

FILED

IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
* OCTOBER 11, 2022 *
BROOKLYN OFFICE

RTP:LZ/VAZ/GMR/CSK
F. #2021R00592/NY-NYE-0916

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

Judge Irizarry
Magistrate Judge Cho

UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

Cr. No. 22-CR-464
(T. 18, U.S.C., §§ 982(a)(1), 982(b)(1),
1956(a)(1)(B)(i), 1956(a)(1)(B)(ii),
1957(a), 2 and 3551 et seq.; T. 21,
U.S.C., §§ 841(a)(1), 841(b)(1)(C), 846,
853(a), 853(p) and 860(a))

LETICIA SMITH,
BASSAM AMIN,
 also known as "Sam,"
OMAR ELSAYED,
YOUSEF ENNAB,
MICHAEL KENT,
ANTHONY MATHIS,
SOMSRI RATANAPRASATPORN and
RAYMOND WALKER,

Defendants.

----- X

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Distribute Oxycodone)

1. In or about and between December 2018 and October 2022, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants LETICIA SMITH, BASSAM AMIN, also known as "Sam," OMAR ELSAYED, YOUSEF ENNAB, MICHAEL KENT, ANTHONY MATHIS, SOMSRI RATANAPRASATPORN and RAYMOND WALKER, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled

substance, which offense involved oxycodone, a Schedule II controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 846 and 841(b)(1)(C); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO

(Distribution and Possession with Intent to Distribute Oxycodone)

2. In or about and between December 2018 and October 2022, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants LETICIA SMITH, MICHAEL KENT, ANTHONY MATHIS, SOMSRI RATANAPRASATPORN and RAYMOND WALKER, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved oxycodone, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THREE

(Distribution and Possession with Intent to Distribute Oxycodone)

3. In or about and between October 2019 and October 2022, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant BASSAM AMIN, also known as “Sam,” together with others, did knowingly and intentionally distribute and dispense and possess with intent to distribute and dispense, a controlled substance, which offense involved oxycodone, a Schedule II controlled substance, outside the scope of professional practice and not for a legitimate medical purpose.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FOUR

(Distribution and Possession with Intent to Distribute Oxycodone)

4. In or about and between June 2022 and October 2022, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant OMAR ELSAYED, together with others, did knowingly and intentionally distribute and dispense and possess with intent to distribute and dispense, a controlled substance, which offense involved oxycodone, a Schedule II controlled substance, outside the scope of professional practice and not for a legitimate medical purpose.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FIVE

(Distribution and Possession with Intent to Distribute Oxycodone)

5. In or about and between August 2022 and October 2022, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant YOUSEF ENNAB, together with others, did knowingly and intentionally distribute, dispense and possess with intent to distribute and dispense a controlled substance, which offense involved oxycodone, a Schedule II controlled substance, outside the scope of professional practice and not for a legitimate medical purpose.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SIX

(Drug Distribution Near a School)

6. In or about and between December 2018 and October 2022, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants LETICIA SMITH, MICHAEL KENT, ANTHONY MATHIS, SOMSRI

RATANAPRASATPORN and RAYMOND WALKER, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved oxycodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a), within 1,000 feet of the real property comprising one or more schools, to wit: J.H.S. 166 George Gershwin Junior High School in Brooklyn, New York, the Imagine Me Leadership Charter School in Brooklyn, New York and the East NY Family Academy in Brooklyn, New York.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SEVEN
(Money Laundering – Structuring)

7. In or about and between December 2018 and June 2022, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant LETICIA SMITH did knowingly and intentionally conduct one or more financial transactions in and affecting interstate commerce and transactions involving a financial institution the activities of which had an effect on interstate commerce, which transactions in fact involved the proceeds of specified unlawful activity, to wit: distribution and possession with intent to distribute oxycodone, in violation of Title 21, United States Code, Section 841, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, and that the transactions were designed in whole and in part to avoid a transaction reporting requirement under state and federal law.

(Title 18, United States Code, Sections 1956(a)(1)(B)(ii) and 3551 et seq.)

COUNT EIGHT

(Money Laundering – Spending)

8. In or about and between May 2020 and April 2022, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant LETICIA SMITH did knowingly and intentionally engage in one or more monetary transactions by, through and to a financial institution, in and affecting interstate and foreign commerce, in criminally derived property that was of a value greater than \$10,000 and that was derived from a specified unlawful activity, to wit: distribution and possession with intent to distribute oxycodone, in violation of Title 21, United States Code, Section 841.

(Title 18, United States Code, Sections 1957(a) and 3551 et seq.)

COUNT NINE

(Money Laundering – Concealment)

9. In or about and between December 2018 and May 2022, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL KENT did knowingly and intentionally conduct one or more financial transactions affecting interstate commerce and transactions involving a financial institution the activities of which had an effect on interstate commerce, which transactions in fact involved the proceeds of specified unlawful activity, to wit: distribution and possession with intent to distribute oxycodone, in violation of Title 21, United States Code, Section 841, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, and that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of such specified unlawful activity.

(Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 3551 et seq.)

COUNT TEN
(Money Laundering – Spending)

10. In or about and between December 2019 and October 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MICHAEL KENT did knowingly and intentionally engage in one or more monetary transactions by, through and to a financial institution, in and affecting interstate and foreign commerce, in criminally derived property that was of a value greater than \$10,000 and that was derived from a specified unlawful activity, to wit: distribution and possession with intent to distribute oxycodone, in violation of Title 21, United States Code, Section 841.

(Title 18, United States Code, Sections 1957(a) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATIONS
AS TO COUNTS ONE THROUGH SIX

11. The United States hereby gives notice to the defendants charged in Counts One through Six that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of such offenses to forfeit: (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of such offenses; and (b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses including but not limited to: the real property and premises known as 2108 Linden Boulevard, Brooklyn, New York 11207, designated on Kings County Tax Map as Section: 14, Block: 4354, Lot: 1, title to which is held in the name of defendant SOMSRI RATANAPRASATPORN, and all proceeds traceable thereto.

12. 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 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 forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a) and 853(p))

CRIMINAL FORFEITURE ALLEGATIONS
AS TO COUNTS SEVEN THROUGH TEN

13. The United States hereby gives notice to the defendants charged in Counts Seven through Ten that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), which requires any person convicted of such offenses to forfeit any property, real or personal, involved in such offenses, or any property traceable to such property.

14. 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 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), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(1) and 982(b)(1); Title 21, United States Code, Section 853(p))

A TRUE BILL


FOREPERSON

By Carolyn Pokorny, Assistant U.S. Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F. #2021R00592
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

LETICIA SMITH et al.,

Defendants.

INDICTMENT

(T. 18, U.S.C., §§ 982(a)(1), 982(b), 1956(a)(1)(B)(i), 1956(a)(1)(B)(ii),
1957(a), 2 and 3551 et seq.; T. 21, U.S.C. §§ 841(a)(1), 841(b)(1)(C), 846,
853(a), 853(p) and 860(a))

A true bill.

Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

*Laura Zuckerwise, Victor Zapana and Gilbert M. Rein,
Assistant U.S. Attorneys (718) 254-7000*