

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

- v. - :

RENE RUIZ, :

a/k/a "Lil' Rene," :

a/k/a "Nae Nae," :

WILFREDO GONZALEZ, :

a/k/a "Alfredo Gonzalez," :

a/k/a "Freddy," :

DOMINGO RAMOS, :

a/k/a "Mingo," :

JASON POLANCO, :

a/k/a "Jin," :

a/k/a "Wolfman," :

AMAR AHMED, :

a/k/a "Omar," :

a/k/a "O," :

ZAIIE ESCRIBANO, :

a/k/a "Zaieto," :

a/k/a "Z," :

a/k/a "Houdini," :

a/k/a "Beloved," :

CARLOS OSORIO-PEREZ, :

a/k/a "C," :

JAIME GONZALEZ, :

a/k/a "Jimbo," :

DENNIS POMALES, :

a/k/a "D," :

JORDAN MCDONALD, :

a/k/a "Umi," :

EDWARD NELSON, :

a/k/a "Boo," :

a/k/a "Bugatti," :

MARK FERNANDEZ, :

a/k/a "Mark," :

Defendants. :

- - - - - X

**SUPERSEDING
INDICTMENT**

S2 16 Cr. 826 (LTS)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: DEC 19 2017

COUNT ONE

(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about 2011, up through and including in or about early 2017, in the Southern District of New York and elsewhere, RENE RUIZ, a/k/a "Lil' Rene," a/k/a "Nae Nae," WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," DOMINGO RAMOS, a/k/a "Mingo," JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," AMAR AHMED, a/k/a "Omar," a/k/a "O," ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," JAIME GONZALEZ, a/k/a "Jimbo," JORDAN MCDONALD, a/k/a "Umi," and EDWARD NELSON, a/k/a "Boo," a/k/a "Bugatti," 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.

2. It was a part and an object of the conspiracy that RENE RUIZ, a/k/a "Lil' Rene," a/k/a "Nae Nae," WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," DOMINGO RAMOS, a/k/a "Mingo," JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," AMAR AHMED, a/k/a "Omar," a/k/a "O," ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," JAIME GONZALEZ, a/k/a "Jimbo," JORDAN MCDONALD, a/k/a "Umi," and EDWARD NELSON, a/k/a "Boo," a/k/a "Bugatti," the defendants, and others known and

unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that RENE RUIZ, a/k/a "Lil' Rene," a/k/a "Nae Nae," WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," DOMINGO RAMOS, a/k/a "Mingo," JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," AMAR AHMED, a/k/a "Omar," a/k/a "O," ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," JAIME GONZALEZ, a/k/a "Jimbo," JORDAN MCDONALD, a/k/a "Umi," and EDWARD NELSON, a/k/a "Boo," a/k/a "Bugatti," the defendants, conspired to distribute and possess with the intent to distribute were: (i) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A); (ii) 280 grams and more of 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)(A); and (iii) a quantity of mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(D).

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

COUNT TWO

(Narcotics Conspiracy)

The Grand Jury further charges:

4. From at least in or about 2011, up through and including in or about early 2017, in the Southern District of New York and elsewhere, DOMINGO RAMOS, a/k/a "Mingo," CARLOS OSORIO-PEREZ, a/k/a "C," DENNIS POMALES, a/k/a "D," JORDAN MCDONALD, a/k/a "Umi," and MARK FERNANDEZ, a/k/a "Mark," 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.

5. It was a part and an object of the conspiracy that DOMINGO RAMOS, a/k/a "Mingo," CARLOS OSORIO-PEREZ, a/k/a "C," DENNIS POMALES, a/k/a "D," JORDAN MCDONALD, a/k/a "Umi," and MARK FERNANDEZ, a/k/a "Mark," the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

6. The controlled substances that DOMINGO RAMOS, a/k/a "Mingo," CARLOS OSORIO-PEREZ, a/k/a "C," DENNIS POMALES, a/k/a "D," JORDAN MCDONALD, a/k/a "Umi," and MARK FERNANDEZ, a/k/a "Mark," the defendants, conspired to distribute and possess with the intent to distribute were: (i) one kilogram and more of

mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A); (ii) 280 grams and more of 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)(A); and (iii) five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A).

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

COUNT THREE

(Use/Possession of Firearms)

The Grand Jury further charges:

7. From at least in or about 2011, up through and including in or about early 2017, in the Southern District of New York and elsewhere, WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," DOMINGO RAMOS, a/k/a "Mingo," JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," AMAR AHMED, a/k/a "Omar," a/k/a "O," ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," JAIME GONZALEZ, a/k/a "Jimbo," and EDWARD NELSON, a/k/a "Boo," a/k/a "Bugatti," the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics distribution conspiracy charged in Count One of this Indictment, knowingly did

use and carry firearms, and, in furtherance of such crimes, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, in the vicinity of Decatur Avenue, and East 194th and 195th Streets, Bronx, New York.

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

COUNT FOUR

(Brandishing/Discharge of Firearms)

The Grand Jury further charges:

8. From at least in or about 2011, up through and including in or about early 2017, in the Southern District of New York and elsewhere, RENE RUIZ, a/k/a "Lil' Rene," a/k/a "Nae Nae," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics distribution conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crimes, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, which were brandished and discharged in the Bronx, New York, including on or about May 2, 2014, in front of 2701 Decatur Avenue, Bronx, New York.

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

COUNT FIVE

(Use/Possession of Firearms)

The Grand Jury further charges:

9. From at least in or about 2011, up through and including in or about early 2017, in the Southern District of New York and elsewhere, DOMINGO RAMOS, a/k/a "Mingo," and CARLOS OSORIO-PEREZ, a/k/a "C," the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics distribution conspiracy charged in Count Two of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crimes, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, in the Bronx and Yonkers, New York.

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

COUNT SIX

(Use of Firearm Causing Death)

The Grand Jury further charges:

10. On or about August 31, 2014, in the Southern District of New York and elsewhere, JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," the defendant, willfully and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics distribution conspiracy charged in Count One of this Indictment,

did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course of that crime did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, POLANCO caused the death of Shawn Ross, a/k/a "S.B.," by discharging, and aiding and abetting the discharge of, a firearm at Ross, in the vicinity of Decatur Avenue and East 195th Street, Bronx, New York.

(Title 18, United States Code, Sections 924(j) and 2.)

COUNT SEVEN

(Intentional Killing)

The Grand Jury further charges:

11. On or about August 31, 2014, in the Southern District of New York and elsewhere, JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," the defendant, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, the narcotics distribution conspiracy charged in Count One of this Indictment, intentionally did kill and counsel, command, induce, procure, and cause the intentional killing of Shawn Ross, a/k/a "S.B.," resulting in the death of Ross.

(Title 21, United States Code, Section 848(e)(1)(A);
Title 18, United States Code, Section 2.)

SPECIAL FINDINGS AS TO JASON POLANCO

12. Counts Six and Seven of the Indictment are realleged and incorporated by reference as though fully set forth herein. As to Six and Seven of the Indictment, alleging the murder of Shawn Ross, the defendant JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman":

a. was 18 years of age or older at the time of the offenses;

b. intentionally participated in an act, contemplating that the life of a person would be taken and . intending that lethal force would be used in connection with a person, other than one of the participants in the offenses, and Shawn Ross died as a direct result of the act (Title 18, United States Code, Section 3591(a)(2)(C)).

COUNT EIGHT

(Robbery Conspiracy)

The Grand Jury further charges:

13. From at least in or about 2014, up through and including on or about January 1, 2015, in the Southern District of New York and elsewhere, JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," AMAR AHMED, a/k/a "Omar," a/k/a "O," and ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," the

defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, POLANCO, WILFREDO GONZALEZ, AHMED, and ESCRIBANO agreed with one another and others to rob the proceeds of commercial establishments in the Bronx and Manhattan, New York, that sold goods and used materials that had traveled in interstate commerce.

(Title 18, United States Code, Section 1951.)

COUNT NINE

(Robbery)

The Grand Jury further charges:

14. On or about October 31, 2014, in the Southern District of New York and elsewhere, WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," AMAR AHMED, a/k/a "Omar," a/k/a "O," and ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," the defendants, and others known and unknown, willfully and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and

the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, WILFREDO GONZALEZ, AHMED, ESCRIBANO, and others robbed the proceeds of a pizzeria chain restaurant in the vicinity of Jerome Avenue and East 179th Street, Bronx, New York, that sold goods and used materials that had traveled in interstate commerce.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT TEN

(Robbery)

The Grand Jury further charges:

15. On or about November 24, 2014, in the Southern District of New York and elsewhere, JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," AMAR AHMED, a/k/a "Omar," a/k/a "O," and ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," the defendants, and others known and unknown, willfully and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, POLANCO, WILFREDO GONZALEZ, AHMED, ESCRIBANO, and others robbed the proceeds of a gas station in the vicinity of Pelham Parkway South and Boston

Road, Bronx, New York, that sold goods and used materials that had traveled in interstate commerce.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT ELEVEN

(Use/Possession of Firearms)

The Grand Jury further charges:

16. From at least in or about 2014, up through and including on or about January 1, 2015, in the Southern District of New York and elsewhere, WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," AMAR AHMED, a/k/a "Omar," a/k/a "O," and ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," the defendants, during and in relation to crimes of violence for which they may be prosecuted in a court of the United States, namely, the robbery conspiracy and substantive robbery charged in Counts Eight and Ten of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crimes, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, which were brandished and discharged, including on or about November 24, 2014, during the robbery of a gas station in the vicinity of Pelham Parkway South and Boston Road, Bronx, New York.

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

COUNT TWELVE

(Firearms Trafficking)

The Grand Jury further charges:

17. From at least in or about 2014, up to and including in or about 2015, in the Southern District of New York and elsewhere, WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," AMAR AHMED, a/k/a "Omar," a/k/a "O," and ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," the defendants, unlawfully, willfully, and knowingly, not being licensed importers, licensed manufacturers or licensed dealers, did engage in the business of dealing in firearms, and in the course of such business did ship, transport, and receive firearms in interstate and foreign commerce, to wit, WILFREDO GONZALEZ, AHMED, and ESCRIBANO, not being licensed importers, manufacturers, dealers or collectors, on multiple occasions sold, offered to sell, and arranged to sell firearms.

(Title 18, United States Code, Sections 922(a)(1)(A) and 2.)

FORFEITURE ALLEGATIONS

18. As a result of committing the controlled substance offenses alleged in Counts One and Two of this Indictment, RENE RUIZ, a/k/a "Lil' Rene," a/k/a "Nae Nae," WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," DOMINGO RAMOS, a/k/a "Mingo," JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," AMAR AHMED, a/k/a

"Omar," a/k/a "O," ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," CARLOS OSORIO-PEREZ, a/k/a "C," JAIME GONZALEZ, a/k/a "Jimbo," DENNIS POMALES, a/k/a "D," JORDAN MCDONALD, a/k/a "Umi," EDWARD NELSON, a/k/a "Boo," a/k/a "Bugatti," and MARK FERNANDEZ, a/k/a "Mark," the defendants, 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 the said defendants obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the narcotics violations alleged in Counts One and Two of this Indictment.

19. As the result of committing the offenses in violation of Title 18, United States Code, Sections 1951 and 2, as alleged in Counts Eight, Nine, and Ten of this Indictment, JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," AMAR AHMED, a/k/a "Omar," a/k/a "O," and ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses.

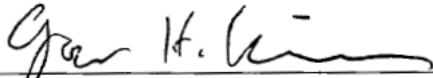
subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third 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 to seek forfeiture of any other property of the defendants up to the value of the forfeitable property.

(Title 18, United States Code, Section 981; Title 21, United States Code, Section 853; Title 28, United States Code, Section 2461.)


FOREPERSON


JOON H. KIM MS
Acting United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

RENE RUIZ, a/k/a "Lil' Rene," a/k/a "Nae Nae," WILFREDO GONZALEZ, a/k/a "Alfredo Gonzalez," a/k/a "Freddy," DOMINGO RAMOS, a/k/a "Mingo," JASON POLANCO, a/k/a "Jin," a/k/a "Wolfman," AMAR AHMED, a/k/a "Omar," a/k/a "O," ZAIE ESCRIBANO, a/k/a "Zaieto," a/k/a "Z," a/k/a "Houdini," a/k/a "Beloved," CARLOS OSORIO-PEREZ, a/k/a "C," JAIME GONZALEZ, a/k/a "Jimbo," DENNIS POMALES, a/k/a "D," JORDAN MCDONALD, a/k/a "Umi," EDWARD NELSON, a/k/a "Boo," a/k/a "Bugatti," and MARK FERNANDEZ, a/k/a "Mark,"

Defendants.

SUPERSEDING INDICTMENT

S2 16 Cr. 826 (LTS)

(Title 18, United States Code, Sections 922(a), 924(c), 924(j), 1951 and 2; Title 21, United States Code, Sections 846 and 848(e).)

JOON H. KIM

Acting United States Attorney.

A TRUE BILL

[Redacted Signature]

Foreperson.

2/19/17 Filed Superseding Indictment

 Judge Nathan