

Indictment filed 10/17/17
Courtflow 3min

ORIGINAL
COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
:
UNITED STATES OF AMERICA :
:
- V. - :
:
MARKEL OVERTON, :
a/k/a "Kellz," :
THOMAS BLANTON, :
a/k/a "LT," :
MARQUIS COLLIER, :
a/k/a "Keise," :
KADEEM DINHAM, :
a/k/a "Polo," :
DONNIE DIXON, :
a/k/a "Scooter," :
RAHEEM JONES, :
a/k/a "Rah Trigger," :
a/k/a "Trigga," :
JAMAAL SINCLAIR, :
a/k/a "Diggz," and :
NOEL SMITH, :
a/k/a "Georgie," :
:
Defendants. :
:
----- X

SEALED INDICTMENT

17 Cr. 644()

COUNT ONE

The Grand Jury charges:

THE ENTERPRISE

1. At all times relevant to this Indictment, MARKEL OVERTON, a/k/a "Kellz," THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," JAMAAL SINCLAIR, a/k/a "Diggz," and NOEL SMITH, a/k/a

"Georgie," the defendants, and others known and unknown, were members and associates of the "Goonies" or "Goon Squad" (the "Goonies" or the "Enterprise"), a criminal organization whose members and associates engaged in, among other things, murder, assault with dangerous weapons, robbery, and narcotics trafficking. The Goonies operated principally in and around the City of Mount Vernon, New York.

2. The Goonies, 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, although not a legal entity. The Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise. At all times relevant to this Indictment, the Enterprise has engaged in, and its activities affected, interstate and foreign commerce. The defendants participated in the operation of the Enterprise, and participated in unlawful and other activities in furtherance of the conduct of the Enterprise's affairs.

3. MARKEL OVERTON, a/k/a "Kellz," THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," JAMAAL SINCLAIR, a/k/a "Diggz," and NOEL SMITH, a/k/a "Georgie," the defendants, and others known and

unknown, were leaders, members, and associates of the Enterprise who carried out and directed other members of the Enterprise in carrying out unlawful and other activities in furtherance of the conduct of the Enterprise's affairs.

4. The Goonies have been engaged in a long-standing, and violent, feud with several rival Mount Vernon street gangs, including, among others, the "Boss Playa Family," the "Get Money Gangstas," the "Gunnas," and the "Much Better Gang," among others. Over the course of this conflict, Goonies members and associates have committed several acts of violence against their rivals, including several shootings.

5. Although the Goonies did not maintain a formal or rigid hierarchy, certain members and associates enjoyed significant power and respect within the organization. MARKEL OVERTON, a/k/a "Kellz," the defendant, acted as one of The Goonies's leaders.

PURPOSES OF THE ENTERPRISE

6. The purposes of the Enterprise included but were not limited to the following:

a. Preserving and protecting the power, territory, and profits of the Enterprise through murder, attempted murder, other acts of violence, and threats of violence.

b. Promoting and enhancing the Enterprise and the activities of its members and associates.

c. Keeping victims and potential victims in fear of the Enterprise and its members and associates through acts and threats of violence.

d. Providing assistance to members and associates who committed crimes for and on behalf of the Enterprise.

e. Enriching the members and associates of the Enterprise through, among other means, the distribution and sale of controlled substances, including cocaine base and marijuana.

f. Concealing the criminal activities of the Enterprise from detection by law enforcement.

MEANS AND METHODS OF THE ENTERPRISE

7. Among the means and methods employed by the members and associates of the Enterprise in conducting and participating in the conduct of the affairs of the Enterprise were the following:

a. Members and associates of the Enterprise committed, conspired, attempted, and threatened to commit acts of violence, murder, attempted murder, assault, and robbery, against rival gang members and other individuals adverse to the Enterprise to protect and expand the Enterprise's criminal operations, including the distribution of narcotics.

b. Members and associates of the Enterprise used threats of violence and physical violence, including murder, against other members and associates to enforce and maintain discipline within the Enterprise.

c. Members and associates promoted the Enterprise on social media websites such as Facebook and YouTube. For example, Goonies members posted written posts, videos, and photographs during which they, among other things, proclaimed their membership in the Enterprise.

d. Members and associates of the Enterprise displayed certain signs and wore certain clothing emblazoned with "Goonies" or "GS" to identify themselves and communicate with one another.

e. Members and associates of the Enterprise obtained, possessed, and used firearms.

f. Members and associates of the Enterprise distributed controlled substances, including cocaine base, and marijuana.

g. Members and associates of the Enterprise engaged in various types of fraud, including wire fraud, bank fraud, and access device fraud.

THE RACKETEERING CONSPIRACY

8. From at least in or about 2007, up to and including in or about 2017, in the Southern District of New York and elsewhere, MARKEL OVERTON, a/k/a "Kellz," THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," JAMAAL SINCLAIR, a/k/a "Diggz," and NOEL SMITH,

a/k/a "Georgie," the defendants, and others known and unknown, being persons employed by and associated with the Enterprise described in paragraphs One through Seven of this Indictment, to wit, the Goonies, knowingly combined, conspired, confederated, and agreed together and with each other to violate the racketeering laws of the United States, to wit, Section 1962(c) of Title 18, United States Code, that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the Goonies, which was engaged in, and the activities of which affected, interstate and foreign commerce, through a pattern of racketeering activity consisting of:

a. Multiple acts involving murder, chargeable under the following provisions of state law:

i. New York Penal Law, Sections 20.00, 110.00 and 125.25 (attempted murder);

ii. New York Penal Law, Sections 105.15 and 125.25 (conspiracy to commit murder);

iii. New York Penal Law, Sections 20.00 and 125.25 (murder);

b. Multiple acts involving robbery, chargeable under the following provisions of federal and state law:

i. New York Penal Law, Sections 20.00, 110.00, 160.00, 160.05, 160.10, and 160.15 (attempted robbery);

ii. New York Penal Law, Sections 105.05, 105.10, 160.00, 160.05, 160.10, and 160.15 (conspiracy to commit robbery);

iii. New York Penal Law, Sections 20.00, 160.00, 160.05, 160.10, and 160.15 (robbery);

iv. Title 18, United States Code, Section 19151 (Hobbs Act Robbery);

c. Multiple Acts involving fraud, chargeable under the following provisions of federal law:

i. Title 18, United States Code, Section 1029 (Access Device Fraud);

ii. Title 18, United States Code, Section 1343 (Wire Fraud);

iii. Title 18, United States Code, Section 1344 (Bank Fraud); and

d. Multiple offenses involving the distribution of controlled substances, chargeable under Title 21, United States Code, Sections 812, 841, and 846, and Title 18, United States Code, Section 2;

9. It was part of the conspiracy that MARKEL OVERTON, a/k/a "Kellz," THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," JAMAAL SINCLAIR, a/k/a "Diggz," and NOEL SMITH, a/k/a "Georgie,"

the defendants, and others known and unknown, each agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the Enterprise.

(Title 18, United States Code, Section 1962(d).)

COUNT TWO

The Grand Jury further charges:

10. From at least in or about 2008 up to and including in or about 2017, in the Southern District of New York and elsewhere, MARKEL OVERTON, a/k/a "Kellz," THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," and JAMAAL SINCLAIR, a/k/a "Diggz," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely the racketeering conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, some of which firearms were brandished and discharged.

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

COUNT THREE

The Grand Jury further charges:

11. From at least in or about 2008 up to and including in or about 2017, in the Southern District of New York and

elsewhere, NOEL SMITH, a/k/a "Georgie," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely the racketeering conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, some of which were brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.)

COUNT FOUR

The Grand Jury further charges:

12. From at least in or about 2007, up to and including in or about 2017, in the Southern District of New York and elsewhere, THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," and RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," the defendants, 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 THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," and RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," the defendants, 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).

14. The controlled substances that THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," and RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," the defendants, conspired to distribute and possess with intent to distribute were (i) mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Section 841(b)(1)(C); and (ii) 100 kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(B).

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

FORFEITURE ALLEGATION AS TO COUNT ONE

15. As a result of committing the offense alleged in Count One of this Indictment, MARKEL OVERTON, a/k/a "Kellz," THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," JAMAAL SINCLAIR, a/k/a "Diggz," and NOEL SMITH, a/k/a "Georgie," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963:

a. Any interest acquired or maintained in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1);

b. Any interest in, security of, claim against, or property or contractual right which afford a source of influence over, the enterprise named and described herein which the defendants established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962, which interests, securities, claims, and rights are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(2); and

c. Any property constituting, or derived from, any proceeds obtained, directly or indirectly, from racketeering activity, in violation of Title 18, United States Code, Section 1962, which property is subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(3).

FORFEITURE ALLEGATION AS TO COUNT FOUR

16. As a result of committing the controlled substance offense charged in Count Three of this Indictment, THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," and RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code,

Section 853, any property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of the offense charged in Count Three, and any property used, or intended to be used, in any manner or part, to commit and 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 the offenses alleged in Count Three.

Substitute Assets Provision

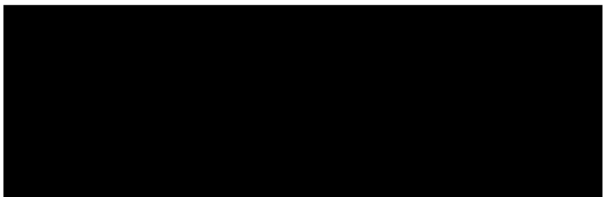
17. If any of the above-described forfeitable property, as a result of any act or omission of MARKEL OVERTON, a/k/a "Kellz," THOMAS BLANTON, a/k/a "LT," MARQUIS COLLIER, a/k/a "Keise," KADEEM DINHAM, a/k/a "Polo," DONNIE DIXON, a/k/a "Scooter," RAHEEM JONES, a/k/a "Rah Trigger," a/k/a "Trigga," JAMAAL SINCLAIR, a/k/a "Diggz," and NOEL SMITH, a/k/a "Georgie," the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, 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 18, United State Code, Section 1963(m) and 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 18, United States Code, Section 1963, and Title 21, United States Code, Section 853.)



FOREPERSON

Joon H. Kim

JOON H. KIM
Acting United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MARKEL OVERTON, et al.,

Defendants.

SEALED INDICTMENT

17 Cr. ()

(18 U.S.C. § 924(c), 1962, and 2; 21
U.S.C. § 846.)

JOON H. KIM

Acting United States Attorney.

A TRUE BILL


Foreperson
