

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

WANDER RIVERA,
a/k/a "Ciru,"
EDWARD PEREZ,
a/k/a "Perico."
RAMON RODRIGUEZ,
a/k/a "Pollo,"

Defendants.

SEALED INDICTMENT

23 Cr.

COUNT ONE
(Racketeering Conspiracy)

The Grand Jury charges:

The Shooting Boys Enterprise

1. At all times relevant to this Indictment, WANDER RIVERA, a/k/a "Ciru," EDWARD PEREZ, a/k/a "Perico," and RAMON RODRIGUEZ, a/k/a "Pollo," the defendants, and others known and unknown, were members and associates of the Shooting Boys Gang (the "Shooting Boys" or the "Enterprise"), a criminal organization whose leaders, members and associates engaged in, among other things, acts involving murder, assault, robbery, narcotics trafficking, and wire fraud. The Enterprise operated principally in and around the Bronx and Manhattan, New York.

2. The Shooting Boys, including its leadership, membership, and 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. The Shooting Boys constituted an ongoing organization whose leaders, members and associates functioned as a continuing unit

for a common purpose of achieving the objectives of the Enterprise. At all times relevant to this Indictment, the Enterprise was engaged in, and its activities affected, interstate and foreign commerce.

3. WANDER RIVERA, a/k/a "Ciru," EDWARD PEREZ, a/k/a "Perico," and RAMON RODRIGUEZ, a/k/a "Pollo," the defendants, participated in the operation of the Enterprise, and participated in unlawful and other activities in furtherance of the conduct of the Enterprise's affairs.

Purposes of the Enterprise

4. The purposes of the Enterprise included the following:

a. Enriching the members and associates of the Shooting Boys through, among other things, (1) the distribution of narcotics, including heroin, cocaine, cocaine base in a form commonly known as "crack," fentanyl, oxycodone, and marijuana; (2) robberies; and (3) wire fraud.

b. Preserving and protecting the power, territory, and profits of the Enterprise and its members and associates through acts involving murder, robberies, assaults, other acts of violence, and threats of violence.

c. Promoting and enhancing the Enterprise 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.

e. Protecting the Enterprise and its members and associates from detection and prosecution by law enforcement authorities through acts of intimidation and violence against potential witnesses to crimes committed by members of the Enterprise.

Means and Methods of the Enterprise

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

- a. Members and associates of the Enterprise committed, conspired to commit, and attempted and threatened to commit acts of violence, including acts involving murder, robbery, and assault, to protect and expand the Enterprise's criminal operations, resolve disputes within the gang, and against rival gang members and disfavored members of the Enterprise.
- b. Members and associates of the Enterprise used violence and threats of violence, including acts involving murder, robbery, and assault, against others, including rival gang members and to maintain discipline within the Enterprise.
- c. Members and associates of the Enterprise sold narcotics, including heroin, cocaine, cocaine base in a form commonly known as "crack," fentanyl, oxycodone, and marijuana.
- d. Members and associates of the Enterprise obtained, possessed, and used firearms.
- e. Members and associates of the Enterprise committed wire fraud, including by filing fraudulent applications for unemployment insurance, and credit card fraud.
- f. Members and associates of the Enterprise promoted and celebrated the criminal conduct of the Enterprise on social media websites such as Instagram and Facebook.
- g. Members and associates of the Enterprise committed acts of intimidation and made threats as a means of deterring and punishing any potential witnesses to their crimes and in connection with protecting the Enterprise and its members and associates from detection and prosecution by law enforcement authorities.

The Racketeering Conspiracy

6. From at least in or around 2018, up to and including in or around March 2023, in the Southern District of New York and elsewhere, WANDER RIVERA, a/k/a "Ciru," EDWARD PEREZ, a/k/a "Perico," and RAMON RODRIGUEZ, a/k/a "Pollo," the defendants, and others known and unknown, being persons employed by and associated with the Enterprise described above, namely, the Shooting Boys, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to violate the racketeering laws of the United States, to wit, Section 1962(c) of Title 18, United States Code, that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the Shooting Boys, which Enterprise was engaged in, and the activities of which affected, interstate and foreign commerce, 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), 110.00 (attempt), 105.15 (conspiracy), and 20.00 (aiding and abetting);
- b. Multiple acts involving robbery, chargeable under the following provisions of state law: New York Penal Law, Sections 160.00, 160.05, 160.10, 160.15 (robbery), 105.05 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);
- c. Multiple acts indictable under Title 18, United States Code, Sections 1951 (interference with commerce by robbery and extortion) and 2 (aiding and abetting);
- d. Multiple acts indictable under Title 18, United States Code, Sections 1343 (wire fraud), and 2 (aiding and abetting); and

e. Multiple offenses involving the distribution of controlled substances, including heroin, cocaine, cocaine base in a form commonly known as "crack," fentanyl, oxycodone, and marijuana, chargeable under Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(A), (b)(1)(B), (b)(1)(C), (b)(1)(D), and 846.

7. It was a part of the conspiracy that WANDER RIVERA, a/k/a "Ciru," and EDWARD PEREZ, a/k/a "Perico," RAMON RODRIGUEZ, a/k/a "Pollo," the defendants, each agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the Enterprise.

NOTICE OF SPECIAL SENTENCING FACTORS

Murder

8. On or about June 21, 2021, in the Southern District of New York and elsewhere, WANDER RIVERA, a/k/a "Ciru," EDWARD PEREZ, a/k/a "Perico," and RAMON RODRIGUEZ, a/k/a "Pollo," the defendants, knowingly murdered and aided and abetted the murder of Milton Grant in the vicinity of 175 Dyckman Street in Manhattan, in violation of New York Penal Law, Sections 125.25(3) and 20.00, in that, RODRIGUEZ, RIVERA and PEREZ, acting in concert with others known and unknown, committed robbery, and in the course of and in furtherance of that crime, caused the death of a person other than one of the participants in the crime, and aided and abetted the same, to wit, RODRIGUEZ, RIVERA and PEREZ robbed and aided and abetted the robbery of Milton Grant and another victim ("Victim-1") in the vicinity of 175 Dyckman Street in Manhattan, and in the course of and in furtherance of that robbery, RODRIGUEZ shot and killed Milton Grant, in violation of New York Penal Law Sections 125.25(3) and 20.00.

Narcotics Trafficking

9. From at least in or about 2017, up to and including the present, in the Southern District of New York and elsewhere, WANDER RIVERA, a/k/a "Ciru," and EDWARD PEREZ, a/k/a "Perico," 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.

10. It was a part and an object of the conspiracy that WANDER RIVERA, a/k/a "Ciru," and EDWARD PEREZ, a/k/a "Perico," the defendants, conspired to distribute and possess with intent to distribute were: one kilogram and more of mixtures and substances containing a detectable amount of heroin; five kilograms and more of mixtures and substances containing a detectable amount of cocaine; and 280 grams and more of mixtures and substances containing a detectable amount of cocaine base in a form commonly known as "crack cocaine," in violation of Title 21, United States Code, Section 841(b)(1)(A) and 846.

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

COUNT TWO
(Murder in Aid of Racketeering)

The Grand Jury further charges:

11. At all times relevant to this Indictment, the Shooting Boys, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, membership, and associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact which engaged in, and the activities of which affected, interstate and foreign commerce. The Shooting Boys constituted an ongoing

organization whose leaders, members and associates functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise.

12. At all times relevant to this Indictment, the Enterprise, through its leaders, 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 the laws of the State of New York and punishable by more than one year of imprisonment; acts involving robbery, in violation of the laws of the State of New and punishable by more than one year of imprisonment; acts indictable under Title 18, United States Code, Section 1951 (interference with commerce by robbery and extortion) and 2 (aiding and abetting), acts indictable under Title 18, United States Code, Section 1343 (wire fraud) and 2 (aiding and abetting), and offenses involving the distribution of controlled substances, including heroin, cocaine, cocaine base in a form commonly known as "crack," fentanyl, oxycodone, and marijuana, chargeable under Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(A), 841(b)(1)(B), 841(b)(1)(C), 841(b)(1)(D), and 846.

13. On or about June 21, 2021, in the Southern District of New York and elsewhere, WANDER RIVERA, a/k/a "Ciru," and EDWARD PEREZ, a/k/a "Perico," 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 the Shooting Boys, and for the purpose of gaining entrance to and maintaining and increasing position in the Shooting Boys, an enterprise engaged in racketeering activity, as described above, knowingly murdered and aided and abetted the murder of Milton Grant, in the vicinity of 175 Dyckman Street in Manhattan, in that RIVERA and PEREZ, acting in concert with others known and unknown, committed robbery, and in the course of and in furtherance of that crime, caused the death of a person other than one of the

participants in the crime, and aided and abetted the same, to wit, RIVERA and PEREZ robbed and aided and abetted the robbery of Milton Grant and Victim-1 in the vicinity of 175 Dyckman Street in Manhattan, and in the course of and in furtherance of that robbery, another participant in the robbery caused the death of Milton Grant, in violation of New York Penal Law Sections 125.25(3) and 20.00.

(Title 18, United States Code, Sections 1959(a)(1), and 2.)

COUNT THREE
(Murder Through the Use of a Firearm)

The Grand Jury further charges:

14. On or about June 21, 2021, in the Southern District of New York and elsewhere, WANDER RIVERA, a/k/a "Ciru," and EDWARD PEREZ, a/k/a "Perico," the defendants, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the murder in aid of racketeering charged in Count Two of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime of violence, possessed a firearm, and in the course of that offense caused 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 aided and abetted the same.

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

COUNT FOUR
(Attempted Murder, Assault with a Dangerous Weapon, and Attempted Assault with a Dangerous Weapon, in Aid of Racketeering)

The Grand Jury further charges:

15. The allegations contained in paragraphs 1 through 5 of Count One and paragraphs 11 and 12 of Count Two of this Indictment are realleged and incorporated by reference as if fully set forth herein.

16. On or about June 21, 2021, in the Southern District of New York and elsewhere, WANDER RIVERA, a/k/a “Ciru,” 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 the Shooting Boys, and for the purpose of gaining entrance to and maintaining and increasing position in the Shooting Boys, an enterprise engaged in racketeering activity, as described above, knowingly attempted to murder Victim-1, and aided and abetted the same, and knowingly attempted to assault, and assaulted Victim-1 with a dangerous weapon, and aided and abetted the same, to wit, during a robbery of Victim-1 in the vicinity of 175 Dyckman Street in Manhattan, RIVERA brandished a gun and shot at Victim-1, in violation of New York Penal Law Sections 125.25, 120.10, 120.05, 120.14, 110.00, and 20.00.

(Title 18, United States Code, Sections, 1959(a)(3), 1959(a)(5), 1959(a)(6), and 2.)

COUNT FIVE
(Firearms Offense)

The Grand Jury further charges:

17. On or about June 21, 2021, and on occasions other than his participation in the murder of Milton Grant on that day, in the Southern District of New York and elsewhere, WANDER RIVERA, a/k/a “Ciru,” 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 attempted murder in aid of racketeering, assault with a dangerous weapon in aid of racketeering, and attempted assault with a dangerous weapon in aid of racketeering, as charged in Count Four of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed a firearm, and aided and abetted the same, which was brandished and discharged.

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

FORFEITURE ALLEGATION AS TO COUNT ONE

18. As a result of committing the racketeering offense alleged in Count One of this Indictment, WANDER RIVERA, a/k/a "Ciru," EDWARD PEREZ, a/k/a "Perico," and RAMON RODRIGUEZ, a/k/a "Pollo," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963:

- a. any and all interests the defendants acquired and maintained in violation of Title 18, United States Code, Section 1962;
- b. any and all interests in, securities of, claims against, and property and contractual rights of any kind affording a source of influence over, the enterprise named and described herein which the defendants established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962; and
- c. any and all property constituting and derived from any proceeds which the defendants obtained, directly and indirectly, from the racketeering activity alleged in Count One of this Indictment, 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

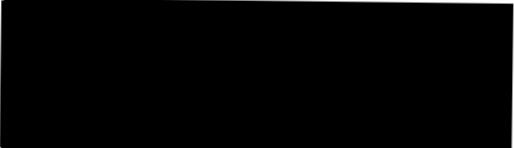
19. If any of the above-described forfeitable property, as a result of any act or omission of WANDER RIVERA, a/k/a "Ciru," EDWARD PEREZ, a/k/a "Perico," and RAMON RODRIGUEZ, a/k/a "Pollo," the defendants:

- (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), 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.)



Damian Williams
DAMIAN WILLIAMS
United States Attorney