

COPY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                          |   |                   |
|--------------------------|---|-------------------|
| - - - - -                | X |                   |
|                          | : |                   |
| UNITED STATES OF AMERICA | : |                   |
|                          | : | <u>INDICTMENT</u> |
| - v. -                   | : |                   |
|                          | : | 17 Cr.            |
| MATTHEW DRAPER,          | : |                   |
| a/k/a "Mata,"            | : |                   |
|                          | : |                   |
| Defendant.               | : |                   |
| - - - - -                | X |                   |

COUNT ONE

**(Conspiracy to Distribute Narcotics)**

The Grand Jury charges:

1. From at least on or about February 2016, up to and including on or about October 5, 2016, in the Southern District of New York and elsewhere, MATTHEW DRAPER, a/k/a "Mata," the defendant, and others known and unknown, intentionally and knowingly combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States.

2. It was a part and object of the conspiracy that MATTHEW DRAPER, a/k/a "Mata," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly 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. That controlled substance involved in the offense was five kilograms and more of mixtures and substances containing a

detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a), and 841(b)(1)(A).

OVERT ACT

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

a. On or about February 25, 2016, MATTHEW DRAPER, a/k/a "Mata," the defendant, met with a confidential source ("CS-1") and engaged in a conversation with CS-1 during which DRAPER discussed shipping approximately three kilograms of cocaine from the Dominican Republic to New York.

b. On or about September 21, 2016, MATTHEW DRAPER, a/k/a "Mata," the defendant, engaged in a telephone conversation with CS-1 and an unknown co-conspirator during which DRAPER discussed shipping additional amounts of cocaine from the Dominican Republic to New York.

c. On or about October 5, 2016, MATTHEW DRAPER, a/k/a "Mata," the defendant, met with CS-1 in Yonkers, New York to purchase approximately 20 kilograms of cocaine that had been shipped to New York from the Dominican Republic.

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

**COUNT TWO**

**(Narcotics Possession with Intent to Distribute)**

The Grand Jury further charges:

5. The allegations of paragraphs 1 through 4 above are repeated and incorporated as though fully set forth herein.

6. From at least in or about February 2016, up to and including at least on or about October 5, 2016, in the Southern District of New York and elsewhere, MATTHEW DRAPER, a/k/a "Mata," the defendant, intentionally and knowingly distributed and possessed with the intent to distribute a controlled substance, and aided and abetted the same, in violation of Title 21, United States Code, Section 841(a)(1).

7. The controlled substance involved in the offense was 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(B).

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A); and Title 18, United States Code, Section 2.)

### **FORFEITURE ALLEGATION**

8. As a result of committing one or more of the narcotics offenses alleged in Counts One and Two of this Indictment, MATTHEW DRAPER, a/k/a "Mata," 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 and any specific property, if applicable.

**Substitute Asset Provision**

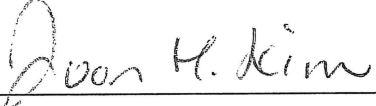
9. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) 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 982(b) and 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-described forfeitable property.

(Title 18, United States Code, Sections 981 and 982,  
Title 21, United States Code, Section 853;  
Title 28, United States Code, Section 2461.)

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FOREPERSON

  
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JOON H. KIM  
Acting United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

MATTHEW DRAPER,  
a/k/a "Mata"

Defendant.

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INDICTMENT

17 Cr.

(21 U.S.C. §§ 841, 846, and 853; 18  
U.S.C. §§ 981 and 982; 28 U.S.C. §  
2461.)

JOON H. KIM  
Acting United States Attorney

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Foreperson

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