

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	X	
	:	
UNITED STATES OF AMERICA	:	
	:	<u>SUPERSEDING INDICTMENT</u>
- v. -	:	
	:	S1 22 Cr. 310 (PAE)
ISZAYAH ROWSON,	:	
a/k/a "Zay Munna,"	:	
a/k/a "Zay," and	:	
MICHAEL GANT,	:	
a/k/a "AP,"	:	
	:	
Defendants.	:	
- - - - -	X	

COUNT ONE
(Racketeering Conspiracy)

The Grand Jury charges:

1. From at least in or about July 2019, up to and including the present, ISZAYAH ROWSON, a/k/a "Zay Munna," a/k/a "Zay," and MICHAEL GANT, a/k/a "AP," the defendants, and others known and unknown, were members and associates of a criminal organization that operated principally in the Belmont neighborhood of the Bronx, New York ("Third Side," or the "Enterprise"). Members and associates of Third Side engaged in, among other activities, narcotics trafficking, bank fraud, and acts involving murder and assault.

2. Third Side, including its leadership, its membership, and its associates, constituted an "enterprise," as

defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact, although not a legal entity. Third Side constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of Third Side. At all times relevant to this Indictment, Third Side was engaged in, and its activities affected, interstate and foreign commerce.

3. ISZAYAH ROWSON, a/k/a "Zay Munna," a/k/a "Zay," and MICHAEL GANT, a/k/a "AP," the defendants, participated in unlawful and other activities in furtherance of the conduct of Third Side's affairs.

PURPOSES OF THIRD SIDE

4. The purposes of Third Side included the following:

a. Preserving and protecting the power and territory of Third Side and its members and associates through acts involving murder, assault, other acts of violence, and threats of violence.

b. Enriching the members and associates of Third Side through, among other things, (1) the distribution of narcotics, including, cocaine base in a form commonly known as "crack" and marijuana; and (2) financial frauds.

c. Promoting and enhancing Third Side and the reputation and activities of its members and associates.

d. Keeping victims and potential victims in fear of the Enterprise and its members and associates through acts and threats of violence.

MEANS AND METHODS OF THIRD SIDE

5. Among the means and methods employed by the members and associates in conducting and participating in the conduct of the affairs of Third Side were the following:

a. Members and associates of Third Side committed and conspired, attempted, and threatened to commit, acts of violence, including acts involving murder and assault, to protect and to expand Third Side's reputation, and to retaliate against rival gangs.

b. Members and associates of Third Side sold narcotics, including cocaine base in a form commonly known as "crack," and marijuana.

c. Members and associates of Third Side committed financial frauds involving attempts to obtain funds by depositing fraudulent checks into bank accounts controlled by members and associates of Third Side, and submitting fraudulent unemployment claims.

d. Members and associates of Third Side obtained, possessed, and used firearms and ammunition.

e. Members and associates of Third Side promoted and celebrated the criminal conduct of Third Side on social media

websites such as Instagram and Facebook and through reference to real acts of violence in songs posted publicly on websites such as Youtube.

THE RACKETEERING CONSPIRACY

6. From at least in or about July 2019, up to and including the present, in the Southern District of New York and elsewhere, ISZAYAH ROWSON, a/k/a "Zay Munna," a/k/a "Zay," and MICHAEL GANT, a/k/a "AP," the defendants, and others known and unknown, being persons employed by and associated with the racketeering enterprise described in Paragraphs One through Five of this Indictment, namely, Third Side, which enterprise engaged in, and the activities of which affected, interstate and foreign commerce, knowingly combined, conspired, confederated, and agreed together and with each other to violate the racketeering laws of the United States, to wit, Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of Third Side through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisting of:

a. multiple acts involving murder, chargeable under the following provisions of state law: New York Penal Law, Sections 125.25 (murder), 105.15 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

b. multiple offenses involving the distribution of controlled substances, including cocaine base in a form commonly known as "crack," and marijuana chargeable under Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute) and 846 (conspiracy), and Title 18, United States Code, Section 2 (aiding and abetting);

c. multiple acts indictable under Title 18, United States Code, Sections 1343 (wire fraud), 1344 (bank fraud), and Title 18, United States Code, Section 2 (aiding and abetting).

7. It was a part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of Third Side.

(Title 18, United States Code, Section 1962(d).)

COUNT TWO

(Violent Crime in Aid of Racketeering - June 20, 2020 Shooting of Victim-1, Victim-2, Victim-3, and Victim-4)

The Grand Jury further charges:

8. At all times relevant to this Indictment, Third Side, as described in Paragraphs One through Five of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, members, and associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals which were engaged

in, and the activities of which affected, interstate and foreign commerce. Third Side constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of Third Side.

9. At all times relevant to this Indictment, Third Side, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of New York Penal Law; offenses involving the distribution of controlled substances in violation of Title 21, United States Code, Sections 812, 841, and 846; and acts indictable under Title 18, United States Code, Sections 1343 (wire fraud), 1344 (bank fraud), and 2.

10. On or about June 20, 2022, in the Southern District of New York and elsewhere, ISZAYAH ROWSON, a/k/a "Zay Munna," a/k/a "Zay," and MICHAEL GANT, a/k/a "AP," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Third Side, and for the purpose of maintaining and increasing position in Third Side, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon and attempted to murder an individual, and aided and abetted the same, to wit, ROWSON and GANT shot at rival gang members, and aided and abetted the shooting

of rival gang members, in the vicinity of 2048 Mapes Avenue in the Bronx, New York, which resulted in Victim-1 being shot in the face, Victim-2 being shot in the right leg, Victim-3 being shot in the left leg, and Victim-4 being grazed by a bullet in the left shoulder, in violation of New York Penal Law, Sections 120.05(2), 120.10, 125.25, 120.14, 120.15, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
1959(a)(5), and 2.)

COUNT THREE

**(Firearm Offense - June 20, 2020 Shooting of Victim-1, Victim-2,
Victim-3, and Victim-4)**

The Grand Jury further charges:

11. On or about June 20, 2020, in the Southern District of New York, ISZAYAH ROWSON, a/k/a "Zay Munna," a/k/a "Zay," and MICHAEL GANT, a/k/a "AP," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely the violent crime in aid of racketeering charged in Count Two of this Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did possess a firearm, which was brandished and discharged, and did

aid and abet the same.

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

COUNT FOUR

(Violent Crime in Aid of Racketeering – July 16, 2020 Shooting)

The Grand Jury further charges:

12. At all times relevant to this Indictment, Third Side, as described in Paragraphs One through Five of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, members, and associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals which is engaged in, and the activities of which affected, interstate and foreign commerce. Third Side constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of Third Side.

13. At all relevant times to this Indictment, Third Side, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of New York Penal Law; offenses involving violations of Title 21, United States Code, Sections 812, 841, and 846; and acts indictable under Title 18, United States Code, Sections 1343 (wire fraud), 1344 (bank fraud), and 2.

14. On or about July 16, 2020, in the Southern District of New York and elsewhere, MICHAEL GANT, a/k/a "AP," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Third Side, and for the purpose of maintaining and increasing position in Third Side, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon and attempted to murder an individual, and aided and abetted the same, to wit, GANT shot at rival gang members, and aided and abetted the shooting of rival gang members, in the vicinity of 183rd Street and Prospect Avenue in the Bronx, New York, in violation of New York Penal Law, Sections 125.25, 120.14, 120.15, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
1959(a)(5), and 2.)

COUNT FIVE
(Firearm Offense - July 16, 2020 Shooting)

The Grand Jury further charges:

15. On or about July 16, 2020, in the Southern District of New York, MICHAEL GANT, a/k/a "AP," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely the violent crime in aid of racketeering charged in Count Four of this Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did possess a firearm, which was brandished and discharged, and did

aid and abet the same.

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

COUNT SIX

**(Violent Crime in Aid of Racketeering – July 7, 2020 Shooting of
Victim-5)**

The Grand Jury further charges:

16. At all times relevant to this Indictment, Third Side, as described in Paragraphs One through Five of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, members, and associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals which is engaged in, and the activities of which affected, interstate and foreign commerce. Third Side constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of Third Side.

17. At all relevant times to this Indictment, Third Side, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in violation of New York Penal Law; offenses involving violations of Title 21, United States Code, Sections 812, 841, and 846; and acts

indictable under Title 18, United States Code, Sections 1343 (wire fraud), 1344 (bank fraud), and 2.

18. On or about July 7, 2020, in the Southern District of New York and elsewhere, MICHAEL GANT, a/k/a "AP," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Third Side, and for the purpose of maintaining and increasing position in Third Side, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon and attempted to murder an individual, and aided and abetted the same, to wit, GANT shot at a rival gang member, and aided and abetted the shooting of a rival gang member, in the vicinity of Oakland Place and Prospect Avenue in the Bronx, New York, which resulted in Victim-5 being shot in the lower back, and in violation of New York Penal Law, Sections 120.05(2), 120.10, 125.25, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
1959(a)(5), and 2.)

COUNT SEVEN
(Firearm Offense - July 7, 2020 Shooting of Victim-5)

The Grand Jury further charges:

19. On or about July 7, 2020, in the Southern District of New York, MICHAEL GANT, a/k/a "AP," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely the violent crime in aid

of racketeering charged in Count Six of this Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did possess a firearm, which was brandished and discharged, and did aid and abet the same.

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

COUNT EIGHT
**(Violent Crime in Aid of Racketeering – December 13, 2020
Shooting of Victim-6)**

The Grand Jury further charges:

20. At all times relevant to this Indictment, Third Side, as described in Paragraphs One through Five of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, members, and associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals which is engaged in, and the activities of which affected, interstate and foreign commerce. Third Side constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of Third Side.

21. At all relevant times to this Indictment, Third Side, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1959(b)(1), namely acts involving murder, in

violation of New York Penal Law; offenses involving violations of Title 21, United States Code, Sections 812, 841, and 846; and acts indictable under Title 18, United States Code, Sections 1343 (wire fraud), 1344 (bank fraud), and 2.

22. On or about December 13, 2020, in the Southern District of New York and elsewhere, ISZAYAH ROWSON, a/k/a "Zay Munna," a/k/a "Zay," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from Third Side, and for the purpose of maintaining and increasing position in Third Side, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon and attempted to murder an individual, and aided and abetted the same, to wit, ROWSON shot at a rival gang member, and aided and abetted the shooting of a rival gang member, Victim-6, in the vicinity of 824 East 181st Street in the Bronx, New York, in violation of New York Penal Law, Sections 125.25, 120.14, 120.15, 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
1959(a)(5), and 2.)

COUNT NINE

(Firearm Offense - December 13, 2020 Shooting Victim-6)

The Grand Jury further charges:

23. On or about December 13, 2020, in the Southern District of New York, ISZAYAH ROWSON, a/k/a "Zay Munna," a/k/a

"Zay," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely the violent crime in aid of racketeering charged in Count Eight of this Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did possess a firearm, which was brandished and discharged, and did aid and abet the same.

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

COUNT TEN
(Receipt of a Firearm While Under Indictment for a Felony)

The Grand Jury further charges:

24. Between on or about February 8, 2022, and on or about March 5, 2022, in the Southern District of New York and elsewhere, ISZAYAH ROWSON, a/k/a "Zay Munna," a/k/a "Zay," the defendant, knowing he was then under indictment for a crime punishable by imprisonment for a term exceeding one year, to wit, criminal possession of a weapon in the second degree, in violation of New York State Penal Law, Section 265.03(3), and criminal possession of a firearm, in violation of New York State Penal Law, Section 265.01-b(1), did willfully ship and transport in interstate and foreign commerce a firearm, to wit, a Taurus USA model TX22 pistol (the "Firearm"), and did willfully receive the Firearm, which had previously been shipped and transported in

interstate and foreign commerce.

(Title 18, United States Code, Sections 922(n), 924(a)(1)(D),
and 2.)

FORFEITURE ALLEGATION AS TO COUNT ONE

25. As a result of committing the offense alleged in Count One of this Indictment, ISZAYAH ROWSON, a/k/a "Zay Munna," a/k/a "Zay," and MICHAEL GANT, a/k/a "AP," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963:

a. any interest acquired and maintained in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1);

b. any interest in, security of, claims against, and property and contractual rights of any kind affording a source of influence over, the enterprise which the defendant has established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962, which interests, securities, claims, and rights are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(2); and

c. any property constituting and derived from any proceeds which the defendant obtained, directly and indirectly, from racketeering activity, in violation of Title 18, United States

Code, Section 1962, which property is subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(3).

Substitute Assets Provision

26. 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;

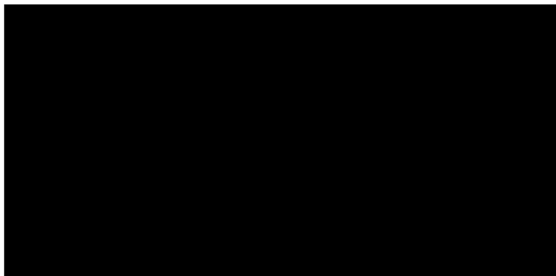
c. has been placed beyond the jurisdiction of the Court;

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 18, United States Code, Section 1963(m), 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 1963;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)



Damian Williams

DAMIAN WILLIAMS
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ISZAYAH ROWSON,
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MICHAEL GANT,
a/k/a "AP,"

Defendants.

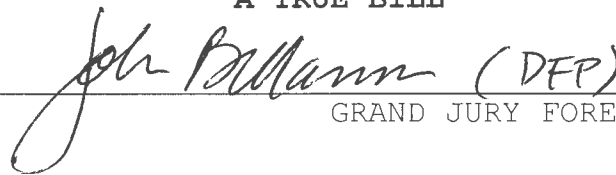
SUPERSEDING INDICTMENT

S1 22 Cr. 310 (PAE)
(18 U.S.C. §§ 922(n), 924(c), 1959(a),
1962(d), and 2)

DAMIAN WILLIAMS

United States Attorney

A TRUE BILL

 (DEP)

GRAND JURY FOREPERSON

1/26/23
NE

Superseding Indictment Filed
Arrest Warrant included

Sarah L Cave
US MJ