), 1952(a) (3),
and 2

COUNTIES OF OFFENSE:
DUTCHESS/BRONX/KINGS

SOUTHERN DISTRICT OF NEW YORK, ss.:

CALEB TAYLOR, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE
(Sex Trafficking of a Minor)

1. From at least in or about January 2022 through at least in or about February 2022, in the Southern District of New York and elsewhere, RAI THOMAS, a/k/a "Bandz," the defendant, willfully and knowingly, in and affecting interstate and foreign commerce, did recruit, entice, harbor, transport, provide, obtain, advertise, maintain, patronize, and solicit by any means a person, and did benefit financially and by receiving anything of value, from participation in a venture which has engaged in any such act, and having had a reasonable opportunity to observe such person, knowing and in reckless disregard of the fact that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, and did aid and abet the same, to wit, THOMAS recruited, enticed, harbored, transported, provided, obtained, maintained, advertised, patronized, and solicited a victim ("Minor Victim-1"), who had attained the age of 14 years but had not attained the age of 18 years, to engage in commercial sex, and benefited financially from such commercial sex.

(Title 18, United States Code, Sections 1591(a) and (b) (2), and 2.)

COUNT TWO

(Use of Interstate Facility to Promote Unlawful Activity)

2. From at least in or about January 2022 through at least in or about February 2022, in the Southern District of New York and elsewhere, RAI THOMAS, a/k/a "Bandz," the defendant, did travel in interstate and foreign commerce and use and cause to be used the mail and facilities in interstate and foreign commerce, with intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment and carrying on of an unlawful activity, and thereafter performed and attempted to perform an act to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment and carrying on of such unlawful activity, to wit, THOMAS used a cellular phone and the Internet to promote, manage, establish, and carry on a criminal business engaged in sex trafficking and prostitution, and promoting prostitution in violation of New York Penal Law §§ 230.00, 230.20, 230.25, and 230.30.

(Title 18, United States Code, Sections 1952(a) (3) and 2.)

The bases for my knowledge and the foregoing charges are, in part, as follows:

3. I am a Special Agent with the FBI, and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my conversations with law enforcement agents and other individuals. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview

4. Minor Victim-1 is a female minor who resided at a residential facility for vulnerable and at-risk minors that is located within Dutchess County in the Southern District of New York (the "Children's Facility"). RAI THOMAS, a/k/a "Bandz," the defendant, recruited Minor Victim-1 to engage in

prostitution and caused Minor Victim-1 to engage in commercial sex on multiple occasions in particular hotels within the Bronx and Brooklyn, New York, in or about January and February 2022. THOMAS facilitated and benefited from causing Minor Victim-1 to engage in commercial sex in numerous ways, including by recruiting and enticing Minor Victim-1 to engage in commercial sex; coordinating the transportation of Minor Victim-1 to the hotel(s) and reserving the hotel room(s) in which Minor Victim-1 engaged in commercial sex; facilitating the advertisement of Minor Victim-1 on various websites to customers for commercial sex; collecting the proceeds of commercial sex from Minor Victim-1; and paying Minor Victim-1 a portion of the proceeds from engaging in commercial sex.

Social Media and Cellphones

5. Based on my review of records from cellphone service providers T-Mobile, Verizon, and Inteliquent, Inc., my participation in an interview of Minor Victim-1, my conversations with other law enforcement agents, and my participation in this investigation, I have learned, in substance and in part, the following:

a. Between in or about at least January 2022 and in or about at least February 2022, multiple cellphones were possessed and/or used by Minor Victim-1 and RAI THOMAS, a/k/a "Bandz," the defendant. These cellphones were used in connection with the sex trafficking incidents specified below.

b. "Victim Cellphone-1" is assigned a particular call number. Victim Cellphone-1's service provider is Inteliquent, Inc. and its formal subscriber is unknown. As detailed below, Victim Cellphone-1 was provided by THOMAS to Minor Victim-1, who used Victim Cellphone-1 in connection with a sex trafficking incident

c. "Victim Cellphone-2" is assigned a particular call number. Victim Cellphone-2's service provider is T-Mobile and its formal subscriber is unknown. As detailed below, Victim Cellphone-2 was used by Minor Victim-1 in connection with a sex trafficking incident.

d. "THOMAS Cellphone-1" is assigned a particular call number. THOMAS Cellphone-1's service provider is T-Mobile and its formal subscriber is another particular individual. T-Mobile records establish that THOMAS Cellphone-1 is associated with a particular device that is registered to THOMAS. As

detailed below, THOMAS Cellphone-1 was used by THOMAS in connection with a sex trafficking incident.

e. "THOMAS Cellphone-2" is assigned a particular call number. THOMAS Cellphone-2's service provider is Verizon and its formal subscriber is another particular individual. As detailed below, THOMAS Cellphone-2 was used by THOMAS in connection with a sex trafficking incident.

6. Based on my review of the publicly available contents of an account with username "touchmoneyogbandz" on social media platform Instagram, my participation in an interview of Minor Victim-1, my conversations with other law enforcement officers, and my participation in this investigation, I have learned, in substance and in part, the following:

a. The Instagram account with username "touchmoneyogbandz" ("Account-1") is believed to belong to RAI THOMAS, a/k/a "Bandz," the defendant. Account-1 includes the following post ("Post-1"):



b. Based on an interview with Minor Victim-1, I understand that the individual depicted in Post-1 is THOMAS.

c. In Post-1, THOMAS is wearing a distinct three-quarter length coat that is brown with wide, white lapels and white cuffs (the "Brown-and-White Coat").

d. The Instagram username contains the word "bandz." Prior to identifying THOMAS in Post-1 to law enforcement, Minor Victim-1 had identified "bandz" as THOMAS's nickname.

The January 2022 Bronx Incident

7. Based on my participation in an interview of Minor Victim-1, my conversations with other law enforcement officers, and my participation in this investigation, I have learned, in substance and in part, the following:

a. On or about January 3, 2022, Minor Victim-1 and another female minor resident of the Children's Facility traveled to and primarily remained at a particular hotel in the Bronx ("Bronx Hotel-1") for several days. There, Minor Victim-1 engaged in sex acts with unknown individuals ("Sex Buyers") in exchange for money (the "January Bronx Incident").

b. During the January Bronx Incident, RAI THOMAS, a/k/a "Bandz," the defendant, acted at times as a "manager" or "bodyguard" who, among other things, took away Minor Victim-1's personal cellular phone for a period of time and provided Minor Victim-1 with Victim Cellphone-1, which Minor Victim-1 used to communicate with THOMAS at THOMAS Cellphone-1 during the course of the January Bronx Incident. THOMAS also kept watch of Minor Victim-1's room, at times collected the cash payments that the Sex Buyers would leave, and at times determined if and how Minor Victim-1 could enter and exit Bronx Hotel-1.

c. At one point during the January Bronx Incident, Minor Victim-1 heard another individual refer to THOMAS as "Ray" or "Rai."

8. Based on my review of video surveillance footage obtained from Bronx Hotel-1, which shows an internal hallway and hotel room doors in Bronx Hotel-1, my participation in this investigation, my participation in an interview of Minor Victim-1, and my discussions with other law enforcement members, I have learned the following, in substance and in part:

a. On or about January 7, 2022, at approximately 8:44 p.m., an individual whose appearance is consistent with that of Minor Victim-1 is observed entering a particular room in Bronx Hotel-1 (the "Bronx Hotel-1 Room").

b. On or about January 7, 2022, at approximately 8:48 p.m., an unidentified person is observed entering the Bronx Hotel-1 Room. Based on my participation in this investigation and my training and experience, I believe this person was a Sex Buyer.

c. On or about January 7, 2022, at approximately 11:52 p.m., a man whom I believe to be RAI THOMAS, a/k/a "Bandz," the defendant, is observed exiting the Bronx Hotel-1 Room. The man is wearing the Brown-and-White Coat and appears to be the same person depicted in Post-1 (*i.e.*, THOMAS). A still image of the January 7, 2022 video surveillance footage ("Image-1") is depicted below:



d. On or about January 9, 2022, at approximately 5:44 a.m., a man who appears to be the same person depicted in Post-1 and Image-1 (*i.e.*, THOMAS) is again observed in the hallway outside the Bronx Hotel-1 Room while wearing the Brown-

and-White Coat. A still image of the January 9, 2022 video surveillance footage ("Image-2") is depicted below:



e. On or about January 9, 2022, at approximately 11:35 p.m., Minor Victim-1 is observed exiting a room in Bronx Hotel-1 while wearing a distinct red jacket with a hood that is partially white (the "Red Jacket").

f. On or about January 10, 2022, at approximately 2:19 a.m., Minor Victim-1, wearing the Red Jacket, is observed entering into a room at Bronx Hotel-1 with a man who appears to be THOMAS.

9. Based on my review of geographic location records for THOMAS Cellphone-1 obtained pursuant to a judicially authorized warrant, my participation in this investigation, and my discussions with other law enforcement members, I have learned, in substance and in part, that THOMAS Cellphone-1 was geographically located in the vicinity of Bronx Hotel-1 for stretches of time on or about January 7, 2022, January 8, 2022, January 9, 2022, and January 10, 2022, *i.e.*, during the course of the January 2022 Bronx Incident described above.

The February 2022 Bronx Incident

10. Based on my participation in an interview with Minor Victim-1, as well as my conversations with other law enforcement agents and my participation in this investigation, I have learned, in substance and in part, the following:

a. After returning to the Children's Facility after the January Bronx Incident, Minor Victim-1 obtained a new cellular phone, which is Victim Cellphone-2. On or about February 10, 2022, THOMAS using THOMAS Cellphone-2 began communicating with Minor Victim-1 on Victim Cellphone-2 in order to encourage and facilitate Minor Victim-1 to engage in additional sex acts in exchange for money.

b. For approximately two days between on or about February 21, 2022, through on or about February 22, 2022, at another particular hotel in the Bronx, NY, ("Bronx Hotel-2"), Minor Victim-1 engaged in prostitution (the "February Bronx Incident").

c. Similar to the January Bronx Incident, THOMAS acted as a "bodyguard" for Minor Victim-1, checked-in on her before and/or after sexual encounters with Sex Buyers, collected the proceeds that Sex Buyers paid, and paid Minor Victim-1 a part of those proceeds. THOMAS also had Minor Victim-1's photographs posted on particular websites in order to advertise her for commercial sex during the February 2022 Bronx Incident.

11. Based on my review of text message communications between Minor Victim-1 using Victim Cellphone-2 and RAI THOMAS, a/k/a "Bandz," the defendant, using THOMAS Cellphone-2, my review of geographic location records for Victim Cellphone-2, as well as my conversations with other law enforcement officers and my participation in this investigation, I have learned, in substance and in part, the following:

a. Initially, on or about February 10, 2022, THOMAS using THOMAS Cellphone-2 texted with Minor Victim-1 at Victim Cellphone-2, asking Minor Victim-1 numerous times whether she was "ready" because THOMAS was "ready to bring [her] down." When Minor Victim-1 stated she needed a few days to be ready, THOMAS responded, "U not serious rn. U want to make money or not. ... I got shit lined up for u." THOMAS suggested he would order a car for Minor Victim-1 to travel from the Children's Facility to the Bronx or he would "com[e] to get u myself." Later, Minor Victim-1 explained to THOMAS that she planned to move out of the Children's Facility because she would "be 18

soon and there's [nothing] they can do," to which THOMAS responded, "Aight kopy. U crazy lol." In multiple instances during the text message exchanges, both THOMAS and Minor Victim-1 refer to Minor Victim-1 as "Blue."

b. On or about February 21, 2022, THOMAS ordered a car for Minor Victim-1, who took that car from the Children's Facility to the Bronx.

c. Geographic location records for Victim Cellphone-2 help corroborate this. Specifically, geographic location records establish, in substance and in part, that Victim Cellphone-2 was located in the vicinity of the Children's Facility in the early morning hours of February 21, 2022. Then, at approximately 8:28 a.m., Victim Cellphone-2 was located in the vicinity of a particular highway near a particular location that is slightly more than approximately halfway between the locations of the Children's Facility and of Bronx Hotel-2. Based on this information, my training and experience, and participation in this investigation, I believe that the geographic location data for Victim Cellphone-2 illustrates that Minor Victim-1 traveled from the Children's Facility to Bronx Hotel-2 at the outset of the February 2022 Bronx Incident.

12. Based on my participation in an interview of Minor Victim-1, my review of text message communications between Minor Victim-1 using Victim Cellphone-2 and RAI THOMAS, a/k/a "Bandz," the defendant, using THOMAS Cellphone-2, my review of geographic location records for Victim Cellphone-2, as well as my conversations with other law enforcement agents and my participation in this investigation, I have learned, in substance and in part, the following:

a. THOMAS facilitated getting Minor Victim-1's photographs posted on a particular website used to advertise commercial sex, and confirmed to Minor Victim-1 that "[Minor Victim-1 was] posted now" and that THOMAS had obtained condoms for Minor Victim-1. Minor Victim-1 made her way to Bronx Hotel-2, and after she arrived there, THOMAS continued to use THOMAS Cellphone-2 to communicate with Minor Victim-1 before and after sexual encounters with Sex Buyers, referred to as "dates."

i. For example, on or about February 21, 2022, at approximately 2:21 p.m., THOMAS asked Minor Victim-1, "Any dates yet?" to which Minor Victim-1 responded, "One on the way ... one here," prompting THOMAS to respond, "Aight kopy." Based on my training and experience and my discussions with other law enforcement officers, I believe that THOMAS's question ("Any

dates yet?") refers to whether Minor Victim-1 had made any prostitution dates. I also believe that Minor Victim-1's response ("One on the way . . . one here") refers to a Sex Buyer who is on his way and arriving to engage in commercial sex with Minor Victim-1.

ii. Later that day, at approximately 7:46 p.m., THOMAS asked Minor Victim-1, "Anyone hit ur phone ... Got u posted." Minor Victim-1 responded in pertinent part, "I got a date in 30 min." Based on my training and experience and my discussions with other law enforcement officers, I believe that THOMAS's statement ("Anyone hit ur phone ... Got u posted") refers to whether any potential Sex Buyers had contacted Minor Victim-1 yet and the fact that THOMAS had a prostitution ad for Victim-1 posted on the internet. I also believe that Minor Victim-1's response ("I got a date in 30 min") refers to Victim-1's understanding that a Sex Buyer was on his way in order to engage in commercial sex with Minor Victim-1.

iii. At approximately 8:55 p.m., when Minor Victim-1 informed THOMAS that "[t]he date that was supposed to come still not here so I'm guessing he not coming," THOMAS responded, "He probably in traffic" and directed Minor Victim-1 to "Hit him and find out." Based on my training and experience and my discussions with other law enforcement officers, I believe that Minor Victim-1's comment ("[t]he date that was supposed to come still not here so I'm guessing he not coming") refers to Minor Victim-1's understanding that a potential Sex Buyer who was supposed to arrive in order to engage in commercial sex with Minor Victim-1 was delayed. I also believe that THOMAS's response ("Hit him and find out") refers to THOMAS directing Minor Victim-1 to contact the Sex Buyer and inquire whether he was still intending to arrive at Minor Victim-1's location in order to engage in commercial sex with Victim-1.

iv. Later, at approximately 10:52 p.m., Minor Victim-1 texted THOMAS, "I got a date coming." THOMAS replied, "Aight good. Thank God lol ... How far is he?" Minor Victim-1 responded "Idk." THOMAS replied, "Ask him?" Minor Victim-1 said, "I did he hasn't responded."

v. On or about February 22, 2022, THOMAS and Minor Victim-1 continued to exchange text messages about Minor Victim-1's upcoming or completed "dates."

b. THOMAS Cellphone-2 and Victim Cellphone-2 were geographically located in the same approximate vicinity as each other from approximately 11:08 a.m. to approximately 3:15 p.m.

on or about February 21, 2022, *i.e.*, during the February 2022 Bronx Incident described above.

The February 2022 Brooklyn Incident

13. Based on discussions with Minor Victim-1, my review of law enforcement records and reports, my review of geographic location records and data for Victim Cellphone-2, my review of the contents of Victim Cellphone-2, my conversations with other law enforcement agents and my participation in this investigation, I have learned, in substance and in part, the following:

a. On or about February 22, 2022, Minor Victim-1 departed Bronx Hotel-2 and eventually went with THOMAS to a particular hotel in Brooklyn, NY (the "Brooklyn Hotel"). Based on my review of geographic location records, my training and experience, and my conversations with other law enforcement officers, I understand that geographic location records reflect that that Victim Cellphone-2 traveled on February 22, 2022, from the Bronx to Brooklyn, New York.

b. At the Brooklyn Hotel, THOMAS reserved a room for Minor Victim-1, in which Minor Victim-1 stayed from on or about February 22, 2022, through on or about February 25, 2022, and engaged in commercial sex acts (the "February Brooklyn Incident"). Similar to the January Bronx Incident and the February Bronx Incident, THOMAS acted as a "bodyguard" for Minor Victim-1, checked-in on her before and/or after sexual encounters with Sex Buyers, collected the proceeds that Sex Buyers paid, and paid Minor Victim-1 a part of those proceeds.

c. THOMAS also facilitated getting Minor Victim-1's photographs posted on particular websites in order to advertise her for commercial sex during the February Brooklyn Incident. While THOMAS typically stayed in the vicinity of the particular hotel in which Minor Victim-1 engaged in commercial sex, on one occasion during the February Brooklyn Incident a Sex Buyer became aggressive with Minor Victim-1, who in turn texted THOMAS for help. THOMAS replied that he was not in the area of the Brooklyn Hotel at that time and that he was in the Bronx.

14. Based on my review of the contents of Victim Cellphone-2, my conversations with other law enforcement agents and my participation in this investigation, I have learned, in substance and in part, the following:

a. Victim Cellphone-2 contains at least two photographs of Minor Victim-1 that were taken during the time period of the February Brooklyn Incident ("Image-3" and "Image-4"). Image-3 and Image-4 appear to show Minor Victim-1 in a hotel room. The geographic location metadata associated with Image-3 and Image-4 demonstrate that the photographs were taken in or around the location of the Brooklyn Hotel.

b. Victim Cellphone-2 also contains at least one photograph of Minor Victim-1 with THOMAS during the time period of the February Brooklyn Incident ("Image-5"). Image-5 appears to show Minor Victim-1 and THOMAS in a hotel room. The geographic location metadata associated with Image-5 demonstrates that the photograph was taken in or around the location of the Brooklyn Hotel.

15. Based on my review of the contents of two particular prostitution advertisement websites ("Site-1" and "Site-2"), my discussions with other law enforcement members, and my participation in this investigation, I have learned the following, in substance and in part:

a. An advertisement post on Site-1 that is dated February 23, 2022, (the "Site-1 Ad") and an advertisement post on Site-2 that is undated (the "Site-2 Ad," and collectively, the "Prostitution Ads") portray photographs of Minor Victim-1 in sexually explicit positions, including a photograph of Minor Victim-1 in which she is nude, lying on a bed, and her buttocks are displayed.

b. The Prostitution Ads provide Minor Victim-1's age as "23" and a current city of "Brooklyn, New York." The Prostitution Ads contain a headline that states, "COME SEE ME NOW AVAILABLE BLUE CALL NOW," and a description that states, "Hey gentlemen my name is blue I'm 5'3 [] Slim thick, white girl. Blue eyes sexy slim petite model body I'm small I'm petite I'm a treat that can't be beat."

c. Based on the contents of the Prostitution Ads, including the location, description, and photographs, and the date of the Site-1 Ad, and my participation in this investigation, I believe that the Prostitution Ads solicited Sex Buyers to engage in commercial sex with Minor Victim-1 during the February 2022 Brooklyn Incident.

16. Based on my review of records obtained from the Brooklyn Hotel, my discussions with other law enforcement members, and my participation in this investigation, I have

learned the following, in substance and in part:

a. Two printed registration forms for the Brooklyn Hotel show that Room 512 of the Brooklyn Hotel was reserved in the name of "Rai, Thomas" for particular dates in February 2022. One registration form ("Brooklyn Hotel Registration Form-1"), bearing a printout date and time of "2/22/2022 12:41:36 PM," shows a reserved arrival date of "2/22/2022" and a departure date of "2/23/2022." The departure date is crossed-out and a hand-written date of "2/25/22" appears. Another registration form ("Brooklyn Hotel Registration Form-2"), bearing a printout date and time of "2/24/2022 11:01:59 AM," has a reserved arrival date of "2/22/2022" and a reserved departure date of "2/25/2022." The departure date is crossed-out with a handwritten date of "2/26."

b. A Brooklyn Hotel "guest registration" card shows a hand-written name "Rai Thomas," a hand-written address of a particular address in Mount Vernon, New York (the "MV Address"), and a guest signature that appears to read "Rai Thomas." The guest registration card also provides a date of February 22, 2022, and identifies Room 512 as the room number on the registration.

c. A photocopy of a New York state-issued driver's license accompanied the aforementioned Brooklyn Hotel reservation for Room 512. The driver's license is in the name of "Rai A. Thomas" at the MV Address. Based on my training and experience and review of the Brooklyn Hotel's records, the signature on this driver's license appears to match that on the "guest registration" card referenced above.

17. Based on my review of video surveillance footage obtained from the Brooklyn Hotel, which shows the Brooklyn Hotel's outside front entrance, inside lobby area, and internal hallway areas, my participation in this investigation, my review of geographic location records for THOMAS Cellphone-2, and my discussions with other law enforcement members, I have learned, the following, in substance and in part:

a. On or about February 22, 2022, at approximately 12:36 p.m.—*i.e.*, approximately 5 minutes before Brooklyn Hotel Registration Form-1 (bearing THOMAS's name and accompanied by THOMAS's driver's license) was printed out—THOMAS, wearing a dark jacket and a yellow/green head cover, entered the Brooklyn Hotel.

b. At the front desk, an individual who appears to be THOMAS took out from his wallet a card, which I believe to be his driver's license, and appears to check in. THOMAS subsequently exited and then reentered the hotel while rolling a suitcase, this time accompanied by Minor Victim-1, who is wearing the Red Jacket and a white backpack. THOMAS and Minor Victim-1 took the elevator to the 5th floor of the Brooklyn Hotel and entered a room.

c. On or about February 25, 2022, at approximately 9:54 p.m., THOMAS exited a room on the 5th floor of the Brooklyn Hotel and then the Brooklyn Hotel itself while wearing the Brown-and-White Coat. Geographic location records confirm that THOMAS Cellphone-2 was located in the vicinity of the Brooklyn Hotel on February 25, 2022, from at least approximately 9:57 p.m. until at least approximately 10:05 p.m.

d. On or about February 25, 2022, at approximately 10:11 p.m., I and other members of law enforcement arrived at the Brooklyn Hotel and found Minor Victim-1 in room 512 of the Brooklyn Hotel. In room 512, I observed, in substance and in part, what appeared to be an open gold condom wrapper in a plastic shopping bag. I also observed, in substance and in part, Minor Victim-1 place what appeared to be multiple unopened gold condom wrappers, which were being stored in the hotel room ice bucket, into her suitcase. I also observed, in substance and in part, that Minor Victim-1 had an indeterminable amount of cash in a box she had kept hidden near the hotel room bed.

WHEREFORE, the deponent respectfully requests that a warrant be issued for the arrest of RAI THOMAS, a/k/a "Bandz," the defendant, and that he be imprisoned or bailed, as the case may be.

/s/ Caleb Taylor (by AEK, with permission)

CALEB TAYLOR
Special Agent
Federal Bureau of Investigation

Sworn to me through the transmission of this Complaint by reliable electronic means **[by FaceTime]**, pursuant to Federal Rule of Criminal Procedure 4.1, this this 20th day of July, 2022



HONORABLE ANDREW E. KRAUSE
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK