

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
UNITED STATES OF AMERICA :  
 :  
 - v. - :  
 :  
 RANDY MARTINEZ, :  
 a/k/a "Rampage," :  
 :  
 Defendant. :  
 :  
----- x

SEALED INDICTMENT

19 Cr. \_\_\_\_\_

COUNT ONE

The Grand Jury charges:

1. At all times relevant to this Indictment, RANDY MARTINEZ, a/k/a "Rampage," the defendant, and others known and unknown, were members and associates of the Young Gunnaz street gang (the "YGz" or the "Enterprise"), a criminal organization whose members and associates engaged in, among other things, acts involving murder, assaults, and narcotics trafficking.

2. At all times relevant to this Indictment, the YGz, including its leadership, membership, and associates, constituted an "enterprise," as defined by Title 18, United States Code, Sections 1959(b)(2), that is a group of individuals associated in fact, although not a legal entity, that engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise.

3. RANDY MARTINEZ, a/k/a "Rampage," the defendant, was a member of the YGz who carried out unlawful and other activities in furtherance of the conduct of the Enterprise's affairs.

PURPOSES OF THE ENTERPRISE

4. The purposes of the Enterprise included the following:

a. Preserving and protecting the power of the enterprise and its members and associates through murder, attempted murder, assaults, and other acts of violence.

b. Enriching the members and associates of the enterprise through, among other things, the distribution of narcotics.

c. Promoting and enhancing the enterprise and the activities of its members and associates.

MEANS AND METHODS OF THE ENTERPRISE

5. 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 to commit, and attempted to commit acts of violence against others, including murder and assaults, to maintain their positions in and to advance their positions in the Enterprise.

b. Members and associates of the Enterprise used physical violence and threats of violence, including murder,

attempted murder, and assaults against others, including individuals associated with rival gangs.

c. Members and associates of the Enterprise sold narcotics.

6. At all times relevant to this Indictment, the YGz, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely acts involving murder, in violation of New York Penal law, Sections 125.25, 110.00, 105.15, and 20.00, and offenses involving trafficking of controlled substances, in violation of Title 21, United States Code, Sections 841 and 846.

VIOLENT CRIME IN AID OF RACKETEERING

7. On or about October 17, 2011, in the Southern District of New York, RANDY MARTINEZ, a/k/a "Rampage," the defendant, and others known and unknown, for the purpose of gaining entrance to and maintaining and increasing position in the YGz, an enterprise engaged in racketeering activity, knowingly and intentionally murdered Davon Jackson, and aided and abetted the same, to wit: 1) with the intent to cause the death of Jackson, caused the death of Jackson; and, 2) under circumstances evincing a depraved indifference to human life, did recklessly engage in conduct which created a grave risk of death to another person, and thereby caused the death of Jackson, to wit, MARTINEZ exchanged gunfire with members of a rival gang in the vicinity of 146th Street and Third

Avenue in the Bronx, New York, during which Jackson was shot in the head and killed, in violation of New York Penal Law, Sections 120.05, 125.25, and 20.00.

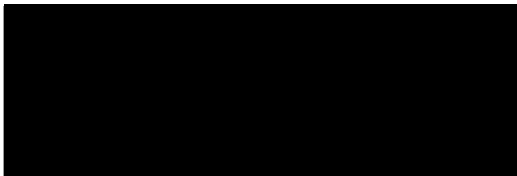
(Title 18, United States Code, Sections 1959(a)(1), and 2.)

COUNT TWO

The Grand Jury further charges:

8. On or about October 17, 2011, in the Southern District of New York, RANDY MARTINEZ, a/k/a "Rampage," the defendant, willfully and knowing, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violent crime in aid of racketeering charged in Count One of this Indictment, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and in the course thereof did, through the use of a firearm, cause the death of a person, which killing is murder as defined in Title 18, United States Code, Section 1111(a), and did aid and abet the same, to wit, MARTINEZ exchanged gunfire with members of a rival gang in the vicinity of 146th Street and Third Avenue in the Bronx, New York, during which Davon Jackson was shot in the head and killed.

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



  
\_\_\_\_\_  
GEOFFREY S. BERMAN  
United States Attorney

---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

- v. -

RANDY MARTINEZ,  
a/k/a "Rampage,"

Defendant.

---

SEALED INDICTMENT

19 Cr.

(18 U.S.C. § 1959.)

GEOFFREY S. BERMAN

United States Attorney.

 Foreperson.

---