

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

- v. - :

INDICTMENT

CHRISTOPHER LONDONIO, and :

17 Cr.

TERRANCE CALDWELL, :

Defendants. :

- - - - - X

COUNT ONE
(Racketeering Conspiracy)

The Grand Jury charges:

1. At all times relevant to this Indictment, CHRISTOPHER LONDONIO and TERRANCE CALDWELL, the defendants, and others known and unknown, were members and associates of La Cosa Nostra ("LCN" or the "Enterprise"). La Cosa Nostra was a criminal organization whose members and associates engaged in crimes including extortion, loansharking, gambling, robbery, narcotics trafficking, assault, murder, and other crimes.

2. La Cosa Nostra, including its leadership, membership, and associates, constituted an "enterprise," as that term is defined in Title 18, United States Code, Section 1961(4) -- that is, a group of individuals associated in fact. This enterprise was engaged in, and its activities affected, interstate and foreign commerce. La Cosa Nostra was an organized criminal group based in New York City that operated in the Southern District of New York and elsewhere and constituted an ongoing organization whose members functioned as

a continuing unit for a common purpose of achieving the objectives of the enterprise.

3. La Cosa Nostra, also known as the "Mafia," operated through entities known as "Families." Six Families operated in the New York City and New Jersey area, namely, the Genovese Organized Crime Family of LCN, the Gambino Organized Crime Family of LCN, the Luchese Organized Crime Family of LCN, the Colombo Organized Crime Family of LCN, the Bonanno Organized Crime Family of LCN, and the Decavalcante Organized Crime Family of LCN.

4. Each of the Families of LCN operated through groups of individuals known as "crews" and "regimes," most of which were based in New York City. Each "crew" had as its leader a person known as a "Caporegime," "Capo," "Captain," or "Skipper," and consisted of "made" members, sometimes known as "Soldiers," "wiseguys," "friends of ours," and "good fellows." Soldiers were aided in their criminal endeavors by other trusted individuals, known as "associates," who sometimes were referred to as "connected" or identified as "with" a Soldier or other member of the Family. Associates participated in the various activities of the crew and its members. In order for an associate to become a made member of the Family, the associate must first be of Italian descent and typically needed to demonstrate the ability to generate income for the Family and/or the willingness to commit acts of

violence. Each Capo was responsible for supervising the criminal activities of his crew and providing Soldiers and associates with support and protection. In return, the Capo typically received a share of the illegal earnings of each of his crew's Soldiers and associates, which was sometimes referred to as "tribute."

5. Above the Capos were the highest-ranking members of the Families, commonly referred to as the "Administration." The head of the Family was known as the "Boss," who was ordinarily assisted by an "Underboss" and a "Consigliere," or counselor. The Boss, Underboss, and Consigliere were responsible for, among other things, setting policy, resolving disputes between and among members of the Family, and resolving disputes between members of the Family and members of other criminal organizations, including other Families within LCN. The Administration of each Family was also responsible for overseeing the criminal activities of the Family's Capos, Soldiers and associates, and was at times called upon to make decisions regarding those criminal endeavors.

6. The Boss, Underboss, and Consigliere supervised, supported, protected, and disciplined the Capos, Soldiers, and associates, and regularly received reports regarding their various activities. In return for their supervision and protection, the Boss, Underboss, and Consigliere typically received part of the illegal earnings of each crew.

Purposes of the Enterprise

7. The purposes of the Enterprise included the following:

a. Enriching the leaders, members, and associates of the Enterprise through extortion, loansharking, gambling, robbery, narcotics trafficking, and other crimes;

b. Preserving and augmenting the power, territory, and financial profits of the Enterprise through intimidation, violence, and threats of physical and economic harm;

c. Keeping victims and citizens in fear of the Enterprise and its leaders, members, and associates by:

(i) identifying the Enterprise, its members, and its associates with the "Mafia"; (ii) causing and threatening to cause economic harm; and (iii) committing and threatening to commit physical violence; and

d. Protecting the Enterprise and its members and associates from detection and prosecution by law enforcement authorities through acts of intimidation and violence against potential witnesses to crimes committed by members of the enterprise.

The Racketeering Conspiracy

8. From at least in or about 2011, up to and including the date of this Indictment, in the Southern District of New York and elsewhere, CHRISTOPHER LONDONIO and TERRANCE CALDWELL, the

defendants, and others known and unknown, being persons employed by and associated with the racketeering enterprise described in Paragraphs 1 through 7 above, namely, La Cosa Nostra, which enterprise was engaged in, and the activities of which affected, interstate and foreign commerce, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to violate Title 18, United States Code, Section 1962(c), to wit, to conduct and participate, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisting of:

a. Multiple acts involving murder, in violation of New York Penal Law Sections 20.00, 105.15, 110.00, 125.25, and 125.27;

b. Multiple acts involving robbery, chargeable under the following provisions of state law: New York Penal Law, Sections 20.00, 105.15, 110.00, 160.05, 160.10, and 160.15;

c. Multiple acts and threats involving extortion, in violation of New York State Penal Law, Sections 110.00, 105.10, 155.40;

d. Multiple acts involving the operation of illegal gambling business, in violation of New York State Penal Law, Sections 225.00 and 225.10;

e. Multiple acts indictable under the following provisions of federal law:

i. Title 18, United States Code, Sections 892 and 894 (relating to extortionate credit transactions); and

ii. Title 18, United States Code, Section 1951 (Hobbs Act robbery);

f. Multiple offenses involving the distribution of controlled substances, including marijuana and oxycodone, in violation of laws of the United States, namely Title 21, United States, Code, Sections 812, 841(a)(1), 841(b)(1)(A), and 846, and Title 18, United States Code, Section 2.

9. 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 Enterprise.

Notice of Special Sentencing Factors

10. From at least in or about 2011, up to and including in or about November 2013, in the Southern District of New York and elsewhere, CHRISTOPHER LONDONIO, the defendant, 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. It was a part and an object of the conspiracy that CHRISTOPHER LONDONIO, the defendant, and

others known and unknown, would and did distribute and possess with intent to distribute 1,000 kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(a)(1), 841(b)(1)(A), and 846.

11. On or about November 15, 2013, in the Southern District of New York, CHRISTOPHER LONDONIO and TERRANCE CALDWELL, the defendants, and others known and unknown, intentionally and knowingly murdered, and aided and abetted the murder of Michael Meldish, in the vicinity of Baisley Avenue and Ellsworth Avenue in the Bronx, New York, in violation of New York Penal Law Sections 125.25 and 20.00, in that, with the intent to cause the death of Meldish, LONDONIO and CALDWELL caused the death of Meldish.

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

COUNT TWO
**(Conspiracy to Commit Murder in Aid
of Racketeering Activity)**

The Grand Jury further charges:

12. At all times relevant to this Indictment, La Cosa Nostra, as more fully described in Paragraphs One through Seven of this Indictment, which are realleged and incorporated by reference as though set forth fully herein, including its leadership, membership, and associates, constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group

of individuals associated in fact which was 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 above-described Enterprise, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, acts involving murder, robbery, extortion, and gambling, chargeable under the laws New York State and punishable by imprisonment for more than one year; acts indictable under 18 U.S.C. §§ 892 and 894 (relating to extortionate credit transactions); 18 U.S.C. § 1951 (Hobbs Act robbery); and offenses involving drug trafficking in violation of 21 U.S.C. §§ 812, 841, and 846.

14. In or about November 2013, in the Southern District of New York and elsewhere, CHRISTOPHER LONDONIO and TERRANCE CALDWELL, the defendants, 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 La Cosa Nostra, and for the purpose of gaining entrance to and maintaining and increasing position in La Cosa Nostra, an enterprise engaged in racketeering activity, as described above, knowingly conspired to murder Michael

Meldish, in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT THREE
(Murder in Aid of Racketeering Activity)

The Grand Jury further charges:

15. Paragraphs 12 and 13 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

16. On or about November 15, 2013, in the Southern District of New York, CHRISTOPHER LONDONIO and TERRANCE CALDWELL, the defendants, 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 LCN, and for the purpose of gaining entrance to and maintaining and increasing position in LCN, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly murdered, and aided and abetted the murder of Michael Meldish, in violation of New York Penal Law, Sections 125.25 and 20.00, that is, with the intent to cause the death of Meldish, LONDONIO and CALDWELL caused the death of Meldish.

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

COUNT FOUR

(Assault and Attempted Murder in Aid of Racketeering Activity)

The Grand Jury further charges:

17. Paragraphs 12 and 13 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

18. On or about May 29, 2013, in the Southern District of New York, TERRANCE CALDWELL, the defendant, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from La Cosa Nostra, and for the purpose of gaining entrance to and maintaining and increasing position in La Cosa Nostra, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly assaulted an individual with a dangerous weapon; attempted to murder that individual; and aided and abetted the same, to wit, CALDWELL shot at a soldier associated with the Bonanno Family of LCN, resulting in bodily injury to the victim, in the vicinity of First Avenue and 111th Street, New York, New York, and aided and abetted the same, in violation of New York Penal Law, Sections 20.00, 125.25, 120.05, and 110.00.

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

COUNT FIVE
(Firearms Offense)

The Grand Jury further charges:

19. On or about November 15, 2013, in the Southern District of New York, CHRISTOPHER LONDONIO and TERRANCE CALDWELL, the defendants, willfully and knowingly, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, (1) the racketeering conspiracy charged in Count One of this Indictment, (2) the murder conspiracy charged in Count Two of this Indictment, and (3) the murder charged in Count Three of this Indictment, did use and carry firearms, and, in furtherance of such crimes, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, and in the course of those crimes 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), to wit, LONDONIO and CALDWELL caused the death of Michael Meldish by shooting Meldish, and aiding and abetting the same, in the vicinity of Baisley Avenue and Ellsworth Avenue, Bronx, New York.

(Title 18, United States Code, Sections 924(j) (1) and 2.)

COUNT SIX
(Firearms Offense)

The Grand Jury further charges:

20. From at least in or about 2011 up to and including in or about May 2015, and on occasions other than the murder of Michael Meldish on or about November 15, 2013, as charged in Count Five of this Indictment, in the Southern District of New York and elsewhere, CHRISTOPHER LONDONIO and TERRANCE CALDWELL, the defendants, willfully and knowingly, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the racketeering conspiracy charged in Count One of this Indictment, did use and carry firearms, and, in furtherance of such crimes, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, some of which firearms were brandished and discharged.

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

FORFEITURE ALLEGATION

21. As a result of committing the offenses alleged in Counts One of this Indictment, CHRISTOPHER LONDONIO and TERRANCE CALDWELL, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1963,

a. any interest acquired or maintained in violation of section 1962;

b. any property constituting, or derived from, any proceeds obtained, directly or indirectly, from racketeering activity in violation of section 1962, including, but not limited to, a sum of money representing the amount of proceeds obtained as a result of the racketeering conspiracy offenses alleged in Count One of this Indictment.

Substitute Asset Provision

22. 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 18 U.S.C. § 1963(m) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

(Title 18, United States Code Sections, Sections 492, 981(a)(1)(c), 982(a)(2)(b) and 1963, Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461.)



FOREPERSON

Preet Bharara
PREET BHARARA
United States Attorney

