ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

FELECITO CELESTINO MERCEDES,
a/k/a "Pito,"
a/k/a "Juan Sanhana,"
a/k/a "Winston Peralta,"
a/k/a "Winston Peralta-Polanco,"
a/k/a "Wilson Polanco Peralta,"
a/k/a "Franklin Jimenez,"
a/k/a "Juan Santana-Rosario,"
a/k/a "Francisco Javiel," and

WILLIAM ANTONIO SOLIS,
a/k/a "Vegano,"
a/k/a "La Vega,"

Defendants.

SEALED SUPERSEDING INDICTMENT

S1 26 Cr. 149

CERTIFIED AS A TRUE COPY ON
THIS DATE 4/24/20
BY
( ) Clerk
( ) Deputy

COUNT ONE
(Murder While Engaged in a Narcotics Conspiracy)

The Grand Jury charges:

1. On or about June 21, 1993, in the Southern District of New York and elsewhere, FELECITO CELESTINO MERCEDES, a/k/a "Pito," a/k/a "Juan Sanhana," a/k/a "Winston Peralta," a/k/a "Winston Peralta-Polanco," a/k/a "Wilson Polanco Peralta," a/k/a "Franklin Jimenez," a/k/a "Juan Santana-Rosario," a/k/a "Francisco Javiel," and WILLIAM ANTONIO SOLIS, a/k/a "Vegano," a/k/a "La Vega," the defendants, while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A), namely, a conspiracy to distribute and possess with intent to distribute five kilograms and more of mixtures and substances containing a detectable amount of cocaine, intentionally killed, and counseled, commanded, induced, procured, and caused the intentional killing of Luis Guerrero, which resulted in such killing, and aided and

abetted the same, to wit, MERCEDES and SOLIS participated in the fatal shooting of Guerrero inside of 1386 Nelson Avenue in the Bronx, New York, during a drug-related robbery and kidnapping.

(Title 21, United States Code, Section 848(e)(1)(A); and
Title 18, United States Code, Section 2.)

COUNT TWO
(Murder While Engaged in a Narcotics Conspiracy)

The Grand Jury further charges:

2. On or about June 21, 1993, in the Southern District of New York and elsewhere, FELECITO CELESTINO MERCEDES, a/k/a "Pito," a/k/a "Juan Sanhana," a/k/a "Winston Peralta," a/k/a "Winston Peralta-Polanco, a/k/a "Wilson Polanco Peralta," a/k/a "Franklin Jimenez," a/k/a "Juan Santana-Rosario," a/k/a "Francisco Javiel," and WILLIAM ANTONIO SOLIS, a/k/a "Vegano," a/k/a "La Vega," the defendants, while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A), namely, a conspiracy to distribute and possess with intent to distribute five kilograms and more of mixtures and substances containing a detectable amount of cocaine, intentionally killed, and counseled, commanded, induced, procured, and caused the intentional killing of Danis Sime, which resulted in such killing, and aided and abetted the same, to wit, MERCEDES and SOLIS participated in the fatal shooting of Sime inside of 1386 Nelson Avenue in the Bronx, New York, during a drug-related robbery and kidnapping.

(Title 21, United States Code, Section 848(e)(1)(A); and
Title 18, United States Code, Section 2.)

FOREFITURE ALLEGATION

3. As a result of committing the offenses alleged in Counts One and Two of this Indictment, FELECITO CELESTINO MERCEDES, a/k/a "Pito," a/k/a "Juan Sanhana," a/k/a "Winston Peralta," a/k/a "Winston Peralta-Polanco," a/k/a "Wilson Polanco Peralta," a/k/a

"Franklin Jimenez," a/k/a "Juan Santana-Rosario," a/k/a "Francisco Javiel," and WILLIAM ANTONIO SOLIS, a/k/a "Vegano," a/k/a "La Vega," 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 offenses, 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 offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses.

Substitute Asset Provision

4. 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, and Title 28, United States Code, Section 2461(c), 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; and
Title 28, United States Code, Section 2461.)

FOREPERSON

JAY CLAYTON
United States Attorney