

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- v. -

KENNETH RUDGE,  
a/k/a "Slay,"  
a/k/a "mr\_no\_regret,"  
a/k/a "slaymulaynrsavage,"  
RASHOD LEWIS,  
a/k/a "Santana,"  
a/k/a "el\_chapoballa,"  
a/k/a "arabtana\_188,"  
a/k/a "santana.bugatti,"  
LIVAN FERNANDEZ,  
a/k/a "Light,"  
JAMAL MUNFORD,  
TERRELL STEVENS,  
a/k/a "Rells,"  
DARREN MACK,  
a/k/a "Blaze,"  
ROBERT WRIGHT,  
a/k/a "RJ,"  
RAVEN PRYOR, and  
JOSE ROMAN,  
a/k/a "Ferneeze,"  
CARLOS TITEN,  
a/k/a "Sosa,"  
ALEXIS RIVERA,  
a/k/a "Rush,"

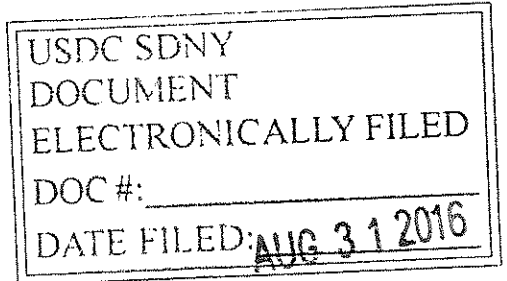
Defendants.

- - - - - X

SEALED

SUPERSEDING INDICTMENT

S1 16 Cr. 311 (KMW)



COUNT ONE  
(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about 2012, up to and including in or about April 2016, in the Southern District of

New York and elsewhere, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," RASHOD LEWIS, a/k/a "Santana," a/k/a "el\_chapoballa," a/k/a "arabtana\_188," a/k/a "santana.bugatti," LIVAN FERNANDEZ, a/k/a "Light," JAMAL MUNFORD, TERRELL STEVENS, a/k/a "Rells," DARREN MACK, a/k/a "Blaze," ROBERT WRIGHT, a/k/a "RJ," RAVEN PRYOR, JOSE ROMAN, a/k/a "Ferneeze," CARLOS TITEN, a/k/a "Sosa," and ALEXIS RIVERA, a/k/a "Rush," 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.

2. It was a part and an object of the conspiracy that KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," RASHOD LEWIS, a/k/a "Santana," a/k/a "el\_chapoballa," a/k/a "arabtana\_188," a/k/a "santana.bugatti," LIVAN FERNANDEZ, a/k/a "Light," JAMAL MUNFORD, TERRELL STEVENS, a/k/a "Rells," DARREN MACK, a/k/a "Blaze," ROBERT WRIGHT, a/k/a "RJ," RAVEN PRYOR, JOSE ROMAN, a/k/a "Ferneeze," CARLOS TITEN, a/k/a "Sosa," and ALEXIS RIVERA, a/k/a "Rush," the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," RASHOD LEWIS, a/k/a "Santana," a/k/a "el\_chapoballa," a/k/a "arabtana\_188," a/k/a "santana.bugatti," LIVAN FERNANDEZ, a/k/a "Light," JAMAL MUNFORD, TERRELL STEVENS, a/k/a "Rells," DARREN MACK, a/k/a "Blaze," ROBERT WRIGHT, a/k/a "RJ," RAVEN PRYOR, JOSE ROMAN, a/k/a "Ferneeze," CARLOS TITEN, a/k/a "Sosa," and ALEXIS RIVERA, a/k/a "Rush," the defendants, and others known and unknown, conspired to distribute and possess with the intent to distribute, were: (i) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack"; and (ii) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

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

COUNT TWO  
(Robbery Conspiracy)

The Grand Jury further charges:

4. On or about January 21, 2016, in the Southern District of New York and elsewhere, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," RASHOD LEWIS, a/k/a "Santana," a/k/a "el\_chapoballa," a/k/a "arabtana\_188,"

a/k/a "santana.bugatti," LIVAN FERNANDEZ, a/k/a "Light," and JAMAL MUNFORD, the defendants, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, RUDGE, LEWIS, FERNANDEZ, and MUNFORD, and others known and unknown, robbed at gunpoint the occupants of a social club, located in the vicinity of 187<sup>th</sup> Street and Park Avenue in the Bronx, New York, in which narcotics are regularly trafficked and consumed.

(Title 18, United States Code, Section 1951.)

**COUNT THREE**  
**(Robbery)**

The Grand Jury further charges:

5. On or about January 21, 2016, in the Southern District of New York and elsewhere, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," RASHOD LEWIS, a/k/a "Santana," a/k/a "el\_chapoballa," a/k/a "arabtana\_188," a/k/a "santana.bugatti," LIVAN FERNANDEZ, a/k/a "Light," and JAMAL MUNFORD, the defendants, unlawfully and knowingly did

commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and aided and abetted the commission of a robbery, and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, RUDGE, LEWIS, FERNANDEZ, and MUNFORD, and others known and unknown, robbed at gunpoint the occupants of a social club, located in the vicinity of 187<sup>th</sup> Street and Park Avenue in the Bronx, New York, in which narcotics are regularly trafficked and consumed.

(Title 18, United States Code, Section 1951 & 2.)

**COUNT FOUR**

**(Murder During and in Relation to a Drug Trafficking Crime  
and Crime of Violence)**

The Grand Jury further charges:

6. On or about January 21, 2016, in the Southern District of New York and elsewhere, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," RASHOD LEWIS, a/k/a "Santana," a/k/a "el\_chapoballa," a/k/a "arabtana\_188," a/k/a "santana.bugatti," LIVAN FERNANDEZ, a/k/a "Light," and JAMAL MUNFORD, the defendants, during and in relation to crimes of violence for which they may be prosecuted in a court of the United States, namely the robbery conspiracy charged in Count

Two of this Indictment and the robbery charged in Count Three of this Indictment, and during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely the narcotics conspiracy charged in Count One of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course thereof did cause 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), to wit, RUDGE, LEWIS, FERNANDEZ, and MUNFORD shot and killed Nelson Dubon during the course of a robbery in the vicinity of 187<sup>th</sup> Street and Park Avenue in the Bronx, New York, and aided and abetted the same.

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

**COUNT FIVE**  
**(Attempted Robbery)**

The Grand Jury further charges:

7. On or about January 25, 2016, in the Southern District of New York and elsewhere, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," the defendant, unlawfully and knowingly did attempt to commit robbery, as that term is defined in Title 18, United States Code, Section

1951(b)(1), and aided and abetted the commission of an attempted robbery, and would thereby have obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, RUDGE pistol-whipped and attempted to rob at gunpoint the driver of a livery cab operated by a company serving customers in New York and New Jersey, among other places.

(Title 18, United States Code, Section 1951 & 2.)

**COUNT SIX**  
**(Possession of Firearms)**

The Grand Jury further charges:

8. From at least in or about 2014, up to and including in or about January 2016, in the Southern District of New York and elsewhere, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," RASHOD LEWIS, a/k/a "Santana," a/k/a "el\_chapoballa," a/k/a "arabtana\_188," a/k/a "santana.bugatti," LIVAN FERNANDEZ, a/k/a "Light," JAMAL MUNFORD, TERRELL STEVENS, a/k/a "Rells," DARREN MACK, a/k/a "Blaze," CARLOS TITEN, and ALEXIS RIVERA, a/k/a "Rush," the defendants, knowingly, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in

Count One of this Indictment, did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, several of which were discharged during the course of and in furtherance of the narcotics conspiracy.

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

COUNT SEVEN  
(Attempted Witness Tampering)

The Grand Jury further charges:

9. From at least on or about February 7, 2016, up to and including on or about March 27, 2016, in the Southern District of New York and elsewhere, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," the defendant, did (i) attempt to kill another person, with intent to prevent the attendance and testimony of a person in an official proceeding, in violation of Title 18, United States Code, Section 1512(a)(1)(A); (ii) attempt to use physical force and the threat of physical force against a person with intent to influence, delay, and prevent the testimony of a person in an official proceeding, cause and induce a person to withhold testimony from an official proceeding, evade legal process summoning that person to appear as a witness in an official proceeding, and be absent from an official proceeding to which



that person has been summoned by legal process, in violation of Title 18, United States Code, Section 1512(a)(2)(A) & (B); (iii) attempt to use intimidation, threaten, and corruptly persuade another person, with intent to influence, delay, and prevent the testimony of a person in an official proceeding, cause and induce a person to withhold testimony from an official proceeding, evade legal process summoning that person to appear as a witness in an official proceeding, and be absent from an official proceeding to which that person has been summoned by legal process, in violation of Title 18, United States Code, Section 1512(b)(1) and 2(A), (C), & (D); (iv) corruptly attempt to obstruct, influence, and impede an official proceeding, in violation of Title 18, United States Code, Section 1512(c)(2); (v) attempt to intentionally harass another person and thereby hinder, delay, prevent, and dissuade a person from attending and testifying in an official proceeding, in violation of Title 18, United States Code, Section 1512(d)(1), to wit, RUDGE instructed others to locate, harm, and kill a witness to the murder of Nelson Dubon ("Witness-1"), as charged in Count Four of this Indictment, in order to prevent Witness-1 from providing

information and testifying against RUDGE in connection with that murder.

(Title 18, United States Code, Section 1512(a)-(d).)

COUNT EIGHT

(Conspiracy to Retaliate Against a Witness)

The Grand Jury further charges:

10. On or about February 9, 2016, in the Southern District of New York and elsewhere, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," the defendant, and others known and unknown, knowingly did combine, conspire, confederate, and agree together and with each other to engage in conduct and, thereby, to cause bodily injury to another person and to damage the tangible property of another person, and to threaten to do so, with intent to retaliate against a person for the attendance of a witness at an official proceeding, and the testimony given at such proceeding, in violation of Title 18, United States Code, Section 1513(b)(1), and, with intent to retaliate, to take any action harmful to any person, for providing to a law enforcement officer any truthful information relating to the commission and possible commission of any Federal offense, to wit, RUDGE, and others known and unknown, agreed to make a false report to the police claiming that a close associate of a witness who had previously testified for

the United States at a federal criminal trial had issued threats and possessed narcotics and weapons.

(Title 18, United States Code, Section 1513(f).)

**FIRST FORFEITURE ALLEGATION**

11. As a result of committing the controlled substance offenses alleged in Count One of this Indictment, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," RASHOD LEWIS, a/k/a "Santana," a/k/a "el\_chapoballa," a/k/a "arabtana\_188," a/k/a "santana.bugatti," LIVAN FERNANDEZ, a/k/a "Light," JAMAL MUNFORD, TERRELL STEVENS, a/k/a "Rells," DARREN MACK, a/k/a "Blaze," ROBERT WRIGHT, a/k/a "RJ," RAVON PRYOR, JOSE ROMAN, a/k/a "Ferneeze," CARLOS TITEN, a/k/a "Sosa," and ALEXIS RIVERA, a/k/a "Rush," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853(a), any and all property constituting or derived from any proceeds said defendant obtained directly or indirectly as a result of the offense alleged in Count One of this Indictment and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of that offense, including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of that offense.

SECOND FORFEITURE ALLEGATION

12. As a result of committing the robbery conspiracy and robbery alleged in Counts Two and Three of this Indictment, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," RASHOD LEWIS, a/k/a "Santana," a/k/a "el\_chapoballa," a/k/a "arabtana\_188," a/k/a "santana.bugatti," LIVAN FERNANDEZ, a/k/a "Light," and JAMAL MUNFORD, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real or personal, constituting or derived from any proceeds traceable to the commission of the offenses alleged in Counts Two and Three of this Indictment.

THIRD FORFEITURE ALLEGATION

13. As a result of committing the robbery alleged in Count Five of this Indictment, KENNETH RUDGE, a/k/a "Slay," a/k/a "mr\_no\_regret," a/k/a "slaymulaynrsavage," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real or personal, constituting or derived from any proceeds traceable to the

commission of the offenses alleged in Count Five of this Indictment.

Substitute Assets Provision

14. If any of the property described above as being subject to forfeiture, 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;

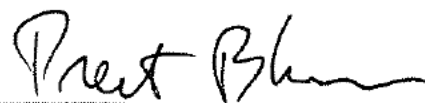
e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 21, United States Code, Section 853 (p), and Title 28, United States Code, Section 2461(c), to seek

forfeiture of any other property of the defendants up to the value of the forfeitable property.

(Title 18, United States Code, Sections 981(a)(1)(C) & 924(d); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c).)



FOREPERSON



PREET BHARARA

United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

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Defendants.

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SUPERSEDING INDICTMENT

S1 16 Cr. 311 (KMW)  
(18 U.S.C. §§ 924, 1512, 1513, 1951 & 2;  
21 U.S.C. § 846.)

PREET BHARARA

United States Attorney.  
A TRUE BILL

Foreperson.

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August 29, 2016

Filed Sealed first Superseding Indictment.

Debra Freeman, USMS.