

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA : SEALED SUPERSEDING
INDICTMENT

- v. - :
S2 21 Cr. 293 (CS)

WAYNE HICKS, :
a/k/a "Weez," :
BRIAN THOMAS, :
a/k/a "BT," and :
JORDAN WOODBINE, :
a/k/a "Jay Woods," :
Defendants. :

- - - - - X

COUNT ONE
(Hobbs Act Robbery Conspiracy)

The Grand Jury charges:

1. On or about February 28, 2021, in the Southern District of New York and elsewhere, WAYNE HICKS, a/k/a "Weez," BRIAN THOMAS, a/k/a "BT," and JORDAN WOODBINE, a/k/a "Jay Woods," the defendants, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, WAYNE HICKS,

THOMAS, WOODBINE, and other individuals agreed to rob an individual ("Victim-1"), in New City, New York, of marijuana they believed that Victim-1 had stolen from them.

(Title 18, United States Code, Section 1951.)

COUNT TWO
(Hobbs Act Robbery)

The Grand Jury further charges:

2. On or about February 28, 2021, in the Southern District of New York and elsewhere, WAYNE HICKS, a/k/a "Weez," BRIAN THOMAS, a/k/a "BT," and JORDAN WOODBINE, a/k/a "Jay Woods," the defendants, and others known and unknown, unlawfully and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and did aid and abet the same, to wit, WAYNE HICKS, THOMAS, WOODBINE and other individuals robbed Victim-1 in New City, New York of marijuana that they believed Victim-1 had stolen from WOODBINE, and aided and abetted the same.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT THREE
(Travel Act Crime of Violence)

The Grand Jury further charges:

3. On or about February 28, 2021, in the Southern District of New York and elsewhere, WAYNE HICKS, a/k/a "Weez," BRIAN THOMAS, a/k/a "BT," and JORDAN WOODBINE, a/k/a "Jay Woods," the defendants, knowingly used a facility in interstate and foreign commerce with intent to commit a crime of violence, namely, assault in the second degree in violation of N.Y.P.L. § 120.05(2), to further an unlawful activity, namely, a business enterprise involving one or more controlled substances, and with intent to promote, manage, establish, and carry on, and facilitate the promotion, management, establishment, and carrying on of the unlawful activity, and thereafter did perform a crime of violence to further the unlawful activity, and did aid and abet the same, to wit, WAYNE HICKS used a cellphone videoconferencing application and an electronic messaging application to plan, direct and monitor an assault on Victim-1 in New City, New York, which assault was carried out by THOMAS, WOODBINE and other individuals.

(Title 18, United States Code, Sections 1952 and 2.)

COUNT FOUR
(Conspiracy to Distribute Marijuana)

The Grand Jury further charges:

4. From at least in or about 2020 to at least in or about July 2021, in the Southern District of New York and elsewhere,

WAYNE HICKS, a/k/a "Weez," and JORDAN WOODBINE, a/k/a "Jay Woods," 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 WAYNE HICKS, a/k/a "Weez," and JORDAN WOODBINE, a/k/a "Jay Woods," the defendants, would and did possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

6. The controlled substance that WAYNE HICKS, a/k/a "Weez," and JORDAN WOODBINE, a/k/a "Jay Woods," the defendants, conspired to distribute and possess with intent to distribute was 100 kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of 21 U.S.C. § 841(b)(1)(B).

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

FORFEITURE ALLEGATIONS

7. As a result of committing the offenses alleged in Counts One, Two and Three of this Indictment, WAYNE HICKS, a/k/a "Weez," BRIAN THOMAS, a/k/a "BT," and JORDAN WOODBINE, a/k/a "Jay Woods," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), any and all

property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

8. As a result of committing the narcotics offense alleged in Count Four of this Indictment, WAYNE HICKS, a/k/a "Weez," and JORDAN WOODBINE, a/k/a "Jay Woods," 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

9. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- 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) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section
2461.)



Foreperson

Damian Williams
DAMIAN WILLIAMS
United States Attorney

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SOUTHERN DISTRICT OF NEW YORK

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Defendants.

SUPERSEDING INDICTMENT

S2 21 Cr. 293

(18 U.S.C. §§ 1951, 1952, and 2;
21 U.S.C. § 846.)

DAMIAN WILLIAMS

United States Attorney

A TRUE BILL

 Foreperson.