

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

SHYMELL EPHRON,
a/k/a "Shy,"

Defendant.

SEALED INDICTMENT

24 Cr.

24 CRIM 418

OVERVIEW

1. SHYMELL EPHRON, a/k/a "Shy," the defendant, and his co-conspirators have distributed narcotics, including ecstasy and crack cocaine, since at least in or about May 2024 in Times Square and other locations in New York City. EPHRON has also offered and provided narcotics, including ecstasy and cocaine, to others in an effort to have sex with them.

2. On or about May 17, 2024, EPHRON approached two teenage girls, a 15-year-old ("Jane Doe-1") and a 17-year-old ("Jane Doe-2"), in Times Square while he and a co-conspirator were selling drugs. EPHRON convinced Jane Doe-1 and Jane Doe-2 to follow him to his residence in Harlem, where they stayed with EPHRON for several days.

3. EPHRON engaged in multiple acts of forcible rape, forcible touching, sexual abuse, and sex with a minor while Jane Doe-1 and Jane Doe-2 were staying in EPHRON's apartment. EPHRON repeatedly provided Jane Doe-1 and Jane Doe-2 with ecstasy, marijuana, and alcohol, and EPHRON also directed Jane Doe-1 and Jane Doe-2 to sell his drugs on the streets of New York City. EPHRON provided a cellphone to Jane Doe-1 and Jane Doe-2 to monitor their whereabouts, direct them to sell narcotics, and to persuade, induce, and entice them to return to his apartment each night so he could engage in unlawful sexual conduct with them. Law enforcement agents with the FBI and NYPD eventually rescued Jane Doe-1 and Jane Doe-2.

COUNT ONE
(Coercion and Enticement of a Minor)

The Grand Jury charges:

4. From at least on or about May 17, 2024, through on or about May 22, 2024, in the Southern District of New York and elsewhere, SHYMELL EPHRON, a/k/a “Shy,” the defendant, using a facility and means of interstate and foreign commerce, knowingly persuaded, induced, enticed, and coerced an individual who had not attained the age of eighteen years to engage in prostitution and sexual activity for which a person can be charged with a criminal offense, and attempted to do so, to wit, EPHRON, who was thirty-four years old, on numerous occasions, used a cellphone to persuade, induce, and entice Jane Doe-1 to engage in unlawful sexual activity with EPHRON in Manhattan, New York, in violation of New York Penal Law §§ 130.25(2) (third-degree rape), 130.52 (forcible touching), 130.55 (third-degree sexual abuse), and 130.40(2) (third-degree criminal sexual act).

(Title 18, United States Code, Section 2422(b).)

COUNT TWO
(Coercion and Enticement of a Minor)

The Grand Jury further charges:

5. From at least on or about May 17, 2024, through on or about May 22, 2024, in the Southern District of New York and elsewhere, SHYMELL EPHRON, a/k/a “Shy,” the defendant, using a facility and means of interstate and foreign commerce, knowingly persuaded, induced, enticed, and coerced an individual who had not attained the age of eighteen years to engage in prostitution and sexual activity for which a person can be charged with a criminal offense, and attempted to do so, to wit, EPHRON, who was thirty-four years old, on numerous occasions, used a cellphone to persuade, induce, and entice Jane Doe-2 to engage in unlawful sexual activity with

EPHRON in Manhattan, New York, in violation of New York Penal Law §§ 130.35(1) (first-degree rape), 130.52 (forcible touching), 130.55 (third-degree sexual abuse), and 130.40(3) (third-degree criminal sexual act).

(Title 18, United States Code, Section 2422(b).)

COUNT THREE
(Conspiracy to Distribute Narcotics and Controlled Substances)

The Grand Jury further charges:

6. From at least in or about May 2024 through at least in or about June 2024, in the Southern District of New York and elsewhere, SHYMEL EPHRON, a/k/a “Shy,” the defendant, and others known and unknown, knowingly and intentionally combined, conspired, confederated, and agreed together and with each other to violate the controlled-substance laws of the United States.

7. It was a part and an object of the conspiracy that SHYMELL EPHRON, a/k/a “Shy,” the defendant, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

8. The controlled substances involved in the offense were: (i) a quantity of mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C); and (ii) a quantity of mixtures and substances containing a detectable amount of 3,4-methylenedioxymethamphetamine (also known as “ecstasy” or “MDMA”), in violation of Title 21, United States Code, Section 841(b)(1)(C).

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

COUNT FOUR
(Distribution of Controlled Substance Using a Minor)

The Grand Jury further charges:

9. On or about May 18, 2024, in the Southern District of New York and elsewhere, SHYMELL EPHRON, a/k/a “Shy,” the defendant, knowingly and intentionally employed, hired, used, persuaded, induced, enticed, or coerced a person under eighteen years old to violate the provisions of Title 21 of the United States Code, Chapter 13, Subchapters I and II, and knowingly provided and distributed controlled substances to a person under eighteen years old, to wit, EPHRON provided Jane Doe-1, who was fifteen years old, with mixtures and substances that contained 3,4-methylenedioxymethamphetamine (also known as “ecstasy” or “MDMA”) for Jane Doe-1 to distribute to others, in violation of 21 U.S.C. § 841(a)(1).

10. At the time SHYMELL EPHRON, a/k/a “Shy,” the defendant, committed this offense, he was at least eighteen years old.

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C), 861(a)(1), 861(b), and
861(d)(1).)

COUNT FIVE
(Distribution of Controlled Substance Using a Minor)

The Grand Jury further charges:

11. On or about May 18, 2024, in the Southern District of New York and elsewhere, SHYMELL EPHRON, a/k/a “Shy,” the defendant, knowingly and intentionally employed, hired, used, persuaded, induced, enticed, or coerced a person under eighteen years old to violate the provisions of Title 21 of the United States Code, Chapter 13, Subchapters I and II, and knowingly provided and distributed controlled substances to a person under eighteen years old, to wit, EPHRON provided Jane Doe-2, who was seventeen years old, with mixtures and substances that contained 3,4-methylenedioxymethamphetamine (also known as “ecstasy” or “MDMA”) for Jane

Doe-2 to distribute to others, in violation of 21 U.S.C. § 841(a)(1).

12. At the time SHYMELL EPHRON, a/k/a “Shy,” the defendant, committed this offense, he was at least eighteen years old.

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C), 861(a)(1), 861(b), and 861(d)(1).)

COUNT SIX
(Distribution of Controlled Substance to a Minor)

The Grand Jury further charges:

13. On or about May 18, 2024, in the Southern District of New York and elsewhere, SHYMELL EPHRON, a/k/a “Shy,” the defendant, knowingly and intentionally distributed and possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

14. The controlled substance involved in the offense was 3,4-methylenedioxymethamphetamine (also known as “ecstasy” or “MDMA”), in violation of Title 21, United States Code, Section 841(b)(1)(C).

15. The person to whom SHYMELL EPHRON, a/k/a “Shy,” the defendant, distributed the controlled substance was under twenty-one years old, to wit, EPHRON provided Jane Doe-1, who was fifteen years old, with mixtures and substances that contained 3,4-methylenedioxymethamphetamine (also known as “ecstasy” or “MDMA”) for Jane Doe-1 to ingest.

16. At the time SHYMELL EPHRON, a/k/a “Shy,” the defendant, committed this offense, he was at least eighteen years old.

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C), 859(a).)

COUNT SEVEN
(Distribution of Controlled Substance to a Minor)

The Grand Jury further charges:

17. On or about May 18, 2024, in the Southern District of New York and elsewhere, SHYMELL EPHRON, a/k/a “Shy,” the defendant, knowingly and intentionally distributed and possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

18. The controlled substance involved in the offense was 3,4-methylenedioxyamphetamine (also known as “ecstasy” or “MDMA”), in violation of Title 21, United States Code, Section 841(b)(1)(C).

19. The person to whom SHYMELL EPHRON, a/k/a “Shy,” the defendant, distributed the controlled substance was under twenty-one years old, to wit, EPHRON provided Jane Doe-2, who was seventeen years old, with mixtures and substances that contained 3,4-methylenedioxyamphetamine (also known as “ecstasy” or “MDMA”) for Jane Doe-2 to ingest.

20. At the time SHYMELL EPHRON, a/k/a “Shy,” the defendant, committed this offense, he was at least eighteen years old.

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C), 859(a).)

FORFEITURE ALLEGATIONS

21. As a result of committing the offenses alleged in Counts One and Two of this Indictment, SHYMELL EPHRON, a/k/a “Shy,” the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2428, any and all property, real and personal, constituting or derived from proceeds obtained, directly or indirectly, as a result of said offenses; and any and all property, real or personal, that was used or intended to be used to commit or

facilitation the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

22. As a result of committing the offenses alleged in Counts Three, Four, Five, Six, and Seven of this Indictment, SHYMELL EPHRON, a/k/a “Shy,” the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offenses and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Assets Provision

23. If any of the above-described forfeitable property, 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 intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 2428; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)


FOREPERSON

Damian Williams
DAMIAN WILLIAMS
United States Attorney