

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	<u>SUPERSEDING INDICTMENT</u>
	:	
- v. -	:	S1 15 Cr. 634 (CS)
	:	
TERRENCE JOHNSON,	:	
	:	
Defendant.	:	
-----	x	

COUNT ONE

The Grand Jury charges:

1. On or about May 28, 2015, in the Southern District of New York, TERRENCE JOHNSON, the defendant, intentionally and knowingly did distribute and possess with intent to distribute controlled substances, to wit, mixtures and substances containing detectable amounts of heroin and fentanyl.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C).)

COUNT TWO

The Grand Jury further charges:

2. On or about May 29, 2015, in the Southern District of New York, TERRENCE JOHNSON, the defendant, intentionally and knowingly did distribute and possess with intent to distribute controlled substances, to wit, mixtures and substances containing detectable amounts of heroin and fentanyl.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C).)

COUNT THREE

The Grand Jury further charges:

3. On or about May 30, 2015, in the Southern District of New York, TERRENCE JOHNSON, the defendant, intentionally and knowingly did distribute and possess with intent to distribute controlled substances, to wit, mixtures and substances containing detectable amounts of heroin and fentanyl.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C).)

COUNT FOUR

The Grand Jury further charges:

4. On or about June 1, 2015, in the Southern District of New York, TERRENCE JOHNSON, the defendant, intentionally and knowingly did distribute and possess with intent to distribute controlled substances, to wit, mixtures and substances containing detectable amounts of heroin and fentanyl.

5. The use of such controlled substances, specifically fentanyl, resulted in the death of Malcolm Perry on or about June 1, 2015.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C).)

COUNT FIVE

The Grand Jury further charges:

6. On or about June 3, 2015, in the Southern District of New York, TERRENCE JOHNSON, the defendant, intentionally and

knowingly did distribute and possess with intent to distribute controlled substances, to wit, mixtures and substances containing detectable amounts of heroin and fentanyl.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C).)

COUNT SIX

The Grand Jury further charges:

7. On or about June 6, 2015, in the Southern District of New York, TERRENCE JOHNSON, the defendant, intentionally and knowingly did distribute and possess with intent to distribute controlled substances, to wit, mixtures and substances containing detectable amounts of heroin and fentanyl.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C).)

COUNT SEVEN

The Grand Jury further charges:

8. On or about June 6, 2015, in the Southern District of New York, TERRENCE JOHNSON, the defendant, intentionally and knowingly did distribute and possess with intent to distribute controlled substances, to wit, mixtures and substances containing detectable amounts of heroin and fentanyl.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C).)

COUNT EIGHT

The Grand Jury further charges:

9. From at least in or about May 2015, up to and including on or about June 6, 2015, in the Southern District of New York and elsewhere, TERRENCE JOHNSON, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

10. It was a part and an object of the conspiracy that TERRENCE JOHNSON, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

11. The controlled substance that TERRENCE JOHNSON, the defendant, conspired to distribute and possess with the intent to distribute was 100 grams or more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(B).

(Title 21, United States Code, Section 846.)

COUNT NINE

The Grand Jury further charges:

12. From at least in or about 2012, up to and including in or about 2013, in the Southern District of New York and elsewhere, TERRENCE JOHNSON, the defendant, and others known and

unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

13. It was a part and an object of the conspiracy that TERRENCE JOHNSON, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

14. The controlled substance that TERRENCE JOHNSON, the defendant, conspired to distribute and possess with the intent to distribute was 280 grams or more of mixtures and substances containing cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION WITH RESPECT TO COUNTS ONE THROUGH NINE

15. As a result of committing one or more of the controlled substance offenses alleged in Counts One through Nine of this Indictment, TERRENCE JOHNSON, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the offenses alleged in Counts One through Nine, and any property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of the offenses alleged in Counts One through Nine.

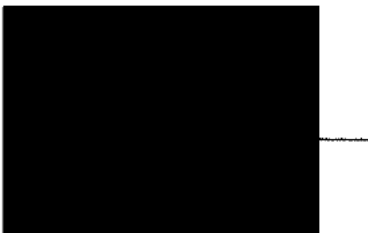
Substitute Assets Provision

16. If any of the property described above as being 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 person;
- 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 subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)




PREET BHARARA
United States Attorney

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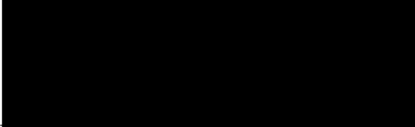

TERRENCE JOHNSON,

Defendant.

SUPERSEDING INDICTMENT

S1 15 Cr. 634 (CS)

(21 U.S.C. §§ 812, 841, and 846.)

 PREET BHARARA
Foreperson  United States Attorney.
