

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. - :

INDICTMENT

LOUIS MCINTOSH, :

S3 11 Cr. 500 (KMK)

a/k/a "Lou D.," :

a/k/a "Lou Diamond," :

a/k/a "G," :

EDWARD RAMIREZ, :

a/k/a "Taz," :

TERRENCE DUHANEY, :

a/k/a "Bounty Killer," :

TURHAN JESSAMY, :

a/k/a "Vay," :

QUINCY WILLIAMS, :

a/k/a "Capone," :

TYRELL ROCK, :

a/k/a "Smurf," and :

NEIL MORGAN, :

a/k/a "Steely," :

Defendants. :

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DATE FILED: 1/18/12

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2009, through in or about 2011, in the Southern District of New York and elsewhere, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," EDWARD RAMIREZ, a/k/a "Taz," TERRENCE DUHANEY, a/k/a "Bounty Killer," TURHAN JESSAMY, a/k/a "Vay," QUINCY WILLIAMS, a/k/a "Capone," TYRELL ROCK, a/k/a "Smurf," and NEIL MORGAN, a/k/a "Steely," 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, MCINTOSH, RAMIREZ, DUHANEY, JESSAMY, WILLIAMS, ROCK, and MORGAN, and others known and unknown, agreed to commit armed robberies of suspected narcotics traffickers and others involved in commercial activities that affected interstate commerce.

Overt Acts

2. 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:

a. On or about April 30, 2010, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," EDWARD RAMIREZ, a/k/a "Taz," and NEIL MORGAN, a/k/a "Steely," and others known and unknown, attempted to rob individuals they believed to be narcotics dealers in the vicinity of Cliff Street, Yonkers, New York, during which robbery MCINTOSH discharged a shotgun.

b. On or about May 15, 2010, TURHAN JESSAMY, a/k/a "Vay," EDWARD RAMIREZ, a/k/a "Taz," and TYRELL ROCK, a/k/a "Smurf," and others known and unknown, attempted to rob individuals they believed to be narcotics dealers in the vicinity of Mount Vernon Avenue and High Street, Mount Vernon, New York.

c. On or about May 24, 2010, QUINCY WILLIAMS,

a/k/a "Capone", possessed a gun in the vicinity of Union and Fifth Streets, Mount Vernon, New York.

d. On or about October 28, 2010, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," and TERRENCE DUHANEY, a/k/a "Bounty Killer," stole individuals' cellular phones and the proceeds of a card game at a men's club in the vicinity of Lake Street, Poughkeepsie, New York, during which robbery McIntosh discharged a gun and assaulted an individual.

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

COUNT TWO

The Grand Jury further charges:

3. From at least in or about 2009, through in or about 2011, in the Southern District of New York and elsewhere, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," EDWARD RAMIREZ, a/k/a "Taz," TERRENCE DUHANEY, a/k/a "Bounty Killer," TURHAN JESSAMY, a/k/a "Vay," QUINCY WILLIAMS, a/k/a "Capone," TYRELL ROCK, a/k/a "Smurf," and NEIL MORGAN, a/k/a "Steely," the defendants, and others known and unknown, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery conspiracy charged in Count One of this Indictment, knowingly 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, which firearms were discharged.

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

COUNT THREE

The Grand Jury further charges:

4. On or about May 15, 2010, in the Southern District of New York, TURHAN JESSAMY, a/k/a "Vay," EDWARD RAMIREZ, a/k/a "Taz," and TYRELL ROCK, a/k/a "Smurf," the defendants, unlawfully and knowingly did attempt to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), 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, JESSAMY, RAMIREZ, and ROCK attempted to rob individuals they believed to be narcotics dealers in the vicinity of Mount Vernon Avenue and High Street, Mount Vernon, New York.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT FOUR

The Grand Jury further charges:

5. On or about May 15, 2010, in the Southern District of New York, TURHAN JESSAMY, a/k/a "Vay," EDWARD RAMIREZ, a/k/a "Taz," and TYRELL ROCK, a/k/a "Smurf," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the attempted robbery charged in Count Three of this Indictment, knowingly 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, which were discharged during the

attempted robbery.

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

COUNT FIVE

The Grand Jury further charges:

6. On or about April 30, 2010, in the Southern District of New York, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," EDWARD RAMIREZ, a/k/a "Taz," and NEIL MORGAN, a/k/a "Steely," the defendants, and others known and unknown, unlawfully and knowingly did attempt to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), 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, MCINTOSH, RAMIREZ, and MORGAN attempted to rob individuals they believed to be narcotics dealers in the vicinity of Cliff Street, Yonkers, New York, during which attempted robbery MCINTOSH discharged a shotgun.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT SIX

The Grand Jury further charges:

7. On or about April 30, 2010, in the Southern District of New York, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," EDWARD RAMIREZ, a/k/a "Taz," and NEIL MORGAN, a/k/a "Steely," the defendants, and others known and

unknown, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the attempted robbery charged in Count Five of this Indictment, knowingly 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, which were discharged during the attempted robbery.

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

COUNT SEVEN

The Grand Jury further charges:

8. On or about September 26, 2010, in the Southern District of New York and elsewhere, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," the defendant, and others known and unknown, unlawfully and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), 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, MCINTOSH stole money and other items from an individual in the vicinity of Horton Avenue, Lynbrook, New York.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT EIGHT

The Grand Jury further charges:

9. On or about September 26, 2010, in the Southern

District of New York and elsewhere, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," the defendant, and others known and unknown, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the robbery charged in Count Seven of this Indictment, knowingly 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, which were brandished during the robbery.

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

COUNT NINE

The Grand Jury further charges:

10. On or about October 28, 2010, in the Southern District of New York, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," and TERRENCE DUHANEY, a/k/a "Bounty Killer," the defendants, and others known and unknown, unlawfully and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), 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, MCINTOSH and DUHANEY stole individuals' cellular phones and the proceeds of a card game at a men's club in the vicinity of Lake Street, Poughkeepsie, New York, during which robbery MCINTOSH discharged

a gun and assaulted an individual.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT TEN

The Grand Jury further charges:

11. On or about October 28, 2010, in the Southern District of New York, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," and TERRENCE DUHANEY, a/k/a "Bounty Killer," the defendants, and others known and unknown, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery charged in Count Nine of this Indictment, knowingly 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, one of which was discharged during the robbery.

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

COUNT ELEVEN

The Grand Jury further charges:

12. On or about May 15, 2010, in the Southern District of New York, TYRELL ROCK, a/k/a "Smurf," the defendant, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce a firearm, to wit, a Astra .45 caliber handgun, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).)

COUNT TWELVE

The Grand Jury further charges:

13. In or about May 2011, in the Southern District of New York, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," the defendant, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce a firearm, to wit, a Cugir .223 caliber auto-loading rifle, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).)

COUNT THIRTEEN

The Grand Jury further charges:

14. From in or about 2010 up to and including on or about June 14, 2011, in the Southern District of New York, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," the defendant, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce a firearm, to wit, a Ruger 9 millimeter handgun, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).)

COUNT FOURTEEN

The Grand Jury further charges:

15. From in or about 2010 up to and including on or

about June 14, 2011, in the Southern District of New York, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond," a/k/a "G," the defendant, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce a firearm, to wit, a Bushmaster .223 caliber rifle, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).)

COUNT FIFTEEN

The Grand Jury further charges:

16. On or about December 6, 2011, in the Southern District of New York, NEIL MORGAN, a/k/a "Steely," the defendant, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce ammunition, to wit, .32 caliber CBC ammunition, .38 caliber Federal ammunition, and 9 millimeter FC ammunition, among other ammunition, all of which had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).)

FORFEITURE ALLEGATION

AS TO COUNTS ONE, THREE, FIVE, SEVEN, AND NINE

17. As a result of committing one or more of the offenses, in violation of Title 18, United States Code, Section 1951, alleged in Counts One, Three, Five, Seven, and Nine of this Indictment, LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou Diamond,"

a/k/a "G," EDWARD RAMIREZ, a/k/a "Taz," TERRENCE DUHANEY, a/k/a "Bounty Killer," TURHAN JESSAMY, a/k/a "Vay," QUINCY WILLIAMS, a/k/a "Capone," TYRELL ROCK, a/k/a "Smurf," and NEIL MORGAN, a/k/a "Steely," the defendants, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses, including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of the offenses.

Substitute Assets Provision

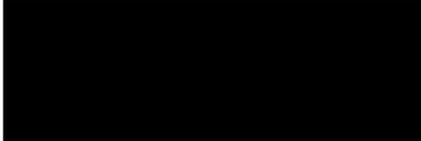
18. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

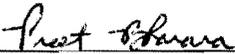
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value;
- or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C.

§ 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property.

(Title 18, United States Code, Section 981,
Title 28, United States Code, Section 2461,
Title 18, United States Code, Section 1951, and
Title 21, United States Code, Section 853.)





PREET BHARARA
United States Attorney

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- v. -

LOUIS MCINTOSH, a/k/a "Lou D.," a/k/a "Lou
Diamond," a/k/a "G," EDWARD RAMIREZ, a/k/a
"Taz," TERRENCE DUHANEY, a/k/a "Bounty
Killer," TURHAN JESSAMY, a/k/a "Vay," QUINCY
WILLIAMS, a/k/a "Capone," TYRELL ROCK, a/k/a
"Smurf," and NEIL MORGAN, a/k/a "Steely,"

Defendants.

INDICTMENT

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(18 U.S.C. §§ 2, 922(g)(1), 924(a)(2),
924(c)(1)(A)(ii), 924(c)(1)(A)(iii),
924(c)(1)(C)(i), and 1951)

PREET BHARARA
United States Attorney.

A TRUE BILL

[REDACTED]