

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
UNITED STATES OF AMERICA
- v. -
THERYN JONES,
a/k/a "Ty,"
a/k/a "Old Man Ty,"
a/k/a "Tyballa,"
GYANCARLOS ESPINAL,
a/k/a "Fatboy,"
a/k/a "Slime," and
ARIUS HOPKINS,
a/k/a "Scrappy,"
a/k/a "Scrap,"
Defendants.
- - - - - x

:
:
SEALED
SUPERSEDING
INDICTMENT
:

S4 17 Cr. 791 (LAK)

COUNT ONE

The Grand Jury charges:

1. On or about January 2, 2014, in the Southern District of New York, THERYN JONES, a/k/a "Ty," a/k/a "Old Man Ty," a/k/a "Tyballa," GYANCARLOS ESPINAL, a/k/a "Fatboy," a/k/a "Slime," and ARIUS HOPKINS, a/k/a "Scrappy," a/k/a "Scrap," the defendants, willfully and knowingly, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, a conspiracy to distribute and to possess with intent to distribute mixtures and substances containing a detectable amount of cocaine base and mixtures and substances containing a detectable amount of heroin, did use and

carry a firearm, and, in furtherance of such crime, did possess 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), and did aid and abet the same, to wit, at the direction of JONES and ESPINAL, HOPKINS and another individual shot Shaquille Malcolm and caused his death, in the vicinity of 2818 Bronx Park East in the Bronx, New York.

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

COUNT TWO

The Grand Jury further charges:

2. On or about January 2, 2014, in the Southern District of New York, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, to wit, a conspiracy to distribute and to possess with intent to distribute 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack cocaine," THERYN JONES, a/k/a "Ty," a/k/a "Old Man Ty," a/k/a "Tyballa," GYANCARLOS ESPINAL, a/k/a "Fatboy," a/k/a "Slime," and ARIUS HOPKINS, a/k/a "Scrappy," a/k/a "Scrap," the defendants, intentionally and knowingly killed, and counseled, commanded, induced, procured, and caused the intentional killing of Shaquille Malcolm, and aided and abetted the same, and such killing resulted, in the vicinity of 2818 Bronx Park East in the Bronx, New York.

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

COUNT THREE

The Grand Jury further charges:

3. From in or about October 2013, up to and including in or about January 2014, in the Southern District of New York and elsewhere, THERYN JONES, a/k/a "Ty," a/k/a "Old Man Ty," a/k/a "Tyballa," GYANCARLOS ESPINAL, a/k/a "Fatboy," a/k/a "Slime," and ARIUS HOPKINS, a/k/a "Scrappy," a/k/a "Scrap," the defendants, and others known and unknown, knowingly did combine, conspire, confederate, and agree together and with each other to travel in and cause another to travel in interstate and foreign commerce, and to use and cause another to use the mail and a facility of interstate and foreign commerce, with intent that a murder be committed in violation of the laws of a State and the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value, to wit, ESPINAL offered to pay HOPKINS, JONES, and another individual to kill Shaquille Malcolm, which resulted in the death of Shaquille Malcolm.

(Title 18, United States Code, Section 1958.)

FOREPERSON

GEOFFREY S. BERMAN
United States Attorney

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Defendants.

SEALED
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INDICTMENT

S4 17 Cr. 791 (LAK)

(Title 18, United States Code, Sections 924, 1958 and 2;
Title 21, United States Code, Section 848)

GEOFFREY S. BERMAN

United States Attorney.

A TRUE BILL

Foreperson.