

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

JENCY DIAZ,
a/k/a "JC,"
KEVIN MORA,
a/k/a "Jaffy,"
ARTURO MORA,
a/k/a "Etho,"
WYKEE JOHNSON,
CERENE MAYES,
a/k/a "Mama,"
HOWARD AYLLON,
a/k/a "Kapo,"
MYRON DECOSTA, and
CARLA DECOSTA,

Defendants.

SEALED INDICTMENT

18 Cr. _____ ()

18 CRIM 749

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COUNT ONE
(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about 2015 up to and including in or about 2018, in the Southern District of New York and elsewhere, JENCY DIAZ, a/k/a "JC," KEVIN MORA, a/k/a "Jaffy," CERENE MAYES, a/k/a "Mama," HOWARD AYLLON, a/k/a "Kapo," MYRON DECOSTA, and CARLA DECOSTA, 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 JENCY DIAZ, a/k/a "JC," KEVIN MORA, a/k/a "Jaffy," CERENE MAYES, a/k/a "Mama," HOWARD AYLLON, a/k/a "Kapo," MYRON DECOSTA, and CARLA DECOSTA, the defendants, 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).

3. The controlled substance that JENCY DIAZ, a/k/a "JC," KEVIN MORA, a/k/a "Jaffy," CERENE MAYES, a/k/a "Mama," HOWARD AYLLON, a/k/a "Kapo," MYRON DECOSTA, and CARLA DECOSTA, the defendants, conspired to distribute was Oxycodone, in violation of Title 21, United States Code, Section 841(b)(1)(C).
(Title 21, United States Code, Section 846.)

COUNT TWO
(Narcotics Conspiracy)

The Grand Jury further charges:

4. From at least in or about 2013 up to and including in or about 2014, in the Southern District of New York and elsewhere, KEVIN MORA, a/k/a "Jaffy," ARTURO MORA, a/k/a "Etho," and WYKEE JOHNSON, 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 KEVIN MORA, a/k/a "Jaffy," ARTURO MORA, a/k/a "Etho," and

WYKEE JOHNSON, the defendants, 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).

6. The controlled substances that KEVIN MORA, a/k/a "Jaffy," ARTURO MORA, a/k/a "Etho," and WYKEE JOHNSON, the defendants, conspired to distribute were (1) 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 (2) 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 THREE

(Use, Carrying, and Possession of Firearms)

The Grand Jury further charges:

7. In or about 2014 and 2015, in the Southern District of New York and elsewhere, KEVIN MORA, a/k/a "Jaffy," ARTURO MORA, a/k/a "Etho," and WYKEE JOHNSON, 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 conspiracy charged in Count Two 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 and discharged.

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

FORFEITURE ALLEGATIONS

8. As a result of committing the controlled substance offense alleged in Count One of this Indictment, JENCY DIAZ, a/k/a "JC," KEVIN MORA, a/k/a "Jaffy," CERENE MAYES, a/k/a "Mama," HOWARD AYLLON, a/k/a "Kapo," MYRON DECOSTA, and CARLA DECOSTA, 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 obtained, directly or indirectly, as a result of said offense 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 offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

9. As a result of committing the controlled substance offense alleged in Count Two of this Indictment, KEVIN MORA, a/k/a "Jaffy," ARTURO MORA, a/k/a "Etho," and WYKEE JOHNSON, 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 obtained, directly or indirectly, as a result of said offense 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 offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Asset Provision

10. If any of the above-described forfeitable property, 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, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of each defendant up to the value of the above forfeitable property.

[REDACTED] e, Section 981; Title 21, United
and Title 28, United States Code,
(Section 2461.)

Geoffrey S. Berman

GEOFFREY S. BERMAN *mb*
United States Attorney

October 15, 2018

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Defendants.

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(Title 21, United States Code, Section 846;
Title 18, United States Code, Sections
(iii), and 2.)

GEOFFREY S. BERMAN
ed States Attorney.

Foreperson.
