

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
JAYQUAN SMITH, :
a/k/a "Six," :
RASHIEN JACKSON, :
a/k/a "Pop," :
JAMES BELL, :
a/k/a "Dex," :
DAQUAN MURPHY, :
a/k/a "Fritz," :
JONATHAN ODENTHAL, :
a/k/a "White Boy," :
HASSAN SIMMONS, :
a/k/a "Hart," and :
DERICK MURPHY, :
a/k/a "Yogi," :
:
Defendants. :
- - - - - x

SEALED INDICTMENT

21 Cr. 280

COUNT ONE
(Racketeering Conspiracy)

The Grand Jury charges:

1. At all times relevant to this Indictment, JAYQUAN SMITH, a/k/a "Six," RASHIEN JACKSON, a/k/a "Pop," JAMES BELL, a/k/a "Dex," DAQUAN MURPHY, a/k/a "Fritz," JONATHAN ODENTHAL, a/k/a "White Boy," HASSAN SIMMONS, a/k/a "Hart," and DERICK MURPHY, a/k/a "Yogi," the defendants, and others known and unknown, were members and associates of the 800 YGz gang ("800 YGz"), a criminal organization whose members and associates engaged in, among other things, acts involving murder and assault, narcotics trafficking,

and wire fraud. The 800 YGz operated principally in the New York City metropolitan area.

2. The 800 YGz, 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, 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. JAYQUAN SMITH, a/k/a "Six," RASHIEN JACKSON, a/k/a "Pop," JAMES BELL, a/k/a "Dex," DAQUAN MURPHY, a/k/a "Fritz," JONATHAN ODENTHAL, a/k/a "White Boy," HASSAN SIMMONS, a/k/a "Hart," and DERICK MURPHY, a/k/a "Yogi," the defendants, participated in the operation of the 800 YGz, and participated in unlawful and other activities in furtherance of the conduct of the 800 YGz's affairs.

PURPOSES OF THE ENTERPRISE

4. The purposes of the 800 YGz included the following:

a. Enriching the members and associates of the 800 YGz through, among other things, (1) the distribution of controlled substances, including marijuana and cocaine base in a form commonly known as "crack," and (2) acts of wire fraud.

b. Preserving and protecting the power of the 800 YGz and its members and associates through acts involving murder, assault, other acts of violence, and threats of violence.

c. Promoting and enhancing the 800 YGz and the reputation and 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 800 YGz in conducting and participating in the conduct of the affairs of the 800 YGz were the following:

a. Members and associates of the 800 YGz committed, conspired to commit, and attempted and threatened to commit acts of violence, including acts involving murder and assault, to protect and expand the 800 YGz's criminal operations and resolve disputes against rival gang members.

b. Members and associates of the 800 YGz used violence and threats of violence, including acts involving murder and assault, against others, including individuals associated with rival gangs.

c. Members and associates of the 800 YGz sold controlled substances, including marijuana and cocaine base in a form commonly known as "crack."

d. Members and associates of the 800 YGz committed wire fraud.

e. Members and associates of the 800 YGz promoted the 800 YGz on social media websites such as Facebook and Instagram by posting messages, comments, videos, and photographs referring to, among other things, shootings, firearms, drug dealing, and acts of wire fraud.

The Racketeering Conspiracy

6. From at least in or around 2010, up to and including in or around 2021, in the Southern District of New York and elsewhere, JAYQUAN SMITH, a/k/a "Six," RASHIEN JACKSON, a/k/a "Pop," JAMES BELL, a/k/a "Dex," DAQUAN MURPHY, a/k/a "Fritz," JONATHAN ODENTHAL, a/k/a "White Boy," HASSAN SIMMONS, a/k/a "Hart," and DERICK MURPHY, a/k/a "Yogi," the defendants, and others known and unknown, being persons employed by and associated with the racketeering enterprise described in Paragraphs One through Five of this Indictment, namely, the 800 YGz, an enterprise engaged in, and the activities of which affected, interstate and foreign commerce, 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 800 YGz, through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and (5), consisting of:

a. Multiple acts involving murder, chargeable under the following provisions of state law: New York Penal Law, Sections 125.25, 125.27 (murder), 105.15 (conspiracy), 110.00 (attempt), and 20.00 (aiding and abetting);

b. Multiple acts indictable under Title 18, United States Code, Sections 1343 (wire fraud) and 2;

c. Multiple offenses involving the distribution of controlled substances, including marijuana and cocaine base in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 846, and Title 18, United States Code, Section 2.

7. It was a part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the 800 YGz.

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

COUNT TWO
(Violent Crime in Aid of Racketeering:
July 8, 2019 Assault with a Dangerous Weapon and
Attempted Murder)
(BELL)

The Grand Jury further charges:

8. At all times relevant to this Indictment, the 800 YGz, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as

though fully set forth herein, including its leadership, its membership and its associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 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.

9. At all times relevant to this Indictment, the 800 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; offenses involving the distribution of controlled substances, in violation of Title 21, United States Code, Sections 812, 841, and 846, and Title 18, United States Code, Section 2; and acts indictable under Title 18, United States Code, Sections 1343 and 2.

10. On or about July 8, 2019, in the Southern District of New York, JAMES BELL, a/k/a "Dex," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the 800 YGz, and for the purpose of gaining

entrance to and maintaining and increasing position in the 800 YGz, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, BELL shot at rival gang members, injuring two victims in the Bronx, New York, in violation of New York Penal Law, Sections 120.05(2), 125.25(1), 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
(a)(5), and 2.)

COUNT THREE
(Firearm Offense)
(BELL)

The Grand Jury further charges:

11. On or about July 8, 2019, in the Southern District of New York and elsewhere, JAMES BELL, a/k/a "Dex," 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 violent crime in aid of racketeering charged in Count Two of this Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did possess a firearm, and aided and abetted the use, carrying, and possession of a firearm, which was brandished and discharged.

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

COUNT FOUR
(Violent Crime in Aid of Racketeering:
March 27, 2020 Assault with a Dangerous Weapon and
Attempted Murder)
(JACKSON)

The Grand Jury further charges:

12. At all times relevant to this Indictment, the 800 YGz, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, its membership and its associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 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.

13. At all times relevant to this Indictment, the 800 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; offenses involving the distribution of controlled substances, in violation of Title 21, United States Code, Sections 812, 841, and 846, and Title 18,

United States Code, Section 2; and acts indictable under Title 18, United States Code, Sections 1343 and 2.

14. On or about March 27, 2020, in the Southern District of New York, RASHIEN JACKSON, a/k/a "Pop," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the 800 YGz, and for the purpose of gaining entrance to and maintaining and increasing position in the 800 YGz, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, JACKSON shot at rival gang members in the Bronx, New York, in violation of New York Penal Law, Sections 120.14(1), 125.25(1), 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
(a)(5), and 2.)

COUNT FIVE
(Firearm Offense)
(JACKSON)

The Grand Jury further charges:

15. On or about March 27, 2020, in the Southern District of New York and elsewhere, RASHIEN JACKSON, a/k/a "Pop," 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 violent crime in aid of racketeering charged in Count Four of this

Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did possess a firearm, and aided and abetted the use, carrying, and possession of a firearm, which was brandished and discharged.

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

COUNT SIX
(Violent Crime in Aid of Racketeering:
September 16, 2020 Assault with a Dangerous Weapon and
Attempted Murder)
(JACKSON)

The Grand Jury further charges:

16. At all times relevant to this Indictment, the 800 YGz, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, its membership and its associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 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.

17. At all times relevant to this Indictment, the 800 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; offenses involving the distribution of controlled substances, in violation of Title 21, United States Code, Sections 812, 841, and 846, and Title 18, United States Code, Section 2; and acts indictable under Title 18, United States Code, Sections 1343 and 2.

18. On or about September 16, 2020, in the Southern District of New York, RASHIEN JACKSON, a/k/a "Pop," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the 800 YGz, and for the purpose of gaining entrance to and maintaining and increasing position in the 800 YGz, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, JACKSON slashed a rival gang member in the Bronx, New York, in violation of New York Penal Law, Sections 120.05(2), 125.25(1), 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
(a)(5), and 2.)

COUNT SEVEN

**(Violent Crime in Aid of Racketeering:
November 21, 2020 Assault with a Dangerous Weapon and
Attempted Murder)
(SMITH)**

The Grand Jury further charges:

19. At all times relevant to this Indictment, the 800 YGz, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, its membership and its associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 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.

20. At all times relevant to this Indictment, the 800 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; offenses involving the distribution of controlled substances, in violation of Title 21, United States Code, Sections 812, 841, and 846, and Title 18,

United States Code, Section 2; and acts indictable under Title 18, United States Code, Sections 1343 and 2.

21. On or about November 21, 2020, in the Southern District of New York, JAYQUAN SMITH, a/k/a "Six," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the 800 YGz, and for the purpose of gaining entrance to and maintaining and increasing position in the 800 YGz, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, SMITH shot at rival gang members in the Bronx, New York, in violation of New York Penal Law, Sections 120.14(1), 125.25(1), 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
(a)(5) and 2.)

COUNT EIGHT
(Firearm Offense)
(SMITH)

The Grand Jury further charges:

22. On or about November 21, 2020, in the Southern District of New York and elsewhere, JAYQUAN SMITH, a/k/a "Six," 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 violent crime in aid of racketeering charged in Count Seven of

this Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did possess a firearm, and aided and abetted the use, carrying, and possession of a firearm, which was brandished and discharged.

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

COUNT NINE
(Violent Crime in Aid of Racketeering:
December 21, 2020 Assault with a Dangerous Weapon and
Attempted Murder)
(SMITH)

The Grand Jury further charges:

23. At all times relevant to this Indictment, the 800 YGz, as described in paragraphs 1 through 5 of Count One of this Indictment, which are repeated and incorporated by reference as though fully set forth herein, including its leadership, its membership and its associates, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 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.

24. At all times relevant to this Indictment, the 800 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; offenses involving the distribution of controlled substances, in violation of Title 21, United States Code, Sections 812, 841, and 846, and Title 18, United States Code, Section 2; and acts indictable under Title 18, United States Code, Sections 1343 and 2.

25. On or about December 21, 2020, in the Southern District of New York, JAYQUAN SMITH, a/k/a "Six," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the 800 YGz, and for the purpose of gaining entrance to and maintaining and increasing position in the 800 YGz, an enterprise engaged in racketeering activity, as described above, knowingly assaulted an individual with a dangerous weapon, and knowingly attempted to murder an individual, and aided and abetted the same, to wit, SMITH shot at rival gang members in the Bronx, New York, in violation of New York Penal Law, Sections 120.14(1), 125.25(1), 110.00, and 20.00.

(Title 18, United States Code, Sections 1959(a)(3),
(a)(5) and 2.)

COUNT TEN
(Firearm Offense)
(SMITH)

The Grand Jury further charges:

26. On or about December 21, 2020, in the Southern District of New York and elsewhere, JAYQUAN SMITH, a/k/a "Six," 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 violent crime in aid of racketeering charged in Count Nine of this Indictment, knowingly did use and carry a firearm, and in furtherance of such crime, did possess a firearm, and aided and abetted the use, carrying, and possession of a firearm, which was brandished and discharged.

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

COUNT ELEVEN
(Firearm Offense)
(JACKSON)

The Grand Jury further charges:

27. On or about August 28, 2020, in the Southern District of New York, RASHIEN JACKSON, a/k/a "Pop," 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 possession with intent to distribute marijuana for remuneration, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(D), knowingly 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.

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

FORFEITURE ALLEGATION AS TO COUNT ONE

28. As a result of committing the offense alleged in Count One of this Indictment, JAYQUAN SMITH, a/k/a "Six," RASHIEN JACKSON, a/k/a "Pop," JAMES BELL, a/k/a "Dex," DAQUAN MURPHY, a/k/a "Fritz," JONATHAN ODENTHAL, a/k/a "White Boy," HASSAN SIMMONS, a/k/a "Hart," and DERICK MURPHY, a/k/a "Yogi," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963:

a. any interest acquired or maintained as a result of the offense alleged in Count One;

b. any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise established, operated, controlled, conducted, or participated in the conduct of as a result of the offense alleged in Count One; and

c. any property constituting, or derived from, any proceeds obtained, directly or indirectly, from the racketeering activity alleged in Count One.

Substitute Assets Provision

29. If any of the above-described forfeitable property, as a result of any act or omission of JAYQUAN SMITH, a/k/a "Six," RASHIEN JACKSON, a/k/a "Pop," JAMES BELL, a/k/a "Dex," DAQUAN MURPHY, a/k/a "Fritz," JONATHAN ODENTHAL, a/k/a "White Boy," HASSAN SIMMONS, a/k/a "Hart," and DERICK MURPHY, a/k/a "Yogi," 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 18, United States Code, Section 1963(m), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1963.)



Foreperson


AUDREY STRAUSS
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JONATHAN ODENTHAL, a/k/a "White Boy,"
HASSAN SIMMONS, a/k/a "Hart," and
DERICK MURPHY, a/k/a "Yogi,"


Defendants.

SEALED INDICTMENT

21 Cr. ____

(18 U.S.C. §§ 1962(d), 1959,
924(c), and 2.)

AUDREY STRAUSS
United States Attorney.


Foreperson
