

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

MIGUEL ARIEL SUSANA,
a/k/a "Jariel Santos,"
QUADREE HUBBARD,
JAMES F. SMITH, III,
a/k/a "Trey,"
a/k/a "Brim Reaper,"
a/k/a "Reaper,"
TAHMIR RICE,
DAMAR BIVINS,
JAIR OLIVER,
MARCELLUS CUTLER,
TYSHEEM SMITH,
JOEL ROSADO,
AVEENA VITRANO-MANLEY,
TYRON TROTMAN, and
FRANK DESANTO,

Defendants.

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SEALED
INDICTMENT

17 Cr. ____ ()

17 CRIM 495

COUNT ONE

The Grand Jury charges:

Overview of the Conspiracy

1. From at least in or about May 2017, up to and including in or about August 2017, in the Southern District of New York and elsewhere, MIGUEL ARIEL SUSANA, a/k/a "Jariel Santos," QUADREE HUBBARD, JAMES F. SMITH, III, a/k/a "Trey," a/k/a "Brim Reaper," a/k/a "Reaper," TAHMIR RICE, DAMAR BIVINS, JAIR OLIVER, MARCELLUS CUTLER, TYSHEEM SMITH, JOEL ROSADO, AVEENA VITRANO-MANLEY, TYRON TROTMAN, and FRANK DESANTO, the defendants (collectively, the "Defendants"), and others known and unknown, conspired to distribute heroin in and around Ocean County, New Jersey, Monmouth County, New Jersey, and New York, New York, among other places.

2. The Defendants and others operated a drug trafficking organization (the "DTO") that obtained narcotics for resale from Washington Heights, New York and the Bronx, New York, among other places; packaged those narcotics for resale; and subsequently sold those narcotics throughout Monmouth and Ocean Counties, New Jersey.

Roles Within the Conspiracy

3. The Defendants played different roles within the DTO. For example, certain Defendants regularly sold narcotics

to retail customers; other Defendants packaged the narcotics for resale; and others obtained wholesale supplies of drugs, including by pooling their money to obtain a large supply of drugs, which they distributed to other members of the DTO.

4. MIGUEL SUSANA, a/k/a "Jariel Santos," the defendant, supplied QUADREE HUBBARD and JAMES F. SMITH, III, a/k/a "Trey," a/k/a "Brim Reaper," a/k/a "Reaper," the defendants, with heroin for distribution.

5. TAHMIR RICE, the defendant, worked with QUADREE HUBBARD, the defendant, among others, to obtain narcotics for resale, and managed certain aspects of the resale of narcotics from HUBBARD to others, including packaging and distributing narcotics.

6. DAMAR BIVINS, JAIR OLIVER, MARCELLUS CUTLER, and TYSHEEM SMITH, the defendants, worked with JAMES F. SMITH III, a/k/a "Trey," a/k/a "Brim Reaper," a/k/a "Reaper," the defendant, and others to obtain, store, package, and resell heroin.

7. JOEL ROSADO and AVEENA VITRANO-MANLEY, the defendants, pooled money with JAMES F. SMITH III, a/k/a "Trey," a/k/a "Brim Reaper," a/k/a "Reaper," the defendant, among others, to obtain significant quantities of narcotics for resale.

8. TYRON TROTMAN and FRANK DESANTO, the defendants, obtained heroin from JAMES F. SMITH III, a/k/a "Trey," a/k/a "Brim Reaper," a/k/a "Reaper," to sell to street-level customers.

STATUTORY ALLEGATIONS

9. From at least in or about May 2017, up to and including in or about August 2017, in the Southern District of New York and elsewhere, MIGUEL ARIEL SUSANA, a/k/a "Jariel Santos," QUADREE HUBBARD, JAMES F. SMITH, III, a/k/a "Trey," a/k/a "Brim Reaper," a/k/a "Reaper," TAHMIR RICE, DAMAR BIVINS, JAIR OLIVER, MARCELLUS CUTLER, TYSHEEM SMITH, JOEL ROSADO, AVEENA VITRANO-MANLEY, TYRON TROTMAN, and FRANK DESANTO, 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 MIGUEL ARIEL SUSANA, a/k/a "Jariel Santos," QUADREE HUBBARD, JAMES F. SMITH, III, a/k/a "Trey," a/k/a "Brim Reaper," a/k/a "Reaper," TAHMIR RICE, DAMAR BIVINS, JAIR OLIVER, MARCELLUS CUTLER, TYSHEEM SMITH, JOEL ROSADO, AVEENA VITRANO-MANLEY, TYRON TROTMAN, and FRANK DESANTO, 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).

11. The controlled substance that MIGUEL ARIEL SUSANA, a/k/a "Jariel Santos," QUADREE HUBBARD, JAMES F. SMITH, III, a/k/a "Trey," a/k/a "Brim Reaper," a/k/a "Reaper," TAHMIR RICE, JAIR OLIVER, and MARCELLUS CUTLER, the defendants, conspired to distribute and possess with the intent to distribute was 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).

12. The controlled substance that DAMAR BIVINS, TYSHEEM SMITH, JOEL ROSADO, and AVEENA VITRANO-MANLEY, the defendants, conspired to distribute and possess with the intent to distribute was one hundred grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(B).

13. The controlled substance that TYRON TROTMAN and FRANK DESANTO, the defendants, conspired to distribute and possess with the intent to distribute was a quantity of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(C).

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

FORFEITURE ALLEGATIONS

14. As a result of committing the controlled substance offense alleged in Count One of this Indictment, MIGUEL ARIEL SUSANA, a/k/a "Jariel Santos," QUADREE HUBBARD, JAMES F. SMITH, III, a/k/a "Trey," a/k/a "Brim Reaper," a/k/a "Reaper," TAHMIR RICE, DAMAR BIVINS, JAIR OLIVER, MARCELLUS CUTLER, TYSHEEM SMITH, JOEL ROSADO, AVEENA VITRANO-MANLEY, TYRON TROTMAN, and FRANK DESANTO, the defendants, 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 ASSET PROVISION

15. 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 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.)

Bibi Estela Bermudez

FOREPERSON

August 10, 2007

Joon Kim

JOON H. KIM

Acting United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MIGUEL ARIEL SUSANA, et al.,

Defendants.

SEALED INDICTMENT

17 Cr. ____ ()

(21 U.S.C. § 846.)

JOON H. KIM

Acting United States Attorney.

A TRUE BILL

Brian Eugene Bender Foreperson.
