

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED:** _____
MICHAEL GREEN : **VIOLATIONS:**
: **21 U.S.C. §§ 846, 841(a)(1), (b)(1)(A)**
: **(conspiracy to distribute 280 grams or more**
: **of cocaine base – 1 count)**
: **21 U.S.C. §§ 846, 841(a)(1), (b)(1)(D)**
: **(conspiracy to distribute marijuana – 1**
: **count)**
: **Notice of Forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

From at least March 2006 until at least July 8, 2009, in the Eastern District of Pennsylvania, defendant

MICHAEL GREEN

conspired and agreed, with Haki Whaley, a/k/a “Hak,” Braheem Green, a/k/a “Geez,” Edrei McFadden, Edward Powell, a/k/a “Spaghetti,” a/k/a “Snoop,” and Shawn Wilson, a/k/a “Shiz,” all charged elsewhere, and with others known and unknown to the grand jury, to knowingly and intentionally distribute 280 grams or more, that is, approximately five kilograms, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

MANNER AND MEANS

It was a part of the conspiracy that:

1. Defendant MICHAEL GREEN was the leader and organizer of a drug organization that distributed crack from various locations in northwest Philadelphia and Montgomery County, Pennsylvania, including near an apartment building located on Limekiln Pike, in Wyncote, Pennsylvania.
2. The organization used “stash houses,” including an apartment within an apartment building on Limekiln Pike, to package and store crack cocaine that was supplied to and maintained by the defendants and to store proceeds from the drug sales.
3. Workers for the organization used cellular telephones to communicate with their customers about sales of crack cocaine.
4. The customers were directed to dial a particular number, which would ring a cellular telephone in possession of one of the members of the organization (the “business phone”). That member would find out how much crack the customer wanted to buy and direct the customer to go to a particular location at a particular time to consummate the illegal transaction. The member of the organization would then drive to the agreed-upon location, receive cash from the customer, and distribute crack cocaine to the customer.
5. The members of the organization took turns carrying the organization’s business phone and filling the orders for crack cocaine of the customers who called the business phone. Each member would “work” for a certain number of hours and then hand the business phone to another member of the organization, who would take over for a set number of hours in a manner that enabled the organization to receive and fill orders for crack cocaine 24 hours a day.

6. Defendant MICHAEL GREEN, among other duties for the organization, purchased cocaine in a powder form and then “cooked” it until it was converted to cocaine base or crack cocaine, which defendant GREEN then helped package and prepare for street distribution.

7. Defendant MICHAEL GREEN arranged for the rental of the apartment, which served as a stash house for the Shift Boys organization.

8. Defendant MICHAEL GREEN arranged for acquisitions and rentals of numerous automobiles that members of the conspiracy used to transport crack for distribution and the proceeds of drug transactions.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, members of the conspiracy committed the following overt acts, among others, in the Eastern District of Pennsylvania:

1. On or about January 23, 2009, on the 7700 Block of Fayette Street in Philadelphia, Braheem Green, a/k/a “Geez,” distributed approximately 2.0 grams of a mixture and substance containing a detectable amount of crack.

2. On or about January 30, 2009, at or about the 7700 Block of Fayette Street in Philadelphia, Braheem Green, a/k/a “Geez,” distributed approximately 4.0 grams of a mixture and substance containing a detectable amount of crack.

3. On or about February 19, 2009, at the intersection of Fayette Street and Gowin Avenue in Philadelphia, less than 1,000 feet away from a school in session, Shawn Wilson, a/k/a “Shiz,” distributed approximately 1.5 grams of a mixture and substance containing

a detectable amount of crack.

4. On or about February 25, 2009, on Fayette Street in Philadelphia, Shawn Wilson, a/k/a “Shiz,” distributed approximately 2 grams of a mixture and substance containing a detectable amount of crack.

5. On or about March 5, 2009, on Wadsorth Street in Philadelphia, Shawn Wilson, a/k/a “Shiz,” distributed approximately 5.8 grams of a mixture and substance containing a detectable amount of crack.

6. On or about March 12, 2009, at the intersection of Fayette Street and Sedgwick Street in Philadelphia, less than 1,000 feet away from a school in session, Edrei McFadden, distributed approximately 2 grams of a mixture and substance containing a detectable amount of crack.

7. On or about April 3, 2009, at the intersection of Elaine Street and Cheltenham Avenue in Philadelphia, Haki Whaley, a/k/a “Hak,” distributed approximately 0.8 grams of a mixture and substance containing a detectable amount of crack.

8. On or about May 13, 2009, at the intersection of Wadsworth Avenue and Mansfield Avenue in Philadelphia, Braheem Green, a/k/a “Geez,” distributed approximately 5.0 grams of a mixture and substance containing a detectable amount of crack.

9. On or about May 13, 2009, at the intersection of Durham Street and Devon Street in Philadelphia, Edrei McFadden, distributed approximately 5.6 grams of a mixture and substance containing a detectable amount of crack.

10. On or about May 21, 2009, at the intersection of Mansfield Street and Murdock Street in Philadelphia, Braheem Green, a/k/a “Geez,” distributed approximately 3.2

grams of a mixture and substance containing a detectable amount of crack.

11. On or about May 27, 2009, at the intersection of Durham Street and Sprague Street in Philadelphia, Edrei McFadden, distributed approximately 3.0 grams of a mixture and substance containing a detectable amount of crack.

12. On or about June 17, 2009, at the intersection of Cedarbrook Avenue and Wadsworth Avenue in Philadelphia, Edrei McFadden, distributed approximately 3.0 grams of a mixture and substance containing a detectable amount of crack.

13. On or about July 7, 2009, at the intersection of McPheson Street and Mansfield Street in Philadelphia, Edward Powell, a/k/a "Spaghetti," a/k/a "Snoop," distributed approximately 1 gram of a mixture and substance containing a detectable amount of crack.

14. On or about July 8, 2009, at the intersection of Mt. Airy Avenue and Cheltenham Avenue in Philadelphia, Edward Powell, a/k/a "Spaghetti," a/k/a "Snoop," distributed approximately 0.7 grams of a mixture and substance containing a detectable amount of crack.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. From at least March 2009 until at least November 2009, in the Eastern District of Pennsylvania, defendant

MICHAEL GREEN

conspired and agreed, with Haki Whaley, a/k/a “Hak,” charged elsewhere, and with others known and unknown to the grand jury, to knowingly and intentionally distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(D).

MANNER AND MEANS

It was a part of the conspiracy that:

1. Defendant MICHAEL GREEN was the leader and organizer of a drug organization that distributed marijuana from various locations in northwest Philadelphia and Montgomery County, Pennsylvania.

2. The organization used “stash houses,” including an apartment within an apartment building on Limekiln Pike, to package marijuana for subsequent distribution.

3. The organization acquired the marijuana it distributed from multiple sources, including from packages that were being transmitted by United States mail from locations outside of Pennsylvania to locations inside the Eastern District of Pennsylvania.

4. The organization distributed some marijuana to inmates in the Philadelphia prison system, including at the Curran-Fromhold Correctional Facility (“CFCF”) in Philadelphia, where defendant MICHAEL GREEN was an inmate in 2009.

5. While he was incarcerated at CFCF, defendant MICHAEL GREEN gave directions to Haki Whaley and others on how to conduct the organization's drug trafficking operations.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, members of the conspiracy committed the following overt acts, among others, in the Eastern District of Pennsylvania:

1. On or about June 1, 2009, defendant MICHAEL GREEN directed Haki Whaley to smuggle approximately one ounce of marijuana to defendant GREEN at the CFCF.
2. On or about June 29, 2009, defendant MICHAEL GREEN, Haki Whaley, and others transported large quantities of marijuana into a stash house located at 8470 Limekiln Pike, Apartment 724-2, Wyncote, Pennsylvania, for packaging and future distribution.
3. From on or about November 10, 2009, until on or about November 12, 2009, Haki Whaley attempted to intercept packages being transported in the United States mail from Arizona to the Eastern District of Pennsylvania, which Whaley believed contained marijuana.
4. In October and November 2009, defendant MICHAEL GREEN had numerous telephone conversations from the CFCF with Haki Whaley, during which defendant GREEN directed Mr. Whaley how to conduct the organization's drug trafficking operations, while defendant GREEN was incarcerated.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1) and 846, set forth in this indictment, defendant

MICHAEL GREEN

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses; and

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses, including but not limited to: the sum of \$500,000.

2. If any of the property subject to forfeiture, 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 party;

(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 divided 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 property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

GRAND JURY FOREPERSON

ZANE DAVID MEMEGER
United States Attorney