

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

- v. - : SEALED INDICTMENT

DAMAR MORALES, : 17 Cr. ____

TAVON GODFREY, :

a/k/a "Tay," :

HECTOR FIGUEROA :

a/k/a "Hec," :

GEORGE MCKELVEY, :

a/k/a "Tyleek," :

JUAN CASTILLO, :

a/k/a "Obama," :

JOSEPH RATTI, :

a/k/a "Yum Yum," :

QUADAE BERGER, :

a/k/a "Icy Day," :

RAKIM MOSELY, :

REGGIE GOODWIN, :

CURTIS CLARK, :

a/k/a "Tom," :

BRITAIN KELLY, :

a/k/a "Brit," and :

JAREL SABLE, :

a/k/a "Shoes," :

Defendants. :

- - - - - X

17 CRIM 511

COUNT ONE
(Racketeering Conspiracy)

The Grand Jury charges:

1. At all times relevant to this Information, DAMAR MORALES, TAVON GODFREY, a/k/a "Tay," HECTOR FIGUEROA, a/k/a "Hec," GEORGE MCKELVEY, a/k/a "Tyleek," JUAN CASTILLO, a/k/a "Obama," JOSEPH RATTI, a/k/a "Yum Yum," QUADAE BERGER, a/k/a "Icy Day," RAKIM MOSELY, REGGIE GOODWIN, CURTIS CLARK, a/k/a "Tom," BRITAIN

KELLY, a/k/a "Brit," and JAREL SABLE, a/k/a "Shoes," the defendants, and others known and unknown, were members and associates of "Square Gang" ("Square Gang" or the "Enterprise"), a criminal organization whose members and associates engaged in, among other things, acts involving murder, robbery, and narcotics trafficking. Square Gang operated principally in the vicinity of the housing development known as the Patterson Houses in the Bronx, New York.

2. Square Gang, including its leadership, its membership, and its 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. The Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the Enterprise. At all times relevant to this information, the Enterprise was engaged in, and its activities affected, interstate and foreign commerce. DAMAR MORALES, TAVON GODFREY, a/k/a "Tay," HECTOR FIGUEROA, a/k/a "Hec," GEORGE MCKELVEY, a/k/a "Tyleek," JUAN CASTILLO, a/k/a "Obama," JOSEPH RATTI, a/k/a "Yum Yum," QUADAE BERGER, a/k/a "Icy Day," RAKIM MOSELY, REGGIE GOODWIN, CURTIS CLARK, a/k/a "Tom," BRITAIN KELLY, a/k/a "Brit," and JAREL SABLE, a/k/a "Shoes," the defendants, participated in the operation of the Enterprise, and

participated in unlawful and other activities in furtherance of the conduct of the Enterprise's affairs.

PURPOSES OF THE ENTERPRISE

3. The purposes of the Enterprise included the following:

a. Enriching the members and associates of the Enterprise through, among other things, robbery and the distribution of narcotics, including marijuana and cocaine base in a form commonly known as "crack."

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

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

MEANS AND METHODS OF THE ENTERPRISE

4. Among the means and methods employed by the members and associates 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, including murder, to protect and expand the Enterprise's criminal operations, and in connection with rivalries with members of other street gangs.

b. Members and associates of the Enterprise used physical violence and threats of violence, including murder and attempted murder, against various people, including in particular rival gang members.

c. Members and associates of the Enterprise planned and committed robberies of individuals in and around the Bronx and New York, New York.

d. Members and associates of the Enterprise sold narcotics, including marijuana and cocaine base in a form commonly known as "crack."

THE RACKETEERING CONSPIRACY

5. From approximately in or about 2010, up to and including in or about August 2017, in the Southern District of New York and elsewhere, DAMAR MORALES, TAVON GODFREY, a/k/a "Tay," HECTOR FIGUEROA, a/k/a "Hec," GEORGE MCKELVEY, a/k/a "Tyleek," JUAN CASTILLO, a/k/a "Obama," JOSEPH RATTI, a/k/a "Yum Yum," QUADAE BERGER, a/k/a "Icy Day," RAKIM MOSELY, REGGIE GOODWIN, CURTIS CLARK, a/k/a "Tom," BRITAIN KELLY, a/k/a "Brit," and JAREL SABLE, a/k/a "Shoes," the defendants, and others known and unknown, being persons employed by and associated with the racketeering enterprise described in Paragraphs 1 through 4 above, namely, Square Gang, 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 the racketeering laws of the United States, to wit, Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the Square Gang 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 multiple:

a. Acts involving murder, chargeable under the following provisions of state law: New York Penal Law, Sections 125.25 (murder), 105.15 (conspiracy to commit murder), 110.00 (attempted murder), and 20.00 (aiding and abetting murder);

b. acts involving robbery, chargeable under the following provisions of state law: New York Penal Law, Sections 160.00, 160.05, 160.10, 160.15 (robbery), 105.05, 105.10 (conspiracy to commit robbery), 110.00 (attempted robbery), and 20.00 (aiding and abetting robbery);

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

6. It was a part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the Enterprise.

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

COUNT TWO
(Firearms Offense)

The Grand Jury further charges:

7. From approximately in or about 2010, up to and including in or about August 2017, in the Southern District of New York and elsewhere, DAMAR MORALES, TAVON GODFREY, a/k/a "Tay," HECTOR FIGUEROA, a/k/a "Hec," GEORGE MCKELVEY, a/k/a "Tyleek," JUAN CASTILLO, a/k/a "Obama," JOSEPH RATTI, a/k/a "Yum Yum," RAKIM MOSELY, REGGIE GOODWIN, CURTIS CLARK, a/k/a "Tom," BRITAIN KELLY, a/k/a "Brit," and JAREL SABLE, a/k/a "Shoes," the defendants, and others known and unknown, during and in relation to a crime of violence and a drug trafficking offense for which they may be prosecuted in a court of the United States, namely the racketeering conspiracy charged in Count One of this Indictment and a conspiracy to distribute and possess with intent to distribute marijuana and cocaine base in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 841 and 846, knowingly 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 were brandished and discharged.

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

FORFEITURE ALLEGATION AS TO COUNT ONE

8. As a result of committing the offense alleged in Count One of this Information, DAMAR MORALES, TAVON GODFREY, a/k/a "Tay," HECTOR FIGUEROA, a/k/a "Hec," GEORGE MCKELVEY, a/k/a "Tyleek," JUAN CASTILLO, a/k/a "Obama," JOSEPH RATTI, a/k/a "Yum Yum," QUADAE BERGER, a/k/a "Icy Day," RAKIM MOSELY, REGGIE GOODWIN, CURTIS CLARK, a/k/a "Tom," BRITAIN KELLY, a/k/a "Brit," and JAREL SABLE, a/k/a "Shoes," 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

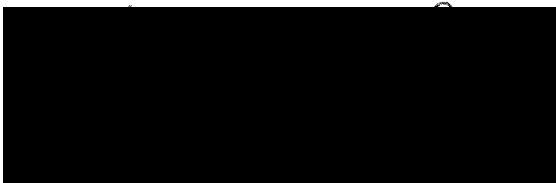
9. If any of the above-described forfeitable property, as a result of any act or omission of DAMAR MORALES, TAVON GODFREY, a/k/a "Tay," HECTOR FIGUEROA, a/k/a "Hec," GEORGE MCKELVEY, a/k/a "Tyleek," JUAN CASTILLO, a/k/a "Obama," JOSEPH RATTI, a/k/a "Yum

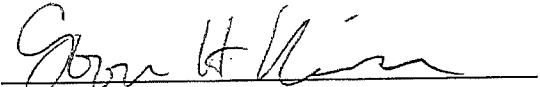
Yum," QUADAE BERGER, a/k/a "Icy Day," RAKIM MOSELY, REGGIE GOODWIN, CURTIS CLARK, a/k/a "Tom," BRITAIN KELLY, a/k/a "Brit," and JAREL SABLE, a/k/a "Shoes," the defendants:

- 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 18 U.S.C. § 1963(m), 21 U.S.C § 853(p), and 28 U.S.C. § 2461 to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 924 and 1963;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)




JEON H. KIM MS
Acting United States Attorney

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GEORGE MCKELVEY, a/k/a "Tyleek," JUAN
CASTILLO, a/k/a "Obama," JOSEPH RATTI,
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"Icy Day," RAKIM MOSELY, REGGIE GOODWIN,
CURTIS CLARK, a/k/a "Tom," BRITAIN
KELLY, a/k/a "Brit," and JAREL SABLE,
a/k/a "Shoes,"
Defendants.

SEALED INDICTMENT

17 Cr. _____
(18 U.S.C. §§ 1962, 924(c), and 2.)

JOON H. KIM

Acting United States Attorney.

