

2008R00515/rlf/ajb

RECEIVED

JUN 05 2013

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

AT 8:30 _____M
WILLIAM T. WALSH, CLERK

UNITED STATES OF AMERICA	:	Hon. Esther Salas
	:	
v.	:	Crim. No. 12-298 (ES)
	:	
FARAD ROLAND,	:	18 U.S.C. §§ 1962, 1959, 1951,
a/k/a "B.U.," a/k/a "UZI,"	:	2119 & 924(c)
MARK WILLIAMS,	:	21 U.S.C. § 846
a/k/a "B.G.," and	:	
MALIK LOWERY,	:	
a/k/a "LEEK"	:	

SECOND SUPERSEDING INDICTMENT

COUNT ONE

(Racketeering)

The Grand Jury in and for the District of New Jersey,
sitting at Newark, charges:

The Enterprise

1. At various times relevant to this Second Superseding Indictment, in the District of New Jersey and elsewhere, defendants FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI"; MARK WILLIAMS, a/k/a "B.G."; MALIK LOWERY, a/k/a "LEEK"; co-conspirators A.R., a/k/a "Crack," a/k/a "Ock" (hereinafter "Crack"); L.P., a/k/a "L," a/k/a "Murder" (hereinafter "L"); K.L., a/k/a "Wolf" (hereinafter "Wolf"); A.B., a/k/a "Dubird," a/k/a "Bird" (hereinafter "Dubird"); A.W., a/k/a "50," a/k/a "New Jack," a/k/a "Jack" (hereinafter "50"); D.S., a/k/a "Ant" (hereinafter "Ant"); F.B., a/k/a "Fu" (hereinafter "Fu"); AL.B.,

a/k/a "Bone," a/k/a "Jerz" (hereinafter "Bone"); D.B., a/k/a "Reckless," a/k/a "D" (hereinafter "Reckless"); D.M., a/k/a "Commando," a/k/a "Little Ali" (hereinafter "Commando"); J.W., a/k/a "Little Johnny" (hereinafter "Little Johnny"); and I.H., a/k/a "I.B." (hereinafter "I.B.") and others were members and associates of a criminal organization, hereinafter referred to as the "South Side Cartel," that operated principally in Essex County, New Jersey.

2. As early as in or about 2002, a group variously known as the "Carter Boyz" or the "Up the Hill Boyz" controlled the distribution of heroin and crack cocaine in an area along Hawthorne Avenue in Newark, New Jersey.

3. That group consisted mostly of individuals who had grown up in and around the Hawthorne Avenue area of Newark. The group maintained a base of operation for their drug trafficking activities at buildings located at 494 to 500 Hawthorne Avenue in Newark, New Jersey known as the "Carter Buildings" and the "Twin Towers."

4. After 2002, the leaders of the "Carter Boyz," defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," and his brother, "Crack," among others, became members of the Bloods street gang.

5. In or around 2005 or 2006, the group variously known as the "Carter Boyz" and the "Up The Hill Boyz" formally adopted

the name "South Side Cartel" and became a subset of the "93" Bloods street gang.¹

6. The South Side Cartel has followed many of the same traditions and protocols of the Bloods street gang, including:

a. Tattoos signifying their membership in the South Side Cartel;

b. Use of a system of rules and regulations which govern the Bloods, its membership, entry into the Bloods and conduct of members. These regulations establish a hierarchical membership structure, from senior rank to junior rank, such as "OOOG" (Triple OG; "OG" is short for "Original Gangster"); "OOG" (Double OG); "OG"; "Baby OG"; followed by captains, five star generals, lieutenants, sergeants and individual members, who are called soldiers;

c. Rules governing the Bloods that establish penalties for those who violate the rules, fail to carry out orders of higher ranking members, or "disrespect" the gang. Such penalties can include being stripped of one's status within the Bloods, being placed on probationary status within the Bloods,

¹ Reference to the South Side Cartel at all times herein includes the group previously known as the "Carter Boyz" and the "Up the Hill Boyz" as described above. The "93" Bloods were renamed the "793" Bloods in or about 2007. Reference to "793" Bloods at all times herein includes the group previously known as the "93" Bloods.

or being labeled "food." All members of the Bloods are directed to violently attack or kill any person labeled as "food."

7. The criminal activity of the South Side Cartel also included retaliation against persons who "disrespect" South Side Cartel members in general or the 793 Bloods set itself, or who threaten or who are perceived to pose a threat to the gang's authority, power, or control of a neighborhood.

8. The South Side Cartel, including its leadership, membership and associates, constituted an "enterprise," as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise. The South Side Cartel was engaged in, and its activities affected, interstate and foreign commerce.

Purposes of the South Side Cartel Enterprise

9. The purposes of the South Side Cartel included the following:

a. enriching the members and associates of the enterprise, including those who were in prison, through, among other things, acts in violation of the laws of the United States and the State of New Jersey involving murder, attempted murder, conspiracy to commit murder, kidnapping, assault with a

dangerous weapon, robbery, threats of violence, and trafficking in controlled substances;

b. preserving and protecting the power and influence of the enterprise, and its members and associates, both in and out of prison, through the use of acts in violation of the laws of the United States and the State of New Jersey involving murder, attempted murder, conspiracy to commit murder, kidnapping, assault with a dangerous weapon, robbery, threats of violence, and trafficking in controlled substances; and

c. promoting and enhancing the enterprise and its members' and associates' reputations, both in and out of prison, as well as the South Side Cartel in general.

Methods and Means of the Enterprise

10. Among the methods and means by which the defendants and other members and associates of the South Side Cartel conducted and participated in the conduct of the affairs of the South Side Cartel were the following:

a. The South Side Cartel used violence, including acts involving murder, attempted murder and assault with a dangerous weapon, to avenge attacks or perceived slights against other members and associates of the South Side Cartel and the Bloods street gang, to punish enterprise members and associates who had fallen into disfavor, to punish enterprise members and associates who had been disloyal, to retaliate against rival

gangs, to silence enterprise members and associates who were perceived to be cooperating or potentially would cooperate with law enforcement against members and associates of the South Side Cartel and the Bloods street gang, and to enrich the enterprise and its members and associates by carjackings and other robberies.

b. Participation in criminal activity by a member or associate, particularly violent acts directed at rival gangs or as directed by the gang leadership, increased the respect accorded to that member or associate, resulted in that member or associate maintaining or increasing position in the gang, and could result in a promotion to a leadership position.

c. Members of the South Side Cartel were specifically directed to carry or have immediate access to firearms, in order to protect themselves and threaten others in furtherance of the interests of the criminal enterprise.

d. To avoid apprehension, members of the South Side Cartel would regularly use borrowed, rented, stolen, or carjacked vehicles when carrying out robberies, shootings, and murders. The members of the South Side Cartel would recruit others to rent vehicles used in these crimes.

e. To bolster their reputation for violence, to promote their drug distribution business, and to obscure their true names from law enforcement and others, members and

associates of the South Side Cartel used and referred to each other by "street" names. For example, FARAD ROLAND was known as "Uzi," a reference to the firearm, and as "B.U.," which stood for "Book-Up." ("Book-Up" was an allusion to the process of "cooking up" powder cocaine into crack cocaine and, like some Bloods members, FARAD ROLAND used a "B" instead of a "C" because of the letter's association with the Crips, a rival street gang.) Similarly, MARK WILLIAMS was known as "B.G.," which stood for "Bloody Guns."

f. Defendants and other members and associates of the South Side Cartel controlled the illegal drug trafficking along an area of Hawthorne Avenue in Newark, New Jersey. South Side Cartel members would distribute controlled substances, including heroin and cocaine base ("crack cocaine"), from areas within and around 494-500 Hawthorne Avenue, and elsewhere, in Newark, New Jersey. The South Side Cartel members stored and distributed illegal controlled substances, and kept firearms, inside apartments located in these buildings.

Roles of Defendants and Other Members and
Associates of the South Side Cartel

11. Under the leadership of defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," his brother "Crack," and his half-brother, "L," the members and associates of the South Side Cartel, including, MARK WILLIAMS, a/k/a "B.G.," and MALIK LOWERY, a/k/a

"LEEK," participated in unlawful and other activities in furtherance of the conduct of the South Side Cartel's affairs, as further described below:

a. Defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," was one of the leaders of the South Side Cartel and held a high-ranking position within the 793 set of the Bloods street gang. Among other activities, he carried out, and directed other members and associates of the South Side Cartel in carrying out, unlawful and other activities in furtherance of the conduct of the South Side Cartel's affairs, including murder, attempted murder, assault, robbery and drug distribution.

b. Defendant MARK WILLIAMS, a/k/a "B.G.," was a member of the South Side Cartel who participated in the affairs of the South Side Cartel by, among other things, engaging in murder, assault, kidnapping and robbery.

c. Defendant MALIK LOWERY, a/k/a "LEEK," was a member of the South Side Cartel who participated in the affairs of the South Side Cartel by, among other things, engaging in murder, robbery and drug distribution.

The Racketeering Violation

12. From in or around January 2003 through in or around March 2011, in Essex County, in the District of New Jersey and elsewhere, defendants,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"
MARK WILLIAMS, a/k/a "B.G.," and
MALIK LOWERY, a/k/a "LEEK,"

together with others, known and unknown, being persons associated with the South Side Cartel, described above, an enterprise engaged in, and the activities of which affected, interstate and foreign commerce, unlawfully and knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of the South Side Cartel through a pattern of racketeering activity, that is, through the commission of the following acts, as set forth below.

The Pattern of Racketeering Activity

13. The pattern of racketeering activity as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

14. Racketeering Act One:

Murder of Rashaun Leaks and Attempted Murder of A.S.

Defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," committed the following acts, any one of which alone constitutes the commission of Racketeering Act One:

a. Conspiracy to Murder Rashaun Leaks and A.S.

On or about December 4, 2003, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did purposely conspire and agree with others to cause the death and serious bodily injury resulting in death of Rashaun Leaks and A.S., contrary to N.J.S.A. Sections 2C:11-3(a)(1) & (2), in violation of N.J.S.A. 2C:5-2.

b. Murder of Rashaun Leaks

On or about December 4, 2003, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did purposely and knowingly cause the death and serious bodily injury resulting in death of another person, namely, Rashaun Leaks, in violation of N.J.S.A. Sections 2C:11-3 (a)(1) & (2) and 2C:2-6.

c. Attempted Murder of A.S.

On or about December 4, 2003, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did purposely and knowingly attempt to cause the death and serious bodily injury resulting in death of another person, namely, A.S., in violation of N.J.S.A. Sections 2C:11-3 (a)(1) & (2), 2C:5-1 and 2C:2-6.

15. Racketeering Act Two:
Murder of Jamar Stewart

On or about February 20, 2005, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND,

a/k/a "B.U.," a/k/a "UZI," acting either alone or with one or more other persons, did cause the death of Jamar Stewart, a person other than one of the participants, during the commission of, an attempt to commit, and flight after committing, and attempting to commit, robbery, in violation of N.J.S.A. 2C:11-3(a)(3) and 2C:2-6.

16. Racketeering Act Three:
Murder of "Fu"

Defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," committed the following acts, either one of which alone constitutes the commission of Racketeering Act Three:

a. Conspiracy to Murder "Fu"

On or about February 23, 2005, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," did purposely conspire and agree with others to cause the death and serious bodily injury resulting in death of another person, namely, "Fu," contrary to N.J.S.A. 2C:11-3(a)(1) & (2), in violation of N.J.S.A. 2C:5-2.

b. Murder of "Fu"

On or about February 23, 2005, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did purposely and knowingly cause the death and serious bodily injury resulting in death of another

person, namely, "Fu," in violation of N.J.S.A. 2C:11-3(a)(1) & (2) and 2C:2-6.

17. Racketeering Act Four:
Murder of "Dubird"

On or about October 20, 2007, in Essex County, in the District of New Jersey and elsewhere, defendants FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," MARK WILLIAMS, a/k/a "B.G.," and MALIK LOWERY, a/k/a "LEEK," did purposely and knowingly cause the death and serious bodily injury resulting in death of another person, namely, "Dubird," in violation of N.J.S.A. 2C:11-3(a)(1) & (2) and 2C:2-6.

18. Racketeering Act Five:
Murder of Maurice Silas

Defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," committed the following acts, either one of which alone constitutes the commission of Racketeering Act Five:

a. Conspiracy to Murder Patrons Outside Oasis Bar

On or about March 27, 2008, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI" did purposely conspire and agree with others to cause the death and serious bodily injury resulting in death of at least one person or persons outside the Oasis Bar in Newark, New Jersey, contrary to N.J.S.A. 2C:11-3(a)(1) & (2), in violation of N.J.S.A. 2C:5-2.

b. Murder of Maurice Silas

On or about March 27, 2008, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did purposely and knowingly cause the death and serious bodily injury resulting in death of another person, namely, Maurice Silas, in violation of N.J.S.A. 2C:11-3 (a) (1) & (2) and 2C:2-6.

19. Racketeering Act Six:
Murder of Kasan Prince

On or about March 27, 2008, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did purposely and knowingly cause the death and serious bodily injury resulting in death of another person, namely, Kasan Prince, in violation of N.J.S.A. 2C:11-3(a) (1) & (2) and 2C:2-6.

20. Racketeering Act Seven:
Robbery of Mercedes Benz Vehicle

On or about December 28, 2007, in Essex County, in the District of New Jersey and elsewhere, defendants FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," and MARK WILLIAMS, a/k/a "B.G.," in the course of committing a theft of a 2003 Mercedes Benz, threatened another person with, and purposely put another person in fear of, immediate bodily injury, in violation of N.J.S.A. 2C:15-1(a) (2) and 2C:2-6.

21. Racketeering Act Eight:
Robbery of BMW Vehicle

On or about January 3, 2008, in Essex County, in the District of New Jersey and elsewhere, defendants MARK WILLIAMS, a/k/a "B.G.," and MALIK LOWERY, a/k/a "LEEK," in the course of committing a theft of a 2008 BMW, threatened another person with, and purposely put another person in fear of, immediate bodily injury, in violation of N.J.S.A. 2C:15-1 and 2C:2-6.

22. Racketeering Act Nine:
Robbery of T.H.

Defendants FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," and MALIK LOWERY, a/k/a "LEEK," committed the following acts, either one of which alone constitutes the commission of Racketeering Act Nine:

a. Robbery of T.H. (state robbery offense)

On or about February 3, 2008, in Essex County, in the District of New Jersey and elsewhere, defendants FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," and MALIK LOWERY, a/k/a "LEEK," in the course of committing a theft, threatened another person, that is, T.H., with, and purposely put T.H. in fear of, immediate bodily injury, in violation of N.J.S.A. 2C:15-1(a)(2) and 2C:2-6.

b. Robbery of T.H. (Hobbs Act)

On or about February 3, 2008, in Essex County, in the District of New Jersey and elsewhere, defendants FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," and MALIK LOWERY, a/k/a "LEEK," did knowingly and wilfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, by robbery, in that the defendants did unlawfully take and obtain personal property consisting of, among other things, cocaine and a firearm, from the person of and in the presence of T.H., against his will by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person and property in his custody and committed and threatened physical violence to persons and property in furtherance thereof, in violation of Title 18, United States Code, Section 1951(a) and Section 2.

23. Racketeering Act Ten:
Drug Distribution

Between on or about February 3, 2008 through on or about February 8, 2008, in Essex County, in the District of New Jersey and elsewhere, defendant MALIK LOWERY, a/k/a "LEEK," did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance which contained cocaine and cocaine base ("crack cocaine"), Schedule II controlled substances, in violation of Title 21, United States Code,

Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

24. Racketeering Act Eleven:
Kidnapping and Robbery of W.D.

Defendant MARK WILLIAMS, a/k/a "B.G.," committed the following acts, either one of which alone constitutes the commission of Racketeering Act Eleven:

a. Kidnapping

On or about September 29, 2008, in the Essex County, in the District of New Jersey and elsewhere, defendant MARK WILLIAMS, a/k/a "B.G.," and others did unlawfully and purposely remove W.D. from the place he was found and unlawfully confine W.D. with the purpose of holding W.D. for ransom and reward and as a shield and hostage, in violation of N.J.S.A. 2C:13-1(a) and 2C:2-6.

b. Robbery of W.D. Under New Jersey Law

On or about September 29, 2008, in Essex County, in the District of New Jersey and elsewhere, defendant MARK WILLIAMS, a/k/a "B.G.," and others, in the course of committing a theft, threatened another person with and purposely put another person in fear of immediate bodily injury, in violation of N.J.S.A. 2C:15-1(a)(2) and 2C:2-6.

25. Racketeering Act Twelve:

Conspiracy to Distribute Crack Cocaine and Heroin

From at least as early as in or about July 2003 through in or about July 2010, in Essex County, in the District of New Jersey and elsewhere, the defendants, FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," MARK WILLIAMS, a/k/a "B.G.," and MALIK LOWERY, a/k/a "LEEK," did knowingly and intentionally conspire and agree with each other and others to distribute and to possess with intent to distribute 280 grams or more of cocaine base ("crack cocaine"), a Schedule II controlled substance, and one kilogram or more of heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (B)(1)(A), in violation of Title 21, United States Code, Section 846.

26. Racketeering Act Thirteen:

Distribution of Crack Cocaine and Heroin

On or about March 25, 2004, in Essex County, in the District of New Jersey and elsewhere, defendants FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," and MALIK LOWERY, a/k/a "LEEK," did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance which contained a detectable amount of cocaine base ("crack cocaine"), a Schedule II controlled substance, and a mixture and substance which contained a detectable amount of heroin, a Schedule I controlled

substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(c), and Title 18, United States Code, Section 2.

27. Racketeering Act Fourteen:
Distribution of Heroin

On or about May 31, 2006, in the Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance which contained heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(c), and Title 18, United States Code, Section 2.

All in violation of Title 18, United States Code, Section 1962(c) and Section 2.

COUNT TWO
(Racketeering Conspiracy)

1. Paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated as if fully set forth herein.

2. From in or around January 2003 through in or around March 2011 in Essex County, in the District of New Jersey and elsewhere, defendants

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"
MARK WILLIAMS, a/k/a "B.G.," and
MALIK LOWERY, a/k/a "LEEK,"

together with other persons, being persons associated with the South Side Cartel described above, an enterprise, which engaged in, and the activities of which affected, interstate and foreign commerce, knowingly and intentionally conspired to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the South Side Cartel through a pattern of racketeering activity, as that term is defined by Title 18, United States Code, Sections 1961(1) and 1961(5), which pattern of racketeering activity consisted of (A) multiple acts involving murder, contrary to N.J.S.A. 2C:5-1, 2C:5-2 and 2C:11-3, kidnapping, contrary to N.J.S.A. 2C:5-1, 2C:5-2 and 2C:13-1, and robbery, contrary to N.J.S.A. 2C:5-1, 2C:5-2 and 2C:15-1; (B) multiple acts indictable under Title 18, United States Code,

Section 1951(1), that is, interference with commerce by robbery and conspiracy to commit robbery; and (C) multiple offenses involving the felonious manufacture, receiving, concealment, buying, selling and otherwise dealing in a controlled substance, in violation of Title 21, United States Code, Sections 841 and 846.

3. It was a part of the conspiracy that defendants agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the South Side Cartel.

Overt Acts

4. In furtherance of the conspiracy and to achieve the objectives thereof, defendants committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

a. On or about January 27, 2003, FARAD ROLAND possessed a 9mm semi-automatic pistol inside a vehicle in which he and co-conspirator "Wolf" were passengers.

b. On or about July 14, 2003, MALIK LOWERY sold a quantity of crack cocaine to another individual.

c. On or about December 4, 2003, in retaliation for A.S. shooting "L" on November 30, 2003, FARAD ROLAND and other members of the South Side Cartel participated in the shooting of

rival gang members, resulting in the death of Rashaun Leaks and serious bodily injury to A.S.

d. On or about March 25, 2004, FARAD ROLAND and MALIK LOWERY distributed heroin and crack cocaine in front of 498-500 Hawthorne Avenue, Newark, New Jersey.

e. On or about March 25, 2004, FARAD ROLAND possessed a .45 caliber semi-automatic pistol.

f. On or about March 25, 2004, MALIK LOWERY possessed thirty-seven vials containing crack cocaine and twenty envelopes containing heroin.

g. On or about February 18, 2005, co-conspirator "50" possessed 99 vials of crack cocaine inside of 498-500 Hawthorne Avenue, Newark, New Jersey.

h. On or about February 20, 2005, FARAD ROLAND and co-conspirator "Fu" planned to rob Jamar Stewart outside Phil's Tavern, a bar in Newark, New Jersey.

i. On or about February 20, 2005, co-conspirator "Fu" shot and killed Jamar Stewart during the course of the planned robbery.

j. From on or about February 20, 2005 through on or about February 23, 2005, fearful that co-conspirator "Fu" would implicate FARAD ROLAND in the robbery-murder, FARAD ROLAND and co-conspirators "Dubird" and "Wolf" began looking for "Fu" in order to kill him.

k. On or about February 23, 2005, FARAD ROLAND shot and killed "Fu."

l. On or about March 25, 2005, co-conspirator "50" distributed a controlled substance outside 496 Hawthorne Avenue.

m. On or about March 25, 2005, co-conspirator "50" eluded police by running into the third-floor apartment within 496 Hawthorne Avenue used by the South Side Cartel members to store guns and drugs and escaped out a back stairwell.

n. On or about March 25, 2005, inside the third-floor apartment at 496 Hawthorne Avenue, South Side Cartel members stored a 9mm gun, .40 caliber ammunition, 9mm caliber ammunition, a plastic bag containing crack cocaine, 13 bags of marihuana, one bullet proof vest, a shoe box with \$7,109, empty clear vials, vial caps, and a scale.

o. On about June 4, 2005, co-conspirator "Crack," who had been arrested for driving while intoxicated, spit at West Orange, New Jersey police officers and threatened the officers by stating that he was a member of the South Side Cartel and further stating that, "I'm hooked up, you know what that means."

p. On or about May 1, 2006, co-conspirator "50" possessed 50 vials containing crack cocaine and a 9mm semi-automatic pistol loaded with nine rounds of ammunition inside 496 Hawthorne Avenue, Newark, New Jersey.

q. On or about May 31, 2006, FARAD ROLAND possessed a quantity of crack cocaine and a quantity of heroin inside a vehicle.

r. On or about September 7, 2006, co-conspirator "Wolf" sold a quantity of crack cocaine on Leslie Street, a short distance from 496 Hawthorne Avenue, Newark, New Jersey.

s. On or about September 11, 2006, co-conspirator "Dubird" sold a quantity of crack cocaine and a quantity of heroin inside 496 Hawthorne Avenue, Newark, New Jersey.

t. On or about September 14, 2006, co-conspirator "Dubird" sold a quantity of crack cocaine inside 496 Hawthorne Avenue, Newark, New Jersey.

u. On or about September 22, 2006, co-conspirator "Dubird" possessed a quantity of crack cocaine inside 496 Hawthorne Avenue, Newark, New Jersey.

v. On or about October 19, 2007, FARAD ROLAND, MARK WILLIAMS, and co-conspirators "I.B." and "Commando" drove to Ridgewood Avenue, Newark, New Jersey to aid a South Side Cartel associate who was involved in a dispute with L.M. over narcotics.

w. On or about October 19, 2007, MARK WILLIAMS ordered "Commando" to shoot L.M. in the leg because of the dispute with the South Side Cartel associate.

x. On or about October 19, 2007, co-conspirator "Commando" shot L.M. several times with a .38 caliber revolver.

y. On or about October 19, 2007, after shooting L.M., co-conspirator "Commando" stole a Hi-Point .9mm pistol that L.M. had been carrying.

z. On or about October 19, 2007, co-conspirator "I.B." gave the Hi-Point 9mm pistol to an associate of the South Side Cartel to hold on behalf of the South Side Cartel members.

aa. On or about October 20, 2007, FARAD ROLAND, MARK WILLIAMS, MALIK LOWERY and co-conspirator "I.B." agreed to murder co-conspirator "Dubird" because, among other reasons, the South Side Cartel members believed co-conspirator "Dubird" had been involved in the November 2006 murder of co-conspirator "Wolf," a high-ranking South Side Cartel member.

bb. On or about October 20, 2007, just prior to the murder, MALIK LOWERY informed FARAD ROLAND, MARK WILLIAMS and co-conspirator "I.B." by phone that co-conspirator "Dubird" was located near Bragaw Avenue, Newark, New Jersey.

cc. On or about October 20, 2007, after receiving MALIK LOWERY's phone call, MARK WILLIAMS drove FARAD ROLAND and co-conspirator "I.B." to the vicinity of 128 Bragaw Avenue.

dd. On or about October 20, 2007, FARAD ROLAND went inside 128 Bragaw Avenue and shot and killed co-conspirator "Dubird" with a 10mm semi-automatic pistol.

ee. On or about October 20, 2007, FARAD ROLAND called MALIK LOWERY shortly after the murder to confirm that MALIK LOWERY had gotten away from the crime scene safely.

ff. On or about October 29, 2007, while FARAD ROLAND, MARK WILLIAMS and MALIK LOWERY were inside a stolen vehicle being chased by law enforcement, FARAD ROLAND threw a .45 caliber semi-automatic pistol from the passenger window of the vehicle.

gg. On or about December 9, 2007, MARK WILLIAMS shot A.D. in the leg with a 9mm semi-automatic pistol utilized by members of the South Side Cartel.

hh. On or about December 28, 2007, FARAD ROLAND and MARK WILLIAMS used the same 9mm semi-automatic pistol set forth in Overt Act gg to forcibly steal a Mercedes Benz vehicle.

ii. On or about December 28, 2007, MARK WILLIAMS drove that Mercedes Benz vehicle after FARAD ROLAND and MARK WILLIAMS had forcibly stolen it.

jj. On or about January 3, 2008, MALIK LOWERY, MARK WILLIAMS and co-conspirator "I.B." used the same 9mm semi-automatic pistol set forth in Overt Acts gg and hh to forcibly steal a BMW vehicle.

kk. On or about February 3, 2008, FARAD ROLAND, MALIK LOWERY and co-conspirator "I.B." forcibly stole property,

including an amount of cocaine, a firearm, and a North Face brand jacket, from T.H.

ll. On or about February 4, 2008, FARAD ROLAND threatened to kill MALIK LOWERY after MALIK LOWERY got into a motor vehicle accident while driving a vehicle rented by FARAD ROLAND's girlfriend.

mm. On or about February 4, 2008, FARAD ROLAND, in retaliation for MALIK LOWERY damaging FARAD ROLAND's girlfriend's vehicle, shot a dog belonging to a friend of MALIK LOWERY.

nn. Between on or about February 3, 2008 and on or about February 8, 2008, FARAD ROLAND, MALIK LOWERY and co-conspirator "I.B." cooked the cocaine obtained in the robbery of T.H., as described in Overt Act kk, and produced a quantity of crack cocaine.

oo. On or about February 8, 2008, MALIK LOWERY possessed with the intent to distribute a quantity of the crack cocaine produced from the cocaine forcibly stolen from T.H., as described in Overt Act kk.

pp. On or about February 24, 2008, FARAD ROLAND shot at a rival Bloods gang member, but the Bloods gang member fired back and shot FARAD ROLAND in the upper thigh.

qq. On or about February 24, 2008, members of the South Side Cartel dropped FARAD ROLAND off at UMDNJ Hospital,

where FARAD ROLAND gave a false name to police who interviewed him about the shooting.

rr. On or about March 11, 2008, FARAD ROLAND, and co-conspirators "I.B.," "Commando," and "Bone," were present at a meeting of the 793 Bloods street gang in Newark, New Jersey.

ss. On or about March 11, 2008, FARAD ROLAND ordered co-conspirator "Bone" to shoot and kill Hassan Andrews, a 793 Bloods street gang member, because Hassan Andrews was believed to have "snitched" to police about a fellow 793 Bloods gang member.

tt. On or about March 11, 2008, co-conspirator "Bone" shot and killed Hassan Andrews with a .40 caliber semi-automatic pistol and then jumped into a getaway vehicle occupied by FARAD ROLAND and co-conspirators "I.B." and "Commando."

uu. On or about March 11, 2008, co-conspirator "I.B." gave the .40 caliber semi-automatic pistol used to kill Hassan Andrews to an associate of the South Side Cartel in order to conceal the pistol from law enforcement.

vv. On or about March 27, 2008, FARAD ROLAND and co-conspirators "I.B.," "Little Johnny," and "Reckless," in retaliation for FARAD ROLAND having been shot by a member of the rival Bloods gang on February 24, 2008, as described in Overt Act pp, agreed to shoot those congregated outside the Oasis Bar

in Newark, New Jersey, a location frequented by members of the rival Bloods gang.

ww. On or about March 27, 2008, FARAD ROLAND and co-conspirators "I.B.," "Little Johnny," and "Reckless," drove to the area of the Oasis Bar in a rental vehicle.

xx. On or about March 27, 2008, FARAD ROLAND provided co-conspirator "Little Johnny" a .40 caliber semi-automatic pistol.

yy. On or about March 27, 2008, co-conspirator "Little Johnny," wearing the North Face jacket stolen by FARAD ROLAND in the robbery of T.H. on February 3, 2008, as described in Overt Act kk, shot and killed Kasan Prince and Maurice Silas, and wounded a third person, S.L., as they congregated outside the Oasis Bar.

zz. On or about April 10, 2008, FARAD ROLAND and co-conspirator "L," driving a Range Rover, eluded police after a high-speed chase through Newark, New Jersey.

aaa. On or about June 18, 2008, FARAD ROLAND possessed a firearm.

bbb. On or about June 18, 2008, FARAD ROLAND shot I.A. in the face.

ccc. On or about June 18, 2008, co-conspirator "Reckless" possessed a firearm.

ddd. On or about June 18, 2008, "Reckless" shot I.A. in the leg.

eee. On or about June 24, 2008, co-conspirator "Little Johnny" possessed a loaded firearm, which he provided to FARAD ROLAND.

fff. On or about June 24, 2008, FARAD ROLAND shot at co-conspirator "L" using the gun provided to him by co-conspirator "Little Johnny."

ggg. On or about June 25, 2008, co-conspirator "L" shot and killed co-conspirator "Little Johnny," in retaliation for "Little Johnny" having provided FARAD ROLAND with the gun used to shoot "L."

hhh. On or about September 29, 2008, MARK WILLIAMS and co-conspirators "I.B.," "Reckless," and R.Z., a/k/a "Rablock," (hereinafter "Rablock") a South Side Cartel associate, agreed to rob a group of marihuana dealers located in Irvington, New Jersey.

iii. On or about September 29, 2008, MARK WILLIAMS and co-conspirators "I.B.," "Reckless," and "Rablock" forcibly restrained W.D. at gunpoint inside a vehicle they were driving and held W.D. for ransom, specifically money and marihuana from the "stash" location of the marihuana dealers.

jjj. On or about September 29, 2008, co-conspirator "Reckless," while forcibly restraining W.D. inside the vehicle, stabbed W.D. with a knife.

kkk. On or about September 29, 2008, MARK WILLIAMS, after receiving an amount of marihuana and money as ransom for W.D.'s safe return, shot W.D. in the leg as W.D. was thrown from the vehicle.

lll. On or about October 26, 2008, in retaliation for a rival gang's shooting of a vehicle controlled by MARK WILLIAMS, MARK WILLIAMS and co-conspirator "I.B." drove to an area of Newark controlled by the rival street gang, where co-conspirator "I.B." shot M.D., an individual that WILLIAMS and "I.B." believed to be associated with the rival gang.

mmm. On or about February 12 2009, in retaliation for an assault by Crips street gang members, FARAD ROLAND confronted R.B., who FARAD ROLAND believed to be a member of the Crips street gang, and ordered co-conspirator "I.B." to shoot R.B. in the leg.

nnn. On or about February 12, 2009, co-conspirator "I.B." shot R.B. in the leg using a .45 caliber semi-automatic handgun.

ooo. Some time after February 12, 2009 but before January 27, 2010, "I.B." gave the .45 caliber semi-automatic

pistol used to shoot R.B. to an associate of the South Side Cartel in order to conceal the pistol from law enforcement.

All in violation of Title 18, United States Code, Section 1962(d).

NOTICE OF SPECIAL SENTENCING FACTORS

The Grand Jury further alleges that:

1. On or about December 4, 2003, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did purposely and knowingly cause the death and serious bodily injury resulting in death of another person, namely, Rashaun Leaks, in violation of N.J.S.A. Sections 2C:11-3 (a) (1) & (2) and 2C:2-6.

2. On or about February 20, 2005, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," acting either alone or with one or more other persons, did cause the death of Jamar Stewart, a person other than one of the participants, during the commission of, an attempt to commit, and flight after committing, and attempting to commit, robbery, in violation of N.J.S.A. 2C:11-3(a) (3) and 2C:2-6.

3. On or about February 23, 2005, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did purposely and knowingly cause the death and serious bodily injury resulting in death of another

person, namely, "Fu," in violation of N.J.S.A. 2C:11-3(a)(1) & (2) and 2C:2-6.

4. On or about October 20, 2007, in Essex County, in the District of New Jersey and elsewhere, defendants FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," MARK WILLIAMS, a/k/a "B.G.," and MALIK LOWERY, a/k/a "LEEK," did purposely and knowingly cause the death and serious bodily injury resulting in death of another person, namely, "Dubird," in violation of N.J.S.A. 2C:11-3(a)(1) & (2) and 2C:2-6.

5. On or about March 27, 2008, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did purposely and knowingly cause the death and serious bodily injury resulting in death of another person, namely, Maurice Silas, in violation of N.J.S.A. 2C:11-3(a)(1) & (2) and 2C:2-6.

6. On or about March 27, 2008, in Essex County, in the District of New Jersey and elsewhere, defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," did purposely and knowingly cause the death and serious bodily injury resulting in death of another person, namely, Kasan Prince, in violation of N.J.S.A. 2C:11-3(a)(1) & (2) and 2C:2-6.

7. From at least as early as in or about July 2003 through in or about July 2010, in Essex County, in the District of New Jersey and elsewhere, the defendants, FARAD ROLAND, a/k/a

"B.U.," a/k/a "UZI," MARK WILLIAMS, a/k/a "B.G.," and MALIK LOWERY, a/k/a "LEEK," did knowingly and intentionally conspire and agree with each other and others to distribute and to possess with intent to distribute 280 grams or more of cocaine base ("crack cocaine"), a Schedule II controlled substance, and one kilogram or more of heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (B)(1)(A), in violation of Title 21, United States Code, Section 846.

All in violation of Title 18, United States Code, Section 1962(d).

COUNT THREE

(Murder in Aid of Racketeering - Rashaun Leaks)
(Defendant Roland)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. At all times relevant to Count Three of this Second Superseding Indictment, in the District of New Jersey and elsewhere, defendants FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," MARK WILLIAMS, a/k/a "B.G.," and MALIK LOWERY, a/k/a "LEEK," were members or associates of the South Side Cartel, as more fully described in paragraphs one through eleven of Count One of this Second Superseding Indictment. This criminal organization constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact, which engaged in, and the activities of which affected, interstate commerce.

3. At all times relevant to Count Three of this Second Superseding Indictment, the South Side Cartel, 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. acts involving murder, kidnapping and robbery under the laws of the state of New Jersey;

b. acts indictable under Title 18, United States Code, Section 1951(a), that is, Hobbs Act robbery and conspiracy to commit Hobbs Act robbery; and

c. offenses involving the felonious manufacture, concealment, buying, selling and otherwise dealing in controlled substances, in violation of Title 21, United States Code, Sections 841 and 846.

4. On or about December 4, 2003, in Essex County, in the District of New Jersey and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, which enterprise was engaged in racketeering activity, did knowingly and intentionally murder Rashaun Leaks, contrary to N.J.S.A. 2C:11-3(a)(1) & (2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(1) and Section 2.

COUNT FOUR

(Murder in Aid of Racketeering - Jamar Stewart)
(Defendant Roland)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. The allegations contained in paragraphs one through three of Count Three of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

3. On or about February 20, 2005, in Essex County, in the District of New Jersey and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, which enterprise was engaged in racketeering activity, did knowingly and intentionally murder Jamar Stewart, contrary to N.J.S.A. 2C:11-3(a)(3) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(1) and Section 2.

COUNT FIVE

(Murder in Aid of Racketeering - "Fu")
(Defendant Roland)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. The allegations contained in paragraphs one through three of Count Three of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

3. On or about February 23, 2005, in Essex County, in the District of New Jersey, and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, which enterprise was engaged in racketeering activity, did knowingly and intentionally murder "Fu," contrary to N.J.S.A. 2C:11-3(a)(1) & (2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(1) and Section 2.

COUNT SIX

(Murder in Aid of Racketeering - "Dubird")
(Defendants Roland, Williams and Lowery)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. The allegations contained in paragraphs one through three of Count Three of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

3. On or about October 20, 2007, in Essex County, in the District of New Jersey, and elsewhere, defendants,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"
MARK WILLIAMS, a/k/a "B.G.," and
MALIK LOWERY, a/k/a "LEEK,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, which enterprise was engaged in racketeering activity, did knowingly and intentionally murder "Dubird," contrary to N.J.S.A. 2C:11-3 (a) (1) & (2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a) (1) and Section 2.

COUNT SEVEN

(Murder in Aid of Racketeering - Maurice Silas)
(Defendant Roland)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. The allegations contained in paragraphs one through three of Count Three of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

3. On or about March 27, 2008, in Essex County, in the District of New Jersey and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, which enterprise was engaged in racketeering activity, did knowingly and intentionally murder Maurice Silas, contrary to N.J.S.A. 2C:11-3 (a) (1) & (2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a) (1) and Section 2.

COUNT EIGHT

(Murder in Aid of Racketeering - Kasan Prince)
(Defendant Roland)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. The allegations contained in paragraphs one through three of Count Three of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

3. On or about March 27, 2008, in Essex County, in the District of New Jersey and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, which enterprise was engaged in racketeering activity, did knowingly and intentionally murder Kasan Prince, contrary to N.J.S.A. 2C:11-3(1) & (2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(1) and Section 2.

COUNT NINE

(Using and Carrying a Firearm During a Violent Crime)
(Defendant Roland)

On or about March 27, 2008, in Essex County, in the
District of New Jersey, and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

during and in relation to a crime of violence for which the
defendant may be prosecuted in a court of the United States,
that is, the Violent Crime in Aid of Racketeering alleged in
Count Seven of this Second Superseding Indictment, did knowingly
use and carry a firearm, which was discharged.

In violation of Title 18, United States Code, Section
924(c)(1)(A)(iii) and Section 2.

COUNT TEN

(Using and Carrying a Firearm During a Violent Crime)
(Defendant Roland)

On or about March 27, 2008, in Essex County, in the
District of New Jersey, and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

during and in relation to a crime of violence for which the
defendant may be prosecuted in a court of the United States,
that is, the Violent Crime in Aid of Racketeering alleged in
Count Eight of this Second Superseding Indictment, did knowingly
use and carry a firearm, which was discharged.

In violation of Title 18, United States Code, Section
924(c)(1)(A)(iii) and Section 2.

COUNT ELEVEN
(Carjacking)
(Defendants Roland and Williams)

On or about December 28, 2007, in Essex County, in the District of New Jersey, and elsewhere, defendants,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," and
MARK WILLIAMS, a/k/a "B.G.,"

with intent to cause death and serious bodily harm, took a motor vehicle, that is, a 2003 Mercedes Benz, with a vehicle identification number ("VIN") ending in 5917, that had been transported, shipped, and received in interstate and foreign commerce, from the person and presence of another by force and violence and by intimidation.

In violation of Title 18, United States Code, Section 2119 and Section 2.

COUNT TWELVE

(Using and Carrying a Firearm During a Violent Crime)
(Defendants Roland and Williams)

On or about December 28, 2007, in Essex County, in the
District of New Jersey, and elsewhere, defendants,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," and
MARK WILLIAMS, a/k/a "B.G.,"

during and in relation to a crime of violence for which the
defendants may be prosecuted in a court of the United States,
that is, the carjacking alleged in Count Eleven of this Second
Superseding Indictment, did knowingly use and carry a firearm,
which was brandished.

In violation of Title 18, United States Code, Section
924(c)(1)(A)(ii) and Section 2.

COUNT THIRTEEN
(Carjacking)
(Defendants Williams and Lowery)

On or about January 3, 2008, in Essex County, in the District of New Jersey, and elsewhere, defendants,

MARK WILLIAMS, a/k/a "B.G.," and
MALIK LOWERY, a/k/a "LEEK,"

with intent to cause death and serious bodily harm, took a motor vehicle, that is, a 2008 BMW, with a vehicle identification number ("VIN") ending in 1788, that had been transported, shipped and received in interstate and foreign commerce, from the person and presence of another by force and violence and by intimidation.

In violation of Title 18, United States Code, Section 2119 and Section 2.

COUNT FOURTEEN

(Using and Carrying a Firearm During a Violent Crime)
(Defendants Williams and Lowery)

On or about January 3, 2008, in Essex County, in the
District of New Jersey, and elsewhere, defendants,

MARK WILLIAMS, a/k/a "B.G.," and
MALIK LOWERY, a/k/a "LEEK,"

during and in relation to a crime of violence for which the
defendants may be prosecuted in a court of the United States,
that is, the carjacking alleged in Count Thirteen of this Second
Superseding Indictment, did knowingly use and carry a firearm,
which was brandished.

In violation of Title 18, United States Code, Section
924(c)(1)(A)(ii) and Section 2.

COUNT FIFTEEN

(Hobbs Act Robbery - T.H.)
(Defendants Roland and Lowery)

On or about February 3, 2008, in Essex County, in the District of New Jersey, and elsewhere, defendants

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," and
MALIK LOWERY, a/k/a "LEEK,"

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in such commerce, by robbery, in that the defendants did unlawfully take and obtain personal property consisting of a controlled substance, namely, cocaine and a firearm, from the person of and in the presence of T.H., against his will by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person and property in his custody.

In violation of Title 18, United States Code, Section 1951(a) and Section 2.

COUNT SIXTEEN

(Using and Carrying a Firearm During a Violent Crime)
(Defendants Roland and Lowery)

On or about February 3, 2008, in Essex County, in the
District of New Jersey, and elsewhere, defendants,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI," and
MALIK LOWERY, a/k/a "LEEK,"

during and in relation to a crime of violence for which the
defendants may be prosecuted in a court of the United States,
that is, the robbery alleged in Count Fifteen of this Second
Superseding Indictment, did knowingly use and carry a firearm,
which was brandished.

In violation of Title 18, United States Code, Section
924(c)(1)(A)(ii) and Section 2.

COUNT SEVENTEEN

(Assault with a Deadly Weapon in Aid of Racketeering - "L")
(Defendant Roland)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. The allegations contained in paragraphs one through three of Count Three of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

3. On or about June 24, 2008, in Essex County, in the District of New Jersey, and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, an enterprise engaged in racketeering activity, did knowingly and intentionally assault "L" with a dangerous weapon, specifically a firearm, contrary to N.J.S.A. 2C:12-1(b)(2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(3) and Section 2.

COUNT EIGHTEEN

(Using and Carrying a Firearm During a Violent Crime)
(Defendant Roland)

On or about June 24, 2008, in Essex County, in the District of New Jersey, and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, that is, the Violent Crime in Aid of Racketeering alleged in Count Seventeen of this Second Superseding Indictment, did knowingly use and carry a firearm, which was discharged.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(iii) and Section 2.

COUNT NINETEEN

(Assault with a Deadly Weapon in Aid of Racketeering - W.D.)
(Defendant Williams)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. The allegations contained in paragraphs one through three of Count Three of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

3. On or about September 29, 2008, in Essex County, in the District of New Jersey, and elsewhere, defendant,

MARK WILLIAMS, a/k/a "B.G.,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, an enterprise engaged in racketeering activity, did knowingly and intentionally assault W.D. with a dangerous weapon, specifically a firearm, contrary to N.J.S.A. 2C:12-1(b)(2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(3) and Section 2.

COUNT TWENTY

(Kidnapping in Aid of Racketeering - W.D.)
(Defendant Williams)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. The allegations contained in paragraphs one through three of Count Three of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

3. On or about September 29, 2008, in Essex County, in the District of New Jersey, and elsewhere, defendant,

MARK WILLIAMS, a/k/a "B.G.,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, an enterprise engaged in racketeering activity, did kidnap W.D., contrary to N.J.S.A. 2C:13-1(a) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(1) and Section 2.

COUNT TWENTY-ONE

(Using and Carrying a Firearm During a Violent Crime)
(Defendant Williams)

On or about September 29, 2008, in Essex County, in the
District of New Jersey, and elsewhere, defendant,

MARK WILLIAMS, a/k/a "B.G.,"

during and in relation to a crime of violence for which the
defendant may be prosecuted in a court of the United States,
that is, the Violent Crime in Aid of Racketeering alleged in
Count Nineteen of this Second Superseding Indictment, did
knowingly use and carry a firearm, which was discharged.

In violation of Title 18, United States Code, Section
924(c)(1)(A)(iii) and Section 2.

COUNT TWENTY-TWO

(Using and Carrying a Firearm During a Violent Crime)
(Defendant Williams)

On or about September 29, 2008, in Essex County, in the
District of New Jersey, and elsewhere, defendant,

MARK WILLIAMS, a/k/a "B.G.,"

during and in relation to a crime of violence for which the
defendant may be prosecuted in a court of the United States,
that is, the Violent Crime in Aid of Racketeering alleged in
Count Twenty of this Second Superseding Indictment, did
knowingly use and carry a firearm, which was brandished.

In violation of Title 18, United States Code, Section
924(c)(1)(A)(ii) and Section 2.

COUNT TWENTY-THREE

(Assault with a Deadly Weapon in Aid of Racketeering - M.D.)
(Defendant Williams)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. The allegations contained in paragraphs one through three of Count Three of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

3. On or about October 26, 2008, in Essex County, in the District of New Jersey, and elsewhere, defendant,

MARK WILLIAMS, a/k/a "B.G.,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, an enterprise engaged in racketeering activity, did knowingly and intentionally assault M.D. with a dangerous weapon, specifically a firearm, contrary to N.J.S.A. 2C:12-1(b)(2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(3) and Section 2.

COUNT TWENTY-FOUR

(Using and Carrying a Firearm During a Violent Crime)
(Defendant Williams)

On or about October 26, 2008, in Essex County, in the
District of New Jersey, and elsewhere, defendant,

MARK WILLIAMS, a/k/a "B.G.,"

during and in relation to a crime of violence for which the
defendant may be prosecuted in a court of the United States,
that is, the Violent Crime in Aid of Racketeering alleged in
Count Twenty-Three of this Second Superseding Indictment, did
knowingly use and carry a firearm, which was discharged.

In violation of Title 18, United States Code, Section
924(c)(1)(A)(iii) and Section 2.

COUNT TWENTY-FIVE

(Assault with a Deadly Weapon In Aid of Racketeering - R.B.)
(Defendant Roland)

1. The allegations contained in paragraphs one through eleven of Count One of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

2. The allegations contained in paragraphs one through three of Count Three of this Second Superseding Indictment are hereby realleged and incorporated by reference as though set forth fully herein.

3. On or about February 12, 2009, in Essex County, in the District of New Jersey, and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

for the purpose of gaining entrance to and maintaining and increasing position in the South Side Cartel, an enterprise engaged in racketeering activity, did knowingly and intentionally assault R.B. with a dangerous weapon, specifically a firearm, contrary to N.J.S.A. 2C:12-1(b)(2) and 2C:2-6.

In violation of Title 18, United States Code, Section 1959(a)(3) and Section 2.

COUNT TWENTY-SIX

(Using and Carrying a Firearm During a Violent Crime)
(Defendant Roland)

On or about February 12, 2009, in Essex County, in the
District of New Jersey, and elsewhere, defendant,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"

during and in relation to a crime of violence for which the
defendant may be prosecuted in a court of the United States,
that is, the Violent Crime in Aid of Racketeering alleged in
Count Twenty-Five of this Second Superseding Indictment, did
knowingly use and carry a firearm, which was discharged.

In violation of Title 18, United States Code, Section
924(c)(1)(A)(iii) and Section 2.

COUNT TWENTY-SEVEN

(Conspiracy to Distribute Cocaine Base and Heroin)
(Defendants Roland, Williams and Lowery)

From at least as early as in or about July 2003 through in or about July 2010, in Essex County, in the District of New Jersey and elsewhere, the defendants,

FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI,"
MARK WILLIAMS, a/k/a "B.G.," and
MALIK LOWERY, a/k/a "LEEK,"

did knowingly and intentionally conspire and agree with each other and others to distribute and to possess with intent to distribute 280 grams or more of a mixture or substance which contains a detectable amount of cocaine base ("crack cocaine"), a Schedule II controlled substance, and one kilogram or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

In violation of Title 21, United States Code, Section 846.

NOTICE OF SPECIAL FINDINGS

1. The allegations of Counts Three through Eight of this Indictment are hereby realleged and reincorporated as though set forth in full herein.

2. As to Counts Three, Four, Five, Six, Seven, and Eight of this Second Superseding Indictment, the defendant FARAD ROLAND, a/k/a "B.U.," a/k/a "UZI":

a. was 18 years of age or older at the time of the offense. 18 U.S.C. § 3591(a).

b. intentionally killed Rashaun Leaks [Count Three], "Fu" [Count Five], and "Dubird" [Count Six]. 18 U.S.C. § 3591(a)(2)(A).

c. intentionally inflicted serious bodily injury that resulted in the death of Rashaun Leaks [Count Three], "Fu" [Count Five] and "Dubird" [Count Six]. 18 U.S.C. § 3591(a)(2)(B).

d. intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and Rashaun Leaks [Count Three], "Fu" [Count Five], "Dubird" [Count Six], Maurice Silas [Count Seven], and Kasan Prince [Count

Eight] died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(C).

e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and Rashaun Leaks [Count Three], Jamar Stewart [Count Four], "Fu" [Count Five], "Dubird" [Count Six], Maurice Silas [Count Seven], and Kasan Prince [Count Eight] died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(D).

f. has previously been convicted of a Federal or State offense punishable by a term of imprisonment of more than 1 year, involving the use or attempted or threatened use of a firearm (as defined in Section 921) against another person. 18 U.S.C. § 3592(c)(2).

g. In the commission of the offense, or in escaping apprehension for the violation of the offense, knowingly created a grave risk of death to 1 or more persons in addition to the victim of the offense. 18 U.S.C. § 3592(c)(2). [Count Seven and Eight]

h. committed the offense after substantial planning and premeditation to cause the death of a person. 18

U.S.C. § 3592(c)(9). [Counts Three, Five, Six, Seven, and Eight].

i. intentionally killed and attempted to kill more than one person in a single criminal episode. 18

U.S.C. §3592(c)(16). [Counts Three, Seven, and Eight]

3. As to Count Six of this Second Superseding Indictment, the defendant MARK WILLIAMS, a/k/a "B.G." :

a. was 18 years of age or older at the time of the offense. 18 U.S.C. § 3591(a).

b. intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and "Dubird" died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(C).

c. has previously been convicted of a Federal or State offense punishable by a term of imprisonment of more than 1 year, involving the use or attempted or threatened use of a firearm (as defined in Section 921) against another person. 18 U.S.C. § 3592(c)(2).

d. committed the offense after substantial planning and premeditation to cause the death of a person. 18 U.S.C. § 3592(c)(9).

4. As to Count Six of this Second Superseding Indictment, the defendant MALIK LOWERY, a/k/a "LEEK":

a. was 18 years of age or older at the time of the offense. 18 U.S.C. § 3591(a).

b. intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and "Dubird" died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(C).

c. has previously been convicted of a Federal or State offense punishable by a term of imprisonment of more than 1 year, involving the use or attempted or threatened use of a firearm (as defined in Section 921) against another person. 18 U.S.C. § 3592(c)(2).

d. committed the offense after substantial planning and premeditation to cause the death of a person. 18 U.S.C. § 3592(c)(9).

e. has previously been convicted of 2 or more Federal or State offenses punishable by a term of imprisonment of more than 1 year, committed on different occasions, involving the distribution of a controlled substance. 18 U.S.C. § 3592(c)(10).

A TRUE BILL.

A handwritten signature in cursive script, reading "Paul J. Fishman". The signature is written in dark ink and is positioned above a horizontal line.

PAUL J. FISHMAN
United States Attorney

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

FARAD ROLAND,
a/k/a "B.U.," a/k/a "Uzi,"
MARK WILLIAMS,
a/k/a "B.G.,"
MALIK LOWERY,
a/k/a "LEEK"

**SECOND SUPERSEDING
INDICTMENT**

18 U.S.C. §§ 1962, 1959, 1951, 2119
18 U.S.C. § 924(c)
18 U.S.C. § 2
21 U.S.C. § 846

PAUL J. FISHMAN

U.S. ATTORNEY, NEWARK, NEW JERSEY

ROBERT FRAZER
ANDREW BRUCK
*ASSISTANT U.S. ATTORNEYS
NEWARK, NEW JERSEY
(973) 645-2897*
