

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
UNITED STATES OF AMERICA :
 :
 - v - :
 :
TERRY COVINGTON, :
 :
 :
 Defendant. :
- - - - - X

SEALED INDICTMENT

17 Cr. 36

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2015, up to and including in or about May 2016, in the Southern District of New York and elsewhere, TERRY COVINGTON, 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 TERRY COVINGTON, 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 TERRY COVINGTON, the defendant, conspired to distribute and possess with the intent to distribute was 28 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form

commonly known as "crack," in violation of 21 U.S.C.
§ 841(b)(1)(B).

4. During the period charged in the Indictment, the defendant distributed crack cocaine in and around Sullivan County, New York.

OVERT ACT

5. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about February 18, 2016, TERRY COVINGTON, the defendant, exchanged text messages with a co-conspirator regarding the sale and delivery of crack cocaine.

FORFEITURE ALLEGATION

6. As a result of committing the offense alleged in Count One of this Indictment, TERRY COVINGTON, 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 Assets Provision

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

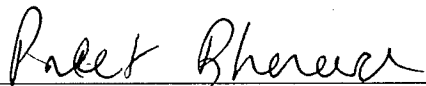
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

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 defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)


FOREPERSON

1/18/2017


PREET BHARARA
United States Attorney

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SOUTHERN DISTRICT OF NEW YORK

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Defendant.

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(21 U.S.C. § 846.)

Foreperson. PREET BHARARA
United States Attorney.
