

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- v. -

JESUS CABRERA,  
a/k/a "Gee,"

MICHAEL AMAYA,  
a/k/a "Miz,"

ALBERTO CONCEPCION  
a/k/a "Chino,"

HUMBERTO BORGES,  
a/k/a "Berto,"

FRANKIE CAPELLAN,  
a/k/a "Nitty,"

WILLIE HARRIS,  
a/k/a "Light,"

LUIS RAMIREZ,  
a/k/a "Flaco Construction,"  
a/k/a "Lou,"

JOSE FIGUEROA,  
a/k/a "Chelo,"

Defendants.

- - - - - X

**COUNT ONE**  
**(Narcotics Conspiracy)**

The Grand Jury charges:

1. From at least in or about 2019, up to and including in or about February 2022, in the Southern District of New York and elsewhere, JESUS CABRERA, a/k/a "Gee," MICHAEL AMAYA, a/k/a "Miz," ALBERTO CONCEPCION, a/k/a "Chino," HUMBERTO BORGES, a/k/a "Berto," FRANKIE CAPELLAN, a/k/a "Nitty," WILLIE HARRIS, a/k/a "Light," LUIS RAMIREZ, a/k/a "Flaco Construction,"

a/k/a "Lou," and JOSE FIGUEROA, a/k/a "Chelo," 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 JESUS CABRERA, a/k/a "Gee," MICHAEL AMAYA, a/k/a "Miz," ALBERTO CONCEPCION, a/k/a "Chino," HUMBERTO BORGES, a/k/a "Berto," FRANKIE CAPELLAN, a/k/a "Nitty," WILLIE HARRIS, a/k/a "Light," LUIS RAMIREZ, a/k/a "Flaco Construction," a/k/a "Lou," and JOSE FIGUEROA, a/k/a "Chelo," 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 JESUS CABRERA, a/k/a "Gee," MICHAEL AMAYA, a/k/a "Miz," ALBERTO CONCEPCION, a/k/a "Chino," HUMBERTO BORGES, a/k/a "Berto," FRANKIE CAPELLAN, a/k/a "Nitty," WILLIE HARRIS, a/k/a "Light," LUIS RAMIREZ, a/k/a "Flaco Construction," a/k/a "Lou," and JOSE FIGUEROA, a/k/a "Chelo," the defendants, conspired to distribute and possess with intent to distribute was 400 grams and more of mixtures and substances containing a detectable amount of fentanyl, in

violation of Title 21, United States Code, Section 841(b)(1)(A).

4. The use of such controlled substance, which had been distributed by JESUS CABRERA, a/k/a "Gee," MICHAEL AMAYA, a/k/a "Miz," and ALBERTO CONCEPCION, a/k/a "Chino," the defendants, on or about August 25, 2021, resulted in the death of Malik Rahman.

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

**FORFEITURE ALLEGATIONS**

5. As a result of committing the offense alleged in Count One of this Indictment, JESUS CABRERA, a/k/a "Gee," MICHAEL AMAYA, a/k/a "Miz," ALBERTO CONCEPCION, a/k/a "Chino," HUMBERTO BORGES, a/k/a "Berto," FRANKIE CAPELLAN, a/k/a "Nitty," WILLIE HARRIS, a/k/a "Light," LUIS RAMIREZ, a/k/a "Flaco Construction," a/k/a "Lou," and JOSE FIGUEROA, a/k/a "Chelo," 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 Assets Provision

6. 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 the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



FOREPERSON

Damian Williams  
DAMIAN WILLIAMS  
United States Attorney

---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

v.

JESUS CABRERA,  
a/k/a "Gee,"  
MICHAEL AMAYA,  
a/k/a "Miz,"  
ALBERTO CONCEPCION,  
a/k/a "Chino,"  
HUMBERTO BORGES,  
a/k/a "Berto,"  
FRANKIE CAPELLAN,  
a/k/a "Nitty,"  
WILLIE HARRIS,  
a/k/a "Light,"  
LUIS RAMIREZ,  
a/k/a "Flaco Construction,"  
a/k/a "Lou,"  
JOSE FIGUEROA,  
a/k/a "Chelo,"

Defendants.

---

SEALED SUPERSEDING INDICTMENT

S2 22 Cr. 10 (NRB)  
(21 U.S.C. § 846.)

DAMIAN WILLIAMS  
United States Attorney

Foreperson

NC  
3/15/22

Sealed superseding indictment filed  
Arrest warrants issued

Search Leave