

STATE OF NEW YORK
SUPREME/COUNTY COURT : COUNTY OF ERIE

THE PEOPLE OF THE STATE OF NEW YORK,

-v-

SHAWN ARMSTRONG
JOEL CALDERON
FELIX DELEON ORTIZ
DANIEL DUBLINO
COREY FLOYD
CHRISTOPHER HANAKA
RAFAEL MARTINEZ
GREGORY PRYOR
EDWIN RIVERA
KEVIN SANCHEZ BAYALA
MARSHONE SPIGNER
JOSE TORRES a/k/a "SMOKEY"

SEALED INDICTMENT
NO. _____
OCTF 19-024B

Defendants.

FIRST COUNT

THE GRAND JURY OF THE COUNTY OF ERIE, by this Indictment, accuses the defendants, SHAWN ARMSTRONG, JOEL CALDERON, FELIX DELEON ORTIZ, DANIEL DUBLINO, COREY FLOYD, CHRISTOPHER HANAKA, RAFAEL MARTINEZ, GREGORY PRYOR, EDWIN RIVERA, KEVIN SANCHEZ BAYALA, MARSHONE SPIGNER, and JOSE TORRES, of the crime of **CONSPIRACY IN THE SECOND DEGREE**, in violation of Section 105.15 of the Penal Law of the State of New York, committed as follows:

The defendants, in Erie County, Niagara County, in the State of New York and elsewhere, from on or before July 22, 2019, until on or about July 7, 2020, with intent that conduct constituting the crimes of Criminal Possession of a Controlled Substance in the First Degree, Criminal

Possession of a Controlled Substance in the Second Degree, Criminal Sale of a Controlled Substance in the First Degree, and/or Criminal Sale of a Controlled Substance in the Second Degree, said crimes being Class A felonies, be committed, did knowingly and intentionally agree with each other and with others, known and unknown, to engage in and cause the performance of such conduct as would constitute the above-mentioned Class A felonies.

PREAMBLE

It was the purpose of this conspiracy to possess narcotics in amounts of eight ounces or more and to sell narcotics in amounts of two ounces or more in Erie County, Niagara County and elsewhere in the State of New York, and elsewhere.

It was the role of KEVIN SANCHEZ BAYALA to supply JOSE TORRES and others with cocaine to sell.

It was the role of JOSE TORRES to procure narcotics from KEVIN SANCHEZ BAYALA and others for redistribution to JOEL CALDERON, DANIEL DUBLINO, CHRISTOPHER HANAKA, and others.

It was the role of RAFAEL MARTINEZ to supply JOEL CALDERON and others with cocaine to sell.

It was the role of JOEL CALDERON to procure narcotics from RAFAEL MARTINEZ, JOSE TORRES, and others for redistribution to SHAWN ARMSTRONG, MARSHONE SPIGNER, and others.

It was the role of GREGORY PRYOR to supply SHAWN ARMSTRONG and others with cocaine to sell.

It was the role of SHAWN ARMSTRONG to procure narcotics from JOEL CALDERON, GREGORY PRYOR, and others for redistribution to COREY FLOYD and others.

It was the role of COREY FLOYD to procure narcotics from SHAWN ARMSTRONG to for redistribution to others and to drive SHAWN ARMSTRONG to narcotics transactions.

It was the role of DANIEL DUBLINO and CHRISTOPHER HANAKA to procure narcotics from JOSE TORRES for redistribution to others.

It was the role of MARSHONE SPIGNER to procure narcotics from JOEL CALDERON for redistribution to others.

It was the role of FELIX DELEON ORTIZ to transport narcotics from unknown sources of supply to RAFAEL MARTINEZ and EDWIN RIVERA, and others in Erie County and to collect United States currency from RAFAEL MARTINEZ and EDWIN RIVERA and others and transport it back to the unknown source of supply.

It was the role of EDWIN RIVERA to assist RAFAEL MARTINEZ with the acquisition and distribution of narcotics and to store narcotics and narcotics proceeds with and/or RAFAEL MARTINEZ.

It was also part of this conspiracy for members of the conspiracy to communicate with each other and others over cellular telephones, using codes and speaking in a guarded, cryptic manner, often in the Spanish language.

OVERT ACTS

In furtherance of the conspiracy and to affect the objects thereof, from on or about and between July 22, 2019, until on or about July 7, 2020, the following overt acts, among others, were committed:

1. On or about July 22, 2019, SHAWN ARMSTRONG sold cocaine to a person known to the Grand Jury.
2. On or about September 30, 2019, GREGORY PRYOR retrieved cocaine from a residence in Niagara Falls, New York, which he then turned over to SHAWN ARMSTRONG.

3. On or about November 7, 2019, SHAWN ARMSTRONG sold cocaine to a person known to the Grand Jury.

4. On or about January 8, 2020, SHAWN ARMSTRONG procured cocaine from JOEL CALDERON at Calderon's residence to sell to a person known to the Grand Jury.

5. On or about February 4, 2020, SHAWN ARMSTRONG sold cocaine to a person known to the Grand Jury.

6. On or about April 20, 2020, in a coded, guarded and/or cryptic telephone conversation, SHAWN ARMSTRONG told GREGORY PRYOR that he needs "one," referring to a quantity of cocaine, and PRYOR said he would send it over shortly.

7. On or about April 19, 2020, MARSHONE SPIGNER drove to JOEL CALDERON's residence in the City of Buffalo to purchase cocaine to resell.

8. On or about April 27, 2020, in a series of coded, guarded and/or cryptic telephone conversations, MARSHONE SPIGNER ordered a large quantity of cocaine to resell from JOEL CALDERON, which SPIGNER referred to as "the big way" and CALDERON referred to as "a biggie."

9. On or about April 27, 2020, in a coded, guarded and/or cryptic Spanish telephone conversation, RAFAEL MARTINEZ agreed to sell a quantity of cocaine to JOEL CALDERON, who had asked if MARTINEZ "had another round of the big one because there is another black guy who wants another big one."

10. On or about May 8, 2020, in a coded, guarded and/or cryptic telephone conversation, COREY FLOYD and SHAWN ARMSTRONG discussed selling and purchasing cocaine and noted that an individual can make "ten thousand" selling narcotics. . . . that mean every time you spend five you're getting ten." "Every time you make five and go get another five you know it you done stacked up a thousand . . ."

11. On or about May 11, 2020, in a series of coded, guarded and/or cryptic Spanish language telephone conversations, RAFAEL MARTINEZ requested that an unknown source of supply have a third person deliver cocaine to MARTINEZ, and later told the unknown source of supply that he “gave the money” for the cocaine to the third person, who was subsequently identified as FELIX DELEON ORTIZ.

12. On or about May 11, 2020, in a series of coded, guarded and/or cryptic Spanish language telephone conversations, FELIX DELEON ORTIZ informed RAFAEL MARTINEZ that he was “two minutes away” and later, that he had arrived to conduct a cocaine transaction with MARTINEZ.

13. On or about May 11, 2020, COREY FLOYD drove SHAWN ARMSTRONG to JOEL CALDERON’s residence, so ARMSTRONG could procure cocaine from CALDERON.

14. On or about May 15, 2020, in a series of coded, guarded and/or cryptic Spanish language telephone conversations, RAFAEL MARTINEZ spoke with an unknown source of supply and they agreed that a third person would deliver narcotics to the residence of EDWIN RIVERA.

15. On or about May 15, 2020, in a series of coded, guarded and/or cryptic Spanish language telephone conversations, RAFAEL MARTINEZ and EDWIN RIVERA made arrangements to meet at RIVERA’s residence in furtherance of a narcotics transaction, and RIVERA later asked, “Are you at my house,” to which MARTINEZ responded, “Yeah . . . it’s the same kid from last time.”

16. On or about May 15, 2020, in a coded, guarded and/or cryptic Spanish language telephone conversation with RAFAEL MARTINEZ, FELIX DELEON ORTIZ, who identified himself as “the one . . . that was just at your house” informed MARTINEZ that “there were one

thousand one hundred twenty missing,” and DELEON ORTIZ and MARTINEZ then proceeded to discuss the various bundles of money that MARTINEZ had just given to DELEON ORTIZ.

17. On or about May 15, 2020, in a coded, guarded and/or cryptic Spanish language telephone conversation between FELIX DELEON ORTIZ, RAFAEL MARTINEZ and EDWIN RIVERA, RIVERA asked DELEON ORTIZ, “How much do I owe you? Because to tell you the truth, I put them in tens, and then seven,” referring to the money he and MARTINEZ had provided to DELEON ORTIZ, and DELEON ORTIZ replied, “I already counted again, that is why I’m taking a little bit longer, but I counted twice already there is missing one thousand one hundred twenty.”

18. On or about May 23, 2020, in a series of coded, guarded and/or cryptic Spanish language communications, JOEL CALDERON asked if he could “buy three” quantities of cocaine to resell from JOSE TORRES, who responded, “Yes, whatever you want.”

19. On or about June 14, 2020, DANIEL DUBLINO met JOSE TORRES for a narcotics transaction in the city of Buffalo.

20. On or about June 17, 2020, in a series of coded, guarded and/or cryptic telephone communications, DANIEL DUBLINO ordered a quantity of narcotics to resell from JOSE TORRES in a text message that stated, “can use 5-6 if possible,” and TORRES told DUBLINO to “come by.”

21. On or about June 17, 2020, in a series of coded, guarded and/or cryptic telephone communications, CHRISTOPHER HANAKA ordered the “same” quantity of narcotics he had previously obtained from JOSE TORRES, who asked if that was “two?” and HANAKA replied, “three.”

22. On or about July 7, 2020, KEVIN SANCHEZ BAYALA delivered a quantity of narcotics to JOSE TORRES at TORRES’ residence in the city of Buffalo.

23. On or about June 17, 2020, CHRISTOPHER HANAKA possessed cocaine in the city of Buffalo.

24. On or about July 7, 2020, KEVIN SANCHEZ BAYALA possessed cocaine in the city of Buffalo.

SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 22nd day of July 2019, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 22nd day of July 2019, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 22nd day of July 2019, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 22nd day of July 2019, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 27th day of August 2019, in Erie County, knowingly and unlawfully sold one or more

preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 27th day of August 2019, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendants, SHAWN ARMSTRONG and GREGORY PRYOR, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that they, the said SHAWN ARMSTRONG and GREGORY PRYOR, acting in concert, on or about the 30th day of September 2019, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further

accuses the defendants, SHAWN ARMSTRONG and GREGORY PRYOR, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG and GREGORY PRYOR, acting in concert, on or about the 30th day of September 2019, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

TENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 7th day of November 2019, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

ELEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 7th day of November 2019, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit:

cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

TWELFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 8th day of January 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

THIRTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 8th day of January 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

FOURTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1)

of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 8th day of January 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

FIFTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 8th day of January 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

SIXTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 4th day of February 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

SEVENTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 4th day of February 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

EIGHTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 4th day of February 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

NINETEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 4th day of February 2020, in Erie County, knowingly and unlawfully possessed one or more

preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

TWENTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 16th day of March 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

TWENTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 16th day of March 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

TWENTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF**

A CONTROLLED SUBSTANCE IN THE THIRD DEGREE, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 27th day of March 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

TWENTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 27th day of March 2020, in Niagara County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

TWENTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 30th day of March 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

TWENTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or

about the 30th day of March 2020, in Niagara County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

TWENTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 1st day of April 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

TWENTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 1st day of April 2020, in Niagara County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

TWENTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the morning hours of the 2nd day of April 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

TWENTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the morning hours of the 2nd day of April 2020, in Niagara County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

THIRTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the afternoon hours of the 2nd day of April 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

THIRTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the afternoon hours of the 2nd day of April 2020, in Niagara County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

THIRTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF**

A CONTROLLED SUBSTANCE IN THE THIRD DEGREE, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the evening hours of the 2nd day of April 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

THIRTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the evening hours of the 2nd day of April 2020, in Niagara County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

THIRTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 19th day of April 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

THIRTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE**, in violation of Section 220.09(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 19th day of April 2020, in Erie County, knowingly and unlawfully possessed one or

more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of one-eighth ounce or more.

THIRTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, MARSHONE SPIGNER, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said MARSHONE SPIGNER, on or about the 19th day of April 2020, in Erie County, knowingly and unlawfully attempted to possess a narcotic drug, to wit: cocaine, with the intent to sell it.

THIRTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, MARSHONE SPIGNER, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE**, in violation of Section 220.09(1) of the Penal Law of the State of New York, in that he, the said MARSHONE SPIGNER, on or about the 19th day of April 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of one-eighth ounce or more.

THIRTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or

about the 20th day of April 2020, in Niagara County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine

THIRTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 20th day of April 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

FORTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE**, in violation of Section 220.09(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 20th day of April 2020, in Niagara County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of one-eighth ounce or more.

FORTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or

about the 20th day of April 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

FORTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 20th day of April 2020, in Niagara County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine

FORTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about the 27th day of April 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

FORTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about the 27th day of April 2020, in Erie County, knowingly and unlawfully possessed one

or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

FORTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about the 27th day of April 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

FORTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 27th day of April 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more

FORTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about

the 27th day of April 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

FORTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 27th day of April 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

FORTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 27th day of April 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

FIFTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1)

of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 27th day of April 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

FIFTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 28th day of April 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

FIFTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 28th day of April 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it

FIFTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 27th day of April 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

FIFTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 27th day of April 2020, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

FIFTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 29th day of April 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more

FIFTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 29th day of April 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an

aggregate weight of four ounces or more.

FIFTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 29th day of April 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

FIFTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 29th day of April 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

FIFTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 29th day of April 2020, in Niagara County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

SIXTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further

accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about the 29th day of April 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

SIXTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about the 29th day of April 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

SIXTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about the 29th day of April 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

SIXTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 29th day of April 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

SIXTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 29th day of April 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

SIXTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about

the 29th day of April 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

SIXTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 29th day of April 2020, in Niagara County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

SIXTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 29th day of April 2020, in Niagara County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine

SIXTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about or between April 27, 2020, and April 28, 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were

of an aggregate weight of two ounces or more

SIXTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about or between April 27, 2020, and April 28, 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

SEVENTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about or between April 27, 2020, and April 28, 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

SEVENTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 28th day of April 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and

said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

SEVENTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 28th day of April 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

SEVENTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about or between April 27, 2020, and April 29, 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

SEVENTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, MARSHONE SPIGNER, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said MARSHONE SPIGNER, on the 29th day of April 2020, in Erie County, knowingly and unlawfully possessed one or more

preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

SEVENTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, MARSHONE SPIGNER, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said MARSHONE SPIGNER, on or about the 29th day of April 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

SEVENTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 10th day of May 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

SEVENTH-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FOURTH DEGREE**, in violation of Section 220.09(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 10th day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine,

and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of one-eighth ounce or more

SEVENTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, FELIX DELEON ORTIZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said FELIX DELEON ORTIZ, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more

SEVENTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, FELIX DELEON ORTIZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said FELIX DELEON ORTIZ, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

EIGHTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, FELIX DELEON ORTIZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1)

of the Penal Law of the State of New York, in that he, the said FELIX DELEON ORTIZ, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

EIGHTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

EIGHTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

EIGHTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL POSSESSION OF**

A CONTROLLED SUBSTANCE IN THE THIRD DEGREE, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

EIGHTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more

EIGHTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

EIGHTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

EIGHTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

EIGHTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about the 11th day of May 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

EIGHTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.41(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 13th day of May 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of one-half ounce or more.

NINETIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(12) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 13th day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

NINETY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the

13th day of May 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

NINETY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.41(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 13th day of May 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of one-half ounce or more.

NINETY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(12) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 13th day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

NINETY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1)

of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 13th day of May 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

NINETY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, FELIX DELEON ORTIZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said FELIX DELEON ORTIZ, on or about the 15th day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

NINETY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, FELIX DELEON ORTIZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said FELIX DELEON ORTIZ, on or about the 15th day of May 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

NINETY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ and EDWIN RIVERA, of the crime of **CRIMINAL**

POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that they, the said RAFAEL MARTINEZ and EDWIN RIVERA, acting in concert, on or about the 15th day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

NINETY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ and EDWIN RIVERA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that they, the said RAFAEL MARTINEZ and EDWIN RIVERA, acting in concert, on or about the 15th day of May 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

NINETY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RARAEL MARTINEZ, of the crime of **ATTEMPTED CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Sections 110/220.43(1) of the Penal Law of the State of New York, in that he, the said RARAEL MARTINEZ, on or about the 15th day of May 2020, in Erie County, knowingly and unlawfully attempted to sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

ONE HUNDREDTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 23rd day of May 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

ONE HUNDRED-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 23rd day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the

23rd day of May 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 23rd day of May 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON on or about the 23rd day of May 2020, in Erie County, knowingly and unlawfully to sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

ONE HUNDRED-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1)

of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 26th day of May 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 26th day of May 2020, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

ONE HUNDRED-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RARAEEL MARTINEZ, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Sections 220.43(1) of the Penal Law of the State of New York, in that he, the said RARAEEL MARTINEZ, on or about or between June 8, 2020, and June 9, 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

ONE HUNDRED-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about

or between June 8, 2020, and June 9, 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about or between June 8, 2020, and June 9, 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-TENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Sections 220.43(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, or between June 8, 2020, and June 9, 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

ONE HUNDRED-ELEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1)

of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about or the 9th day of June 2020 in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-TWELVETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about the 9th day of June 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-THIRTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG, on or about or the 9th day of June 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-FOURTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, SHAWN ARMSTRONG, of the crime of **CRIMINAL POSSESSION OF**

A CONTROLLED SUBSTANCE IN THE THIRD DEGREE, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said SHAWN ARMSTRONG,, on or about the 9th day of June 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-FIFTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about or the 8th day of June 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-SIXTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 8th day of June 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-SEVENTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1)

of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 9th day of June 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-EIGHTEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.41(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 9th day of June 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of one-half ounce or more.

ONE HUNDRED-NINETEENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.41(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 9th day of June 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of one-half ounce or more.

ONE HUNDRED-TWENTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A**

CONTROLLED SUBSTANCE IN THE THIRD DEGREE, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 9th day of June 2020, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

ONE HUNDRED-TWENTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 9th day of June 2020, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

ONE HUNDRED-TWENTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 9th day of June 2020, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine

ONE HUNDRED-TWENTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 9th day of June 2020, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

ONE HUNDRED-TWENTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A**

CONTROLLED SUBSTANCE IN THE THIRD DEGREE, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 10th day of June 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-TWENTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 11th day of June 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-TWENTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 11th day of June 2020, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine

ONE HUNDRED-TWENTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about or between June 13, 2020, and June 14, 2020 in Erie County, knowingly and unlawfully sold one or

more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

ONE HUNDRED-TWENTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about or between June 13, 2020 and June 14, 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more

ONE HUNDRED-TWENTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, DANIEL DUBLINO, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE**, in violation of Section 220.18(1) of the Penal Law of the State of New York, in that he, the said DANIEL DUBLINO, on or about the 14th day of June 2020 in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of four ounces or more.

ONE HUNDRED-THIRTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, DANIEL DUBLINO, of the crime of **CRIMINAL POSSESSION OF A**

CONTROLLED SUBSTANCE IN THE THIRD DEGREE, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said DANIEL DUBLINO, on or about the 14th day of June 2020 in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-THIRTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, KEVIN SANCHEZ BAYALA, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said KEVIN SANCHEZ BAYALA, on or about or between June 16, 2020 and June 17, 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more.

ONE HUNDRED-THIRTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, KEVIN SANCHEZ BAYALA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said KEVIN SANCHEZ BAYALA, on or about the 17th day of June 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-THIRTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further

accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.43(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 17th day of June 2020, in Erie County, knowingly and unlawfully sold one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of two ounces or more

ONE HUNDRED-THIRTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 17th day of June 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-THIRTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 17th day of June 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-THIRTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, CHRISTOPHER HANAKA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said CHRISTOPHER HANAKA, on or about the 17th day of June 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-THIRTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, CHRISTOPHER HANAKA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said CHRISTOPHER HANAKA, on or about the 17th day of June 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-THIRTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about 17th day of June 2020, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

ONE HUNDRED-THIRTY-NINETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further

accuses the defendant, DANIEL DUBLINO, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said DANIEL DUBLINO, on or about the 17th day of June 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-FORTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 17th day of June 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-FORTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.39(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about 17th day of June 2020, in Erie County, knowingly and unlawfully sold a narcotic drug, to wit: cocaine.

ONE HUNDRED-FORTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **ATTEMPTED CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Sections 110/ 220.21(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 1st day of July 2020, in Erie County, knowingly and unlawfully

attempted to possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more

ONE HUNDRED-FORTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **ATTEMPTED CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Sections 110/ 220.16(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 1st day of July 2020, in Erie County, knowingly and unlawfully attempted to possess a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-FORTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, KEVIN SANCHEZ BAYALA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said KEVIN SANCHEZ BAYALA, on or about the 7th day of July 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-FORTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, KEVIN SANCHEZ BAYALA, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said KEVIN

SANCHEZ BAYALA, on or about the 7th day of July 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-FORTY-SIXTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Section 220.21(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 7th day of July 2020, in Erie County, knowingly and unlawfully possessed one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-FORTY-SEVENTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Section 220.16(1) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about the 7th day of July 2020, in Erie County, knowingly and unlawfully possessed a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-FORTY-EIGHTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, FELIX DELEON ORTIZ, of the crime of **ATTEMPTED CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE**, in violation of Sections 110/ 220.21(1) of the Penal Law of the State of New York, in that he, the said FELIX DELEON ORTIZ, on or about the 10th day of June 2020, in Erie County, knowingly and

unlawfully attempted to possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit: cocaine, and said preparations, compounds, mixtures or substances containing a narcotic drug were of an aggregate weight of eight ounces or more.

ONE HUNDRED-FORTY-NINTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, FELIX DELEON ORTIZ, of the crime of **ATTEMPTED CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE**, in violation of Sections 110/ 220.16(1) of the Penal Law of the State of New York, in that he, the said FELIX DELEON ORTIZ, on or about the 10th day of June 2020, in Erie County, knowingly and unlawfully attempted to possess a narcotic drug, to wit: cocaine, with the intent to sell it.

ONE HUNDRED-FIFTIETH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **OPERATING AS A MAJOR TRAFFICKER**, in violation of Section 220.77(2) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about and between the 27th day of April 2020 and the 30th day of July 2020, in Erie County and elsewhere, as a profiteer, knowingly and unlawfully sold, on one or more occasions within six months or less, a narcotic drug, to wit: cocaine, and the proceeds collected or due from such sale or sales had a total aggregate value of seventy-five thousand dollars or more.

ONE HUNDRED-FIFTY-FIRST COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, RAFAEL MARTINEZ, of the crime of **OPERATING AS A MAJOR TRAFFICKER**, in violation of Section 220.77(3) of the Penal Law of the State of New York, in that he, the said RAFAEL MARTINEZ, on or about and between the 27th day of April 2020, and

the 30th day of July 2020, in Erie County and elsewhere, as a profiteer, knowingly and unlawfully possessed, on one or more occasions within six months or less, a narcotic drug, to wit: cocaine, with the intent to sell same, and such narcotic drugs had a total a total aggregate value of seventy-five thousand dollars or more.

ONE HUNDRED-FIFTY-SECOND COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **OPERATING AS A MAJOR TRAFFICKER**, in violation of Section 220.77(2) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about and between the 8th day of January 2020, and the 8th day of July, 2020, in Erie County and elsewhere, as a profiteer, knowingly and unlawfully sold, on one or more occasions within six months or less, a narcotic drug, to wit: cocaine, and the proceeds collected or due from such sale or sales had a total aggregate value of seventy-five thousand dollars or more.

ONE HUNDRED-FIFTY-THIRD COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOEL CALDERON, of the crime of **OPERATING AS A MAJOR TRAFFICKER**, in violation of Section 220.77(3) of the Penal Law of the State of New York, in that he, the said JOEL CALDERON, on or about and between the 8th day of January 2020, and the 8th day of July 2020, in Erie County and elsewhere, as a profiteer, knowingly and unlawfully possessed, on one or more occasions within six months or less, a narcotic drug, to wit: cocaine, with the intent to sell same, and such narcotic drugs had a total a total aggregate value of seventy-five thousand dollars or more.

ONE HUNDRED-FIFTY-FOURTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **OPERATING AS A MAJOR TRAFFICKER**, in violation of Section 220.77(2) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about and between the 13th day of May 2020, and the 7th day of July 2020, in Erie County and elsewhere, as a profiteer, knowingly and unlawfully sold, on one or more occasions within six months or less, a narcotic drug, to wit: cocaine, and the proceeds collected or due from such sale or sales had a total aggregate value of seventy-five thousand dollars or more.

ONE HUNDRED-FIFTY-FIFTH COUNT

AND THE GRAND JURY OF THE COUNTY OF ERIE, by this indictment, further accuses the defendant, JOSE TORRES, of the crime of **OPERATING AS A MAJOR TRAFFICKER**, in violation of Section 220.77(3) of the Penal Law of the State of New York, in that he, the said JOSE TORRES, on or about and between the 13th day of May 2020, and the 7th day of July 2020, in Erie County and elsewhere, as a profiteer, knowingly and unlawfully possessed, on one or more occasions within six months or less, a narcotic drug, to wit: cocaine, with the intent to sell same, and such narcotic drugs had a total a total aggregate value of seventy-five thousand dollars or more.

NICOLE KEARY
Deputy Attorney General
New York State Organized Crime Task Force

BY: WENDY R. WHITING
Assistant Deputy Attorney General
New York State Organized Crime Task Force

Acting Foreperson
Erie County Grand Jury
Dated: August ____, 2020