

DGR:DR/SMS
F. #2024R00071

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

KWYME WADDELL,
also known as “K” and
“Big Gun,”
PAOLO ALFARO BARBER,
also known as “Chico,”
RAHIM FRANK,
also known as “Rah,”
MIKEY JEMISON,
also known as “CP,”
SEBASTIEN JOCELYN,
also known as “Savi” and
“Savii,”
JOEL MYRIE,
also known as “Pookie,” and
JAH NIMMONS,
also known as “Jah,”

Defendants.

----- X

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this Indictment, unless otherwise indicated:

The Enterprise

1. The Folk Nation Gangster Disciples, also known as “GD” (hereinafter “GD” or the “Enterprise”), was a gang with members located throughout Brooklyn, New York, and elsewhere, divided into subgroups, or “sets.”

FILED
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U.S. DISTRICT COURT E.D.N.Y.
* AUGUST 29, 2024 *
BROOKLYN OFFICE

I N D I C T M E N T

Cr. No. 24-CR-351
(T. 18, U.S.C., §§ 924(c)(1)(A)(i),
924(c)(1)(A)(ii), 924(c)(1)(A)(iii),
924(d)(1), 1959(a)(3), 1959(a)(5), 2
and 3551 et seq.; T. 21, U.S.C.,
§ 853(p); T. 28, U.S.C., § 2461(c))

Judge Frederic Block
Magistrate Judge Cheryl L. Pollak

2. Members of GD sometimes used symbols to signify their membership in GD, including black hearts, a three-pronged pitchfork (also known as the “rake”), a six-pointed star and a spiral (also known as a “twirl”). Members of GD also sometimes signified their membership through references to sets within or associated with GD, including “No Love City,” “Ram,” “6-Trey” and “Risk Takers,” or by appending the words “Gz,” “Flocks” or “Floxks” to their nicknames.

3. Members and associates of GD have committed acts of violence, including acts involving murder and assault, as well as other crimes, including robbery, trafficking in counterfeit currency, drug trafficking, fraud and obstruction of justice. Participation in criminal activity by a member, especially violence directed at rival gang members, increased the respect accorded to the member and could result in an elevated status within the Enterprise.

4. GD, including its leadership, membership and associates, constituted an “enterprise” as defined by Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce. The Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise.

5. GD, through its members and associates, engaged in racketeering activity, as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), that is (a) multiple acts involving murder, chargeable under New York State Penal Law Sections 125.25, 110.00, 105.15 and 20.00; (b) multiple acts involving robbery, chargeable under New York State Penal Law Sections 160.15, 160.10, 160.05, 110.00, 105.10, 105.13 and

20.00; (c) multiple acts indictable under Title 18, United States Code, Sections 472 and 473 (relating to counterfeiting); (d) multiple acts indictable under Title 18, United States Code, Section 1951 (relating to interference with commerce, robbery or extortion); (e) multiple acts indictable under (i) Title 18, United States Code, Sections 1028 (relating to fraud and related activity in connection with identification documents), (ii) Title 18, United States Code, Section 1029 (relating to fraud and related activity in connection with access devices), and (iii) Title 18, United States Code, Section 1344 (relating to financial institution fraud); and (f) multiple offenses involving dealing in controlled substances, in violation of Title 21, United States Code, Sections 841 and 846.

Purposes of the Enterprise

6. The purposes of the Enterprise included the following:

- (a) promoting and enhancing the prestige, reputation and position of the Enterprise with respect to rival criminal organizations;
- (b) preserving and protecting the power, territory and criminal ventures of the Enterprise through the use of intimidation, threats of violence and acts of violence, including murder and assault;
- (c) keeping victims and rivals in fear of the Enterprise and its members and associates;
- (d) enriching the members and associates of the Enterprise through criminal activity, including drug trafficking, robbery, trafficking in counterfeit currency and fraud; and
- (e) concealing the activities of the Enterprise from law enforcement.

Means and Methods of the Enterprise

7. Among the means and methods by which the members of the Enterprise and their associates conducted and participated in the conduct of the affairs of the Enterprise were the following:

- (a) members of the Enterprise and their associates committed, attempted to commit, threatened to commit and conspired to commit acts of violence, including acts involving murder, robbery and assault, to enhance the Enterprise's prestige and protect and expand the Enterprise's criminal operations;
- (b) members of the Enterprise and their associates used and threatened to use physical violence against various individuals, including members of rival criminal organizations;
- (c) members of the Enterprise and their associates trafficked in firearms;
- (d) members of the Enterprise and their associates committed and attempted to commit obstruction of justice as a means to protect the Enterprise's criminal operations; and
- (e) members of the Enterprise and their associates used, attempted to use and conspired to use drug trafficking, counterfeit currency trafficking and fraud as a means of obtaining money.

The Defendants

8. The defendants KWYME WADDELL, also known as "K" and "Big Gun," PAOLO ALFAROBARBER, also known as "Chico," RAHIM FRANK, also known as "Rah," MIKEY JEMISON, also known as "CP," SEBASTIEN JOCELYN, also known as

“Savi” and “Savii,” JOEL MYRIE, also known as “Pookie,” and JAH NIMMONS, also known as “Jah,” were members and associates of the Enterprise.

COUNT ONE

(Conspiracy to Murder In-Aid-Of-Racketeering – Rival Gang Members)

9. The allegations contained in paragraphs one through eight are realleged and incorporated as if fully set forth in this paragraph.

10. On or about June 19, 2022, within the Eastern District of New York and elsewhere, the defendants KWYME WADDELL, also known as “K” and “Big Gun,” PAOLO ALFARO BARBER, also known as “Chico,” RAHIM FRANK, also known as “Rah,” MIKEY JEMISON, also known as “CP,” SEBASTIEN JOCELYN, also known as “Savi” and “Savii,” JOEL MYRIE, also known as “Pookie,” and JAH NIMMONS, also known as “Jah,” together with others, for the purpose of maintaining and increasing position in GD, an enterprise engaged in racketeering activity, did knowingly and intentionally conspire to murder members of rival gangs in Brooklyn, New York, in violation of New York Penal Law Sections 125.25(1) and 105.15.

(Title 18, United States Code, Sections 1959(a)(5) and 3551 et seq.)

COUNT TWO

(Attempted Murder In-Aid-Of Racketeering – 1349 East 94th Street, Brooklyn, New York)

11. The allegations contained in paragraphs one through eight are realleged and incorporated as if fully set forth in this paragraph.

12. On or about June 19, 2022, within the Eastern District of New York and elsewhere, the defendants KWYME WADDELL, also known as “K” and “Big Gun,” PAOLO ALFARO BARBER, also known as “Chico,” RAHIM FRANK, also known as “Rah,” MIKEY JEMISON, also known as “CP,” SEBASTIEN JOCELYN, also known as

“Savi” and “Savii,” JOEL MYRIE, also known as “Pookie,” and JAH NIMMONS, also known as “Jah,” together with others, for the purpose of maintaining and increasing position in GD, an enterprise engaged in racketeering activity, did knowingly and intentionally attempt to murder one or more individuals in the vicinity of 1349 East 94th Street, Brooklyn, New York, in violation of New York Penal Law Sections 125.25(1), 110.00 and 20.00.

(Title 18, United States Code, Sections 1959(a)(5), 2 and 3551 et seq.)

COUNT THREE

(Assault In-Aid-Of Racketeering - John Doe #1)

13. The allegations contained in paragraphs one through eight are realleged and incorporated as if fully set forth in this paragraph.

14. On or about June 19, 2022, within the Eastern District of New York and elsewhere, the defendants KWYME WADDELL, also known as “K” and “Big Gun,” PAOLO ALFAROBARBER, also known as “Chico,” RAHIM FRANK, also known as “Rah,” MIKEY JEMISON, also known as “CP,” SEBASTIEN JOCELYN, also known as “Savi” and “Savii,” JOEL MYRIE, also known as “Pookie,” and JAH NIMMONS, also known as “Jah,” together with others, for the purpose of maintaining and increasing position in GD, an enterprise engaged in racketeering activity, did knowingly and intentionally assault John Doe #1, an individual whose identity is known to the Grand Jury, with a dangerous weapon, in violation of New York Penal Law Sections 120.05(2) and 20.00.

(Title 18, United States Code, Sections 1959(a)(3), 2 and 3551 et seq.)

COUNT FOUR

(Possessing, Brandishing and Discharging a Firearm During a Crime of Violence)

15. On or about June 19, 2022, within the Eastern District of New York and elsewhere, the defendants KWYME WADDELL, also known as “K” and “Big Gun,”

PAOLO ALFAROBARBER, also known as “Chico,” RAHIM FRANK, also known as “Rah,” MIKEY JEMISON, also known as “CP,” SEBASTIEN JOCELYN, also known as “Savi” and “Savii,” JOEL MYRIE, also known as “Pookie,” and JAHIM NIMMONS, also known as “Jah,” together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to one or more crimes of violence, to wit: the crimes charged in Counts Two and Three, and did knowingly and intentionally possess such firearms in furtherance of said crimes of violence, one or more of which firearms was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT FOUR

16. The United States hereby gives notice to the defendants that, upon their conviction of the offense charged in Count Four, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922 or Section 924, including but not limited to one 9mm Luger caliber Stoen Arms model Cougar 8000 LT semi-automatic pistol bearing serial number T6429-13M00294, and ammunition contained therein, seized by law enforcement on or about October 19, 2023, in Brooklyn, New York.

17. 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 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL


FOREPERSON


BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK