

No. _____
Term of _____

IN THE
Supreme Court of the United States

Malik Derry,
Petitioner,

v.

United States of America,
Respondent.

**On Petition for a Writ of Certiorari
to the Third Circuit Court of Appeals**

**APPENDIX TO THE
PETITION FOR A WRIT OF CERTIORARI**
Volume III
T-Z
525a -688a

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** Admitted in New York, New Jersey,
U.S. District Court of New Jersey,
Court of Appeals for the Third Circuit*

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1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF NEW JERSEY
3
4 UNITED STATES OF AMERICA
5
6 CRIMINAL NUMBER:
7 -vs- 1:14-cr-00050-NLH
8 MYKAL DERRY, MALIK DERRY,
9
10 Jury Trial
11 Defendants.
12 Mitchell H. Cohen United States Courthouse
13 One John F. Gerry Plaza
14 Camden, New Jersey 08101
15 Thursday, July 30, 2015
16 B E F O R E: HONORABLE NOEL L. HILLMAN
17 UNITED STATES DISTRICT COURT JUDGE
18 A P P E A R A N C E S:
19 PAUL J. FISHMAN, UNITED STATES ATTORNEY
20 BY: PATRICK C. ASKIN, AUSA
21 JUSTIN C. DANILEWITZ, AUSA
22 LAW OFFICES OF R. EMMETT MADDEN
23 BY: ROBERT EMMETT MADDEN, ESQUIRE
24 Attorney for Defendant Mykal Derry
25
Certified as true and correct as required by Title 28, U.S.C.,
Section 753
/s/ Robert T. Tate /s/ Karen Friedlander /s/ Carol Farrell

United States District Court
Camden, NJ

1 ALSO PRESENT:

3860

2 MARKOWITZ GRAVELLE, LLP
3 BY: JOSHUA L. MARKOWITZ, ESQUIRE
4 Attorney for Defendant Malik Derry
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09:17 1 (In open court at 9:17 a.m.)
09:17 2 (Defendants present.)
09:17 3 THE COURT: Are we ready to proceed?
09:17 4 MR. ASKIN: I think so. Your Honor, I just wanted to
09:17 5 put a couple things on the record.
09:17 6 THE COURT: All right. You may proceed when you are
09:17 7 ready.
09:17 8 MR. ASKIN: Your Honor, I sent these gentlemen, Mr.
09:17 9 Madden and Mr. Markowitz, an e-mail last night. Our office,
09:17 10 myself and Mr. Gross, looked over the case law and had a
09:17 11 discussion about that issue we were talking about, about the
09:17 12 statement that Mr. Zaffa supposedly made to Mr. Young. And
09:17 13 THE COURT: Is this something that should be
09:17 14 appropriate for Mr. Young to hear?
09:17 15 MR. ASKIN: I don't think it will be inappropriate.
09:17 16 I think it's clear what he would testify to. He said it
09:17 17 repeatedly, and I don't think they dispute that. And I've
09:17 18 advised him what not to do, so we might as well repeat it
09:17 19 here.
09:17 20 THE COURT: All right.
09:17 21 MR. ASKIN: After careful consideration, and we
09:18 22 didn't really delve into it too much further than the case law
09:18 23 cited to the Court and as much as we could, I believe Mr.
09:18 24 Gross couldn't find the treatise references, but he looked
09:18 25 over what we sent him and also those cases.

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09:18 1 THE COURT: I did find a Third Circuit case that
 09:18 2 touches on this, but go ahead.
 09:18 3 MR. ASKIN: Okay. Well, unless that Third Circuit
 09:18 4 case is very helpful to the Government --
 09:18 5 THE COURT: When I read it last night, I thought it
 09:18 6 was, and then driving in this morning I was convinced that it
 09:18 7 wasn't.
 09:18 8 MR. ASKIN: Okay. Then I'm not going to change my
 09:18 9 position. If that didn't happen this morning when you drove
 09:18 10 in, I would ask you for the case, and then we would maybe
 09:18 11 change our position. But as far as what we have so far,
 09:18 12 Judge, without conceding this issue, in a different context,
 09:18 13 in a different setting, in a different case, or later in this
 09:18 14 case, for this specific --
 09:18 15 THE COURT: Did Mr. Gross make you say that?
 09:18 16 MR. ASKIN: No, that's my own cautionary, lawyerly
 09:18 17 statement.
 09:18 18 But without conceding this, in a different context
 09:18 19 where things might be slightly different, with respect to
 09:18 20 this, I've told these gentlemen, Mr. Markowitz and Mr. Madden,
 09:19 21 that after careful consideration with Mr. Gross and the
 09:19 22 Court's comments, we decided that we are going to withdraw our
 09:19 23 request to elicit that statement in the testimony of Mr. Young
 09:19 24 about what Mr. Zaffa told him about the homicide of T.Y.
 09:19 25 Okay?

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09:19 1 I've instructed the witness not to answer with respect
 09:19 2 to that. I also cautioned these gentlemen, Mr. Madden and
 09:19 3 Mr. Markowitz, although I know they're much smarter than this,
 09:19 4 that the --
 09:19 5 THE COURT: You reserve the right if the door is
 09:19 6 opened.
 09:19 7 MR. ASKIN: Correct. And I told them that. If they
 09:19 8 ask him something silly like you don't know anything about who
 09:19 9 killed this guy, then that would probably open the door.
 09:19 10 THE COURT: All right. I managed to leave the case
 09:19 11 upstairs. There's a Third Circuit case, and when I first read
 09:19 12 it, it seemed to me that it would be supportive. The argument
 09:19 13 in that case was that the statement was inadmissible because
 09:19 14 it wasn't based on personal knowledge. It was a 602 argument.
 09:20 15 And when I first read it, I thought, well, if it's not
 09:20 16 subject to personal -- if it doesn't require personal
 09:20 17 knowledge, then presumably it could be based on hearsay.
 09:20 18 And then it cites *Lang* and distinguishes *Lang*, and in
 09:20 19 distinguishing *Lang*, it says that *Lang* was ruled inadmissible
 09:20 20 because the first layer of hearsay, which was 801(d)(2)(E),
 09:20 21 which is the opposite of this situation, was not found to be
 09:20 22 in furtherance of the conspiracy and, therefore, was
 09:20 23 admissible. So, it distinguished *Lang*, but on a different --
 09:20 24 not on an 805 basis.
 09:20 25 What's lurking in there is that the underlying

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09:20 1 statement in the Third Circuit case would have been admissible
 09:20 2 under, itself under an 801(d)(2)(E) exception, and, therefore,
 09:20 3 not based on personal knowledge, but because it was based on a
 09:21 4 separate, independent hearsay exclusion, it couldn't be
 09:21 5 separately excluded or wouldn't be separately excluded because
 09:21 6 it wasn't based on personal knowledge. So, I actually think
 09:21 7 the citation to *Lang*, it would have been easier for them to
 09:21 8 say, *Lang* doesn't -- we disavow *Lang*. They didn't say that.
 09:21 9 They distinguished it by saying the first level of hearsay was
 09:21 10 801 -- was not in furtherance.
 09:21 11 So, although it's not directly on point, I think the
 09:21 12 analysis of the Third Circuit in that case, it's an opinion by
 09:21 13 Judge Sloviter, which appears to still be the law in the
 09:21 14 circuit, would be supportive of the notion that each
 09:21 15 independent layer must have a -- must have a separate hearsay
 09:21 16 foundation.
 09:21 17 Now, to be clear, we're not in a situation in which
 09:21 18 it's he said, she said, where it's clear that the two levels
 09:21 19 of hearsay. I'm presuming it because there's no evidence of
 09:22 20 personal knowledge, which leaves the void of -- the void to be
 09:22 21 filled in by hearsay.
 09:22 22 So, I think that's the right -- I think that's the
 09:22 23 right ruling. I think it's wise for the Government not to
 09:22 24 press the issue. And I won't consider it precedential in any
 09:22 25 other matter.

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09:22 1 MR. ASKIN: All right.
 09:22 2 THE COURT: All right. Are we ready to proceed?
 09:22 3 MR. ASKIN: I think we are, your Honor. I've made
 09:22 4 some smaller copies of Government's Exhibit 1. We're going to
 09:22 5 display the chart. But I was going to ask, if counsel has no
 09:22 6 objection, when we get to it this morning, that the jurors
 09:22 7 could also be given an individualized copy of this if that's
 09:22 8 okay, if they have no objection.
 09:22 9 MR. MADDEN: No objection.
 09:22 10 THE COURT: Mr. Markowitz?
 09:22 11 MR. MARKOWITZ: Your Honor, I'm going to object to it
 09:23 12 because I think it's overkill. They have that chart. They've
 09:23 13 seen it a thousand times. I don't think they need to have it
 09:23 14 in their hands.
 09:23 15 MR. ASKIN: Judge, it's just a matter of what's
 09:23 16 visually better. We can put it up on the screen; we can have
 09:23 17 it on the chart. But some jurors may ask to refer to it.
 09:23 18 Now, if counsel wants it collected when we're no longer
 09:23 19 referring to it, then that's fine. We can collect these when
 09:23 20 no one is referring to it, but I don't see the difference
 09:23 21 between -- it's the exact same thing being displayed there.
 09:23 22 This is a smaller copy, but it might just be easier for a
 09:23 23 juror to see, rather than seeing it on a screen that might be
 09:23 24 far away from them.
 09:23 25 THE COURT: All right. I have no objection to them

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09:23 1 having an individual copy, but I think perhaps a limiting
 09:23 2 instruction to make it clear to them that it's a demonstrative
 09:23 3 aid and not in and of itself evidence would be --
 09:23 4 MR. MARKOWITZ: That's what I'm asking, and that the
 09:23 5 titles, you know, that the Government has to prove this.
 09:23 6 THE COURT: Yes. I think we said that to them, did
 09:23 7 we not?
 09:23 8 MR. MARKOWITZ: I think you have, your Honor.
 09:23 9 THE COURT: I think I'll just repeat that.
 09:23 10 MR. ASKIN: Right. I believe the chart is in
 09:23 11 evidence, your Honor, but it's not -- I understand that it's
 09:24 12 not evidence that what we say is true. So, the Court
 09:24 13 instructed them; they could instruct them again.
 09:24 14 THE COURT: I don't know that it's in evidence. Is
 09:24 15 it in evidence?
 09:24 16 MR. MADDEN: I don't think it was admitted in
 09:24 17 evidence.
 09:24 18 MR. ASKIN: Oh, maybe it wasn't. I thought it was.
 09:24 19 THE COURT: I think it's a demonstrative aid.
 09:24 20 MR. MARKOWITZ: It's a demonstrative aid.
 09:24 21 MR. ASKIN: It's in as a demonstrative, okay.
 09:24 22 MR. MARKOWITZ: The other thing, your Honor --
 09:24 23 THE COURT: It was created by the Government. It
 09:24 24 would have to be, in order to be evidence, each of the
 09:24 25 individual pictures, the conclusions asserted by the chart

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09:24 1 would have to have been established by some other -- have some
 09:24 2 other evidentiary foundation, such as testimony. It
 09:24 3 potentially could be, but it would have to be -- as a summary
 09:24 4 chart, but it would -- you would have to show me evidence in
 09:24 5 the record for each of the pictures and the asserted
 09:24 6 associations. At this point, it's not in evidence.
 09:24 7 MR. MARKOWITZ: And just one other concern that I
 09:24 8 have, your Honor, is when Agent Kopp went through it the first
 09:25 9 time and everything, they didn't have it, and I don't want the
 09:25 10 jury to get the impression, because they get this little
 09:25 11 sheet, that it has any more credibility than it did before.
 09:25 12 THE COURT: All right. I think I'm going to tell
 09:25 13 them that it's being distributed to them for ease of
 09:25 14 observation, that it's not in evidence, and that it represents
 09:25 15 the contentions of the United States, and whether or not the
 09:25 16 Government -- whether or not the Government proves the
 09:25 17 existence of this organization and who its members are -- or
 09:25 18 whether or not the Government proves the existence of this
 09:25 19 organization and who its members are is something that will be
 09:25 20 entirely up to them.
 09:25 21 MR. ASKIN: Right.
 09:25 22 THE COURT: Any objection?
 09:25 23 MR. MARKOWITZ: No objection, your Honor.
 09:25 24 MR. ASKIN: No, your Honor, as long as it's made
 09:25 25 clear to them later that this isn't a RICO case, so we don't

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09:25 1 have to prove there was an organization. It's just whether or
 09:25 2 not that helps them and aids them in figuring out whether
 09:25 3 there's a conspiracy.
 09:25 4 THE COURT: Whether or not any factual assertions in
 09:26 5 the chart are true is left to their determination.
 09:26 6 MR. ASKIN: Right.
 09:26 7 THE COURT: All right?
 09:26 8 MR. MADDEN: Yes, your Honor.
 09:26 9 THE COURT: Very good. I believe we are ready to
 09:26 10 proceed then?
 09:26 11 I'm going to say that the chart is in and of itself not
 09:26 12 evidence but what the Government believes the evidence will
 09:26 13 show. Whether or not the Government demonstrates that is left
 09:26 14 to your determination.
 09:27 15 THE DEPUTY COURT CLERK: All rise.
 09:27 16 (Whereupon the jury entered the courtroom.)
 09:27 17 THE COURT: All right. Please be seated. Good
 09:27 18 morning, ladies and gentlemen.
 09:27 19 RESPONSE: Good morning.
 09:27 20 THE COURT: Once again, I find myself apologizing to
 09:27 21 you for the delay. We appreciate your patience very much.
 09:27 22 Mr. Askin, are you ready to proceed?
 09:27 23 MR. ASKIN: I am, your Honor.
 09:27 24 THE COURT: All right. Mr. Young, I remind you, as I
 09:28 25 remind all witnesses where there's been a break in their

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09:28 1 testimony, that you remain under the affirmation that you took
 09:28 2 yesterday. Do you acknowledge that, sir?
 09:28 3 THE WITNESS: Yes.
 09:28 4 THE COURT: All right. Very good.
 09:28 5 You may proceed, Mr. Askin.
 09:28 6 MR. ASKIN: Your Honor, I'm sorry. I just thought of
 09:28 7 one thing that I just need to discuss with counsel for one
 09:28 8 minute. I apologize to the jury and to the Court.
 09:28 9 THE COURT: That's all right.
 09:28 10 (Brief pause.)
 09:28 11 (KAREEM YOUNG, HAVING PREVIOUSLY AFFIRMED, TESTIFIED AS
 09:29 12 FOLLOWS:)
 09:29 13 MR. ASKIN: Your Honor, thank you for that
 09:29 14 opportunity to speak with counsel to resolve that issue. May
 09:29 15 I proceed, your Honor?
 09:29 16 THE COURT: You may. Thank you, Mr. Askin.
 09:29 17 MR. ASKIN: Thank you.
 09:29 18 (DIRECT EXAMINATION OF KAREEM YOUNG BY MR. ASKIN:)
 09:29 19 Q. Mr. Young, good morning.
 09:29 20 A. Good morning.
 09:29 21 Q. Mr. Young, yesterday you testified about living in
 09:30 22 Stanley Holmes when you came home from custody around July of
 09:30 23 2011, correct?
 09:30 24 A. Yes.
 09:30 25 Q. And you also testified that, if I understand your

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09:30 1 testimony correctly, that -- is it fair to say that the bulk
 09:30 2 of the time, most of the time from July of 2011 until you left
 09:30 3 for Florida in the middle of February of 2013, you were home
 09:30 4 in Atlantic City, correct?
 09:30 5 A. Yes.
 09:30 6 Q. Although do you recall a period of time, a short stint
 09:30 7 when you were in custody around the time of Hurricane Sandy or
 09:30 8 Superstorm Sandy?
 09:30 9 A. Yes.
 09:30 10 Q. And how -- how long do you remember being in custody at
 09:30 11 that point?
 09:30 12 A. About a week or two.
 09:30 13 Q. Okay. And where were you being held at that point?
 09:30 14 A. Atlantic County Jail.
 09:30 15 Q. Okay. To the best of your recollection, other than that
 09:30 16 period around Superstorm Sandy for a couple weeks in the
 09:30 17 Atlantic County Jail in around October 2012 or so, for most of
 09:30 18 the time from July of 2011 to February of 2013, were you
 09:31 19 living in and around Stanley Holmes in Atlantic City?
 09:31 20 A. Yes.
 09:31 21 Q. And on the street, not in custody?
 09:31 22 A. Yes.
 09:31 23 Q. Okay. During that entire time period, what were you
 09:31 24 doing to get money?
 09:31 25 A. Selling drugs.

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09:31 1 Q. And what drugs were you selling?
 09:31 2 A. Heroin and crack.
 09:31 3 Q. And where -- in what areas of Atlantic City, if any, were
 09:31 4 you selling it?
 09:31 5 A. Stanley Holmes.
 09:31 6 Q. Anywhere else?
 09:31 7 A. Atlantic Avenue.
 09:31 8 Q. Okay. Did you sell drugs in any of the parks or
 09:31 9 recreational facilities around that area?
 09:31 10 A. Yes.
 09:31 11 Q. Where?
 09:31 12 A. Brown's Park.
 09:31 13 Q. Now, did you sell drugs -- when you were selling heroin,
 09:31 14 in what quantities were you selling -- what quantities were
 09:31 15 you buying the heroin and reselling it in; can you explain?
 09:31 16 A. I was buying them in bricks and selling them in bundles
 09:32 17 or bags.
 09:32 18 Q. Okay. And a brick, what does a brick mean to you? How
 09:32 19 many packets -- how many bundles are in a brick; do you
 09:32 20 remember?
 09:32 21 A. Five bundles.
 09:32 22 Q. Five bundles? And how many packets are in each bundle?
 09:32 23 A. 10.
 09:32 24 Q. Okay. So, if I understand your testimony, would there
 09:32 25 be, to your -- from your experience, 50, 50 individual baggies

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09:32 1 of heroin or 50 individual packets in a bundle?
 09:32 2 A. Yes.
 09:32 3 Q. Or, I'm sorry, in a brick?
 09:32 4 A. Yes.
 09:32 5 Q. Okay. And how many bundles in a brick?
 09:32 6 A. Five.
 09:32 7 Q. And now, when you were selling heroin between July of
 09:32 8 2011 and February of 2013, were you doing this once in a
 09:32 9 while, or was it an everyday thing?
 09:32 10 A. Everyday thing.
 09:32 11 Q. Did you also sell crack cocaine at periods during that
 09:32 12 time?
 09:32 13 A. Yes.
 09:32 14 Q. In that same general area?
 09:32 15 A. Yes.
 09:32 16 Q. Now, do you know -- I'll show you the photo.
 09:33 17 MR. ASKIN: I'd ask that we pull up for the witness
 09:33 18 Government's Exhibit 4.32.
 09:33 19 (Document published to jury.)
 09:33 20 BY MR. ASKIN:
 09:33 21 Q. Mr. Young, I'm showing you a photo that's been marked,
 09:33 22 for identification purposes, Government's Exhibit 4.32. Do
 09:33 23 you recognize that individual?
 09:33 24 A. Yes.
 09:34 25 MR. ASKIN: May I have one moment, your Honor?

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09:34 1 THE COURT: Yes.
 09:34 2 MR. ASKIN: Your Honor, I've spoken with counsel, and
 09:34 3 the Government has a photo exhibit that's labeled Government's
 09:34 4 Exhibit 4. It's Bates stamped at the bottom numbers 1 through
 09:34 5 34, and the Government is going to move to admit it, I believe
 09:34 6 without objection from counsel so that we don't have to go
 09:34 7 through each photo and ask counsel if they object, because I
 09:34 8 understand they don't object to any of those.
 09:34 9 THE COURT: All right. Mr. Madden?
 09:34 10 MR. MADDEN: Correct, your Honor, no objection.
 09:34 11 THE COURT: Mr. Markowitz?
 09:34 12 MR. MARKOWITZ: No objection, your Honor.
 09:34 13 THE COURT: All right. 4 point -- does it begin with
 09:34 14 4.001?
 09:34 15 MR. ASKIN: Yes, through 4.0 -- well, it looks like
 09:34 16 034. But it's the 34 photos. 1 through 34, they're Bates
 09:34 17 stamped.
 09:34 18 THE COURT: All right. Is it collectively marked as
 09:34 19 an exhibit?
 09:34 20 MR. ASKIN: It's collectively marked Government's
 09:34 21 Exhibit 4.
 09:34 22 THE COURT: All right. Government's Exhibit 4 in
 09:34 23 evidence, inclusive of the 34 pages.
 09:35 24 (GOVERNMENT EXHIBIT G-4 WAS RECEIVED IN EVIDENCE.)
 09:35 25 MR. ASKIN: There are some other photos we're going

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09:35 1 to get to, your Honor, but I'll cover that with counsel
 09:35 2 separately when we get there.
 09:35 3 THE COURT: All right. Thank you. In evidence. You
 09:35 4 may publish.
 09:35 5 MR. ASKIN: Okay. Can we publish 4.32?
 09:35 6 (Document published to jury.)
 09:35 7 BY MR. ASKIN:
 09:35 8 Q. Do you see that photo, Mr. Young?
 09:35 9 A. Yes.
 09:35 10 Q. Do you recognize that individual?
 09:35 11 A. Yes.
 09:35 12 Q. And who is that?
 09:35 13 A. Tyrone Ellis.
 09:35 14 Q. And what -- did you refer to him by any name or nickname?
 09:35 15 A. Rome.
 09:35 16 Q. Rome with an R?
 09:35 17 A. Yes.
 09:35 18 Q. How long do you think, approximately, you've known Tyrone
 09:35 19 Ellis?
 09:35 20 A. Since I was about 12, 13.
 09:35 21 Q. Okay. And where did -- where did he live around or grow
 09:35 22 up? Did you know him for years from the area?
 09:35 23 A. Yes.
 09:35 24 Q. Okay. Where did he live during the area when you knew
 09:35 25 him?

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09:35 1 A. He was staying around Stanley Holmes.
 09:35 2 Q. Okay. And was there a period of time in 2011, in the
 09:36 3 beginning part of 2012, where Mr. Tyrone Ellis wasn't in the
 09:36 4 area?
 09:36 5 A. Yes.
 09:36 6 Q. Okay. And to the best of your knowledge, where was he
 09:36 7 during that time frame?
 09:36 8 A. I believe he was in jail.
 09:36 9 Q. Got it. At some point after you came home in 2011, at
 09:36 10 some point in the early point of 2012, what happened with Mr.
 09:36 11 Ellis?
 09:36 12 A. He was released.
 09:36 13 Q. Okay. And when he was released from custody, I believe
 09:36 14 in the early part of 2012, did you at some point meet up with
 09:36 15 him in the Atlantic City area?
 09:36 16 A. Yes.
 09:36 17 Q. Okay. And did you have a discussion with him about
 09:36 18 some -- any illegal activity?
 09:36 19 MR. MADDEN: Objection, hearsay and leading.
 09:36 20 MR. ASKIN: It calls for a yes or no answer.
 09:36 21 THE COURT: Exception?
 09:36 22 MR. ASKIN: Co-conspirator exception, your Honor.
 09:37 23 There's been numerous calls played in evidence to show that
 09:37 24 Mr. Ellis is a co-conspirator.
 09:37 25 THE COURT: I'll allow that exception if you lay a

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09:37 1 further foundation.
 09:37 2 MR. ASKIN: Okay.
 09:37 3 BY MR. ASKIN:
 09:37 4 Q. Ultimately, Mr. Young --
 09:37 5 THE COURT: Or perhaps that's the whole point of the
 09:37 6 question.
 09:37 7 MR. ASKIN: Yes.
 09:37 8 THE COURT: Which is the chicken and which is the
 09:37 9 egg, Mr. Askin?
 09:37 10 MR. ASKIN: Right.
 09:37 11 BY MR. ASKIN:
 09:37 12 Q. Mr. Ellis -- I'm sorry, Mr. Young, do you know Mr. Ellis
 09:37 13 to be involved in criminal activity when he was on the street?
 09:37 14 A. Yes.
 09:37 15 MR. MADDEN: Objection, leading.
 09:37 16 THE COURT: Overruled.
 09:37 17 BY MR. ASKIN:
 09:37 18 Q. What type of criminal activity was he involved in?
 09:37 19 A. Selling heroin and carrying guns.
 09:37 20 Q. Were you involved in that criminal activity with him?
 09:37 21 A. Yes.
 09:37 22 Q. Did you -- did you obtain anything illegal from Mr. Ellis
 09:37 23 at times, directly?
 09:37 24 A. Yes.
 09:37 25 Q. What?

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09:37 1 A. Heroin and firearms.
 09:37 2 Q. Did Mr. Ellis give you those -- with respect to the
 09:38 3 drugs, did he give the drugs to you only when you paid for
 09:38 4 them, or sometimes did he give the drugs to you on credit?
 09:38 5 A. Most of the time he gave it to me on credit.
 09:38 6 Q. And what do -- what do you guys refer to that as?
 09:38 7 A. Fronting.
 09:38 8 Q. Okay. Did he front you the drugs on many occasions?
 09:38 9 A. Yes.
 09:38 10 Q. Okay. Does Mr. Ellis also -- does he also know some of
 09:38 11 the other individuals in this case?
 09:38 12 MR. MADDEN: Objection, lack of personal knowledge as
 09:38 13 to who Mr. Ellis knows.
 09:38 14 MR. ASKIN: Well, that's what the question is for.
 09:38 15 THE COURT: Rephrase for me.
 09:38 16 MR. ASKIN: Excuse me? I'm sorry. I didn't hear
 09:38 17 you.
 09:38 18 THE COURT: Could you rephrase the question?
 09:38 19 MR. ASKIN: Yes, your Honor.
 09:38 20 THE COURT: Just to make it clear that it's based on
 09:38 21 personal knowledge.
 09:38 22 BY MR. ASKIN:
 09:38 23 Q. Do you have personal knowledge of Mr. Ellis's
 09:38 24 relationship with other people that were arrested in this
 09:39 25 case?

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09:39 1 A. Yes.
 09:39 2 Q. Okay. And from that personal knowledge, do you know Mr.
 09:39 3 Ellis to know other people that were arrested with you in this
 09:39 4 case?
 09:39 5 A. Yes.
 09:39 6 Q. Who are some of those people that he knew?
 09:39 7 A. **Mykal Derry, myself, Malik Derry, Saeed Zaffa, Aree**
 09:39 8 **Toulson, Buck, Baby Boy, Poppi-what-you-need, Dwayne Townsend.**
 09:39 9 Q. He knew a lot of you?
 09:39 10 A. Yes.
 09:39 11 Q. Okay. And Mr. Ellis, when he was on the street, you
 09:39 12 said -- well, let me preface it this way. After he came home,
 09:39 13 did Mr. Ellis become involved in any criminal activity that
 09:39 14 you're aware of?
 09:39 15 A. Yes.
 09:39 16 Q. This is in 2012, correct?
 09:39 17 A. Yes.
 09:39 18 Q. What did he become involved with?
 09:39 19 A. **Selling heroin.**
 09:39 20 Q. Okay. And were you one of the people he was selling
 09:39 21 heroin to?
 09:39 22 A. Yes.
 09:39 23 Q. Who else did he ultimately sell heroin to?
 09:40 24 A. **Mykal Derry.**
 09:40 25 Q. Okay. Now, do you know whether or not he fronted heroin

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09:40 1 to Mykal Derry?
 09:40 2 MR. MADDEN: Objection, lack of foundation, lack of
 09:40 3 personal knowledge.
 09:40 4 MR. ASKIN: Okay. I'll rephrase the question.
 09:40 5 BY MR. ASKIN:
 09:40 6 Q. Do you have personal knowledge of whether Tyrone Ellis
 09:40 7 fronted heroin to this man, Mykal Derry?
 09:40 8 A. Yes.
 09:40 9 Q. Okay. Did he front him heroin -- did Tyrone Ellis front
 09:40 10 heroin on credit to Mykal Derry?
 09:40 11 A. Yes.
 09:40 12 Q. Okay. So, back to my original question. When Tyrone
 09:40 13 Ellis got out of custody in the early part of 2012, did you
 09:40 14 see him in Atlantic City at some point after that when he was
 09:40 15 released?
 09:40 16 A. **Yes, I seen him on Atlantic Avenue.**
 09:40 17 Q. Okay. And when you saw him on Atlantic Avenue, did you
 09:40 18 have a discussion with him?
 09:40 19 A. Yes.
 09:40 20 Q. And did that discussion, did any part of it, a discussion
 09:40 21 of criminal activity?
 09:40 22 A. Yes.
 09:40 23 Q. Okay. And what -- can you tell us the essence or the
 09:41 24 nature of the discussion generally, what were you guys talking
 09:41 25 about about criminal activity?

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09:41 1 MR. MADDEN: Objection, hearsay.
 09:41 2 MR. ASKIN: It's not hearsay. It's a co-conspirator
 09:41 3 exception to the hearsay rule, excluded from the hearsay rule.
 09:41 4 THE COURT: Overruled.
 09:41 5 THE WITNESS: I may answer?
 09:41 6 MR. ASKIN: Yes.
 09:41 7 BY MR. ASKIN:
 09:41 8 Q. What did you talk about with Mr. Ellis about criminal
 09:41 9 activity when he was released and you saw him on Atlantic
 09:41 10 Avenue?
 09:41 11 A. **We talked about heroin.**
 09:41 12 Q. And did you talk about planning to do something?
 09:41 13 A. **Yes. He said once he get right then he was going to hit**
 09:41 14 **me; he was going to call me to let me know that he had some**
 09:41 15 **heroin.**
 09:41 16 Q. And when he said, once he gets right, did you understand
 09:41 17 what he meant?
 09:41 18 A. Yes.
 09:41 19 Q. Okay. And did you discuss heroin at that time?
 09:41 20 A. Yes.
 09:41 21 Q. Ultimately, did Mr. Ellis supply you with any illegal
 09:41 22 drugs in 2012?
 09:41 23 A. Yes.
 09:41 24 Q. And what did he start supplying you with?
 09:41 25 A. **Heroin.**

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09:41 1 Q. Okay. And how was the heroin packaged that he supplied
 09:41 2 you with?
 09:41 3 A. **In wax baggies.**
 09:41 4 Q. Okay. And in what kind of quantities? How were you
 09:42 5 buying it from him?
 09:42 6 A. **Bricks.**
 09:42 7 Q. Okay. And would you buy one brick at a time or more than
 09:42 8 one brick at a time?
 09:42 9 A. **Sometimes one, sometimes more.**
 09:42 10 Q. Okay. And do you remember approximately how much money
 09:42 11 he was charging you per brick?
 09:42 12 A. **I believe it was like 170.**
 09:42 13 Q. And when he charged you 170 per brick, what were you
 09:42 14 doing with this heroin? When you got it, what did you do with
 09:42 15 it?
 09:42 16 A. **I was selling it on the street.**
 09:42 17 Q. Okay. From your earlier answers, you said you sold it
 09:42 18 sometimes in bundles and smaller quantities than bundles and
 09:42 19 sometimes even in baggies to people?
 09:42 20 A. Yes.
 09:42 21 Q. Now, were -- your customers that you were selling the
 09:42 22 heroin to, were, if you know, were they other drug dealers or
 09:42 23 were they drug addicts or were they both?
 09:42 24 A. **Both.**
 09:42 25 Q. Could you describe that?

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- 09:42 **1 A. Both.**
- 09:42 **2 Q.** So, you had some customers that were other drug dealers?
- 09:42 **3 A. Yes.**
- 09:42 **4 Q.** That were buying heroin from you, and, to your knowledge,
- 09:42 **5** reselling it?
- 09:42 **6 A. Yes.**
- 09:42 **7 Q.** And did you have some customers who were drug addicts who
- 09:43 **8** actually you knew to be using the drugs themselves?
- 09:43 **9 A. A lot.**
- 09:43 **10 Q.** A lot of customers like that?
- 09:43 **11 A. Yes.**
- 09:43 **12 Q.** Okay. Did you see Mr. Ellis going in and out of any
- 09:43 **13** residences in Stanley Holmes around the time he started
- 09:43 **14** supplying you with heroin in 2012?
- 09:43 **15 A. Yes.**
- 09:43 **16 Q.** And where was that residence or residences that you're
- 09:43 **17** referring to?
- 09:43 **18 A. Kentucky Avenue.**
- 09:43 **19 Q.** Okay. And what village of Stanley Holmes was it in?
- 09:43 **20 A. Second.**
- 09:43 **21 Q.** Where was your mom living at the time?
- 09:43 **22 A. Right next door on Kentucky Avenue.**
- 09:43 **23 Q.** In the second village?
- 09:43 **24 A. Yes.**
- 09:43 **25 Q.** So, this location that Mr. Ellis was using in Stanley

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- 09:44 **1** property?
- 09:44 **2 A. Yes.**
- 09:44 **3 Q.** Where were they stored?
- 09:44 **4 A. In the heater. There was a hole in the wall under the**
- 09:44 **5 heater.**
- 09:44 **6 Q.** Okay. Could you describe that a little bit so the jury
- 09:44 **7** understands what you're talking about?
- 09:44 **8 A. It's a hole under the wall, and there's a heater right**
- 09:44 **9 next to it, you can stash it.**
- 09:44 **10 Q.** Okay. Now, this residence of Stanley Holmes is right
- 09:44 **11** next to your mom's place. Have you been in several, over this
- 09:45 **12** time frame, places in Stanley Holmes, like different
- 09:45 **13** apartments in Stanley Holmes?
- 09:45 **14 A. Yes.**
- 09:45 **15 Q.** Do they have a similar -- are they the same in a lot of
- 09:45 **16** ways in terms of the way they're laid out and the way the
- 09:45 **17** heating apparatus is, et cetera?
- 09:45 **18 A. Yes.**
- 09:45 **19 Q.** Okay. So, Mr. Ellis was storing it inside the heater?
- 09:45 **20 A. He was storing it inside the wall under the heater.**
- 09:45 **21 Q.** Inside the wall under the heater?
- 09:45 **22 A. Right.**
- 09:45 **23 Q.** Okay. Had you seen other individuals do that before?
- 09:45 **24 A. I did.**
- 09:45 **25 Q.** You did it yourself?

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- 09:43 **1** Holmes was right next to your mom's place?
- 09:43 **2 A. Yes.**
- 09:43 **3 Q.** Okay. And were you ever inside that residence that Mr.
- 09:43 **4** Ellis was using next to your mom's place?
- 09:43 **5** MR. MADDEN: Objection to "using," assumes facts not
- 09:44 **6** in evidence. He testified that he was going in and out.
- 09:44 **7** THE COURT: Sustained.
- 09:44 **8** MR. ASKIN: Okay.
- 09:44 **9** BY MR. ASKIN:
- 09:44 **10 Q.** Did you ever go into that residence that was next to your
- 09:44 **11** mom's house that you saw Mr. Ellis going in and out of?
- 09:44 **12 A. Yes.**
- 09:44 **13 Q.** And when you went inside there, did you see any illegal
- 09:44 **14** items in there?
- 09:44 **15 A. Yes.**
- 09:44 **16 Q.** What did you see in there?
- 09:44 **17 A. Heroin.**
- 09:44 **18 Q.** Okay. And how was it packaged?
- 09:44 **19 A. It was news -- it was wrapped in newspapers.**
- 09:44 **20 Q.** What quantities are we talking to -- about that you saw
- 09:44 **21** in there?
- 09:44 **22 A. Bricks.**
- 09:44 **23 Q.** One brick, two bricks, or a lot of bricks?
- 09:44 **24 A. A lot of bricks.**
- 09:44 **25 Q.** Were they stored in a particular location inside the

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- 09:45 **1 A. Yes.**
- 09:45 **2 Q.** So, he showed you that heroin. Were you actually
- 09:45 **3** purchasing heroin from him that came from that residence?
- 09:45 **4 A. Yes.**
- 09:45 **5 Q.** Okay. Did you know others to be purchasing heroin from
- 09:45 **6** Tyrone Ellis during that time frame?
- 09:45 **7 A. Yes.**
- 09:45 **8 Q.** Now, when you were dealing with Mr. Ellis, at some point,
- 09:45 **9** did Mr. Ellis make any statements to you about where he was
- 09:46 **10** going to -- where he was going or trying to go to get heroin?
- 09:46 **11** MR. MADDEN: Objection, leading.
- 09:46 **12** THE COURT: Overruled.
- 09:46 **13** THE WITNESS: Yes.
- 09:46 **14** BY MR. ASKIN:
- 09:46 **15 Q.** And what did he say to you about where he was trying to
- 09:46 **16** acquire heroin or get heroin?
- 09:46 **17 A. From Paterson.**
- 09:46 **18 Q.** Did you ever go up to Paterson?
- 09:46 **19 A. No.**
- 09:46 **20 Q.** Did you ever personally meet Mr. Ellis's suppliers in
- 09:46 **21** Paterson, if he had suppliers in Paterson?
- 09:46 **22 A. No.**
- 09:46 **23 Q.** Did he discuss, though, going to Paterson?
- 09:46 **24 A. Yes.**
- 09:46 **25 Q.** And did he sometimes talk to -- about that without saying

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09:46 1 Paterson and saying some other phrase?
 09:46 2 A. Yes.
 09:46 3 Q. What did he say?
 09:46 4 A. He was going up north or up top.
 09:46 5 Q. And did you understand that to mean references to
 09:46 6 Paterson?
 09:46 7 A. Yes.
 09:46 8 Q. And what was in Paterson?
 09:46 9 A. The plug, the supplier.
 09:46 10 Q. What was in Paterson in terms of Mr. Ellis? What was he
 09:46 11 going up there to get?
 09:46 12 A. Heroin.
 09:46 13 Q. Now, at some point after you were being supplied with
 09:47 14 heroin by Mr. Ellis in the early part of 2012, did you run
 09:47 15 into Mykal Derry in Stanley Holmes or somewhere in the area?
 09:47 16 A. Yes.
 09:47 17 Q. Okay. And did you have a conversation with Mykal Derry
 09:47 18 about any criminal activity?
 09:47 19 A. Yes.
 09:47 20 Q. Okay. And what was the nature of that conversation, if
 09:47 21 you recall? What did you guys talk about?
 09:47 22 MR. MADDEN: Objection, hearsay.
 09:47 23 THE COURT: Overruled.
 09:47 24 BY MR. ASKIN:
 09:47 25 Q. Go ahead, you can answer the question.

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09:47 1 A. Talk about the heroin, where I was getting my heroin
 09:47 2 from.
 09:47 3 Q. Okay. And who asked you that?
 09:47 4 A. Mykal Derry.
 09:47 5 Q. He asked you where you were getting your heroin?
 09:47 6 A. Yes.
 09:47 7 Q. Was your heroin at that time -- in your experience, was
 09:47 8 it -- how would you -- how would you describe the quality of
 09:47 9 it? Would you think it was good heroin that was selling well
 09:47 10 or bad heroin that didn't really sell well? How would you
 09:48 11 describe it at that time?
 09:48 12 A. It was good heroin. It was selling well.
 09:48 13 Q. Okay. Did Mykal Derry make any reference to anything
 09:48 14 about the quality of the heroin?
 09:48 15 A. He asked me where I was getting my heroin from. I didn't
 09:48 16 tell him.
 09:48 17 Q. Okay.
 09:48 18 A. I had the best heroin around the town.
 09:48 19 Q. Who had the best heroin?
 09:48 20 A. I did.
 09:48 21 Q. And this is the heroin you were getting from Mr. Ellis?
 09:48 22 A. Yes.
 09:48 23 Q. And you didn't tell Mr. Derry about that at that time?
 09:48 24 A. No.
 09:48 25 Q. Okay. Did Mr. Derry -- did you have -- strike that.

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09:48 1 Did you know Mr. Derry to be involved in any criminal
 09:48 2 activity at that time in Stanley Holmes?
 09:48 3 MR. MADDEN: Objection, lack of foundation.
 09:48 4 THE COURT: Overruled.
 09:48 5 THE WITNESS: Yes.
 09:48 6 BY MR. ASKIN:
 09:48 7 Q. Okay. And what was Mykal Derry doing at that time?
 09:48 8 A. Selling drugs, carrying guns.
 09:48 9 Q. Okay. And what drug was he primarily selling?
 09:48 10 A. Heroin.
 09:48 11 Q. Okay. If he was selling heroin in Stanley Holmes -- you
 09:48 12 were selling heroin in Stanley Holmes, correct?
 09:48 13 A. Yes.
 09:48 14 Q. Why, if you know, why was Mr. Derry asking you about
 09:48 15 where you were getting your heroin if he was also selling
 09:49 16 heroin?
 09:49 17 A. Because all the clientele wanted the dope that I had.
 09:49 18 Q. When you say clientele, who were you referring to?
 09:49 19 A. Fiends.
 09:49 20 Q. Fiends being drug addicts?
 09:49 21 A. Yes.
 09:49 22 Q. The customers?
 09:49 23 A. Yes.
 09:49 24 Q. You didn't tell Mr. Derry at that time where you were
 09:49 25 getting the heroin. To your knowledge, did Mr. Derry later,

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09:49 1 later find out where you were getting the heroin?
 09:49 2 A. Yes.
 09:49 3 Q. And do you know how he found out?
 09:49 4 A. He seen me coming out of Tyrone Ellis's house.
 09:49 5 Q. And when you say he saw you coming out of Tyrone Ellis's
 09:49 6 house, which house are you referring to?
 09:49 7 A. On Kentucky Ave.
 09:49 8 Q. Okay. Did Mr. Ellis, if you know, did Mr. Ellis actually
 09:49 9 live there at the time, or was this a house that belonged to
 09:49 10 someone he knew?
 09:49 11 A. It belonged to his cousin.
 09:49 12 Q. Okay. Do you know if he lived there or was just storing
 09:49 13 stuff there?
 09:49 14 A. He was staying there from time to time and storing.
 09:49 15 Q. And storing what?
 09:49 16 A. His heroin.
 09:49 17 Q. Okay. Is that the location that Mykal Derry saw you and
 09:49 18 Tyrone Ellis coming out of one day?
 09:49 19 A. Yes.
 09:49 20 Q. Is this in -- is this -- this was in 2012?
 09:50 21 A. Yes.
 09:50 22 Q. Okay. How long do you think, just estimating, I
 09:50 23 understand you can't give us an exact date, how long after you
 09:50 24 started getting heroin from Tyrone Ellis do you think Mykal
 09:50 25 Derry -- that incident happened where Mykal Derry saw you

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09:50 1 coming out of that apartment on Kentucky Avenue next to your
 09:50 2 mom's with Mr. Ellis?
 09:50 3 **A. About like a week or two later.**
 09:50 4 **Q.** All right. So, there was only a short period of time
 09:50 5 before Mr. Derry saw the two of you coming out of the same
 09:50 6 apartment, correct?
 09:50 7 **A. Yes.**
 09:50 8 **Q.** Was, to your knowledge, was Mr. Ellis known in the area
 09:50 9 to be a drug trafficker or someone involved in selling drugs?
 09:50 10 **A. Yes.**
 09:50 11 MR. MADDEN: Objection, calls for speculation.
 09:50 12 THE COURT: Overruled.
 09:50 13 BY MR. ASKIN:
 09:50 14 **Q.** After that point, shortly after that point, did you have
 09:50 15 any discussions with Mr. Derry or Mr. Ellis about where Mykal
 09:51 16 Derry was acquiring his heroin?
 09:51 17 **A. Yes.**
 09:51 18 **Q.** And did you discuss it with -- well, I'll just ask
 09:51 19 individually. Did you ever discuss it with Mr. Ellis?
 09:51 20 **A. Yes.**
 09:51 21 **Q.** And what did Mr. Ellis tell you with respect to what he
 09:51 22 was doing with Mr. Derry, if anything?
 09:51 23 **A. He told me that he -- that, I think, Derry had gave him**
 09:51 24 **his car and he gave -- he gave -- Ellis gave Derry some heroin**
 09:51 25 **to get him on his feet. So, I guess he let him borrow his car**

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09:51 1 **so he could get right.**
 09:51 2 MR. MADDEN: Objection. It calls for speculation.
 09:51 3 He's saying, "I guess."
 09:51 4 MR. ASKIN: Okay. Well, I'll go through it with him.
 09:51 5 THE COURT: All right.
 09:51 6 BY MR. ASKIN:
 09:51 7 **Q.** Ellis told you something about a car, right?
 09:51 8 **A. Yes.**
 09:51 9 **Q.** Whose car was he talking about?
 09:51 10 **A. Derry.**
 09:51 11 **Q.** What kind of car was it, if you remember?
 09:51 12 **A. A Pontiac, a black Pontiac.**
 09:51 13 **Q.** Okay. And whose car was it?
 09:52 14 **A. Derry.**
 09:52 15 **Q.** And what did Ellis tell you with respect to Mr. Derry's
 09:52 16 car?
 09:52 17 **A. That he gave him some dope to hold his car. It was like**
 09:52 18 **collateral.**
 09:52 19 **Q.** Okay. Ellis gave the dope to Mr. Derry?
 09:52 20 **A. Yes.**
 09:52 21 **Q.** And Mr. Derry gave the car to Mr. Ellis as collateral for
 09:52 22 the dope?
 09:52 23 **A. Yes.**
 09:52 24 **Q.** And when you say dope, you're referring to heroin?
 09:52 25 **A. Yes.**

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09:52 1 **Q.** Okay. And that's what Mr. Ellis told you?
 09:52 2 **A. Yes.**
 09:52 3 **Q.** Okay. After that, from your own personal knowledge, did
 09:52 4 you know who was supplying Mykal Derry with heroin?
 09:52 5 **A. Yes.**
 09:52 6 **Q.** Who was supplying Mykal Derry with heroin?
 09:52 7 **A. Tyrone Ellis.**
 09:52 8 **Q.** At times, Mr. Ellis, if I understand your testimony, was
 09:52 9 fronting you or giving you the heroin on credit, correct?
 09:52 10 **A. Yes.**
 09:52 11 **Q.** And then you would pay him back after you sold the heroin
 09:52 12 on the street to your customers?
 09:52 13 **A. Yes.**
 09:52 14 **Q.** Okay. And were you making a profit?
 09:52 15 **A. Yes.**
 09:52 16 **Q.** Did Mr. Ellis, to your personal knowledge, front heroin
 09:53 17 after that point to Mykal Derry?
 09:53 18 **A. Yes.**
 09:53 19 **Q.** He gave it to him on credit?
 09:53 20 **A. Yes.**
 09:53 21 **Q.** Once or repeatedly?
 09:53 22 **A. Repeatedly.**
 09:53 23 MR. MADDEN: Objection, lack of foundation.
 09:53 24 THE COURT: Overruled.
 09:53 25 BY MR. ASKIN:

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09:53 1 **Q.** What type of quantities of heroin did Mykal Derry start
 09:53 2 purchasing from Tyrone Ellis?
 09:53 3 **A. Bricks.**
 09:53 4 **Q.** One brick at a time or do you believe it was multiple
 09:53 5 bricks?
 09:53 6 **A. Multiple bricks.**
 09:53 7 **Q.** Was Mykal Derry distributing that heroin in the area?
 09:53 8 **A. Yes.**
 09:53 9 **Q.** Where?
 09:53 10 **A. Stanley Holmes and the Renaissance Plaza.**
 09:53 11 **Q.** Was this -- Mykal Derry was distributing his heroin. Was
 09:53 12 this like a once in a while thing or did he do it a lot?
 09:53 13 **A. It was an everyday thing.**
 09:53 14 **Q.** Every day?
 09:53 15 **A. Yes.**
 09:53 16 **Q.** Did Mr. Derry -- do you have personal knowledge of Mr.
 09:54 17 Derry supplying other individuals in the area with heroin
 09:54 18 around Stanley Holmes?
 09:54 19 **A. Yes.**
 09:54 20 **Q.** One or two people or a lot of people?
 09:54 21 **A. Multiple.**
 09:54 22 **Q.** Okay.
 09:54 23 MR. MADDEN: Objection, lack of foundation, lack of
 09:54 24 personal knowledge.
 09:54 25 THE COURT: Overruled.

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09:54 1 BY MR. ASKIN:

09:54 2 Q. Do you have personal knowledge of Mykal Derry supplying
09:54 3 heroin to many individuals around that area?

09:54 4 A. Yes.

09:54 5 Q. Did you see it?

09:54 6 A. Yes.

09:54 7 MR. MADDEN: Your Honor, could we have a sidebar
09:54 8 briefly?

09:54 9 (Sidebar.)

09:55 10 THE COURT: Mr. Madden.

09:55 11 MR. MADDEN: Respectfully, just because he starts a
09:55 12 question with "do you have personal knowledge" doesn't
09:55 13 actually lay a foundation. In other words, if he said do you
09:55 14 have personal knowledge of him selling heroin and he says yes,
09:55 15 to a lot of people, yes, I mean, he's not explaining who or
09:55 16 when or times or any details about this. So, I can't
09:55 17 cross-examine him on these vague references to him selling
09:55 18 heroin at certain times. Just because a question begins with
09:55 19 "do you have personal knowledge" doesn't mean he is explaining
09:55 20 his personal knowledge at all.

09:55 21 MR. ASKIN: Okay. So, you don't want me to lead him,
09:55 22 you don't want me to direct him, but then you want me to say
09:55 23 it's based on personal knowledge.

09:55 24 MR. MADDEN: Give him specific examples of it.

09:55 25 MR. ASKIN: Let me finish. I've interviewed him a

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09:55 1 ton of times. He's testified under oath in a federal grand
09:55 2 jury. He's testified at a prior trial on two separate dates.
09:55 3 He's been cross-examined. We know what the guy is going to
09:55 4 say. Okay?

09:56 5 And the bottom of line is, he has personal -- I'm not
09:56 6 asking him anything that I don't think he has personal
09:56 7 knowledge of. I know what he has personal knowledge of and
09:56 8 you know what he has personal knowledge of.

09:56 9 THE COURT: Hold on.

09:56 10 MR. ASKIN: And the thing is --

09:56 11 THE COURT: Don't make this personal. Mr. Madden
09:56 12 makes a point to a certain extent. This is a different case
09:56 13 and a different jury.

09:56 14 MR. ASKIN: Correct.

09:56 15 THE COURT: But there's plenty of evidence in the
09:56 16 wiretaps that the jury has heard. He's testified to where
09:56 17 he's selling his drugs. He's testified he's selling them
09:56 18 every day. He's testified that he got them from Mr. Ellis.
09:56 19 He's testified that Mr. Derry asked him where he was getting
09:56 20 his drugs, that he saw him leaving with Mr. Ellis. I don't
09:56 21 think he's going to be able to remember years after the fact
09:56 22 that I sold heroin at two o'clock in the afternoon on a
09:56 23 particular Tuesday when he's testified he sold drugs every
09:56 24 day.

09:56 25 MR. ASKIN: Correct.

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09:56 1 THE COURT: He also testified that Mr. Mykal Derry
09:56 2 sold drugs every day. I'm overruling the objection.

09:56 3 MR. ASKIN: Okay.

09:56 4 MR. MADDEN: Thank you.

09:56 5 (End of sidebar.)

09:57 6 BY MR. ASKIN:

09:57 7 Q. Mr. Young, after the conference, I just -- I want to get
09:57 8 something you may have said earlier that I didn't catch. When
09:57 9 I asked you what was up in Paterson, did you say the plug?

09:57 10 A. Yes.

09:57 11 Q. P-L-U-G?

09:57 12 A. Yes.

09:57 13 Q. Okay. I didn't catch that. What, when you use the term
09:57 14 "the plug," what are you referring to? What's a plug in terms
09:57 15 of the way you guys discussed it?

09:57 16 A. The connect.

09:57 17 Q. And what's a connect?

09:57 18 A. A person you get heroin from.

09:57 19 Q. A supplier?

09:57 20 A. Yes.

09:57 21 Q. Okay. Keep your voice up because the jury has got to
09:57 22 hear everything you say, and this gentleman in front of you
09:57 23 has got to record everything you say. Okay?

09:57 24 A. Yes.

09:57 25 Q. Keep your voice up.

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09:57 1 Now, I asked you before, do you have personal knowledge
09:57 2 of Mykal Derry supplying other individuals in that area with
09:58 3 heroin. Do you remember that question?

09:58 4 A. Yes.

09:58 5 Q. Do you have personal knowledge of Mykal Derry supplying
09:58 6 other individuals in that area with heroin?

09:58 7 A. Yes.

09:58 8 Q. Okay. I'm going to go through some additional photos.

09:58 9 MR. ASKIN: If I may have one minute, your Honor?

09:58 10 THE COURT: Yes.

09:58 11 MR. ASKIN: Your Honor, these are the photos that are
09:58 12 in evidence that we referred to without objection, 4, 1
09:58 13 through 32, I believe.

09:58 14 THE COURT: In evidence. You may publish.

09:58 15 Government Exhibit 4.

09:58 16 BY MR. ASKIN:

09:58 17 Q. Let me show you the first photograph, Government's
09:58 18 Exhibit 4, Bates page number 1.

09:58 19 MR. ASKIN: If we could pull that up for the jury.
09:58 20 (Document published to jury.)

09:58 21 BY MR. ASKIN:

09:58 22 Q. Do you recognize that individual?

09:58 23 A. Yes.

09:58 24 Q. And with each of these individuals, I want to know the
09:58 25 name, if you know, the name or nickname that you knew the

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09:58 1 individual by, okay, through your own knowledge or what that
 09:59 2 person was referred to. Okay?
 09:59 3 **A. Yes.**
 09:59 4 **Q.** If you don't know their name, then obviously you should
 09:59 5 just tell us that you don't know their name. Okay?
 09:59 6 **A. Yes.**
 09:59 7 **Q.** If you know their nickname, I'm going to ask you to give
 09:59 8 their nickname. And if you don't recognize the person,
 09:59 9 obviously you tell us you don't recognize the person.
 09:59 10 Also, and I just want to caution the witness, I'm
 09:59 11 asking you -- all my questions, Mr. Young, are going to go to
 09:59 12 whether or not you knew this individual on the streets. If
 09:59 13 you met them in court later, we're not asking you that. Okay?
 09:59 14 I should make that clear, that that's the only way you know
 09:59 15 them. Do you understand my instructions on this --
 09:59 16 **A. Yes.**
 09:59 17 **Q.** -- so the record is clear?
 09:59 18 This individual, what did you know her by?
 09:59 19 **A. Amber.**
 09:59 20 **Q.** Okay. And did you know her to know other people that
 09:59 21 were arrested in this case?
 09:59 22 **A. Yes.**
 09:59 23 **Q.** And who did she know, to your knowledge?
 09:59 24 **A. Malik Derry and Mykal Derry.**
 09:59 25 **Q.** Okay. And was she involved in doing anything with Mykal

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10:00 1 Derry that you're aware of with respect to this case?
 10:00 2 **A. Yes.**
 10:00 3 **Q.** What was she doing?
 10:00 4 **A. She was selling crack and driving him up to Paterson**
 10:00 5 **sometimes.**
 10:00 6 **Q.** Driving who up to Paterson?
 10:00 7 **A. Mykal Derry.**
 10:00 8 **Q.** Okay. And did you know that from seeing it or talking to
 10:00 9 them?
 10:00 10 **A. Talking to him.**
 10:00 11 **Q.** Talking to who about it?
 10:00 12 **A. Mykal Derry.**
 10:00 13 **Q.** And he told you that?
 10:00 14 **A. Yes.**
 10:00 15 **Q.** And she also knew Malik Derry?
 10:00 16 **A. Yes.**
 10:00 17 **Q.** Was she, to your knowledge, was she providing Malik Derry
 10:00 18 with anything at any point?
 10:00 19 **A. Yes.**
 10:00 20 **Q.** What was she providing him with?
 10:00 21 **A. Crack.**
 10:00 22 **Q.** How do you know that?
 10:00 23 **A. He told me and I seen him pull up one time.**
 10:00 24 **Q.** Who told you that he was -- who told you that Malik was
 10:00 25 getting crack from Amber?

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10:00 1 **A. Malik Derry.**
 10:00 2 **Q.** Go to -- did you know where Amber -- do you know where
 10:00 3 she -- generally where she lived? Where she was from?
 10:00 4 **A. No.**
 10:00 5 **Q.** Okay.
 10:01 6 **MR. ASKIN:** I ask the witness be shown photo number 2
 10:01 7 of Government's Exhibit 4.
 10:01 8 **THE COURT:** All right.
 10:01 9 (Document published to jury.)
 10:01 10 **BY MR. ASKIN:**
 10:01 11 **Q.** Do you recognize this male?
 10:01 12 **A. Yes.**
 10:01 13 **Q.** Okay. Do you know his real name?
 10:01 14 **A. Aree Toulson.**
 10:01 15 **Q.** And what is -- did he use a name or nickname when he was
 10:01 16 on the street?
 10:01 17 **A. B-At.**
 10:01 18 **Q.** Did you refer to him by that nickname?
 10:01 19 **A. Yes.**
 10:01 20 **Q.** Did you hear others that were arrested in this case refer
 10:01 21 to him by that nickname?
 10:01 22 **A. Yes.**
 10:01 23 **Q.** Was he involved -- when you were on the street and he was
 10:01 24 out there between July of 2011 and February of 2013, did you
 10:01 25 know Mr. Toulson to be involved in any criminal activity?

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10:01 1 **A. Yes.**
 10:01 2 **Q.** What was he doing?
 10:01 3 **A. Selling heroin.**
 10:01 4 **Q.** And where was he selling the heroin? What places -- name
 10:01 5 the places that you know him to be selling heroin.
 10:01 6 **A. Stanley Holmes, Brown's Park, and his job at Bally's.**
 10:02 7 **Q.** I didn't -- I don't think we caught the last one.
 10:02 8 Stanley Holmes. What were the others?
 10:01 9 **A. Brown's Park and his job at Bally's. Bally's.**
 10:02 10 **Q.** Okay. If I understand your testimony, for a period of
 10:02 11 time while Mr. Toulson was selling heroin, was he employed
 10:02 12 somewhere in Atlantic City?
 10:02 13 **A. Yes.**
 10:02 14 **Q.** And where was that?
 10:02 15 **A. Bally's.**
 10:02 16 **Q.** Bally's, one of the casinos?
 10:02 17 **A. Yes.**
 10:02 18 **Q.** And what was he doing with respect to illegal activity
 10:02 19 while he was at Bally's, with respect to Bally's?
 10:02 20 **A. Selling his heroin.**
 10:02 21 **Q.** To whom?
 10:02 22 **A. To his customers.**
 10:02 23 **Q.** Were some of them associated with Bally's?
 10:02 24 **A. Yes, some people that worked there.**
 10:02 25 **Q.** Now, how do you know that?

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10:02 1 A. He told me.

10:02 2 Q. During 2012 and the early part of 2013, while you were

10:02 3 both on the street, who was supplying Aree Toulson with

10:02 4 heroin?

10:02 5 A. Mykal Derry.

10:02 6 Q. Now, do you know whether or not Mr. Toulson was being

10:03 7 fronted heroin by Mr. Derry?

10:03 8 A. No.

10:03 9 Q. Do you know whether Mr. Toulson did anything with his

10:03 10 money with respect to Mr. Derry's money and heroin?

10:03 11 A. Yes.

10:03 12 Q. Okay. Could you explain that to the jury?

10:03 13 A. He was sending -- Mykal Derry would go up to Paterson to

10:03 14 the supplier to get dope, heroin. Aree Toulson would send his

10:03 15 money up with him to get it for a cheaper price.

10:03 16 Q. Okay. How do you know that?

10:03 17 A. They told me.

10:03 18 Q. Who told you?

10:03 19 A. Mykal Derry and Aree Toulson.

10:03 20 Q. Okay. And did you know what the cheaper price was per

10:03 21 brick or approximately what the cheaper price per brick was?

10:03 22 Were you ever told that?

10:03 23 A. I forget.

10:03 24 Q. Okay. Well, do you know whether or not it was a cheaper

10:03 25 price than what you were paying --

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10:03 1 A. Yes.

10:03 2 Q. -- to Mykal Derry?

10:03 3 A. Yes.

10:03 4 Q. Okay. Did you ever have that discussion, knowing this,

10:03 5 with Mykal Derry or any discussion about that with Mykal

10:03 6 Derry?

10:03 7 A. Yes.

10:03 8 Q. And what was the discussion about sending your money up?

10:04 9 What was the discussion about?

10:04 10 A. He told me I might as well send my money up, too, and I

10:04 11 told him no.

10:04 12 Q. Who told you you could send your money up, too?

10:04 13 A. Mykal Derry.

10:04 14 Q. And did you understand him to be meaning that you could

10:04 15 combine your money with his and send it to Paterson before he

10:04 16 got the dope from the Paterson suppliers?

10:04 17 A. Yes.

10:04 18 Q. He told you you could do that, and you told him no?

10:04 19 A. Yes.

10:04 20 Q. Why did you tell him no?

10:04 21 A. Because I didn't trust it.

10:04 22 Q. Okay. And when you say you don't -- you didn't trust it,

10:04 23 you have to explain. Why didn't you trust it? What were you

10:04 24 afraid might happen?

10:04 25 A. There was a big risk of him getting locked up with my

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10:04 1 money.

10:04 2 Q. And if he got locked up with your money, did you think

10:04 3 you would get your money back?

10:04 4 A. No.

10:04 5 Q. Is that why you didn't send your money up to Paterson in

10:04 6 advance with him?

10:04 7 A. Yes.

10:04 8 Q. Was Mr. Toulson, when he was out there in 2012 and 2013

10:04 9 getting heroin from Mykal Derry, was this a once in a while

10:04 10 thing or did he do it a lot?

10:04 11 A. A lot.

10:04 12 Q. Selling heroin a lot?

10:04 13 A. Yes.

10:04 14 Q. In those areas that you described?

10:05 15 A. Yes.

10:05 16 Q. What type of quantities of heroin was he purchasing from

10:05 17 Mykal Derry?

10:05 18 A. Bricks.

10:05 19 Q. One brick at a time or multiple bricks?

10:05 20 A. Multiple.

10:05 21 Q. Did you see Mr. Toulson ever in possession of any other

10:05 22 illegal items?

10:05 23 A. Yes.

10:05 24 Q. What?

10:05 25 A. A firearm.

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10:05 1 Q. Okay. Do you recall where you saw that, if you remember?

10:05 2 A. I forget.

10:05 3 Q. Okay. Now, what was Mr. Toulson engaged in? What was he

10:05 4 doing in terms of making money when he possessed that firearm?

10:05 5 A. I don't understand.

10:05 6 Q. You don't understand my question?

10:05 7 A. No.

10:05 8 Q. You said Mr. Toulson was engaged in selling heroin,

10:05 9 correct?

10:05 10 A. Yes.

10:05 11 Q. And you told us, the jury, the locations of the places

10:05 12 that he was selling heroin, Stanley Holmes, Brown's Park,

10:06 13 Bally's, right?

10:06 14 A. Yes.

10:06 15 Q. Was he doing that -- I believe you said he was doing that

10:06 16 a lot, correct, during 2012 and the early part of 2013 when

10:06 17 you were around?

10:06 18 A. Yes.

10:06 19 Q. Okay. When he possessed that firearm, was he engaged in

10:06 20 any illegal activity, to your knowledge?

10:06 21 A. Yes. He was selling heroin.

10:06 22 MR. ASKIN: Show him the next photo, Government's

10:06 23 Exhibit 3. I'm sorry, it's Government's Exhibit 4, photo 3.

10:06 24 (Document published to jury.)

10:06 25 BY MR. ASKIN:

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10:06 1 Q. Do you recognize that male?
 10:06 2 A. **Yes.**
 10:06 3 Q. And who is that?
 10:06 4 A. **Dominique Venable.**
 10:06 5 Q. Did he have a particular nickname that you referred to
 10:06 6 him by?
 10:06 7 A. **Poppi-what-you-need.**
 10:06 8 Q. Did you know others arrested in this case to refer to him
 10:06 9 by that nickname?
 10:06 10 A. **Yes.**
 10:06 11 Q. Once in a while or all the time?
 10:06 12 A. **All the time.**
 10:06 13 Q. How long, approximately, have you known Mr. Venable, who
 10:06 14 you knew as Poppi-what-you-need?
 10:06 15 A. **Since 2007.**
 10:07 16 Q. And when you were both on the street, was, to your
 10:07 17 personal knowledge, Mr. Venable be engaged in any criminal
 10:07 18 activity?
 10:07 19 A. **Yes.**
 10:07 20 Q. What was he engaged in? What was he doing?
 10:07 21 A. **Selling heroin.**
 10:07 22 Q. Where was he selling the heroin?
 10:07 23 A. **Renaissance Plaza, Brown's Park, Stanley Holmes.**
 10:07 24 Q. During 2012 and the early part of 2013 before you went to
 10:07 25 Florida, where was Mr. Venable getting the heroin that he was

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10:07 1 supplied with? Do you know who his supplier or suppliers
 10:07 2 were?
 10:07 3 A. **He had two.**
 10:07 4 Q. And who were they?
 10:07 5 A. **Mykal Derry and Haneef Cooper.**
 10:07 6 Q. Did Haneef Cooper go by a particular name or another name
 10:07 7 or another nickname or names?
 10:07 8 A. **Yes, Fat Neef.**
 10:07 9 Q. Okay. And was Fat Neef, did you know -- to the best of
 10:07 10 your knowledge, did you know him to be related to someone else
 10:08 11 in the case?
 10:08 12 A. **Yes.**
 10:08 13 Q. And who is that?
 10:08 14 A. **Ibn Abdullah.**
 10:08 15 Q. What was the relationship -- as far as the best of your
 10:08 16 knowledge, what was their relationship?
 10:08 17 A. **They were brothers.**
 10:08 18 Q. Okay. Was Haneef Cooper, you said he was -- Dominique
 10:08 19 Venable was being supplied with heroin by Haneef Cooper, Fat
 10:08 20 Neef, who is Ibn Abdullah's brother, right?
 10:08 21 A. **Yes.**
 10:08 22 Q. And you said also by Mykal Derry, correct?
 10:08 23 A. **Yes.**
 10:08 24 Q. Was Haneef Cooper someone that you knew?
 10:08 25 A. **Yes.**

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10:08 1 Q. Did you know Haneef Cooper to be involved in criminal
 10:08 2 activity?
 10:08 3 A. **Yes.**
 10:08 4 Q. You personally?
 10:08 5 A. **Yes.**
 10:08 6 Q. What was he doing?
 10:08 7 A. **He was selling heroin, carrying guns, and he was**
 10:08 8 **supplying us with guns.**
 10:08 9 Q. Okay. And where was Cooper -- where was Cooper
 10:08 10 distributing heroin? What are some of the areas he was
 10:08 11 distributing heroin, if you know?
 10:08 12 A. **Throughout Atlantic City.**
 10:08 13 Q. Okay. And what kind of quantities of heroin was he
 10:08 14 distributing, like in what format? What kind of quantities
 10:09 15 was he distributing?
 10:09 16 A. **Bricks.**
 10:09 17 Q. Okay. You said that he was carrying guns. Did you see
 10:09 18 him in possession of guns?
 10:09 19 A. **Yes.**
 10:09 20 Q. Did -- on one occasion or more than one occasion?
 10:09 21 A. **More than one.**
 10:09 22 Q. Now, you said he was supplying us with guns. Do you
 10:09 23 remember saying that?
 10:09 24 A. **Yes.**
 10:09 25 Q. I'm not talking -- we have a photo, for the record, up of

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10:09 1 Dominique Venable, but you're referring now to Fat Neef or
 10:09 2 Haneef Cooper, correct?
 10:09 3 A. **Yes.**
 10:09 4 Q. I want to make the record clear, I'm referring to Fat
 10:09 5 Neef or Haneef Cooper. When you say he supplied us with guns,
 10:09 6 which guys? Who do you remember talking to him and acquiring,
 10:09 7 getting guns from him? Do you remember which guys?
 10:09 8 A. **Ibn Abdullah, myself, Mace Head.**
 10:09 9 Q. What's Mace Head's real name, do you know?
 10:09 10 A. **Terry Davis. Bread and Baby Boy. There's a couple**
 10:10 11 **others I forget though.**
 10:10 12 Q. Okay. So, you knew Haneef Cooper to supply guns to all
 10:10 13 those guys?
 10:10 14 A. **Yes.**
 10:10 15 Q. Okay. Now, Mr. Venable, where was he distributing the
 10:10 16 heroin that he got from Mykal Derry and Haneef Cooper?
 10:10 17 A. **Atlantic Avenue, Brown's Park, Stanley Holmes.**
 10:10 18 Q. Okay. And was this, for Mr. Venable, when you were both
 10:10 19 out on the street, was, in 2012 -- when you were both out on
 10:10 20 the street in 2012, did -- I'm sorry. I lost my train of
 10:10 21 thought.
 10:10 22 When you were both out on the street in 2012, Venable
 10:10 23 was distributing heroin, and you testified about that, right?
 10:10 24 A. **Yes.**
 10:10 25 Q. Okay. He was getting heroin from Mykal Derry. Where --

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10:11 1 did you see him in possession of any items that were illegal?
 10:11 2 A. Yes.
 10:11 3 Q. And what was he in possession of?
 10:11 4 A. A firearm and heroin.
 10:11 5 Q. Okay. And did you see him in possession of any
 10:11 6 particular guns that you described?
 10:11 7 A. Yes.
 10:11 8 Q. Okay. What type of gun specifically did you see Mr.
 10:11 9 Venable in possession of on -- well, what type of gun do you
 10:11 10 remember -- is there a particular gun that you remember Mr.
 10:11 11 Venable being in possession of?
 10:11 12 A. Yes.
 10:11 13 Q. And what kind of gun was it?
 10:11 14 A. I believe it was a sawed-off .22 rifle.
 10:11 15 Q. Okay. And did you describe that to us in earlier
 10:11 16 interviews?
 10:11 17 A. Yes.
 10:11 18 Q. When you described the gun to us, Special Agent Kopp and
 10:11 19 myself, before you described it, had we presented you any
 10:11 20 photos of it or shown you any photos of it?
 10:11 21 A. No.
 10:11 22 Q. Did the weapon -- can you describe what it looked like in
 10:12 23 terms of any specific things you remember about it?
 10:12 24 A. The way I phrased it?
 10:12 25 Q. Yes.

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10:12 1 A. A big doofy gun.
 10:12 2 Q. Okay. But also, can you describe what it -- was it a
 10:12 3 pistol or a rifle or a shotgun; do you remember? What kind
 10:12 4 was it?
 10:12 5 A. I believe it was a rifle.
 10:12 6 Q. Okay. And was it -- rifles usually have a long stock and
 10:12 7 a long barrel, right?
 10:12 8 A. Yes.
 10:12 9 Q. Did it look like that?
 10:12 10 A. No.
 10:12 11 Q. What had happened to the stock and the barrel, if
 10:12 12 anything?
 10:12 13 A. The barrel was sawed off.
 10:12 14 Q. Okay. Was there anything else on the gun?
 10:12 15 A. A shoestring.
 10:12 16 Q. And that was attached to it?
 10:12 17 A. Yes.
 10:12 18 Q. Okay. And did you see this gun in the possession of
 10:12 19 someone on the street?
 10:12 20 A. Yes.
 10:12 21 Q. Do you recall that this gun -- was this gun ever taken
 10:12 22 from somebody on the street?
 10:12 23 A. Yes.
 10:12 24 Q. And who was it taken from?
 10:12 25 A. Dominique Venable.

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10:12 1 MR. MADDEN: Objection, lack of personal knowledge.
 10:12 2 BY MR. ASKIN:
 10:12 3 Q. Do you have personal knowledge of this?
 10:12 4 A. Yes.
 10:12 5 Q. Okay. And how is it that you know about that gun being
 10:12 6 taken off the street?
 10:12 7 A. He was locked up. Someone told me he was locked up, and
 10:13 8 then when he came home, he also told me that he was locked up
 10:13 9 with the big doofy gun.
 10:13 10 Q. Okay. Who told you that he was locked up with that gun?
 10:13 11 No, no, no, I'm asking -- you said -- you were referring to
 10:13 12 somebody told you something and then he told you, the second
 10:13 13 person told you, right, that he was locked up with the gun?
 10:13 14 A. Yes.
 10:13 15 Q. Who is the person who said -- if I understood your
 10:13 16 testimony, you're saying someone told you, hey, I was locked
 10:13 17 up with this gun, right?
 10:13 18 A. Yes.
 10:13 19 Q. Who is the he? Who are you talking about? Who told you
 10:13 20 they were locked up with that gun?
 10:13 21 A. Dominique Venable.
 10:13 22 Q. When did he tell you that?
 10:13 23 A. After he had come home.
 10:13 24 Q. After he had come home, like shortly after he was
 10:13 25 released from the arrest or custody on that case?

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10:13 1 A. No. He had -- I believe they had released him on his own
 10:13 2 reconnaissance. I guess he was going to sign out for -- he
 10:13 3 was supposed to sign a plea, and I guess they gave him some
 10:13 4 days on the street before he had to turn himself back in.
 10:13 5 Q. Okay. And is that when you believe he told you about
 10:14 6 getting arrested with this sawed-off rifle?
 10:14 7 A. Yes.
 10:14 8 Q. Okay. And you personally have seen that gun?
 10:14 9 A. Yes.
 10:14 10 Q. Now, did Mr. Venable tell you at some point something
 10:14 11 else about the -- that gun?
 10:14 12 A. Yes.
 10:14 13 Q. What did he tell you?
 10:14 14 A. That he had used it in a shooting.
 10:14 15 Q. Okay. And where had he used the gun in a shooting?
 10:14 16 A. Back Maryland.
 10:14 17 Q. Okay. And Back Maryland, is that a neighborhood in
 10:14 18 Atlantic City?
 10:14 19 A. Yes.
 10:14 20 Q. Are you familiar with that neighborhood in Atlantic City?
 10:14 21 A. Yes.
 10:14 22 Q. Did you spend -- in 2012 and 2013, did you spend a lot of
 10:14 23 time back in Back Maryland?
 10:14 24 A. No.
 10:14 25 Q. Why not?

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10:14 1 A. **Because they was our rivals. That's who we was beefing**
 10:14 2 **with.**
 10:14 3 Q. Who was --
 10:14 4 MR. MADDEN: Objection to beefing.
 10:14 5 MR. ASKIN: Well, I'll ask him a follow-up to clear
 10:14 6 it up.
 10:14 7 THE COURT: All right.
 10:14 8 BY MR. ASKIN:
 10:14 9 Q. Was there any illegal activity going on in the Back
 10:15 10 Maryland section that you're aware of?
 10:15 11 A. **Yes.**
 10:15 12 Q. And what was going on back there?
 10:15 13 A. **A lot of shootings.**
 10:15 14 Q. Okay. And were -- were they doing other things back
 10:15 15 there in addition to the shootings?
 10:15 16 A. **Selling drugs.**
 10:15 17 Q. Okay. Was that something that you or Mr. Mykal Derry, to
 10:15 18 your knowledge, were involved in?
 10:15 19 A. **Yes.**
 10:15 20 Q. No, no, no, I don't mean generally. I mean, were you
 10:15 21 involved in it with these Back Maryland guys that you're
 10:15 22 talking about?
 10:15 23 A. **No.**
 10:15 24 Q. Was that a separate thing?
 10:15 25 A. **Yes.**

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10:15 1 Q. Okay. And these guys that were distributing drugs and
 10:15 2 involved in shootings in Back Maryland, you said that there
 10:15 3 was a beef with them?
 10:15 4 A. **Yes.**
 10:15 5 Q. Okay. Generally, if those guys from Back Maryland, those
 10:15 6 drug dealers from Back Maryland were -- in 2012 and 2013, did
 10:15 7 you facially -- could you recognize some of those guys if we
 10:15 8 show you photos of the Back Maryland drug dealers?
 10:15 9 A. **Yes.**
 10:15 10 Q. If you saw them in the area of Brown's Park or Stanley
 10:16 11 Holmes, you, Mykal Derry, the others, what would happen? What
 10:16 12 would happen when they would be seen?
 10:16 13 A. **They would be shot or shot at.**
 10:16 14 Q. Okay. Were there times that it went the other way,
 10:16 15 that -- do you recall anytime when you were in Stanley Holmes
 10:16 16 with some other guys and something happened to you?
 10:16 17 A. **Yes.**
 10:16 18 Q. Okay. What happened?
 10:16 19 A. **I was shot at.**
 10:16 20 Q. Okay. Who were you with at the time?
 10:16 21 A. **I was with Abdul Bailey, Jermaine Reynolds, Sandman.**
 10:16 22 **There was a couple of -- there was a lot of people out there.**
 10:16 23 Q. Okay. And do you remember what village you were in, if
 10:16 24 you know?
 10:16 25 A. **First.**

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10:16 1 Q. Okay. And was this one of the days you were selling
 10:17 2 drugs?
 10:17 3 A. **Yes.**
 10:17 4 Q. Okay. Were these other guys, Jermaine Reynolds and
 10:17 5 Sandman, guys that you hung out -- around with?
 10:17 6 A. **Yes.**
 10:17 7 Q. Were they involved in criminal activity?
 10:17 8 A. **Yes.**
 10:17 9 Q. At the time?
 10:17 10 A. **Yes.**
 10:17 11 Q. What did they do? Jermaine Reynolds, let's start with
 10:17 12 him, what was his nickname?
 10:17 13 A. **Bam.**
 10:17 14 Q. And what was he involved with?
 10:17 15 A. **Selling crack and heroin and carrying guns.**
 10:17 16 Q. Okay. And did he have a particular role out there that
 10:17 17 he was involved in that you would describe?
 10:17 18 A. **Yes.**
 10:17 19 Q. What was he?
 10:17 20 A. **He was an enforcer.**
 10:17 21 Q. What did it mean to be an enforcer?
 10:17 22 A. **He was the shooter.**
 10:17 23 Q. Okay. And you knew that from being around him?
 10:17 24 A. **Yes.**
 10:17 25 Q. Okay. What happened when you were out -- you said you

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10:17 1 were out there with Bam, Jermaine Reynolds, Sandman, and some
 10:17 2 other guys in Stanley Holmes, correct?
 10:17 3 A. **Yes.**
 10:17 4 Q. Were you selling drugs at the time?
 10:17 5 A. **Yes.**
 10:17 6 Q. And you got shot at, right?
 10:17 7 A. **Yes.**
 10:17 8 Q. Did you have a gun on you at the time, if you recall?
 10:17 9 A. **No.**
 10:18 10 Q. Okay.
 10:18 11 A. **I don't -- did I? I don't believe I did.**
 10:18 12 Q. Okay. But you did carry a gun out there a lot, correct?
 10:18 13 A. **Yes.**
 10:18 14 Q. Not every time, but a lot, right?
 10:18 15 A. **Yes.**
 10:18 16 Q. Okay. Do you know from what happened whether Jermaine
 10:18 17 Reynolds and Sandman had guns on them?
 10:18 18 A. **Yes.**
 10:18 19 Q. Did they have guns on them?
 10:18 20 A. **Yes.**
 10:18 21 Q. You got shot at. Was this one shot fired or were there a
 10:18 22 lot of shots fired, if you remember?
 10:18 23 A. **There was multiple gunshots.**
 10:18 24 Q. Fired in your direction?
 10:18 25 A. **Yes.**

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- 10:18 1 Q. Were any of you hit?
- 10:18 2 A. No.
- 10:18 3 Q. Okay. In response to that, what did anyone in your group
- 10:18 4 do?
- 10:18 5 A. **They shot back.**
- 10:18 6 Q. And who shot back at the Back Maryland guys?
- 10:18 7 A. **Jermaine Reynolds and Sandman.**
- 10:18 8 Q. Now, when you're selling drugs at the time, you talked
- 10:18 9 about fiends, customers, right, clientele, correct?
- 10:18 10 A. Yes.
- 10:18 11 Q. When you're selling drugs, is it fair to say that you're
- 10:19 12 trying to sell them to as many customers as you can?
- 10:19 13 A. Yes.
- 10:19 14 Q. What are you selling drugs to do? Are you selling it as
- 10:19 15 a public service or is it to make money? Why were you selling
- 10:19 16 drugs?
- 10:19 17 A. **To make money.**
- 10:19 18 Q. Okay. You wanted to make more money or less money when
- 10:19 19 you're out there selling?
- 10:19 20 A. **More.**
- 10:19 21 Q. Were there concerns that if people were shooting at you
- 10:19 22 while you were selling drugs, that that would affect the
- 10:19 23 customers in some way?
- 10:19 24 A. Yes.
- 10:19 25 Q. And what was the concern with respect to the customers if

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- 10:19 1 you're out there in the Stanley Holmes selling drugs and these
- 10:19 2 Back Maryland guys come over and they start shooting at you,
- 10:19 3 what's the concern?
- 10:19 4 A. **They're going to run our customers away and we wouldn't**
- 10:19 5 **be able to sell no drugs around there.**
- 10:19 6 Q. Okay. So, because of that, was there a particular
- 10:19 7 reaction to these guys shooting at you?
- 10:19 8 A. Yes.
- 10:19 9 Q. Okay. And what was the reaction to be -- were there
- 10:19 10 discussions about what needed to be done about it?
- 10:19 11 A. Yes.
- 10:19 12 Q. Okay. Amongst the guys who were selling drugs in your
- 10:20 13 group?
- 10:20 14 A. Yes.
- 10:20 15 Q. And what were the discussions generally about these Back
- 10:20 16 Maryland guys and what needed to be done, if anything?
- 10:20 17 A. **We supposed to kill them on sight.**
- 10:20 18 Q. You were present for those discussions?
- 10:20 19 A. Yes.
- 10:20 20 Q. Who else do you remember being involved in some of those
- 10:20 21 discussions?
- 10:20 22 A. **Mykal Derry, Kareem Bailey, Buck, Jermaine Reynolds,**
- 10:20 23 **Bread, Dirt, Ibn, a lot of them.**
- 10:20 24 Q. Did these discussions occur on one day or were there
- 10:20 25 multiple times these kinds of things were discussed?

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- 10:20 1 A. **Multiple.**
- 10:20 2 Q. Were there other groups that you were feuding out there
- 10:20 3 or beefing with in the same manner?
- 10:20 4 A. Yes.
- 10:21 5 Q. Okay. We'll get to that later.
- 10:21 6 With respect to Mr. Venable, we still have his photo
- 10:21 7 up. Oh, we don't have his photo up. Sorry.
- 10:21 8 MR. ASKIN: Can you put his photo back up for a
- 10:21 9 minute? Thank you.
- 10:21 10 BY MR. ASKIN:
- 10:21 11 Q. With respect to Venable, at some point do you remember
- 10:21 12 him going into custody at the Atlantic County jail or turning
- 10:21 13 himself in to the Atlantic County jail at some point?
- 10:21 14 A. Yes.
- 10:21 15 Q. And what, if anything, happened with respect to Mr.
- 10:21 16 Venable before he turned himself in to the Atlantic County
- 10:21 17 jail that was unusual, if you recall?
- 10:21 18 A. **I believe he took -- he was in the process of trying to**
- 10:21 19 **take, smuggle drugs inside of the county before he turned**
- 10:21 20 **himself in.**
- 10:21 21 Q. And how was he going to do that? Go ahead.
- 10:21 22 A. **You want me to say it?**
- 10:21 23 Q. Yes.
- 10:21 24 A. **He was trying to smuggle the drugs and put it through his**
- 10:21 25 **anus.**

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- 10:21 1 Q. When he was turning himself in to the jail?
- 10:21 2 A. Yes.
- 10:21 3 Q. And who were those drugs supposed to go to, if you know?
- 10:21 4 A. **Hollywood and Mykal Derry's cousin.**
- 10:22 5 Q. Do you remember his cousin's name or nickname?
- 10:22 6 A. **King Jaffe.**
- 10:22 7 Q. King Jaffe? Who is Hollywood; do you know his real name?
- 10:22 8 A. **Jamil Hunter.**
- 10:22 9 Q. Okay. And who was this King Jaffe in relation to Mykal
- 10:22 10 Derry, as far as you knew?
- 10:22 11 A. **His cousin.**
- 10:22 12 Q. Is he a guy you knew from Atlantic City?
- 10:22 13 A. Yes.
- 10:22 14 Q. And these guys were in custody at the Atlantic County
- 10:22 15 jail at the time?
- 10:22 16 A. Yes.
- 10:22 17 Q. Now, do you know if when -- well, first of all, let's
- 10:22 18 establish for the record, how did you know about Dominique
- 10:22 19 Venable trying to smuggle drugs inside his body into the
- 10:22 20 Atlantic County jail; how do you know about that?
- 10:22 21 A. **Because he was telling me one day, we was walking down**
- 10:22 22 **Atlantic Avenue, I was in the process of buying him some sweat**
- 10:22 23 **pants because he allowed to bring sweat pants inside Atlantic**
- 10:22 24 **County, some gray sweats, and he was telling me that people**
- 10:22 25 **was going to give him the drugs. And plus he was talking to**

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- 10:22 **1** **Hollywood when we was inside a store, Hollywood was telling**
 10:23 **2** **him to bring some drugs for him, too, when he turned himself**
 10:23 **3** **in.**
 10:23 **4** **Q.** Hollywood was turning himself in?
 10:23 **5** **A.** **No, Dominique Venable was turning himself in.**
 10:23 **6** **Q.** But was Hollywood on the street or -- I'm a little
 10:23 **7** confused as to how he was telling Hollywood or how he had a
 10:23 **8** discussion with Hollywood.
 10:23 **9** **A.** **Hollywood was in Atlantic County jail, he was on a**
 10:23 **10** **three-way call.**
 10:23 **11** **Q.** With Venable?
 10:23 **12** **A.** **Yes.**
 10:23 **13** **Q.** Did you also have any discussions with anybody else in
 10:23 **14** the group about Dominique Venable with -- did you ever have
 10:23 **15** any discussions with anyone else about this, about Venable
 10:23 **16** turning himself in to the jail, if you recall? Do you
 10:23 **17** remember?
 10:23 **18** **A.** **Not that I remember.**
 10:23 **19** **Q.** Okay. We'll come back to it.
 10:23 **20** Venable, you said that Venable was involved, he told
 10:23 **21** you he was involved in a shooting with that sawed off rifle
 10:23 **22** somewhere, correct?
 10:23 **23** **A.** **Yes.**
 10:23 **24** **Q.** What section of the city did that happen in?
 10:23 **25** **A.** **Back Maryland.**

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- 10:23 **1** **Q.** Did Venable tell you whether he was alone or with others?
 10:23 **2** **A.** **He was with Jermaine Reynolds.**
 10:23 **3** **Q.** Bam?
 10:23 **4** **A.** **Yes.**
 10:23 **5** **Q.** One of the guys you said was an enforcer?
 10:24 **6** **A.** **Yes.**
 10:24 **7** **Q.** And did he tell you where that shooting happened in Back
 10:24 **8** Maryland?
 10:24 **9** **A.** **In back of his girlfriend house.**
 10:24 **10** **Q.** Who was his girlfriend?
 10:24 **11** **A.** **Barb.**
 10:24 **12** **Q.** So, Barb in Back Maryland was a girlfriend of Dominique
 10:24 **13** Venable?
 10:24 **14** **A.** **Yes.**
 10:24 **15** **Q.** And there was an incident where Venable told you he fired
 10:24 **16** that rifle near Barb's house?
 10:24 **17** **A.** **Yes.**
 10:24 **18** **Q.** And Jermaine Reynolds was with him?
 10:24 **19** **A.** **Yes.**
 10:24 **20** **Q.** And that was before you guys got arrested in -- before
 10:24 **21** these guys were arrested in March of 2013?
 10:24 **22** **A.** **Yes.**
 10:24 **23** **Q.** I show you the next photo, which is Government's Exhibit
 10:24 **24** 4, photo number 4.
 10:24 **25** (Document published to jury.)

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- 1** BY MR. ASKIN:
 10:24 **2** **Q.** Do you recognize that individual?
 10:24 **3** **A.** **Yes.**
 10:24 **4** **Q.** And what's his name?
 10:24 **5** **A.** **Tweak, Dwayne Townsend.**
 10:24 **6** **Q.** Was anyone who was arrested in this case related to him?
 10:25 **7** **A.** **Yes.**
 10:25 **8** **Q.** Who?
 10:25 **9** **A.** **Me.**
 10:25 **10** **Q.** Okay. And who is Dwayne Townsend in relation to you?
 10:25 **11** **A.** **My little cousin.**
 10:25 **12** **Q.** So, have you known Dwayne Townsend most of his life?
 10:25 **13** **A.** **Yes.**
 10:25 **14** **Q.** Is he younger or older than you, if you know?
 10:25 **15** **A.** **Younger.**
 10:25 **16** **Q.** Was he involved in any criminal activity when he was out
 10:25 **17** on the street in 2012 and the early part of 2013?
 10:25 **18** **A.** **Yes.**
 10:25 **19** **Q.** What was he involved with?
 10:25 **20** **A.** **Selling heroin.**
 10:25 **21** **Q.** And where was he selling that heroin?
 10:25 **22** **A.** **Renaissance Plaza.**
 10:25 **23** **Q.** And where, if you know, where was he getting the heroin
 10:25 **24** that he was supplying? Who was supplying Dwayne Townsend with
 10:25 **25** heroin?

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- 1** **A.** **Mykal Derry.**
 10:25 **2** **Q.** And what quantities was Mr. Townsend, if you know,
 10:25 **3** purchasing from Mykal Derry?
 10:25 **4** **A.** **Bricks and bundles.**
 10:25 **5** **Q.** Do you know whether, if you know, do you recall whether
 10:25 **6** he was being fronted by Mykal Derry?
 10:25 **7** **A.** **Yes.**
 10:25 **8** **Q.** He was?
 10:25 **9** **A.** **Yes.**
 10:25 **10** **Q.** Okay. I show you photograph number 5 of this series,
 10:26 **11** Government's Exhibit 4.
 10:26 **12** (Document published to jury.)
 10:26 **13** BY MR. ASKIN:
 10:26 **14** **Q.** Do you recognize that male?
 10:26 **15** **A.** **Yes.**
 10:26 **16** **Q.** What's his -- what name or nickname do you know him by?
 10:26 **17** **A.** **Fat Frank.**
 10:26 **18** **Q.** Okay. When you were both out on the street, did you know
 10:26 **19** him to be involved in criminal activity in Atlantic City?
 10:26 **20** **A.** **Yes.**
 10:26 **21** **Q.** What was he involved in?
 10:26 **22** **A.** **Selling heroin.**
 10:26 **23** **Q.** Okay. In this -- the individuals arrested in this case,
 10:26 **24** did you know him to be hanging out with any of the individuals
 10:26 **25** in this case?

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10:26 1 A. **Yes.**
 10:26 2 Q. And who is that?
 10:26 3 A. **Tyrone Ellis.**
 10:26 4 Q. Okay. Go to the next photo, Government's photo 6.
 10:26 5 (Document published to jury.)
 10:26 6 BY MR. ASKIN:
 10:26 7 Q. Do you recognize that male?
 10:27 8 A. **Yes.**
 10:27 9 Q. And what's his name?
 10:27 10 A. **Ibn Abdullah.**
 10:27 11 Q. And what do they refer to him as?
 10:27 12 A. **Ib.**
 10:27 13 Q. Ib, like 1-B?
 10:27 14 A. **Yes.**
 10:27 15 Q. Do you call him Ib?
 10:27 16 A. **Yes.**
 10:27 17 Q. Did other guys call him Ib?
 10:27 18 A. **Yes.**
 10:27 19 Q. During this period of 2012, after you started getting
 10:27 20 heroin from Mr. Ellis until you left for Florida in 2013,
 10:27 21 early 2013, what was Ibn Abdullah -- what, if any, criminal
 10:27 22 activity was Ibn Abdullah involved in?
 10:27 23 A. **Selling drugs.**
 10:27 24 Q. And what drugs was he selling?
 10:27 25 A. **Heroin.**

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10:27 1 Q. Okay. And who was supplying Ibn Abdullah, which
 10:27 2 individual or individuals were supplying Ibn Abdullah with
 10:27 3 heroin that he was distributing?
 10:27 4 A. **Mykal Derry and his brother.**
 10:27 5 Q. And his brother's name is what again?
 10:27 6 A. **Haneef Cooper.**
 10:27 7 Q. So, you knew Ibn Abdullah to be supplied by both Ibn
 10:27 8 I'm sorry, Haneef Cooper and Mykal Derry?
 10:27 9 A. **Yes.**
 10:27 10 Q. If you know, what kind of quantities of heroin was Ibn
 10:28 11 Abdullah acquiring or getting from Mykal Derry?
 10:28 12 A. **Bricks.**
 10:28 13 Q. Did he do this once or multiple times?
 10:28 14 A. **Multiple.**
 10:28 15 Q. How often was Ibn Abdullah selling heroin when he was out
 10:28 16 on the street?
 10:28 17 A. **Every day.**
 10:28 18 Q. And where were some of the places that Ibn Abdullah was
 10:28 19 selling that heroin?
 10:28 20 A. **Schoolhouse, Brown's Park, sometimes Stanley Holmes.**
 10:28 21 Q. Okay. Did you know of some issue with Ibn Abdullah, if
 10:28 22 you know, with respect to the Stanley Holmes property when he
 10:28 23 was out there?
 10:28 24 A. **He was banned from coming around there.**
 10:28 25 Q. And when you say banned from coming around there, you

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10:28 1 mean he wasn't allowed inside the Stanley Holmes Village?
 10:28 2 A. **Yes.**
 10:28 3 Q. How did you know about that?
 10:28 4 A. **He told me. I was there one day and he got locked up for
 10:28 5 being around there.**
 10:28 6 Q. So, for some reason he wasn't really permitted to be in
 10:28 7 there; is that right?
 10:28 8 A. **Yes.**
 10:28 9 Q. Did they consider it like a trespassing and they locked
 10:28 10 him up for it?
 10:28 11 A. **Yes.**
 10:28 12 Q. Okay. Nevertheless, did he at times come into Stanley
 10:29 13 Holmes Village?
 10:29 14 A. **Yes.**
 10:29 15 Q. Most of the time, though, did he sell the heroin he was
 10:29 16 getting from Mykal Derry and his brother inside Stanley Holmes
 10:29 17 or in areas outside of Stanley Holmes?
 10:29 18 A. **Around, areas around Stanley Holmes.**
 10:29 19 Q. Around it?
 10:29 20 A. **Yeah.**
 10:29 21 Q. Like in the park?
 10:29 22 A. **Schoolhouse, Atlantic Ave.**
 10:29 23 Q. Okay. Did you know Ibn Abdullah at various times through
 10:29 24 personal knowledge to possess other items that were illegal?
 10:29 25 A. **Yes.**

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10:29 1 Q. And what did he possess?
 10:29 2 A. **Firearms.**
 10:29 3 Q. Did you see him in possession of firearms at times?
 10:29 4 A. **Yes.**
 10:29 5 Q. Once or multiple times?
 10:29 6 A. **Multiple.**
 10:29 7 Q. Where are some of these places you remember him
 10:29 8 possessing firearms?
 10:29 9 A. **Schoolhouse, Stanley Holmes, the west side.**
 10:29 10 Q. In addition to selling drugs, what, if any, other role
 10:29 11 did Ibn Abdullah have in this group?
 10:29 12 A. **He was a shooter.**
 10:29 13 THE COURT: Mr. Askin, I have 10:30. Although we
 10:30 14 started late, I'd like to get back on our regular schedule
 10:30 15 so --
 10:30 16 MR. ASKIN: That's fine with me, your Honor.
 10:30 17 THE COURT: Is now a good time for a break?
 10:30 18 MR. ASKIN: Yes, that's fine.
 10:30 19 THE COURT: All right. Very good.
 10:30 20 All right. Ladies and gentlemen of the jury, we'll now
 10:30 21 take our mid-morning break.
 10:30 22 THE DEPUTY COURT CLERK: All rise.
 10:30 23 (Whereupon the jury exited the courtroom.)
 10:30 24 THE COURT: All right. Thank you. Please be seated.
 10:30 25 Mr. Young, you may step down.

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10:30 **1** All right. Mr. Askin, anything I need to address at
 10:30 **2** this time?
 10:30 **3** MR. ASKIN: I don't believe so, your Honor.
 10:30 **4** THE COURT: Mr. Markowitz?
 10:30 **5** MR. MARKOWITZ: No, your Honor.
 10:30 **6** THE COURT: Mr. Madden?
 10:31 **7** MR. MADDEN: No, your Honor. Thank you.
 10:31 **8** THE COURT: All right. Very good. We will see you
 10:31 **9** back in 10, 15 minutes.
 10:31 **10** MR. MADDEN: Thank you, your Honor.
 10:31 **11** (Recess at 10:31 a.m.)
 10:46 **12** (In open court at 10:46 a.m.)
 10:46 **13** THE COURT: Are we ready for Mr. Young?
 10:47 **14** For the record, the case that I was referring to from
 10:47 **15** the Third Circuit is *United States versus Ammar*.
 10:47 **16** MR. ASKIN: Is that A-M-A-R, your Honor?
 10:47 **17** THE COURT: A-M-M-A-R.
 10:47 **18** MR. ASKIN: Okay.
 10:47 **19** THE COURT: And it's 714 F.2d 238. The discussion,
 10:47 **20** relevant discussion is on page 254, and the citation to *Lang*
 10:47 **21** is at footnote 5. Again, it distinguishes *Lang* rather than
 10:47 **22** disagreeing with it. So, that's the closest I could find in
 10:48 **23** Third Circuit law.
 10:48 **24** MR. ASKIN: Thank you, your Honor.
 10:48 **25** THE COURT: All right. Are we ready to proceed?
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10:48 **1** MR. ASKIN: We are, your Honor.
 10:48 **2** THE COURT: Mr. Madden?
 10:48 **3** MR. MADDEN: Yes, your Honor.
 10:48 **4** THE COURT: Mr. Markowitz? Are we ready,
 10:48 **5** Mr. Markowitz?
 10:48 **6** MR. MARKOWITZ: Yes, your Honor. I was just talking
 10:48 **7** to my client for one second.
 10:48 **8** THE COURT: Yes, of course. I wanted to give you
 10:48 **9** that opportunity.
 10:48 **10** MR. MARKOWITZ: Thank you.
 10:48 **11** THE COURT: All right. Very good.
 10:48 **12** THE DEPUTY COURT CLERK: All rise.
 10:48 **13** (Whereupon the jury entered the courtroom.)
 10:49 **14** THE COURT: All right. Thank you. Please be seated.
 10:49 **15** Mr. Askin, you may proceed.
 10:49 **16** MR. ASKIN: Yes, your Honor. Thank you.
 10:49 **17** BY MR. ASKIN:
 10:49 **18** Q. Before the break, Mr. Young, we were -- I believe I was
 10:49 **19** questioning you about Mr. Ibn Abdullah who you said was known
 10:49 **20** as Ib.
 10:49 **21** MR. ASKIN: Bring up photo 6 again.
 10:49 **22** (Document published to jury.)
 10:49 **23** BY MR. ASKIN:
 10:50 **24** Q. Now, Mr. Young, you mentioned at certain times that you
 10:50 **25** saw Mr. Abdullah with -- with guns, correct?
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10:50 **1** A. Yes.
 10:50 **2** Q. Do you remember whether you ever saw Mr. Abdullah driving
 10:50 **3** any cars?
 10:50 **4** A. Yes.
 10:50 **5** Q. And what type of cars did you see him driving?
 10:50 **6** A. A burgundy Maxima --
 10:50 **7** Q. I didn't get that. A burgundy what?
 10:50 **8** A. Maxima.
 10:50 **9** Q. Maxima?
 10:50 **10** A. Yes.
 10:50 **11** Q. Okay. And what other -- and do you remember another car
 10:50 **12** he had?
 10:50 **13** A. It looked like a gray Nissan.
 10:50 **14** Q. Okay. And did you ever see any illegal items in his
 10:50 **15** cars?
 10:50 **16** A. Yes.
 10:50 **17** Q. What? What did you see in his cars?
 10:50 **18** A. Guns.
 10:50 **19** Q. Okay. And where -- did you ever see where he would keep
 10:50 **20** the guns in the car?
 10:50 **21** A. Under his radio.
 10:50 **22** Q. With which car?
 10:50 **23** A. The Nissan.
 10:50 **24** Q. Okay. Do you remember, one of the cars, the Nissan, that
 10:50 **25** there was guns under the radio?

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10:50 **1** A. Yeah. It was like a stash spot.
 10:51 **2** Q. Okay. Do you know if anything ever happened to him in
 10:51 **3** that car with respect to those guns?
 10:51 **4** A. Yeah. He was locked up in that car.
 10:51 **5** Q. And who was with him, if you know?
 10:51 **6** A. Dirt.
 10:51 **7** Q. Dirt? And what's Dirt's real name, do you know?
 10:51 **8** Well, who is Dirt related to?
 10:51 **9** A. Bread.
 10:51 **10** Q. And what's Bread's real name?
 10:51 **11** A. I believe it was Raymond Mack.
 10:51 **12** Q. They're brothers?
 10:51 **13** A. Yes.
 10:51 **14** Q. Okay. And how did you know that Ibn Abdullah and Dirt
 10:51 **15** were locked up in that car with the guns?
 10:51 **16** A. He told me once he bailed out.
 10:51 **17** Q. Who told you?
 10:51 **18** A. Ibn.
 10:51 **19** Q. Okay. And then to the best of your knowledge, did that
 10:51 **20** arrest happen in Atlantic City?
 10:51 **21** A. Yes.
 10:51 **22** Q. Okay. Do you remember how many guns were taken? Did he
 10:51 **23** tell you?
 10:51 **24** A. No.
 10:51 **25** Q. Did he tell you that guns were taken from the car?

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10:51 1 A. Yes.
 10:51 2 Q. I show you a photo that's been marked Government's
 10:52 3 Exhibit 4, number 8. Go to number 8.
 10:52 4 (Document published to jury.)
 10:52 5 BY MR. ASKIN:
 10:52 6 Q. Do you recognize this woman?
 10:52 7 A. Yes.
 10:52 8 Q. And who is that?
 10:52 9 A. Muslimah.
 10:52 10 Q. And what did you guys call her other than -- did you call
 10:52 11 her Muslimah?
 10:52 12 A. Yes.
 10:52 13 Q. Did you call her anything for short or nickname?
 10:52 14 A. Mu.
 10:52 15 Q. And where did she live in respect to Stanley Holmes
 10:52 16 Village, if you know?
 10:52 17 A. The first village.
 10:52 18 Q. And do you remember who lived next door to her or who had
 10:52 19 an apartment next door to her?
 10:52 20 A. Rashada Allen.
 10:52 21 Q. And do you know whether Muslimah, or Mu, in this photo,
 10:53 22 do you remember her last name?
 10:53 23 A. Brown.
 10:53 24 Q. Do you know whether she was involved in any illegal
 10:53 25 criminal activity?

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10:53 1 A. Yes.
 10:53 2 Q. And what was she involved in?
 10:53 3 A. Selling heroin and using heroin.
 10:53 4 Q. Okay. So, she was selling heroin?
 10:53 5 A. Yes.
 10:53 6 Q. She was also a user of heroin, correct?
 10:53 7 A. Yes.
 10:53 8 Q. Now, just so the record is clear, these other guys we
 10:53 9 were talking about, Dominique Venable, right? Let's go back
 10:53 10 to Dominique Venable for a minute. Did you know him to ever
 10:53 11 use heroin?
 10:53 12 A. No.
 10:53 13 Q. I'm just asking to your knowledge, not whether it ever
 10:53 14 happened, but to your knowledge, did Dominique Venable ever
 10:53 15 use heroin?
 10:53 16 A. No.
 10:53 17 Q. Did you ever use heroin?
 10:53 18 A. No.
 10:53 19 Q. To your knowledge, did Ibn Abdullah ever use heroin?
 10:53 20 A. No.
 10:53 21 Q. Did you know Aree Touison to be a user of heroin?
 10:53 22 A. No.
 10:53 23 Q. Did you know Mykal Derry to be a user of heroin?
 10:53 24 A. No.
 10:53 25 Q. Did you know Malik Derry to be a user of heroin?

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10:53 1 A. No.
 10:53 2 Q. You did know -- did we cover Ibn Abdullah?
 10:53 3 A. Yes.
 10:53 4 Q. Was he a user?
 10:53 5 A. No.
 10:53 6 Q. But you knew, in addition to selling heroin, that Ms.
 10:54 7 Brown, Muslimah, Mu, the one in the photo that we have up,
 10:54 8 that she was also a user of heroin, correct?
 10:54 9 A. Yes.
 10:54 10 Q. How did you know that?
 10:54 11 A. Because I sold heroin to her.
 10:54 12 Q. Okay. But you sold heroin to her, but you said she was
 10:54 13 also selling heroin. I don't think that -- I don't want to
 10:54 14 make comments.
 10:54 15 Did you -- how did you know that some of the heroin she
 10:54 16 was using herself as opposed to selling it all?
 10:54 17 A. I saw her.
 10:54 18 Q. You saw her using heroin?
 10:54 19 A. Yes.
 10:54 20 Q. Okay. Where did you see her using heroin?
 10:54 21 A. In her house, in her room.
 10:54 22 Q. You've been inside her place on many occasions?
 10:54 23 A. Yes.
 10:54 24 Q. Okay. And it's in the first village of Stanley Holmes
 10:54 25 next to Rashada Allen's?

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10:54 1 A. Yes.
 10:54 2 Q. And was anything being stored in there?
 10:54 3 A. Yes.
 10:54 4 Q. What was being stored in her place at times?
 10:54 5 A. Heroin and guns.
 10:54 6 Q. Okay. Did you personally ever store a gun there?
 10:54 7 A. Yes.
 10:54 8 Q. Do you know others to have stored guns in there?
 10:54 9 A. Yes.
 10:54 10 Q. Can you think of any right now, any other individuals
 10:55 11 that we talked about or were arrested who stored guns in
 10:55 12 there?
 10:55 13 A. Myself, Mykal Derry, Buck, Dirt, Mace Head. That's all I
 10:55 14 can remember right now.
 10:55 15 Q. Okay. Were -- in addition to the storing of drugs,
 10:55 16 heroin, inside her place, Mu's place, and the storing of guns
 10:55 17 at times by the individuals you have named that you remember
 10:55 18 in her place, what, if anything, else happened there with
 10:55 19 respect to the drug activity? Was there any drug activity
 10:55 20 there?
 10:55 21 A. Yes.
 10:55 22 Q. What would happen there at times?
 10:55 23 A. We will sell drugs inside her house.
 10:55 24 Q. Okay. Why would you sell drugs -- strike that.
 10:56 25 Did you also sell the heroin outside in the Stanley

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- 10:56 **1** Holmes area?
- 10:56 **2** **A. Yes.**
- 10:56 **3** **Q.** Inside the courtyards of Stanley Holmes or outside the
- 10:56 **4** courtyard of Stanley Holmes or both?
- 10:56 **5** **A. Both.**
- 10:56 **6** **Q.** Okay. Why did you sell the heroin -- why did you want to
- 10:56 **7** sell the heroin inside the houses at times?
- 10:56 **8** **A. So we can protect ourselves from the police.**
- 10:56 **9** **Q.** Now, was Ms. Brown's place one of the places that you
- 10:56 **10** sold heroin from inside of?
- 10:56 **11** **A. Yes.**
- 10:56 **12** **Q.** Okay. And what are the other houses that were used by
- 10:56 **13** that purpose -- for that purpose? Were there other houses?
- 10:56 **14** **A. Yes.**
- 10:56 **15** **Q.** Okay. And any others in the first village?
- 10:56 **16** **A. Yes.**
- 10:56 **17** **Q.** And which other ones?
- 10:56 **18** **A. Aunt Tootie house.**
- 10:56 **19** **Q.** Aunt Tootie, was she involved in any criminal activity
- 10:56 **20** other than the allowing of her house to be used?
- 10:56 **21** **A. Yes.**
- 10:56 **22** **Q.** What was she?
- 10:56 **23** **A. She smoke crack and do heroin.**
- 10:56 **24** **Q.** And did she allow yourself and other guys to come to her
- 10:57 **25** house and do things inside her house that were illegal?

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- 10:57 **1** **A. Yes.**
- 10:57 **2** **Q.** And what did she allow?
- 10:57 **3** **A. To sell drugs out of her house.**
- 10:57 **4** **Q.** Okay. And would customers actually come to her house?
- 10:57 **5** **A. Yeah. They knock on the back door.**
- 10:57 **6** **Q.** Okay. Now, did a few customers come there, or was this a
- 10:57 **7** routine, regular thing?
- 10:57 **8** **A. It's a regular thing.**
- 10:57 **9** **Q.** And how would you describe like the volume, the numbers
- 10:57 **10** of customers? Was it a little bit or a lot?
- 10:57 **11** **A. A lot.**
- 10:57 **12** **Q.** Why were a lot of customers coming to her house?
- 10:57 **13** **A. Because she knew -- because people knew that there was**
- 10:57 **14** **somebody in there that had drugs on them that they could buy**
- 10:57 **15** **from.**
- 10:57 **16** **Q.** Okay. And were you and others arrested in this case
- 10:57 **17** involved with selling drugs out of Aunt Tootie's house?
- 10:57 **18** **A. Yes.**
- 10:57 **19** **Q.** Okay. Were you -- were you or anyone else in the group
- 10:57 **20** giving her anything or helping her in any way so that she
- 10:57 **21** would allow you to do this?
- 10:57 **22** **A. Yeah, we would give her dope or crack so we could be in**
- 10:57 **23** **there selling drugs.**
- 10:57 **24** **Q.** And when you say we would, who would do that?
- 10:57 **25** **A. Myself, Mykal Derry, Saeed Zaffa, Ibn Abdullah.**

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- 10:58 **1** **Q.** Okay. In addition to those two places, you mentioned
- 10:58 **2** Rashada Allen, correct?
- 10:58 **3** **A. Yes.**
- 10:58 **4** **Q.** Her place was right next to Mu's place in the first
- 10:58 **5** village?
- 10:58 **6** **A. Yes.**
- 10:58 **7** **Q.** Okay. What, if anything, was going on with Rashada
- 10:58 **8** Allen's place in 2012 for a period of time in late 2012 and
- 10:58 **9** possibly early 2013? What, if anything, was going on during
- 10:58 **10** that time frame with respect to Rashada Allen's house?
- 10:58 **11** **A. We was hanging in there.**
- 10:58 **12** **Q.** Okay. And would items be stored in there as well at
- 10:58 **13** times?
- 10:58 **14** **A. Yes.**
- 10:58 **15** **Q.** And what was being stored in Rashada Allen's place?
- 10:58 **16** **A. Heroin and guns.**
- 10:58 **17** **Q.** Okay. And when you say you were hanging in there, you
- 10:58 **18** were one of the ones who was hanging in there?
- 10:58 **19** **A. Yes.**
- 10:58 **20** **Q.** While you were selling drugs?
- 10:58 **21** **A. Yes.**
- 10:58 **22** **Q.** And do you remember that others were hanging in there as
- 10:58 **23** well?
- 10:58 **24** **A. Yes.**
- 10:58 **25** **Q.** Okay. We'll get to those people later.

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- 10:58 **1** Was, generally, Rashada Allen home at the time when you
- 10:59 **2** guys were using her place to hang in there and sell drugs and
- 10:59 **3** hold drugs?
- 10:59 **4** **A. No. Most times she would be, but a majority she**
- 10:59 **5** **wouldn't.**
- 10:59 **6** **Q.** Okay. The majority of times she wasn't there?
- 10:59 **7** **A. No.**
- 10:59 **8** **Q.** Was she living somewhere else?
- 10:59 **9** **A. Yes.**
- 10:59 **10** **Q.** Do you know where she was living?
- 10:59 **11** **A. Her mother.**
- 10:59 **12** **Q.** Okay. But was the apartment -- was that her apartment in
- 10:59 **13** Stanley Holmes, Rashada Allen?
- 10:59 **14** **A. Yes.**
- 10:59 **15** **Q.** Okay. And did she allow someone particularly to use it
- 10:59 **16** or to give a key to somebody?
- 10:59 **17** **A. Yes.**
- 10:59 **18** **Q.** And who was that?
- 10:59 **19** **A. Mykal Derry.**
- 10:59 **20** **Q.** To the best of your knowledge, do you know Mykal Derry to
- 10:59 **21** have any family relationship with her, if you know?
- 10:59 **22** **A. They call each other cousins.**
- 10:59 **23** **Q.** Okay. Do you know whether they're really cousins or they
- 10:59 **24** just call each other that?
- 10:59 **25** **A. No, I just know they call each other cousin.**

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10:59 **1 Q.** Mykai Derry and Rashada Allen?
 10:59 **2 A.** Yes.
 10:59 **3 Q.** Okay. In addition to Aunt Tootie's place, Rashada
 11:00 **4 Allen's place -- and what did you say was stored in Rashada**
 11:00 **5 Allen's place, if anything?**
 11:00 **6 A.** Heroin and guns.
 11:00 **7 Q.** In addition to Aunt Tootie's place, Rashada Allen's place
 11:00 **8 and Mu's place in the first village, were there other homes in**
 11:00 **9 Stanley Holmes, other apartments that were used for the same**
 11:00 **10 purposes, to store drugs, to store guns, and to sell heroin?**
 11:00 **11 A.** Yes.
 11:00 **12 Q.** Okay. Any in any other villages?
 11:00 **13 A.** The second and third.
 11:00 **14 Q.** Okay. Which place was used in the second village?
 11:00 **15 A.** Kadijah's.
 11:00 **16 Q.** Okay. And Kadijah's place, around what area was it, do
 11:00 **17 you remember? Do you remember the exact street address or**
 11:00 **18 around what area it was in?**
 11:00 **19 A.** I believe it was on Dr. Martin Luther King.
 11:00 **20 Q.** And it was in the second village?
 11:00 **21 A.** Yes.
 11:00 **22 Q.** Now, Kadijah, this woman you referred to as Kadijah, were
 11:00 **23 you ever shown a photograph in one of these interviews by**
 11:00 **24 Special Agent Kopp?**
 11:00 **25 A.** Yes.

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11:00 **1 Q.** And do you believe you were able to identify her that
 11:00 **2 time?**
 11:00 **3 A.** Yes.
 11:00 **4 Q.** Now, this woman Kadijah, was she involved in anything
 11:01 **5 illegal, the possession of anything illegal?**
 11:01 **6 A.** Yes.
 11:01 **7 Q.** And what was she involved in?
 11:01 **8 A.** She was letting us use her house and she was a drug
 11:01 **9 addict.**
 11:01 **10 Q.** And what drugs, to the best of your knowledge, what drug
 11:01 **11 was she addicted to or drugs?**
 11:01 **12 A.** Heroin.
 11:01 **13 Q.** Why was she allowing you and others to use her place with
 11:01 **14 regard the heroin?**
 11:01 **15 A.** Because she would get free heroin.
 11:01 **16 Q.** And did you give her free heroin at times?
 11:01 **17 A.** Yes.
 11:01 **18 Q.** So, she would let you guys use her place?
 11:01 **19 A.** Yes.
 11:01 **20 Q.** Did other guys?
 11:01 **21 A.** Yes. We would take turns.
 11:01 **22 Q.** And who were some of the other guys that you remember
 11:01 **23 specifically giving her heroin?**
 11:01 **24 A.** Myself, Saeed Zaffa, Ibn Abdullah, Akil, Levi Young.
 11:01 **25 Q.** That's who you can remember now? All right. We'll get

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11:01 **1** to that later.
 11:02 **2** And what was stored at times inside Kadijah's place in
 11:02 **3 the second village? Was there stuff stored there at times?**
 11:02 **4 A.** A bulletproof vest, a bicycle sometimes, sometimes guns.
 11:02 **5 Q.** Okay. And what was -- were you doing any actual criminal
 11:02 **6 activity out of there?**
 11:02 **7 A.** Yeah, we were selling drugs out of there.
 11:02 **8 Q.** Okay. And was that also to protect yourselves from the
 11:02 **9 police?**
 11:02 **10 A.** Yes.
 11:02 **11 Q.** And she allowed you to do that because you guys were
 11:02 **12 giving her heroin?**
 11:02 **13 A.** Yes.
 11:02 **14 Q.** You mentioned the third village, correct?
 11:02 **15 A.** Yes.
 11:02 **16 Q.** Was there also a place in addition to those three places
 11:02 **17 in the first village that you mentioned, the place in the**
 11:02 **18 second village that you mentioned, was there also a residence**
 11:02 **19 that you guys were using in the third village?**
 11:02 **20 A.** Yes.
 11:02 **21 Q.** And where -- whose place was that?
 11:02 **22 A.** Bonita.
 11:02 **23 Q.** And Bonita, was she, Bonita, related to anyone in the
 11:02 **24 case that was arrested in the case?**
 11:02 **25 A.** Yes.

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11:02 **1 Q.** And who was Bonita related to?
 11:03 **2 A.** Ronald Davis.
 11:03 **3 Q.** And what -- Ronald Davis, what nickname did he go by?
 11:03 **4 A.** Black.
 11:03 **5 Q.** Okay. And have you been in Bonita's -- have you been
 11:03 **6 inside Bonita's residence, Bonita being the sister of Ronald**
 11:03 **7 Davis, have you been inside her residence on several occasions**
 11:03 **8 during this time frame, 2012, early 2013, in Stanley Holmes**
 11:03 **9 Village in the third village?**
 11:03 **10 A.** Yes.
 11:03 **11 Q.** And did you see any illegal items inside there when you
 11:03 **12 were in there?**
 11:03 **13 A.** Yes.
 11:03 **14 Q.** And what did you see in there?
 11:03 **15 A.** Heroin and guns.
 11:03 **16 Q.** Okay. And were members arrested in this case, were guys
 11:03 **17 arrested in this case using that residence to store drugs and**
 11:03 **18 guns at times?**
 11:03 **19 A.** Yes.
 11:03 **20 Q.** Okay. And do you remember some of the guys that you
 11:03 **21 would see in there when drugs and guns were present?**
 11:03 **22 A.** Yes.
 11:03 **23 Q.** And who are some of the guys, the ones that you can
 11:03 **24 remember right now?**
 11:03 **25 A.** Saeed Zaffa, Anthony Allen, Kamal Allen, Kasan Hayes,

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11:04 **1 Jermaine Reynolds.**
 11:04 **2 Q.** Okay. Now, did they have -- you guys, you were at one
 11:04 **3** point you testified getting heroin from Tyrone Ellis, correct?
 11:04 **4 A. Yes.**
 11:04 **5 Q.** And at a later point you testified you were getting
 11:04 **6** heroin from Mykal Derry?
 11:04 **7 A. Yes.**
 11:04 **8 Q.** Directly from Mykal Derry?
 11:04 **9 A. Yes.**
 11:04 **10 Q.** Now, when you started getting heroin directly from Mykal
 11:04 **11** Derry in 2012, did you continue to get it from Mr. Ellis
 11:04 **12** directly, too, or how did that work? What happened?
 11:04 **13 A. I stopped getting it from Ellis, I started getting it**
 11:04 **14 from Mykal Derry.**
 11:04 **15 Q.** Okay. And did you have a discussion with Mr. Ellis
 11:04 **16** before that happened?
 11:04 **17 A. Yes.**
 11:04 **18 Q.** And what was the discussion with Mr. Ellis about that?
 11:05 **19 A. He told me to start getting my drugs from Mykal Derry.**
 11:05 **20 Q.** Okay. And did he explain to you who was giving drugs to
 11:05 **21** Mykal Derry at that time?
 11:05 **22 A. Yes.**
 11:05 **23 Q.** And who was that?
 11:05 **24 A. Tyrone Ellis was giving drugs to him. That's what he**
 11:05 **25 told me.**

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11:05 **1 Q.** And he told you you could get them directly from Mykal
 11:05 **2** Derry?
 11:05 **3 A. Yes.**
 11:05 **4 Q.** Okay. Around that time or after that, did Mr. Ellis
 11:05 **5** continue to spend as much time in Stanley Holmes, or was he
 11:05 **6** around less?
 11:05 **7 A. He was around less.**
 11:05 **8 Q.** Okay. The guys that were selling drugs in Stanley Holmes
 11:05 **9** that were getting the heroin from Mykal Derry, was there a
 11:05 **10** time -- at times did a lot of you refer to the group by a
 11:05 **11** certain name or nickname?
 11:05 **12 A. Yes.**
 11:05 **13 Q.** And what did you refer to it as?
 11:05 **14 A. Crime Fam.**
 11:05 **15 Q.** Crime Fam?
 11:05 **16 A. Yes.**
 11:05 **17 Q.** Like Crime Family?
 11:05 **18 A. Yes.**
 11:05 **19 Q.** And keep your voice up because the jurors all have to
 11:06 **20** hear you.
 11:06 **21** The numbers, did you ever hear the numbers 3-6 or
 11:06 **22** 3-6-6-12?
 11:06 **23 A. Yes.**
 11:06 **24 Q.** Do those numbers mean anything to you?
 11:06 **25 A. Yes.**

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11:06 **1 Q.** What do those numbers stand for, if you know?
 11:06 **2 A. Crime Fam or Crime Fam for Life.**
 11:06 **3 Q.** Did guys at times refer to it not just as Crime Fam, but
 11:06 **4** by those numbers?
 11:06 **5 A. Yes.**
 11:06 **6 Q.** 3-6 or 3-6-6-12?
 11:06 **7 A. Yes.**
 11:06 **8 Q.** And did you hear that in relation to this group; did you
 11:06 **9** hear people talk about it like that?
 11:06 **10 A. Yes.**
 11:06 **11 Q.** Were you a part of that group, Crime Fam, Crime Family
 11:06 **12** for Life, selling drugs as a group in Stanley Holmes and
 11:06 **13** around that area in 2012 and early 2013?
 11:06 **14 A. Yes.**
 11:06 **15 Q.** Did you consider someone to be the leader of that group?
 11:06 **16 A. Yes.**
 11:06 **17 Q.** And who was that?
 11:06 **18 A. Mykal Derry.**
 11:06 **19 Q.** Once he -- once Ellis began supplying Mykal Derry with
 11:07 **20** bricks of heroin, at some point who became the major supplier
 11:07 **21** of heroin to guys who were selling drugs in Stanley Holmes?
 11:07 **22 A. Mykal Derry.**
 11:07 **23 Q.** You mentioned these houses that drugs were stored in,
 11:07 **24** sold out of, guns were kept in, there were five of them. Did
 11:07 **25** members of the group collectively together use those houses

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11:07 **1** for the storage of drugs, the sale of drugs, and at times to
 11:07 **2** keep firearms?
 11:07 **3 A. Yes.**
 11:07 **4 Q.** If you're another drug dealer who wasn't affiliated or
 11:08 **5** part of the group, could you sell drugs out of those trap
 11:08 **6** houses, in your experience?
 11:08 **7 A. No.**
 11:08 **8 Q.** Okay. Those houses, did you use that term, trap house?
 11:08 **9 A. Yes.**
 11:08 **10 Q.** And what did that mean? When you guys were using the
 11:08 **11** term, what did trap house mean?
 11:08 **12 A. The house we was using to sell drugs out of.**
 11:08 **13 Q.** And that's the five that you testified about?
 11:08 **14 A. Yes.**
 11:08 **15 Q.** Okay. So, if I'm a heroin dealer in the area, Aunt
 11:08 **16** Tootie is a drug addict, I can't go over to -- while you guys
 11:08 **17** were dealing with Aunt Tootie and using that house, I couldn't
 11:08 **18** go over there if I was a heroin dealer, in your experience,
 11:08 **19** and start selling drugs out of that house?
 11:08 **20 A. No.**
 11:08 **21** MR. MARKOWITZ: Objection to leading, your Honor.
 11:08 **22** THE COURT: I'll allow it.
 11:08 **23** BY MR. ASKIN:
 11:08 **24 Q.** From personal experience, did you have personal
 11:08 **25** experience about the access to those places being limited to

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11:08 1 your group?

11:08 2 A. Yes.

11:08 3 Q. Okay. From your experience, what would happen if someone

11:08 4 tried to sell drugs out of those houses who was not a member

11:09 5 of the group? Would it be permitted? Would it be allowed?

11:09 6 Would I be allowed to do that; would someone be allowed to do

11:09 7 that who weren't part of the group?

11:09 8 A. No.

11:09 9 Q. Individuals who weren't part of the group and who weren't

11:09 10 getting heroin directly from Mykal Derry, were they permitted

11:09 11 during this time frame, in 2012 and early 2013, to sell drugs

11:09 12 inside Stanley Holmes Village, I mean particularly heroin?

11:09 13 Were other individuals not part of the group during 2012 and

11:09 14 early 2013 permitted to sell heroin in Atlantic City in

11:09 15 Stanley Holmes if they weren't getting the heroin from Mykal

11:09 16 Derry and if they weren't a member of the group?

11:09 17 A. Yes.

11:09 18 Q. Would they be allowed to do it?

11:09 19 A. No.

11:09 20 Q. Okay. How about in Brown's Park, was that an area where

11:09 21 your group was selling heroin?

11:10 22 A. Yes.

11:10 23 Q. Brown's Park is a public park, right?

11:10 24 A. Yes.

11:10 25 Q. Is it -- where is it in relation to Stanley Holmes?

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11:10 1 A. Right across the street.

11:10 2 Q. Other drug dealers that weren't a part of your group, if

11:10 3 they wanted to go down there and sell heroin or crack in

11:10 4 Brown's Park near Stanley Holmes during 2012, 2013 when you

11:10 5 were a member of this Crime Fam, could other drug dealers from

11:10 6 other areas of the city go into that park and sell drugs in

11:10 7 that public park?

11:10 8 A. No.

11:10 9 Q. What would happen if they did?

11:10 10 A. They would be robbed, beat up or shot.

11:10 11 Q. Did you know of any examples where people attempted to do

11:10 12 that, other drug dealers attempted to do that, sell drugs in

11:10 13 Brown's Park?

11:10 14 A. Yes.

11:10 15 Q. And what happened to them?

11:10 16 A. They was beat up.

11:10 17 Q. I show you what's been marked Government's Exhibit 4,

11:11 18 page number 9.

11:11 19 (Document published to jury.)

11:11 20 BY MR. ASKIN:

11:11 21 Q. Do you recognize that male?

11:11 22 A. Yes.

11:11 23 Q. What's -- do you know his real name?

11:11 24 A. Kamal Allen.

11:11 25 Q. Do you know what they called him?

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11:11 1 A. Geez.

11:11 2 Q. Did you call him Geez?

11:11 3 A. Yes.

11:11 4 Q. Did other guys, you hear other guys calling him Geez all

11:11 5 the time?

11:11 6 A. Yes.

11:11 7 Q. And was Geez involved in any criminal activity in 2012

11:11 8 and the early part of 2013?

11:11 9 A. Yes.

11:11 10 Q. What was he involved in?

11:11 11 A. Selling heroin.

11:11 12 Q. Okay. And what kind of quantities of heroin was he

11:11 13 selling?

11:11 14 A. Bricks.

11:11 15 Q. Okay. And who were some of the individuals that were

11:11 16 supplying Kamal Allen with heroin?

11:11 17 A. Mykal Derry and a guy named Wink.

11:11 18 Q. To your knowledge, did Kamal Allen have, in addition to

11:11 19 Mykal Derry, did he have another supplier outside of Stanley

11:12 20 Holmes?

11:12 21 A. Yes.

11:12 22 Q. And Wink, do you know Wink's real name?

11:12 23 A. No.

11:12 24 Q. Did you ever find out that Kamal Allen had a supplier

11:12 25 outside the City of Atlantic City, if you know?

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11:12 1 A. Yes.

11:12 2 Q. Did he have someone somewhere?

11:12 3 A. Yes.

11:12 4 Q. How do you know that?

11:12 5 A. He told me.

11:12 6 Q. Okay. And where was the other supplier?

11:12 7 A. Camden.

11:12 8 Q. Camden, New Jersey, here?

11:12 9 A. Yes.

11:12 10 Q. I don't mean in the courthouse, but somewhere in Camden?

11:12 11 A. Yes.

11:12 12 Q. At some point, do you remember Kamal Allen coming back to

11:12 13 Atlantic City and you having a meeting with him that you told

11:12 14 us about?

11:12 15 A. Yes.

11:12 16 Q. Okay. And what do you remember about that meeting? Was

11:12 17 there something unusual that you noticed about Mr. Allen?

11:12 18 A. Yes. He told us that, that he had a connection with guns

11:12 19 and everybody needed to have their money up when it was time

11:12 20 to buy them. You ain't got the money, you ain't getting them.

11:12 21 Q. Where did that discussion take place?

11:12 22 A. Rashada Allen house.

11:13 23 Q. And who do you recall -- at this point, do you remember

11:13 24 who was present for that discussion?

11:13 25 A. Myself, Mykal Derry, Aree Toulson. I believe that was --

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11:13 1 **that I can remember, that was it.**
 11:13 2 **Q.** Okay. He was trying to get guns for the group, for those
 11:13 3 guys?
 11:13 4 **A.** Yes.
 11:13 5 **Q.** Okay. But he was telling you you had to have your money
 11:13 6 ready, right?
 11:13 7 **A.** Yes.
 11:13 8 **Q.** Do you know where his gun connection was, did he say?
 11:13 9 **A.** Camden.
 11:13 10 **Q.** Camden?
 11:13 11 **A.** Yes.
 11:13 12 **Q.** Okay. Do you remember prior, before that, before that,
 11:13 13 do you remember meeting with Kamal Allen and greeting him
 11:13 14 somewhere and having a different discussion with him?
 11:13 15 **A.** Yes.
 11:13 16 **Q.** Okay. And what do you remember about that discussion?
 11:13 17 **A.** I met him on Atlantic Avenue.
 11:13 18 **Q.** Okay. And what do you remember about the discussion?
 11:13 19 **A.** He had just came home and I gave him a hand clap and a
 11:13 20 half hug, and I felt his bulletproof vest. And I asked him, I
 11:14 21 said, why you got the vest on? And he said, you already know
 11:14 22 why. He said -- he said, he was after the boys that had
 11:14 23 killed his little brother.
 11:14 24 **Q.** Did you know his little brother?
 11:14 25 **A.** Yes.

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11:14 1 **Q.** And what was his brother's name or nickname?
 11:14 2 **A.** Nazir Allen.
 11:14 3 **Q.** When Nazir Allen was killed, were you out, if you
 11:14 4 remember, were you out or were you in custody?
 11:14 5 **A.** I was in custody.
 11:14 6 **Q.** Did you know Nazir Allen prior to being in custody?
 11:14 7 **A.** Yes.
 11:14 8 **Q.** Did you know him to be involved in any criminal activity
 11:14 9 in and around that area of Stanley Holmes?
 11:14 10 **A.** Yes.
 11:14 11 **Q.** What was he doing before you went into custody and before
 11:14 12 he got killed?
 11:14 13 **A.** Selling heroin.
 11:14 14 **Q.** And where was he selling?
 11:14 15 **A.** Stanley Holmes.
 11:14 16 **Q.** When you met Kamal Allen and he was telling you about
 11:14 17 this and you noticed he was wearing a bulletproof vest, did
 11:14 18 you know before he told you, had you heard about his brother
 11:14 19 getting killed?
 11:14 20 **A.** Yes.
 11:14 21 **Q.** Okay. And did you find out in that meeting or later find
 11:15 22 out who you believed -- who you guys believed to be
 11:15 23 responsible for killing his little brother?
 11:15 24 **MR. MADDEN:** Objection. Calls for speculation. He
 11:15 25 said who do you believe.

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11:15 1 **MR. ASKIN:** Well, your Honor --
 11:15 2 **THE COURT:** You can ask him his belief.
 11:15 3 **BY MR. ASKIN:**
 11:15 4 **Q.** Did you -- from discussions, did you have a belief about
 11:15 5 -- did you guys have a belief about who had killed Kamal
 11:15 6 Allen's little brother, Nazir?
 11:15 7 **A.** Yes.
 11:15 8 **Q.** And who did you believe -- who did you believe to be
 11:15 9 responsible, from these discussions, for killing Nazir Allen?
 11:15 10 **A.** Yachor Napper, and his cousin, Pretty.
 11:15 11 **Q.** Okay. Later on in late 2012, did you run into either
 11:15 12 Yachor Napper or Pretty, both of them?
 11:16 13 **A.** Yes.
 11:16 14 **Q.** You and others?
 11:16 15 **A.** Yes.
 11:16 16 **Q.** And where did you run into them?
 11:16 17 **A.** At the casino.
 11:16 18 **Q.** Which casino?
 11:16 19 **A.** Tropicana.
 11:16 20 **Q.** Okay. And was there some kind of problem when you and
 11:16 21 the guys you were with ran into Yachor Napper and Pretty?
 11:16 22 **A.** Yeah, a fight broke out.
 11:16 23 **Q.** Okay. Was Kamal Allen present for that, if you remember?
 11:16 24 **A.** Yes.
 11:16 25 **Q.** Okay. You were there?

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11:16 1 **A.** Yes.
 11:16 2 **Q.** Were other guys arrested in this case there?
 11:16 3 **A.** Yes.
 11:16 4 **Q.** Who are some of the other guys you remember being there,
 11:16 5 that were arrested in this case, or who are part of your
 11:16 6 group, the 3-6 group?
 11:16 7 **A.** Terry Davis, Mykal Derry, Buck. I believe Aree Toulson
 11:16 8 was there.
 11:17 9 **Q.** Okay. All right. Those are the guys you remember at
 11:17 10 this time?
 11:17 11 **A.** Yes.
 11:17 12 **Q.** There was a physical fight between -- between those guys,
 11:17 13 Yachor Napper, Pretty and guys in your group?
 11:17 14 **A.** Yes.
 11:17 15 **Q.** Okay. Do you believe -- well, strike that. Nazir Allen,
 11:17 16 were you told by other members of this group whether or not
 11:17 17 his death had anything to do with drugs?
 11:17 18 **A.** Yes.
 11:17 19 **Q.** And what were you told about that?
 11:17 20 **A.** I was told that he had got some drugs from Yachor
 11:17 21 Napper's plug to connect -- who he was getting his drugs from,
 11:17 22 and he had owed him money, so Yachor Napper's plug told him
 11:17 23 that something needed to be done about Nazir Allen.
 11:18 24 **MR. MADDEN:** Objection. Hearsay.
 11:18 25 **THE COURT:** Exception?

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11:18 1 MR. ASKIN: Your Honor, it's not offered by the truth
11:18 2 of the matter asserted, it's -- the group believed something
11:18 3 to be true, whether it's true or not, and drug related and
11:18 4 they make a reaction to it.

11:18 5 THE COURT: Objection is overruled.

11:18 6 Ladies and gentlemen of the jury, I'll give you further
11:18 7 instruction at the end of the case. At this time, any
11:18 8 out-of-court statement testified to Mr. Young is not offered
11:18 9 for the truth of the matter asserted in that out-of-court
11:18 10 statement. Rather, it's offered as evidence in this case as
11:18 11 to the reaction or belief of the listener.

11:18 12 You may proceed.

11:18 13 MR. ASKIN: Thank you.

11:18 14 BY MR. ASKIN:

11:18 15 Q. So you were told -- what were you told or what did you
11:18 16 learn about -- from these other people, about why -- why Kamal
11:18 17 Allen's little brother, Nazir Allen, was killed?

11:18 18 A. **Because he had owed somebody some money.**

11:19 19 Q. Okay. And had he paid up?

11:19 20 A. **No.**

11:19 21 Q. Okay. And was that your understanding -- whether it was
11:19 22 true or not, was that your understanding, you and Kamal Allen
11:19 23 and the others, was that your understanding as to how he was
11:19 24 killed?

11:19 25 A. **Yes.**

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11:19 1 Q. And was it your understanding, whether it was true or
11:19 2 not, that Yachor Napper and Pretty were involved in killing
11:19 3 him?

11:19 4 A. **Yes.**

11:19 5 Q. Or setting him up to be killed?

11:19 6 A. **Yes.**

11:19 7 Q. Is that why there was a problem at the Tropicana?

11:19 8 A. **Yes.**

11:19 9 Q. Okay. After the physical altercation at the Tropicana,
11:19 10 was there a discussion afterwards between yourself, or that
11:19 11 you were present for, and any of these other guys that were
11:19 12 part of the 3-6 group, your group, about Yachor Napper and
11:19 13 Pretty? Was there discussion about that?

11:19 14 A. **Yes.**

11:19 15 Q. And what was the discussion about?

11:19 16 A. **That if we seen him, we supposed to shoot on sight.**

11:19 17 Q. That you guys were supposed to shoot Yachor Napper,
11:19 18 Pretty, the minute you saw him?

11:19 19 A. **Yes.**

11:19 20 Q. Okay. And did you believe in your mind that was related
11:19 21 to the killing of Kamal Allen's little brother?

11:20 22 A. **Yes.**

11:20 23 Q. Who was a drug dealer at the time he got killed, right?

11:20 24 A. **Yes.**

11:20 25 Q. In addition to getting drugs and -- from Mykal Derry and

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11:20 1 other sources, Kamal Allen, did Kamal Allen also at times

11:20 2 supply other members of the group with the drug heroin?

11:20 3 A. **Yes.**

11:20 4 Q. And who did Kamal Allen supply heroin to, at times?

11:20 5 A. **Duane Townsend, myself. Couple other people.**

11:20 6 Q. Okay. And what drug -- when -- what drug was he
11:20 7 supplying?

11:20 8 A. **Heroin.**

11:20 9 Q. Okay. Was it packaged -- how was it packaged? What
11:20 10 quantities?

11:20 11 A. **Bricks.**

11:20 12 Q. And do you remember any of -- if you -- as you sit here
11:21 13 today, do you remember any of the stamps that he was supplying
11:21 14 him with?

11:21 15 A. **Yes.**

11:21 16 Q. And what stamp do you remember?

11:21 17 A. **Elmo. Elmo.**

11:21 18 Q. Elmo, like the Sesame Street character?

11:21 19 A. **Yes.**

11:21 20 Q. Okay. Did you ever see Kamal Allen -- you said there was
11:21 21 a discussion where he was talking about acquiring guns from a
11:21 22 source in Camden for your group. Did you ever see Kamal Allen
11:21 23 in possession of firearms?

11:21 24 A. **Yes.**

11:21 25 Q. Okay. And during the time you saw him in possession of

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11:21 1 firearms, was he engaged in illegal activity, generally, at
11:21 2 that time?

11:21 3 A. **Yes.**

11:21 4 Q. And what was he doing?

11:21 5 A. **Selling heroin.**

11:21 6 Q. Just so the record is clear, was Kamal Allen, to your
11:22 7 knowledge, ever a heroin user?

11:22 8 A. **No.**

11:22 9 Q. Go to photo No. 10. Do you recognize this male?

11:22 10 A. **Yes.**

11:22 11 Q. And what names do you know him by?

11:22 12 A. **Baby Boy.**

11:22 13 Q. Do you know his real name?

11:22 14 A. **Kareem Bailey.**

11:22 15 Q. Okay. And to the best of your knowledge, was he related
11:22 16 to anyone else who was arrested in this case?

11:22 17 A. **Yes.**

11:22 18 Q. And who's that?

11:22 19 A. **Terry Davis.**

11:22 20 Q. Is that the individual you referred to earlier as Mace
11:22 21 Head?

11:22 22 A. **Yes.**

11:22 23 Q. During 2012 and the early part of 2013, was Kareem Bailey
11:22 24 involved in any criminal activity that you're aware of in
11:22 25 Atlantic City?

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- 11:22 1 A. Yes.
- 11:22 2 Q. And what was he involved in?
- 11:22 3 A. **Selling crack and heroin.**
- 11:23 4 Q. And what quantities of heroin was he acquiring and selling?
- 11:23 5 A. Excuse me?
- 11:23 7 Q. What amounts of heroin was he -- was he getting and selling, reselling?
- 11:23 9 A. Bricks.
- 11:23 10 Q. Bricks?
- 11:23 11 And who was he getting his heroin from at that time?
- 11:23 12 A. **Mykal Derry.**
- 11:23 13 Q. Did you also know Kareem Bailey's mother?
- 11:23 14 A. Yes.
- 11:23 15 Q. What name or nickname did you know his mother by?
- 11:23 16 A. **Aunt Aud.**
- 11:23 17 Q. Aud?
- 11:23 18 A. **Audrey.**
- 11:23 19 Q. Like Audrey.
- 11:23 20 A. Yes.
- 11:23 21 Q. With an A? A-U? Right? All right.
- 11:23 22 Did you know Aunt Audrey, Kareem Bailey's mother, to be
- 11:23 23 involved in any criminal activity in 2012 and the early part
- 11:23 24 of 2013?
- 11:23 25 A. Yes.

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- 11:23 1 Q. And what was she involved in?
- 11:23 2 A. **Using heroin and selling heroin.**
- 11:23 3 Q. So she was a heroin user?
- 11:23 4 A. Yes.
- 11:23 5 Q. And she also sold heroin?
- 11:24 6 A. Yes.
- 11:24 7 Q. Where did Kareem Bailey and his mother -- did they live together or separately, as far as you knew?
- 11:24 9 A. **Together.**
- 11:24 10 Q. And where did they live?
- 11:24 11 A. **Schoolhouse Apartment.**
- 11:24 12 Q. This is during the time before Mr. Bailey was arrested in this federal case?
- 11:24 14 A. Yes.
- 11:24 15 Q. Okay. They lived in Schoolhouse Apartments. That's -- I believe, we've seen for the map in this case, that's near --
- 11:24 17 Schoolhouse is another apartment complex separate from Stanley Holmes but nearby, is that right?
- 11:24 19 A. Yes.
- 11:24 20 Q. Okay. You said she was selling and using heroin. Where
- 11:24 21 was she getting the heroin that she was selling from?
- 11:24 22 A. **Mykal Derry.**
- 11:24 23 Q. Did you know Kareem Bailey, to the best of your
- 11:24 24 knowledge, ever to be a heroin user?
- 11:24 25 A. No.

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- 11:24 1 Q. Just his mom, right?
- 11:24 2 A. Yes.
- 11:24 3 Q. Now, Kareem Bailey, did you see him ever in possession of
- 11:24 4 any other illegal items?
- 11:24 5 A. Yes.
- 11:24 6 Q. And what did he possess?
- 11:24 7 A. **The firearm.**
- 11:24 8 Q. Did you see that yourself?
- 11:24 9 A. Yes.
- 11:24 10 Q. Once or multiple times?
- 11:24 11 A. **Multiple.**
- 11:24 12 Q. Were there times that you knew that Kareem Bailey lost a
- 11:25 13 firearm or had it taken from him or seized or anything? If
- 11:25 14 you remember.
- 11:25 15 A. Yes.
- 11:25 16 Q. Okay. And how, if you recall, how did he -- how did he
- 11:25 17 lose the firearm or what happened to the firearm that you're
- 11:25 18 thinking of?
- 11:25 19 A. **He was caught with it.**
- 11:25 20 Q. Okay. And do you remember exactly what year that was,
- 11:25 21 around when it was?
- 11:25 22 A. **2010.**
- 11:25 23 Q. Okay. After that, did you know whether or not Kareem
- 11:25 24 Bailey acquired or got other firearms?
- 11:25 25 A. Yes.

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- 11:25 1 Q. Did you see him with firearms after he got caught with
- 11:25 2 one?
- 11:25 3 A. **After he had came home from that one.**
- 11:26 4 Q. Okay. So after he came home, did he get other firearms?
- 11:26 5 A. Yes.
- 11:26 6 Q. And you saw him with other firearms even after he got
- 11:26 7 caught by the police with one?
- 11:26 8 A. Yes.
- 11:26 9 Q. Generally, when you guys, to the best of your knowledge,
- 11:26 10 when you were carrying these firearms, you know, were you
- 11:26 11 carrying them loaded?
- 11:26 12 A. Yes.
- 11:26 13 Q. The firearms you carried, were they semiautomatic or
- 11:26 14 revolvers or both?
- 11:26 15 A. **Both.**
- 11:26 16 Q. Okay. When you carried semiautomatics -- you're familiar
- 11:26 17 with semiautomatic firearms, right?
- 11:26 18 A. Yes.
- 11:26 19 Q. Okay. You have a magazine for the firearm, right?
- 11:26 20 A. Yes.
- 11:26 21 Q. And you have the chamber, right?
- 11:26 22 A. Yes.
- 11:26 23 Q. Did you carry yours with a round in the chamber?
- 11:26 24 A. Yes.
- 11:26 25 Q. Why did you do that?

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11:26 1 **A. Because we was always supposed to be ready.**
 11:26 2 **Q.** To the best of your knowledge, when these other guys were
 11:26 3 carrying firearms, were the firearms loaded?
 11:26 4 **A. Yes.**
 11:26 5 **Q.** Ready to go?
 11:26 6 **A. Yes.**
 11:26 7 **Q.** When Kareem Bailey was carrying firearms, as you've
 11:26 8 testified, you have personal knowledge of, was he engaged in
 11:26 9 illegal activity while he was carrying firearms?
 11:26 10 **A. Yes.**
 11:26 11 **Q.** And what illegal activity was he engaged in?
 11:26 12 **A. Selling crack, selling heroin.**
 11:26 13 **Q.** Where did Kareem Bailey primarily sell the heroin he was
 11:27 14 selling, that he was getting from Mykal Derry?
 11:27 15 **A. Schoolhouse.**
 11:27 16 **Q.** Schoolhouse Apartments?
 11:27 17 **A. And around Stanley Holmes sometimes.**
 11:27 18 **Q.** Would Kareem Bailey be in these trap houses? We he ever
 11:27 19 -- did you ever see him in the trap houses that we talked
 11:27 20 about?
 11:27 21 **A. Sometimes, yes.**
 11:27 22 **Q.** What role, at times, did Kareem Bailey play, in addition
 11:27 23 to selling drugs for the group?
 11:27 24 **A. He was a shooter.**
 11:27 25 **Q.** He was a what?

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11:27 1 **A. A shooter.**
 11:27 2 **Q.** The next one, photo No. 12. Do you recognize this male?
 11:27 3 **A. Yes.**
 11:27 4 **Q.** And who is that?
 11:27 5 **A. Erk.**
 11:27 6 **Q.** Erk?
 11:27 7 **A. Kasan Hayes.**
 11:27 8 **Q.** Okay. And he goes by the nickname Erk, like E-R-C?
 11:28 9 **A. Yes.**
 11:28 10 **Q.** Is that short for something? Or did they -- do you know
 11:28 11 how they came up with that nickname for him?
 11:28 12 **A. Because he wore glasses and he looked like Urkel.**
 11:28 13 **Q.** Urkel?
 11:28 14 **A. Yeah.**
 11:28 15 **Q.** Like the TV character years ago?
 11:28 16 **A. Yes.**
 11:28 17 **Q.** Okay. So that's why they called him Erk?
 11:28 18 **A. Yes.**
 11:28 19 **Q.** Was Erk involved in any criminal activity in 2012, in the
 11:28 20 early part of 2013, when you knew him?
 11:28 21 **A. Yes.**
 11:28 22 **Q.** Okay. And what was he doing?
 11:28 23 **A. Selling heroin.**
 11:28 24 **Q.** And where was he selling the heroin?
 11:28 25 **A. Schoolhouse, Brown's Park, Stanley Holmes.**

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11:28 1 **Q.** And did you see him at times in these trap houses that
 11:28 2 you referred to, the five trap houses, or any of them?
 11:28 3 **A. Yes.**
 11:28 4 **Q.** Okay. And who is he -- who is he getting his heroin
 11:28 5 from?
 11:28 6 **A. Mykal Derry.**
 11:28 7 **Q.** Did you know Erk to be a user of heroin, at all, to the
 11:28 8 best of your knowledge?
 11:28 9 **A. No.**
 11:28 10 **Q.** And what kind of quantities was he buying the heroin in,
 11:28 11 if you know?
 11:28 12 **A. Bundles.**
 11:28 13 **Q.** Okay. And was he reselling those bundles to customers?
 11:29 14 **A. Yes.**
 11:29 15 **Q.** And who was he buying them from?
 11:29 16 **A. Mykal Derry.**
 11:29 17 **Q.** Show you Government's Exhibit 13, next photo -- I'm
 11:29 18 sorry, it's Government's Exhibit 4, Page 13. Not the best
 11:29 19 quality photo, but do you recognize that female?
 11:29 20 **A. Yes.**
 11:29 21 **Q.** And who is it?
 11:29 22 **A. Kim.**
 11:29 23 **Q.** Okay. Do you know her last name?
 11:29 24 **A. I believe it's Spellman.**
 11:29 25 **Q.** Okay. Kim Spellman. And what did they call her?

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11:29 1 **A. Kim.**
 11:29 2 **Q.** Kim? Okay. And did she have a romantic relationship
 11:30 3 with anyone that we've discussed today?
 11:30 4 **A. Yes.**
 11:30 5 **Q.** And who is that?
 11:30 6 **A. Mykal Derry.**
 11:30 7 **Q.** Okay. At some point, did you notice something about her
 11:30 8 physical condition in 2012 or 2013?
 11:30 9 **A. Yes.**
 11:30 10 **Q.** And what was that?
 11:30 11 **A. I think she was pregnant.**
 11:30 12 **Q.** Okay. And who did you believe to be -- who did you
 11:30 13 believe her to be in a relationship with at the time she was
 11:30 14 pregnant?
 11:30 15 **A. Mykal Derry.**
 11:30 16 **Q.** Okay. And was Kim Spellman involved in any illegal
 11:30 17 activity that you're aware of, in 2012 and 2013, that, you
 11:30 18 know, the times that you knew?
 11:30 19 **A. Yes.**
 11:30 20 **Q.** And what was she involved with?
 11:30 21 **A. Selling heroin.**
 11:30 22 **Q.** Okay. And who was she doing that with?
 11:30 23 **A. Mykal Derry.**
 11:30 24 **Q.** And with respect to that, what, if anything, was she
 11:30 25 doing for Mykal Derry, with respect to the sale of heroin?

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11:30 1 A. She would bring him some heroin and bring him a gun, if
 11:31 2 he needed it.
 11:31 3 Q. Okay. And how do you know that?
 11:31 4 A. I was there, on multiple occasions.
 11:31 5 Q. On how many?
 11:31 6 A. Multiple.
 11:31 7 Q. Okay. So several occasions you were there and she would
 11:31 8 bring him things?
 11:31 9 A. Yes.
 11:31 10 Q. And what were those things that she would bring him at
 11:31 11 his request?
 11:31 12 A. A handgun, some more heroin.
 11:31 13 Q. Okay. And where were some of the places you saw her --
 11:31 14 did she come up on foot when she did this, to deliver these
 11:31 15 things to Mykal Derry, or was she in a car?
 11:31 16 A. In a car.
 11:31 17 Q. Okay. And where are some of the places she would meet
 11:31 18 Mykal Derry, when you were present, to give him either more
 11:31 19 heroin or a handgun?
 11:31 20 A. I believe between Mediterranean and Dr. Martin Luther
 11:31 21 King.
 11:31 22 Q. In the area of Mediterranean and Dr. Martin Luther King?
 11:31 23 A. Yes, Stanley Holmes.
 11:31 24 Q. Okay. Stanley Holmes.
 11:31 25 To the best of your knowledge -- to your knowledge, did

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11:31 1 you know Kim Spellman to be a heroin user?
 11:32 2 A. No.
 11:32 3 Q. Go to photo 14. The individual in the photo, do you
 11:32 4 recognize that individual? This is photo 14, for the record.
 11:32 5 A. Yes.
 11:32 6 Q. Who is that?
 11:32 7 A. Lamar Macon.
 11:32 8 Q. And what did they refer to him as?
 11:32 9 A. Gunner.
 11:32 10 Q. Okay. Was he involved in illegal activity -- through
 11:32 11 your personal knowledge, was he involved in criminal activity
 11:32 12 back in 2012, in the early part of 2013?
 11:33 13 A. Yes.
 11:33 14 Q. What was he involved with?
 11:33 15 A. Selling heroin.
 11:33 16 Q. And who was his source for getting that heroin?
 11:33 17 A. Mykal Derry.
 11:33 18 Q. Okay. And where was Lamar Macon or Gunner selling the
 11:33 19 heroin?
 11:33 20 A. Stanley Holmes, Brown's Park.
 11:33 21 Q. Did you know, to the best of your knowledge, did you know
 11:33 22 Lamar Macon ever to be a user of heroin?
 11:33 23 A. No.
 11:33 24 Q. Did you ever see Lamar Macon carrying guns?
 11:33 25 A. No.

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11:33 1 Q. Okay. Did you ever have any discussions with Lamar Macon
 11:33 2 about you or anyone else carrying guns?
 11:33 3 A. Yes.
 11:33 4 Q. Okay. And do you recall one of those discussions?
 11:33 5 A. Yes.
 11:33 6 Q. What did you discuss with Lamar Macon?
 11:33 7 A. We was outside one night and he asked me if I was
 11:33 8 strapped. He was referring did I have a handgun in my
 11:33 9 possession.
 11:33 10 Q. When he said, are you strapped, you knew he was referring
 11:33 11 to whether or not you had a handgun?
 11:33 12 A. Yes.
 11:33 13 Q. What did you tell him?
 11:33 14 A. Told him yeah.
 11:33 15 Q. You told him yeah. Were you, in fact, carrying a gun
 11:33 16 when he asked you that?
 11:33 17 A. Yes.
 11:33 18 Q. Okay. Why were you carrying a gun at that time?
 11:34 19 A. Because I had to protect myself at night when I was out
 11:34 20 there.
 11:34 21 Q. And what were you doing out there?
 11:34 22 A. Selling drugs.
 11:34 23 Q. So you had a gun on you. A loaded gun?
 11:34 24 A. Yes.
 11:34 25 Q. While you were selling drugs?

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11:34 1 A. Yes.
 11:34 2 Q. And when Mr. Macon asked you, you let him know that?
 11:34 3 A. Yes.
 11:34 4 Q. When these guns were stored in the trap houses, were they
 11:34 5 always stored, like secreted, like put away somewhere, or were
 11:34 6 they always out in the open, or sometimes it was one and
 11:34 7 sometimes it was the other?
 11:34 8 A. Sometimes both.
 11:34 9 Q. Okay. So if I understand from your testimony, were there
 11:34 10 times that the guns were out in the open in these trap houses
 11:34 11 while you guys were in there?
 11:34 12 A. Yes.
 11:34 13 Q. Okay. And why were sometimes -- why was sometimes they
 11:34 14 were kept out in the open?
 11:34 15 A. For easy access.
 11:34 16 Q. Okay. What did you -- why would you need easy access to
 11:34 17 the guns if you were in the trap house?
 11:34 18 A. Because we would get a phone call and tell -- letting us
 11:34 19 know that somebody was riding through, and we would hurry and
 11:34 20 run outside, try to start shooting at them.
 11:34 21 Q. Did that happen at times?
 11:34 22 A. Attempt, yes.
 11:34 23 Q. Where you attempted to do that?
 11:34 24 A. Yes.
 11:34 25 Q. When you say someone was riding through, just random

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11:35 1 people riding through Atlantic City or particular people that
 11:35 2 you were looking for or interested in?
 11:35 3 **A. Particular people like drug rivals.**
 11:35 4 **Q.** Okay. And who were these people?
 11:35 5 **A. Either the Back Maryland crew or Qadaf crew.**
 11:35 6 **Q.** And Qadaf is, do you know his real name?
 11:35 7 **A. Trevin Allen.**
 11:35 8 **Q.** Trevin Allen?
 11:35 9 **A. Yes.**
 11:35 10 **Q.** Okay. Was there a problem between Trevin Allen and
 11:35 11 anybody with him and your group?
 11:35 12 **A. Yes.**
 11:35 13 **Q.** Okay. And Trevin Allen they referred to as Qadaf?
 11:35 14 **A. Yes.**
 11:35 15 **Q.** Prior to you going into custody, in two thousand -- you
 11:35 16 know, that time frame of like late September of 2009 to July
 11:35 17 of 2011, did you know Qadaf, Trevin Allen, on the street?
 11:35 18 **A. Yes.**
 11:35 19 **Q.** Was he involved in criminal activity on the street back
 11:35 20 then?
 11:35 21 **A. Yes.**
 11:35 22 **Q.** And what was he involved in?
 11:35 23 **A. Selling heroin, carrying guns, shooting at people.**
 11:35 24 **Q.** Okay. And where was he selling the heroin back before
 11:36 25 you were in custody in two thousand -- late part of 2009 until

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11:36 1 July of 2011, where was -- where were some of the places he
 11:36 2 was selling that heroin?
 11:36 3 **A. Stanley Holmes.**
 11:36 4 **Q.** Okay. And did he have other guys that were also selling
 11:36 5 heroin with him?
 11:36 6 **A. Yes.**
 11:36 7 **Q.** And who were some of those guys that you can remember?
 11:36 8 **A. Sid, TY, Little Hayes, Malik Galloway, Shaheed Hamilton.**
 11:36 9 **Q.** Okay. Did you know those guys from growing up in the
 11:36 10 area and being around there, before you went into custody?
 11:36 11 **A. Yes.**
 11:36 12 **Q.** And were they, to your personal knowledge, engaged in
 11:36 13 criminal activity in the Atlantic City area?
 11:37 14 **A. Yes.**
 11:37 15 **Q.** Okay. And back before you went into custody in 2009,
 11:37 16 were they engaged in criminal activity, where were they
 11:37 17 engaged in that criminal activity with respect to Stanley
 11:37 18 Holmes, at times?
 11:37 19 **A. Carver Hall.**
 11:37 20 **Q.** Okay. Did they -- you said Trevin Allen was distributing
 11:37 21 drugs, heroin, in Stanley Holmes before you went into custody
 11:37 22 in 2009, correct?
 11:37 23 **A. Yes.**
 11:37 24 **Q.** Were any of these other guys also selling heroin with him
 11:37 25 in that area?

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11:37 1 **A. Yes.**
 11:37 2 **Q.** Before you went into custody?
 11:37 3 **A. Yes.**
 11:37 4 **Q.** Now, when you came home in July of 2011 -- strike that.
 11:37 5 Let me back up a second. Trevin Allen, did his group refer to
 11:37 6 themselves by a name or nickname?
 11:37 7 **A. Yes.**
 11:37 8 **Q.** At one time.
 11:37 9 **A. Yes.**
 11:37 10 **Q.** And what did they call themselves?
 11:37 11 **A. Crime Fan.**
 11:37 12 **Q.** And the same name that you said your group was calling
 11:37 13 yourselves, correct?
 11:37 14 **A. Yes.**
 11:37 15 **Q.** At one time prior to you getting home in July of 2011, at
 11:38 16 one time, Trevin Allen and Mykal Derry and the two groups were
 11:38 17 -- were what? What was going on with them before you came
 11:38 18 home in July 2011?
 11:38 19 **A. There was a beef going on, a war.**
 11:38 20 **Q.** Okay. But before the beef, what was going on before the
 11:38 21 beef with Trevin Allen, Mykal Derry and the two groups?
 11:38 22 **A. They was cool together, selling drugs together.**
 11:38 23 **Q.** Okay. Including in Stanley Holmes?
 11:38 24 **A. Yes.**
 11:38 25 **Q.** Okay. And then while you were in custody, did some kind

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11:38 1 of, as you described it, a beef develop?
 11:38 2 **A. Yes.**
 11:38 3 **MR. MADDEN:** Objection. Lack of personal knowledge.
 11:38 4 He said he was in custody.
 11:38 5 **MR. ASKIN:** I'm going to get to the questions where
 11:38 6 he describes --
 11:38 7 **THE COURT:** I'll overrule the objection for now.
 11:38 8 **BY MR. ASKIN:**
 11:38 9 **Q.** Okay. At some point, either while you were in custody,
 11:38 10 talking to people at home, or -- from your group, or when you
 11:38 11 got home, did you find out about some kind of an issue or
 11:38 12 problem, you describe as a beef, between Trevin Allen and
 11:39 13 these guys that you associated with him, and Mykal Derry and
 11:39 14 the guys in your group?
 11:39 15 **MR. MADDEN:** Objection. Hearsay.
 11:39 16 **THE COURT:** I'm going to have to sustain the
 11:39 17 objection and ask you to rephrase.
 11:39 18 **MR. ASKIN:** I'll rephrase.
 11:39 19 **BY MR. ASKIN:**
 11:39 20 **Q.** If you know, do you recall any discussions between -- do
 11:39 21 you recall any discussions between Trevin Allen -- between you
 11:39 22 and guys that were in your group, either before you came home
 11:39 23 and -- or after you got home, about Trevin Allen and the guys
 11:39 24 you just named with him?
 11:39 25 **MR. MADDEN:** Objection.

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11:39 1 BY MR. ASKIN:

11:39 2 Q. Were there any discussions about it?

11:39 3 THE COURT: Overruled.

11:39 4 MR. MADDEN: If I may. I mean, I can say it now, I
11:39 5 don't need to say it at sidebar, but the objection is, we
11:39 6 don't even know who the conversations are from. He's just
11:39 7 saying with anyone.

11:39 8 THE COURT: That's not -- the question as I
11:39 9 understood it, between you guys, you and guys that were in
11:40 10 your group, which I understand to be -- well, let me see you
11:40 11 at sidebar.

11:40 12 (SIDEBAR AS FOLLOWS:)

11:40 13 THE COURT: So I'm going to have you rephrase, but I
11:40 14 want you to define what "group" means. But I assume that
11:40 15 you're referring to 3-6, 6-12 or the Mykal Derry -- the group
11:40 16 that he's identified being led by Mykal Derry. As long as
11:40 17 that's the premise or the foundation for his knowledge, the
11:40 18 source of his knowledge, it's 801(d)(2)(E)?

11:40 19 MR. ASKIN: Right.

11:40 20 THE COURT: Then I'll allow it. Conversations from
11:40 21 the rival group would not fall into that category. It may or
11:40 22 may not be an admission of some kind of criminal conduct, but
11:41 23 you'll have to be more precise about who's saying what to
11:41 24 whom.

11:41 25 MR. ASKIN: I agree with that, Your Honor.

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11:41 1 THE COURT: And the basis for your hearsay, exception
11:41 2 or exclusion.

11:41 3 MR. ASKIN: Right. I'm only going to say this now as
11:41 4 a just a precautionary thing. Mykal Derry seems to be
11:41 5 engaging in some kind of facial reactions to the witness, with
11:41 6 the witness, and the witness keeps looking at Mykal Derry,
11:41 7 other than to me. I don't know what's causing that and I'm
11:41 8 not -- I'm just saying that --

11:41 9 MR. MADDEN: Right.

11:41 10 MR. ASKIN: -- I've noticed it to be occurring now,
11:41 11 and Mykal Derry then starts staring me down, which, whatever,
11:41 12 but --

11:41 13 MR. MADDEN: This guy keeps staring me down. He
11:41 14 keeps staring at me, too. It's a little bit weird.

11:41 15 MR. ASKIN: Okay. So whatever, then we will just
11:41 16 deal with it. It's part of the game.

11:41 17 MR. MADDEN: He's been eyeing me up since yesterday.
11:41 18 Just ignore him or whatever.

11:41 19 MR. ASKIN: Right. Okay.

11:41 20 MR. MARKOWITZ: I feel left out.

11:41 21 MR. ASKIN: I'm not making --

11:41 22 MR. MADDEN: If somebody could please eye-up Mr.
11:41 23 Markowitz.

11:41 24 MR. ASKIN: I know you're feeling left out. I'm --

11:41 25 MR. MARKOWITZ: I'm feeling insignificant.

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11:41 1 MR. ASKIN: I'm not asking for anything at this
11:41 2 point. I'm just saying it's something we should probably
11:41 3 keep an eye on.

11:41 4 THE COURT: Mr. Madden, do you think it's appropriate
11:42 5 to have a conversation with him? I'll keep an eye on him. If
11:42 6 I feel that it's being either distracting to the jury or
11:42 7 presents some kind of attempt at intimidation, then I will
11:42 8 take a break and maybe I will talk to him over the break about
11:42 9 it. But only if I notice it.

11:42 10 So I'll be more mindful of it and if I see something
11:42 11 that I believe to be inappropriate, then I'll address it at a
11:42 12 break.

11:42 13 MR. ASKIN: Okay, that's fine.

11:42 14 MR. MADDEN: Thank you, Your Honor.

11:42 15 MR. ASKIN: Thank you, Your Honor.

11:42 16 (END OF SIDEBAR.)

11:42 17 THE COURT: All right. You may proceed, Mr. Askin.

11:42 18 MR. ASKIN: Thank you, Your Honor.

11:42 19 BY MR. ASKIN:

11:42 20 Q. With respect to -- I'm sorry. With respect to the group
11:43 21 that you were saying you were involved in, the 3-6 crime
11:43 22 family group that you said was led by Mykal Derry, with
11:43 23 respect to that group, when you came home in July of 2011, or
11:43 24 while you were in custody, did you have a conversation with
11:43 25 any of the members of your group that you were in, that you

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11:43 1 said was at one time led by Mykal Derry, about Trevin Allen
11:43 2 and the guys that were with Trevin Allen?

11:43 3 A. Yes.

11:43 4 Q. Okay. And you had testified previously, at one time the
11:43 5 groups were cool, and everybody was selling drugs together in
11:43 6 Stanley Holmes. Is that your testimony?

11:43 7 A. Yes.

11:43 8 Q. At some point, did a member of your group, or members of
11:43 9 your group, advise you that something had changed?

11:43 10 A. Yes.

11:43 11 Q. What had changed?

11:43 12 A. That we stopped being cool with them and just started
11:43 13 beefing.

11:43 14 Q. Okay. And do you know actually how that started?

11:44 15 A. No.

11:44 16 Q. Okay. Did it start -- do you believe it started while
11:44 17 you were in custody?

11:44 18 A. Yes.

11:44 19 Q. After it started, though, regardless of the fact that you
11:44 20 didn't know how it started, after it started, were Trevin
11:44 21 Allen and the guys that you associated -- the drug dealers
11:44 22 that you associated with Trevin Allen, in his group, still in
11:44 23 Stanley Holmes selling drugs, no problems; is that still
11:44 24 happening?

11:44 25 A. No.

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11:44 1 Q. After the problem started between Trevin Allen's group
 11:44 2 and the group that you and Mykal Derry were a part of, were
 11:44 3 Trevin Allen's guys permitted to sell drugs in Stanley Holmes?
 11:44 4 A. No.
 11:44 5 Q. Were there problems with Trevin Allen's group once the
 11:44 6 beef started, in terms of them selling drugs in and around
 11:44 7 Stanley Holmes?
 11:44 8 A. Yes.
 11:44 9 Q. Was there violence?
 11:44 10 A. Yes.
 11:44 11 Q. Okay. Were there discussions amongst the member -- the
 11:44 12 members of your group, about what to do about Trevin Allen's
 11:45 13 guys, those other drug dealers that you were beefing with?
 11:45 14 A. Yes.
 11:45 15 Q. And what were the discussions -- what were the
 11:45 16 discussions?
 11:45 17 A. Shoot them on sight if we seen them.
 11:45 18 Q. Were you part of those discussions?
 11:45 19 A. Yes.
 11:45 20 Q. Were others in the courtroom part of those discussions?
 11:45 21 A. Yes.
 11:45 22 Q. And who was part of those discussions?
 11:45 23 A. Mykal Derry.
 11:45 24 Q. Okay. And he -- was anyone else a part of the
 11:45 25 discussions, at times?

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11:45 1 A. I can't remember.
 11:45 2 Q. Okay. Well, let me ask you this: Was there one
 11:45 3 discussion about this topic or multiple discussions about this
 11:45 4 topic?
 11:45 5 A. Multiple.
 11:45 6 Q. Okay. And was this something that was discussed, just
 11:45 7 you and Mykal Derry or were -- was it discussed in more of a
 11:45 8 group setting, at times?
 11:45 9 A. Sometimes among ourselves or a group.
 11:45 10 Q. Okay. Where did some of the discussions take place?
 11:45 11 A. Outside of Stanley Holmes.
 11:45 12 Q. Okay. From your membership in the group, did you believe
 11:46 13 that the other guys in the group understood that Trevin and
 11:46 14 Allen -- Trevin Allen and them were not to be in Stanley
 11:46 15 Holmes selling drugs once there was a beef?
 11:46 16 A. Yes.
 11:46 17 Q. Okay. Was that understood by the guys?
 11:46 18 A. Yes.
 11:46 19 Q. Were there discussions about -- any discussions about
 11:46 20 protection or how to protect yourselves?
 11:46 21 A. Yes.
 11:46 22 Q. Okay. Any discussions about, what happens if Back
 11:46 23 Maryland guys or guys from Trevin Allen's group were seen --
 11:46 24 after you were beefing with both groups, if they were seen
 11:46 25 around Stanley Holmes, riding through, lurking around Stanley

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11:46 1 Holmes, would there be discussions about that?
 11:46 2 A. Yes.
 11:46 3 Q. Okay. And why did you need to discuss it?
 11:46 4 A. Because everybody need to be on point.
 11:46 5 Q. Okay. When you say "on point," that's a phrase that you
 11:46 6 use. On point for what? What do you mean by "on point"?
 11:46 7 A. If we saw them, supposed to shoot at them if they came
 11:46 8 through. Or be on point of them trying to sneak up on us --
 11:46 9 sneak up on us while we out there.
 11:46 10 Q. We'll get to the testimony later, but were there
 11:46 11 shootings between the Derry group, that you're aware of, and
 11:47 12 the -- Trevin Allen's group of drug dealers, once the -- once
 11:47 13 the beefing started?
 11:47 14 A. Yes.
 11:47 15 Q. And were those shootings discussed both before and after
 11:47 16 the events?
 11:47 17 A. Yes.
 11:47 18 Q. By members of your group?
 11:47 19 A. Yes.
 11:47 20 Q. Okay. Did the same thing happen with respect to
 11:47 21 shootings -- were there shootings with the Back Maryland group
 11:47 22 back and forth?
 11:47 23 A. Yes.
 11:47 24 Q. And were those shootings discussed by members of the
 11:47 25 group on and off -- I mean, I'm sorry. Were those Back

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11:47 1 Maryland shootings discussed by members of your group before
 11:47 2 and after those events?
 11:47 3 A. Yes.
 11:47 4 Q. And were you part -- were you party -- were you present
 11:47 5 and participated in some of those conversations?
 11:47 6 A. Yes.
 11:47 7 Q. If you were outside selling drugs in and around Stanley
 11:47 8 Holmes, were there times that not everybody had a weapon or
 11:47 9 not everyone had a weapon in your group available to them?
 11:47 10 A. Yes.
 11:48 11 Q. Okay. Do you remember times where a person would be
 11:48 12 leaving the group and other guys out there wouldn't have a
 11:48 13 weapon? Do you remember those times?
 11:48 14 A. Yes.
 11:48 15 Q. And what would you guys do? What, if anything, you would
 11:48 16 do to take care of that situation?
 11:48 17 A. We would leave them with a gun.
 11:48 18 Q. Leave the other members of the group with a gun?
 11:48 19 A. Yes.
 11:48 20 Q. And why would you do that?
 11:48 21 A. So they could protect they self.
 11:48 22 Q. Okay. Would you give guns to guys who weren't members of
 11:48 23 your drug organization?
 11:48 24 A. No.
 11:48 25 Q. Just the guys who were members of the group?

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- 11:48 1 A. Yes.
- 11:48 2 Q. In addition to looking out for these rival drug dealers
- 11:48 3 coming through your area, did you also have to look out for
- 11:48 4 other people, other problems when you were out there, other
- 11:48 5 than getting shot at?
- 11:48 6 A. Yes.
- 11:48 7 Q. And who was that?
- 11:48 8 A. Police.
- 11:48 9 Q. Were there concerns about -- did you have concerns about
- 11:49 10 being arrested selling drugs or carrying guns when you were
- 11:49 11 out there?
- 11:49 12 A. Yes.
- 11:49 13 Q. From your membership in the group and discussions with
- 11:49 14 other members of the group, did other guys have that same
- 11:49 15 concern about, they didn't want to get arrested with drugs or
- 11:49 16 guns, right?
- 11:49 17 A. Yes.
- 11:49 18 Q. When you saw the presence of police officers in the area,
- 11:49 19 what did you do at times? What did you do, in terms of other
- 11:49 20 members of the group? What would you do, if you saw cops out
- 11:49 21 there in the area?
- 11:49 22 A. We would let each other know, or if they was trying to
- 11:49 23 come search it, we would hurry up and run the house.
- 11:49 24 Q. If the cops tried to search you, you would hurry up and
- 11:49 25 run in the house?

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- 11:49 1 A. Yes.
- 11:49 2 Q. Okay. Did you know -- did you have a general
- 11:49 3 understanding of the legal requirements of police going into
- 11:49 4 somebody's house? Do you know what I'm asking you?
- 11:49 5 A. No.
- 11:49 6 Q. Well, if I'm a cop and you're outside selling drugs in
- 11:49 7 Stanley Holmes, right, and you're concerned about me coming up
- 11:49 8 to you and searching you or something like that, is that
- 11:49 9 right?
- 11:50 10 A. Yes.
- 11:50 11 Q. Because you're afraid that I might find drugs or guns or
- 11:50 12 something like that. That's what you've testified to, right?
- 11:50 13 A. Yes.
- 11:50 14 Q. Okay. I'm not a cop in Atlantic City, but I'm using this
- 11:50 15 example, right?
- 11:50 16 A. Yes.
- 11:50 17 Q. Okay. So, now, if -- you said in your testimony just a
- 11:50 18 minute ago, that if the cops came up, you would alert each
- 11:50 19 other, members of the group would be alerted, or you would run
- 11:50 20 inside a property, is that right?
- 11:50 21 A. Yes.
- 11:50 22 Q. I'm trying to ask you so the jury understands, why would
- 11:50 23 you run inside a property if you thought the cops were coming?
- 11:50 24 A. Because we had illegal -- illegal firearms on us and
- 11:50 25 drugs on us, and we didn't want to go to jail.

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- 11:50 1 Q. Did you think that going in the property would help you
- 11:50 2 avoid the police?
- 11:50 3 A. Yes.
- 11:50 4 Q. Okay. And did other guys do that as well?
- 11:50 5 A. Yes.
- 11:50 6 Q. Were there names or nicknames that you associated with,
- 11:50 7 that you would tell each other about the police?
- 11:50 8 A. Yes.
- 11:50 9 Q. How did you refer to the police?
- 11:50 10 A. Squally.
- 11:50 11 Q. Anything else that you remember? Was that the primary
- 11:50 12 one?
- 11:50 13 A. That was the primary one.
- 11:50 14 Q. Okay. How about -- now, there were cops walking around
- 11:51 15 Atlantic City or driving around Atlantic City in marked patrol
- 11:51 16 cars wearing police uniforms, right?
- 11:51 17 A. Yes.
- 11:51 18 Q. And those guys are easily identified as the police,
- 11:51 19 correct?
- 11:51 20 A. Yes.
- 11:51 21 Q. Were there plain clothes guys, not wearing -- you know,
- 11:51 22 wearing regular clothes, who weren't driving police cars, who
- 11:51 23 you knew to be the police?
- 11:51 24 A. Yes, we would call them the task.
- 11:51 25 Q. Task?

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- 11:51 1 A. Yes.
- 11:51 2 Q. How did you know that those guys were police officers, or
- 11:51 3 women -- I don't know that they are all male. How did you
- 11:51 4 know that these people were police officers?
- 11:51 5 A. Because we all probably been arrested, arrested by them
- 11:51 6 before, searched by them before.
- 11:51 7 Q. Okay. Approached by them?
- 11:51 8 A. Yes.
- 11:51 9 Q. Okay. So even if they were in plain clothes, if you knew
- 11:51 10 they were cops, would you alert other members of the group?
- 11:51 11 A. Yes.
- 11:51 12 Q. And did other members of the group at times do that for
- 11:51 13 you? Tell you, hey, watch out for squally, these guys are
- 11:51 14 cops?
- 11:51 15 A. Yes.
- 11:51 16 Q. In fact, did you review your wire calls, the line sheets
- 11:51 17 from your wire calls, at some point during your case?
- 11:52 18 A. Yes.
- 11:52 19 Q. And do you recall whether or not there was any reference
- 11:52 20 to that?
- 11:52 21 A. Yes.
- 11:52 22 Q. Okay. Sometimes names were used, like, Warner or Lonell
- 11:52 23 or Steve. Do you recognize any of those names in relation to
- 11:52 24 police?
- 11:52 25 A. Yes.

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11:52 1 Q. Okay. And did you know when some of those names were
 11:52 2 mentioned, that people in the group were referring to certain
 11:52 3 police officers?
 11:52 4 A. Yes.
 11:52 5 Q. Some of the police officers were really familiar to you?
 11:52 6 A. Yes.
 11:52 7 Q. Okay. We will go to next one. 15. Do you recognize
 11:52 8 that male?
 11:52 9 A. Yes.
 11:52 10 Q. And who is that male?
 11:52 11 A. **Laquay Spence.**
 11:52 12 Q. Okay. Is he a male that you knew from Atlantic City when
 11:52 13 you were on the street?
 11:52 14 A. Yes.
 11:52 15 Q. Back in parts of 2012 and early 2013, was Mr. Spence
 11:52 16 involved in any criminal activity that you're aware of?
 11:52 17 A. Yes.
 11:52 18 Q. What was he doing?
 11:52 19 A. **Selling heroin.**
 11:52 20 Q. And where was he selling the heroin, as far as you know?
 11:53 21 A. **Renaissance Plaza.**
 11:53 22 Q. Okay. In this Renaissance Plaza, is there -- is it like
 11:53 23 an outdoor shopping plaza?
 11:53 24 A. Yes.
 11:53 25 Q. How far, approximately, I'm not going to ask you to give

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11:53 1 us an exact distance, but how far, approximately, in terms of
 11:53 2 blocks, if it is blocks, is that location, Renaissance Plaza,
 11:53 3 from the Stanley Holmes complex?
 11:53 4 A. **About one or two blocks down.**
 11:53 5 Q. Okay. And is there any type of food establishment in
 11:53 6 there?
 11:53 7 A. Yes.
 11:53 8 Q. What is there?
 11:53 9 A. **McDonald's, KFC.**
 11:53 10 Q. Okay. Did you refer to that McDonald's by a certain name
 11:53 11 or nickname at times?
 11:53 12 A. **Yes, we called it smack Donald's.**
 11:53 13 Q. Smack Donald's. What was that a reference to?
 11:53 14 A. **Heroin.**
 11:53 15 Q. Smack, referring to heroin?
 11:53 16 A. Yes.
 11:53 17 Q. Smack Donald's? Were there a lot of heroin customers
 11:53 18 around that McDonald's?
 11:53 19 A. Yes.
 11:53 20 Q. Did you personally go down there and sell drugs down
 11:53 21 there?
 11:53 22 A. Yes.
 11:53 23 Q. Did other members of the group?
 11:53 24 A. Yes.
 11:53 25 Q. Who was Laquay Spence getting heroin from at various

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11:54 1 times in -- when you were both out there in 2012 and the early
 11:54 2 part of 2013?
 11:54 3 A. **Mykal Derry.**
 11:54 4 Q. And what kind of quantities was he buying it from Mykal
 11:54 5 Derry in?
 11:54 6 A. **Bricks.**
 11:54 7 Q. Did you know Laquay Spence at any time to be a heroin
 11:54 8 user?
 11:54 9 A. No.
 11:54 10 Q. Just distributor?
 11:54 11 A. Yes.
 11:54 12 Q. Go to No. 17. Do you recognize this male?
 11:54 13 A. Yes.
 11:54 14 Q. And who is that a photo of?
 11:54 15 A. **Malik Derry.**
 11:54 16 Q. The same Malik Derry who is sitting in the courtroom,
 11:54 17 correct?
 11:54 18 A. Yes.
 11:54 19 Q. Okay. How long did you think you have known Malik Derry?
 11:54 20 A. **Since we was little kids.**
 11:55 21 Q. Okay. And now, you both grew up in the same area of
 11:55 22 Atlantic City, essentially?
 11:55 23 A. Yes.
 11:55 24 Q. Okay. And during -- well, do you remember in, around
 11:55 25 October of 2012, something happening with Malik Derry, Mykal

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11:55 1 Derry? Something happened where -- with Malik and coming into
 11:55 2 the area?
 11:55 3 A. Yes.
 11:55 4 Q. What happened? Was Malik out of the area for a while?
 11:55 5 A. **Yes, he was -- he was in jail.**
 11:55 6 Q. Okay. And did Malik -- was Malik, in the fall of 2012,
 11:55 7 as best you can remember, around -- I believe it was around
 11:55 8 October 2012, was Malik released from custody?
 11:55 9 A. Yes.
 11:55 10 Q. Did you have a discussion with someone about them going
 11:55 11 to pick him up?
 11:55 12 A. **Yes, Mykal Derry.**
 11:55 13 Q. Okay. And did Mykal Derry tell you that he was planning
 11:55 14 on picking his brother up?
 11:55 15 A. Yes.
 11:55 16 Q. Okay. And after that, did you begin to see Malik, once
 11:55 17 he was released from custody, back in the area of Atlantic
 11:56 18 City, where you guys grew up?
 11:56 19 A. Yes.
 11:56 20 Q. Okay. And did you see Malik around Stanley Holmes?
 11:56 21 A. Yes.
 11:56 22 Q. Okay. Between when he was released in October of 2012
 11:56 23 and mid-February of 2013, when you left for Florida, you saw
 11:56 24 him at various times?
 11:56 25 A. Yes.

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11:56 1 Q. And was he engaged at any point in illegal activity in
 11:56 2 Atlantic City when you saw him during that time frame?
 11:56 3 MR. MADDEN: Objection to "illegal."
 11:56 4 THE COURT: Overruled.
 11:56 5 THE WITNESS: Yes.
 11:56 6 BY MR. ASKIN:
 11:56 7 Q. What was he doing?
 11:56 8 A. **Selling crack and heroin.**
 11:56 9 Q. Selling crack and heroin? And where was he getting the
 11:56 10 heroin that he was selling?
 11:56 11 A. **Mykal Derry.**
 11:56 12 Q. And what kind of quantities of -- to the best of your
 11:56 13 knowledge, what kind of quantities of heroin was he getting?
 11:56 14 A. **Bundles.**
 11:56 15 Q. Okay. Did Malik Derry, to your knowledge, also get
 11:56 16 heroin from anybody else in the group?
 11:56 17 A. **Yes.**
 11:56 18 Q. And who is that?
 11:56 19 A. **Saeed Zaffa.**
 11:56 20 Q. Saeed Zaffa?
 11:57 21 A. **Yes.**
 11:57 22 Q. From your knowledge, were Saeed Zaffa and Malik Derry
 11:57 23 particularly close?
 11:57 24 A. **Yes.**
 11:57 25 Q. Did you know Malik Derry at any point to be a user of the
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11:57 1 drug heroin?
 11:57 2 A. **No.**
 11:57 3 THE COURT: Mr. Askin, I have 11:57. Please let me
 11:57 4 know when you reach a convenient break point.
 11:57 5 MR. ASKIN: I will, Your Honor, thank you.
 11:57 6 BY MR. ASKIN:
 11:57 7 Q. Did you ever see Malik Derry in possession of any other
 11:57 8 items that were illegal?
 11:57 9 A. **Yes.**
 11:57 10 Q. And what was that?
 11:57 11 A. **A firearm.**
 11:57 12 Q. Okay. Do you recall where you saw that?
 11:57 13 A. **Yes.**
 11:57 14 Q. And where was that?
 11:57 15 A. **Rashada Allen.**
 11:57 16 Q. And what, if anything, did you see with the firearm?
 11:57 17 What did he do with the firearm inside Rashada Allen's house,
 11:57 18 if anything?
 11:57 19 A. **Stuck it on top of the cabinet, I believe.**
 11:57 20 Q. Do you remember what kind of gun it was, if you remember?
 11:57 21 A. **No.**
 11:57 22 Q. But it was a handgun?
 11:57 23 A. **Yes.**
 11:58 24 Q. Okay. Was Malik Derry a member of this drug trafficking
 11:58 25 group crime family during the time that he was home, between
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11:58 1 October of 2012 and February of 2013?
 11:58 2 A. **Yes.**
 11:58 3 Q. Okay. Was he someone who you saw -- was he in any of
 11:58 4 these trap houses?
 11:58 5 A. **Yes.**
 11:58 6 Q. Did he use the trap houses?
 11:58 7 A. **Yes.**
 11:58 8 Q. Was he permitted to do so as a member of the group?
 11:58 9 A. **Yes.**
 11:58 10 Q. Okay. Was he protected as a member of the group?
 11:58 11 A. **Yes.**
 11:58 12 Q. Was he present during any of these discussions about
 11:58 13 these beefs with the Back Maryland guys and the Trevin Allen
 11:58 14 guys?
 11:58 15 A. **Sometimes, sometimes.**
 11:58 16 Q. Okay. Were there a lot of discussions about that?
 11:58 17 A. **Yes.**
 11:58 18 MR. ASKIN: Your Honor, I think this is a -- probably
 11:58 19 a convenient place to break.
 11:58 20 THE COURT: All right. Ladies and gentlemen of the
 11:58 21 jury, we'll now take our lunch break.
 11:58 22 Ms. Novoa.
 11:58 23 THE DEPUTY CLERK: All rise.
 11:58 24 (JURY EXITS; 11:58 a.m.)
 11:59 25 THE COURT: All right. Thank you. Mr. Young, you
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11:59 1 may step down.
 11:59 2 All right. How much longer do you think you have on
 11:59 3 direct with Mr. Young?
 11:59 4 MR. ASKIN: Probably, probably, I'm guessing, about
 11:59 5 two hours, Your Honor. Maybe, maybe less, but it might be
 11:59 6 that much. It's certainly over an hour.
 11:59 7 THE COURT: All right. I'm not holding you to any
 12:00 8 particular time frame, just trying to assess.
 12:00 9 Is there a chance with cross that he would be done
 12:00 10 today?
 12:00 11 MR. ASKIN: I think that -- I'm -- well, we're going
 12:00 12 to come back at 1 o'clock. I'm hoping that the cross will
 12:00 13 start today. I don't know that we will finish cross today
 12:00 14 because -- I mean, that depends on how long -- how extensive
 12:00 15 it is.
 12:00 16 THE COURT: Sure.
 12:00 17 MR. ASKIN: But I believe we will start it today. It
 12:00 18 may have to be completed on Monday. That's my impression.
 12:00 19 THE COURT: If you're wrong, and I think you're
 12:00 20 right, but do you have another witness, just in case?
 12:00 21 MR. ASKIN: I don't see him, but Special Agent
 12:00 22 McNamara told me he'd be here -- we were texting each other
 12:00 23 late last night, he told me he would be here today. I think
 12:00 24 in the afternoon he said. I told him that I thought there was
 12:00 25 no possibility that he could get on before this afternoon.
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12:00 1 So, if we finished --
 12:00 2 THE COURT: All right. That's fine. That's all I
 12:00 3 need to know.
 12:00 4 MR. ASKIN: Yeah. Right.
 12:00 5 MR. MADDEN: I think that's probably accurate.
 12:00 6 THE COURT: All right. Very good. All right.
 12:00 7 Anything, Mr. Madden, you wish me to address at this
 12:00 8 time?
 12:00 9 MR. MADDEN: No, Your Honor, thank you.
 12:00 10 THE COURT: Mr. Markowitz.
 12:00 11 MR. MARKOWITZ: No, Your Honor.
 12:00 12 THE COURT: Mr. Askin.
 12:00 13 MR. ASKIN: No, Your Honor.
 12:00 14 THE COURT: Enjoy your lunch. See you back in an
 12:01 15 hour.
 12:01 16 MR. MADDEN: Thank you, Your Honor.
 12:01 17 MR. ASKIN: Thank you, Your Honor.
 12:01 18 (Recess at 12:01 p.m.)
 12:18 19 (In open court at 1:01 p.m.)
 13:01 20 THE COURT: Good afternoon.
 13:01 21 MR. ASKIN: Good afternoon, Your Honor.
 13:01 22 MR. MADDEN: Good afternoon, your Honor.
 13:01 23 THE COURT: I don't see Gladys but I assume we're
 13:01 24 ready to go?
 13:01 25 MR. ASKIN: Well, yes, Your Honor. There was

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13:01 1 something we want to put on the record. I believe the
 13:01 2 defendants are present and their lawyers are present and we
 13:01 3 can do that, I think if our stenographer is ready and --
 13:01 4 THE COURT: She is.
 13:01 5 MR. ASKIN: Okay. Your Honor, I wanted to put on the
 13:01 6 record that I have had some discussions off the record with
 13:01 7 counsel, Mr. Madden for Mykal Derry and Mr. Markowitz for
 13:01 8 Malik Derry. I wrote them a letter which is a second -- I
 13:01 9 wrote counsel a letter which I would consider a Jencks sort of
 13:01 10 Giglio letter, and it was the second one about Kareem Young.
 13:01 11 The first one, which they have, dates back to the
 13:01 12 time of the first trial, and it's dated December the 10th,
 13:02 13 2014, and I gave them that letter and I believe an e-mail with
 13:02 14 it.
 13:02 15 And then this letter was dated -- the second letter
 13:02 16 is dated July 27th, 2015. Both counsel have a copy of it.
 13:02 17 They are both letters that deal with my dealings with
 13:02 18 Mr. Young and disclosable matters that, without categorizing
 13:02 19 them, may have been Jencks, Giglio, even considered, you know,
 13:02 20 some of it Brady, although the government is not admitting
 13:02 21 that any of it is Brady.
 13:02 22 In this second letter, in a recent meeting with
 13:02 23 Mr. Young, and I don't believe he had ever been questioned nor
 13:02 24 disclosed this in the past, he mentioned to me -- and Special
 13:02 25 Agent Kopp was present -- something to the effect that he was

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13:02 1 in the Crips, referring to the street gang. This is in
 13:02 2 addition to this Three 6, the drug thing, the drug gang. And,
 13:02 3 of course, that prompted a number of follow-up conversations,
 13:02 4 questions about that.
 13:02 5 And then he disclosed that well, Mykal Derry was not
 13:02 6 a member of the Crips, as far as he knew, but that many other
 13:03 7 members of the guys in the group that he was selling drugs
 13:03 8 with, Mykal Derry's group in Stanley Holmes, were Crips. They
 13:03 9 weren't all in the same set of this street gang, in other
 13:03 10 words, they might have been in different subsets of this
 13:03 11 street gang. And he proceeded to name some of them, you know,
 13:03 12 some of these guys in their Three 6 group and what set of the
 13:03 13 Crips they were in, which prompted some follow-up questions
 13:03 14 about what this had to do with the drug organization and
 13:03 15 whether it did have anything to do with it or didn't have
 13:03 16 anything to do with it.
 13:03 17 And, essentially, from what I could gather from our
 13:03 18 short conversation -- this was in a trial prep with Special
 13:03 19 Agent Kopp around the time of it's either the 27th or shortly
 13:03 20 before that -- it seemed to us to be largely -- from the
 13:03 21 government's perspective, in theory, largely irrelevant to the
 13:03 22 drug organization that he was a part of, and he really didn't
 13:03 23 seem to be involved in much to do with the Crips, and he said
 13:03 24 it started when he was in custody, a lot of guys in custody
 13:03 25 were joining these gangs. And then -- but it did continue and

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13:03 1 he was admitting that, in his view, he believed he was still a
 13:04 2 member of that when he was on the street until he started
 13:04 3 cooperating.
 13:04 4 Now, I brought this up with Mr. Markowitz.
 13:04 5 Oh, importantly, he also says that one of the --
 13:04 6 among a number of the guys that he said he believed that he
 13:04 7 knew to be in the Crips was Malik Derry, and Kareem Young said
 13:04 8 something to the effect that he was in the Grape Street set of
 13:04 9 the Crips gang, but that Malik Derry, I believe he said was in
 13:04 10 the Rollin' 60's. I'm no expert in these -- all these subsets
 13:04 11 of these street gangs. And then he started to say Baby Boy
 13:04 12 was in this one, et cetera, et cetera.
 13:04 13 And then he did say that Mykal Derry, as far as he
 13:04 14 knew, was not a member of the Crips gang, but this had no
 13:04 15 effect on the drug dealing.
 13:04 16 Now, I said to Mr. Madden and Mr. Markowitz -- I had
 13:04 17 a discussion with them about whether they were going to get
 13:04 18 into it or not because if they wanted to get into this area,
 13:04 19 then I'm going to get into it on direct, so, of course, not
 13:04 20 to -- so the jury had the impression they were trying to hide
 13:04 21 that fact from them.
 13:04 22 I don't believe, and I will let Mr. Markowitz comment
 13:04 23 for himself, I don't believe Mr. Markowitz wanted to get into
 13:05 24 this in terms of this testimony. I'm assuming he's making a
 13:05 25 professional judgment that it's not in his client's best

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13:05 1 interests.

13:05 2 I believe, and I can understand why, that Mr. Madden
13:05 3 may want to get into this, and may believe it's relevant to,
13:05 4 A, cross-examining Mr. Young with respect to his statements
13:05 5 before the jury, and admissible impeachment -- for a number of
13:05 6 reasons, I think Mr. Madden may reasonably want to get into
13:05 7 this.

13:05 8 MR. MADDEN: That is correct.

13:05 9 MR. ASKIN: So I'll let them comment, but I don't,
13:05 10 like, I don't want the government later to be accused of
13:05 11 bringing up this topic that had nothing to do with the drug
13:05 12 organization because it's really, in my view, not largely our
13:05 13 choice. I would be perfectly willing to ignore this topic,
13:05 14 but for the fact that I believe Mr. Madden is going to claim
13:05 15 that he can properly cross-examine Mr. Young about this.

13:05 16 And I just want to make sure that the Court is aware
13:05 17 of the issue before we start with the jury on this. It's not
13:05 18 going to come up right away but it is going to come up during
13:05 19 the direct, I guess, if he's going to bring it up and the
13:05 20 Court's going to permit it. And I just want to make sure that
13:05 21 the Court is aware of it and doing the balancing of whatever
13:06 22 it needs to do with respect to this evidence and its
13:06 23 relevance, admissibility, for either direct or
13:06 24 cross-examination.

13:06 25 THE COURT: All right. To be clear, you're not

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13:06 1 making any application to me at this time?

13:06 2 MR. ASKIN: I'm not making any application -- well,
13:06 3 the only application I'm making is, and I think counsel should
13:06 4 put on the record their positions, is that from my discussion
13:06 5 with Mr. Madden, he's going to get into it, which means that
13:06 6 I'm going to get into it on direct to blunt this coming up as
13:06 7 like, oh, the government didn't tell us that.

13:06 8 THE COURT: But that's not asking me to do anything.

13:06 9 MR. ASKIN: No, it's -- correct, I guess I'm not
13:06 10 asking you to do anything.

13:06 11 MR. MADDEN: Nor am I, your Honor. I hate to used
13:06 12 the word "summarized," but I think Mr. Askin summarized it
13:06 13 properly.

13:06 14 MR. MARKOWITZ: And my position is moot now, so it
13:06 15 wouldn't matter what my position is, your Honor.

13:06 16 MR. ASKIN: I just want to know -- if it's an issue
13:06 17 later, I want the record to be clear about why we got into it.

13:06 18 THE COURT: That's a strategic choice on your end.

13:06 19 MR. ASKIN: Right.

13:06 20 THE COURT: There was a supervisor I had in the U.S.
13:07 21 Attorney's Office who, perhaps because I can be a little
13:07 22 loquacious, would often say to me when I came into his office
13:07 23 for advice, "Tell me now what you're going to ask me at the
13:07 24 end."

13:07 25 (Laughter.)

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13:07 1 THE COURT: I may use that tactic with you,
13:07 2 Mr. Askin.

13:07 3 MR. ASKIN: Well, you might have to.

13:07 4 THE COURT: I appreciate all of that.

13:07 5 MR. ASKIN: My wife uses that a lot.

13:07 6 THE COURT: Okay. All right. So I believe we're
13:07 7 ready.

13:07 8 Anything else, Mr. Askin?

13:07 9 MR. ASKIN: I think that's it. There is something
13:07 10 else but I'll get to it later, particularly given my
13:07 11 tendencies.

13:07 12 THE COURT: Mr. Markowitz?

13:07 13 MR. MARKOWITZ: Nothing, Your Honor.

13:07 14 THE COURT: Mr. Madden?

13:07 15 MR. MADDEN: No, your Honor.

13:07 16 THE COURT: We will have our jury. Oh, we need
13:07 17 Mr. Young.

13:08 18 (The witness resumed the stand.)

13:08 19 THE DEPUTY CLERK: All rise.

13:09 20 (The Jury entered the courtroom at 1:09 p.m.)

13:09 21 THE COURT: All right. Thank you. Please be seated.
13:09 22 Welcome back.

13:09 23 All right. Mr. Askin, your witness.

13:09 24 MR. ASKIN: Thank you, your Honor.

13:09 25 May I have one moment with counsel, your Honor?

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13:09 1 THE COURT: Yes, Mr. Askin.

13:09 2 MR. ASKIN: Thank you, your Honor.

13:10 3 We could turn to Page -- Government's Exhibit 4,
13:10 4 Number 22.

13:10 5 (Document was published.)

13:10 6 BY MR. ASKIN:

13:10 7 Q. Okay. We're showing, for the record, Photo 22, Bates
13:10 8 Stamp Number 22 of Government's Exhibit 4. Do you recognize
13:10 9 the male in that photo?

13:10 10 A. Yes.

13:10 11 Q. Okay. Who is it?

13:10 12 A. Quasim Duncan.

13:10 13 Q. Okay. In 2012 and in early 2013, when you were both on
13:10 14 the street, did you know Mr. Duncan to be involved in any
13:10 15 criminal activity?

13:10 16 A. Yes.

13:10 17 Q. And what was he involved in?

13:10 18 A. Selling heroin.

13:11 19 Q. And what kind of quantities was he getting the heroin in?

13:11 20 A. Bricks.

13:11 21 Q. Who was he buying the heroin from?

13:11 22 A. Mykal Derry.

13:11 23 Q. Do you know if he also had other sources of supply?

13:11 24 A. He did.

13:11 25 Q. Okay. Do you remember their names or --

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13:11 1 A. No.
 13:11 2 Q. Okay. But one of his sources of supply was Mykal Derry?
 13:11 3 A. Yes.
 13:11 4 Q. And where was he selling the heroin, do you know?
 13:11 5 A. Pacific Ave.
 13:11 6 Q. Okay. And did you know him to get heroin from Mykal
 13:11 7 Derry on one occasion or a number of occasions?
 13:11 8 A. Multiple occasions.
 13:11 9 Q. And what quantity was he buying it in?
 13:11 10 A. Bricks.
 13:11 11 Q. Go to the next individual, 23, Photo 23.
 13:11 12 (Document was published.)
 13:11 13 BY MR. ASKIN:
 13:12 14 Q. Do you recognize this woman?
 13:12 15 A. Yes.
 13:12 16 Q. And who is that?
 13:12 17 A. Rashada Allen.
 13:12 18 Q. Okay. Is that the woman that you testified earlier about
 13:12 19 who had a residence in Stanley Holmes in the first village?
 13:12 20 A. Yes.
 13:12 21 Q. Okay. And she wasn't living there, mostly she was living
 13:12 22 with her mom, I believe that was your testimony; is that
 13:12 23 right?
 13:12 24 A. Yes.
 13:12 25 Q. Okay. And did something happen with -- well, first off,

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13:12 1 let me back up a second.
 13:12 2 Rashada Allen, did you refer to her as anything, any
 13:12 3 nickname or shortened name or anything?
 13:12 4 A. Shada.
 13:12 5 Q. Shada?
 13:12 6 A. Yes.
 13:12 7 Q. And did you hear other guys refer to her as Shada?
 13:12 8 A. Yes.
 13:12 9 Q. Okay. And did you refer to her place as something?
 13:12 10 Other than a trap house, did you refer to it as somebody's
 13:12 11 place?
 13:12 12 A. Shada crib.
 13:12 13 Q. Shada's crib? Yes?
 13:12 14 A. Yes.
 13:12 15 Q. Did something happen to her in 2012 that you observed,
 13:12 16 that you saw?
 13:12 17 A. Yeah. She was being locked up.
 13:13 18 Q. Okay. And were you out on the street and saw that?
 13:13 19 A. Yes.
 13:13 20 Q. Or a part of it?
 13:13 21 A. Yes.
 13:13 22 Q. Okay. You've got to keep your voice up or pull that mic
 13:13 23 towards you because you're talking a little low.
 13:13 24 Where was she being arrested, if you remember?
 13:13 25 A. I believe Baltic Ave.

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13:13 1 Q. Okay. Where was it -- if you recall, where was it in
 13:13 2 relation to Stanley Holmes? Was it nearby or far away or
 13:13 3 where was it?
 13:13 4 A. It was on the side of Stanley Holmes, the first village.
 13:13 5 Q. And where were you when she was arrested? Generally,
 13:13 6 where were you, if you remember?
 13:13 7 A. In the first village.
 13:13 8 Q. Okay. Was there a discussion about her arrest between
 13:13 9 you and others that were members of the crime family -- group
 13:13 10 that Mykal Derry was involved in?
 13:13 11 A. Yes.
 13:13 12 Q. Okay. And was her arrest discussed amongst members of
 13:13 13 that group?
 13:13 14 A. Yes.
 13:13 15 Q. And was it discussed what she got locked up with, if
 13:13 16 anything?
 13:13 17 A. Yes.
 13:13 18 Q. What did she get locked up with?
 13:13 19 A. A handgun.
 13:13 20 Q. And did you know what that handgun was for, from these
 13:14 21 discussions?
 13:14 22 A. Yes.
 13:14 23 Q. What was it for?
 13:14 24 A. Mykal Derry.
 13:14 25 Q. Do you know, from discussions, were there any efforts

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13:14 1 made to help Rashada Allen after she was arrested by members
 13:14 2 of the -- by any of the members of the group?
 13:14 3 A. Mykal Derry said he was gonna bail her out.
 13:14 4 Q. He told you that?
 13:14 5 A. Yes.
 13:14 6 Q. Were other guys present when he told you that, if you
 13:14 7 remember?
 13:14 8 A. I believe so, yes.
 13:14 9 Q. Go to the next one. Number 24.
 13:14 10 (Document was published.)
 13:14 11 BY MR. ASKIN:
 13:15 12 Q. Do you recognize the male depicted in Photo 24?
 13:15 13 A. Yes.
 13:15 14 Q. And who is that?
 13:15 15 A. Bread.
 13:15 16 Q. Bread, is that his nickname?
 13:15 17 A. Yes.
 13:15 18 Q. Is that what you referred to him as?
 13:15 19 A. Yes.
 13:15 20 Q. Did you hear other guys in your group refer to him as
 13:15 21 Bread?
 13:15 22 A. Yes.
 13:15 23 Q. And what's his real name, do you know?
 13:15 24 A. Raymond Mack.
 13:15 25 Q. And did you know in 2012, when he was out there and you

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13:15 1 were out there, in 2012 and early 2013, Raymond Mack to be
 13:15 2 involved in any criminal activity in Atlantic City?
 13:15 3 A. **Yes.**
 13:15 4 Q. What was he doing?
 13:15 5 A. **Selling crack and heroin.**
 13:15 6 Q. And who was he getting the heroin that he was -- the
 13:15 7 heroin that he obtained, who was he getting it from?
 13:15 8 A. **Mykal Derry.**
 13:15 9 Q. And what kind of quantities, if you know, was he buying
 13:15 10 from Mykal Derry? To the best of your knowledge.
 13:15 11 A. **I think he was buying bundles.**
 13:16 12 Q. Okay. And was he reselling the heroin?
 13:16 13 A. **Yes.**
 13:16 14 Q. Do you know, to your knowledge, was Raymond Mack ever a
 13:16 15 user of the drug heroin?
 13:16 16 A. **No.**
 13:16 17 Q. Did you know Raymond Mack to be doing anything else that
 13:16 18 was illegal or being in possession of anything else that was
 13:16 19 illegal?
 13:16 20 A. **Yes. Firearms.**
 13:16 21 Q. And did you see him in possession of firearms once or
 13:16 22 many times?
 13:16 23 A. **Multiple times.**
 13:16 24 Q. And do you remember some of the locations you saw him in
 13:16 25 possession of firearms?

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13:16 1 A. **Yes.**
 13:16 2 Q. Where is that?
 13:16 3 A. **Schoolhouse, first village, his house.**
 13:16 4 Q. And what street was his house on, if you remember?
 13:16 5 A. **Indiana Avenue.**
 13:16 6 Q. Okay. Do you know if there were ever any incidents at
 13:16 7 that house or around that house with respect to the guns, do
 13:17 8 you recall?
 13:17 9 A. **A shooting.**
 13:17 10 Q. Okay. There was a shooting at the house -- around the
 13:17 11 house that you were familiar with?
 13:17 12 A. **Yes.**
 13:17 13 Q. Okay. How did you hear about that?
 13:17 14 A. **Raymond Mack told me.**
 13:17 15 Q. Okay. What did he tell you?
 13:17 16 A. **He said he just got into a shootout.**
 13:17 17 Q. Raymond Mack did?
 13:17 18 A. **It was Raymond Mack -- I believe his brother.**
 13:17 19 Q. Which brother, do you remember?
 13:17 20 A. **Michael Mack.**
 13:17 21 Q. Anybody else, do you remember?
 13:17 22 A. **Not that I can remember.**
 13:17 23 Q. Okay. So those two brothers got in a shootout. Did he
 13:17 24 say who they were in a shootout with?
 13:17 25 A. **I think a guy from Back Maryland. A guy from Back**

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13:17 1 **Maryland.**
 13:17 2 Q. Okay. And do you know if anything happened with respect
 13:17 3 to Raymond Mack and/or the guns or anything with respect to
 13:17 4 that? If you know.
 13:17 5 A. **Not that I remember.**
 13:17 6 Q. Okay. Okay. Do you know -- Raymond Mack, he had a
 13:18 7 brother Michael Mack. Did he have another brother?
 13:18 8 A. **Yes.**
 13:18 9 Q. And what was the other brother's name?
 13:18 10 A. **Derreck Mack.**
 13:18 11 Q. And was Derreck Mack involved in criminal activity in
 13:18 12 2012 and 2013?
 13:18 13 A. **Yes.**
 13:18 14 Q. What was he involved with?
 13:18 15 A. **He was selling crack, sometimes heroin. He was also a**
 13:18 16 **shooter, too.**
 13:18 17 Q. Who was he getting the heroin he was selling from?
 13:18 18 A. **Mykal Derry.**
 13:18 19 Q. Okay. And you said he was a shooter?
 13:18 20 A. **Yes.**
 13:18 21 Q. Was he a shooter as part of this organization?
 13:18 22 A. **Yes.**
 13:18 23 Q. Was Raymond Mack, would you have considered -- what was
 13:18 24 Derreck Mack's nickname?
 13:18 25 A. **Dirt.**

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13:18 1 Q. **Dirt?**
 13:18 2 A. **Yes.**
 13:18 3 Q. And were you around Stanley Holmes Village, I don't mean
 13:18 4 at the exact moment, but were you around Stanley Holmes
 13:18 5 Village in December of -- mid-December of 2012?
 13:19 6 A. **Was I?**
 13:19 7 Q. Yeah. Were -- were you in the area in mid-December of
 13:19 8 2012 when something happened to Derreck Mack?
 13:19 9 A. **I was around -- I was on Atlantic Avenue.**
 13:19 10 Q. Okay. And what happened to Derreck Mack?
 13:19 11 MR. MADDEN: Objection, hearsay.
 13:19 12 THE COURT: Overruled.
 13:19 13 BY MR. ASKIN:
 13:19 14 Q. What happened to Derreck Mack?
 13:19 15 A. **He was killed.**
 13:19 16 Q. By whom?
 13:19 17 A. **Atlantic City Police.**
 13:19 18 Q. Okay. And was there a discussion between members of the
 13:19 19 group about that?
 13:19 20 A. **Yes.**
 13:19 21 Q. And what were those discussions?
 13:19 22 A. **Some of the discussions, that -- some people said that he**
 13:19 23 **mouthed that -- that he was gonna try to shoot at the police,**
 13:19 24 **and that's about it that I can remember.**
 13:19 25 Q. Okay. What about Raymond Mack, other than selling crack

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13:19 **1** and heroin, did he have another role in the organization? Was
 13:19 **2** he considered -- did you consider him to be something else
 13:19 **3** besides a drug seller?
 13:20 **4** **A. Yes.**
 13:20 **5** **Q.** And what was he?
 13:20 **6** **A. He was an enforcer.**
 13:20 **7** **Q.** Enforcer?
 13:20 **8** **A. Yes.**
 13:20 **9** **Q.** So both Raymond Mack and Derreck Mack you would consider
 13:20 **10** enforcers?
 13:20 **11** **A. Yes.**
 13:20 **12** MR. MADDEN: Objection, lack of foundation.
 13:20 **13** THE COURT: Overruled.
 13:20 **14** BY MR. ASKIN:
 13:20 **15** **Q.** You said you knew Raymond Mack to be selling crack and
 13:20 **16** heroin. Where was he selling the heroin?
 13:20 **17** **A. Stanley Holmes Village and Brown's Park.**
 13:20 **18** **Q.** Okay. Would you also see Raymond Mack at times in these
 13:20 **19** trap houses that you referred to in your earlier testimony?
 13:20 **20** **A. Yes.**
 13:20 **21** **Q.** As a member of the group, was he permitted to be in the
 13:20 **22** trap houses, hanging out, selling drugs?
 13:20 **23** **A. Yes.**
 13:20 **24** **Q.** Did you ever know Raymond Mack to be a user of heroin or
 13:20 **25** crack cocaine?

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13:20 **1** **A. No.**
 13:20 **2** **Q.** How about Derreck Mack, did you ever know him to be a
 13:20 **3** user, to your knowledge, of crack cocaine or heroin?
 13:20 **4** **A. No.**
 13:20 **5** **Q.** Where would Derreck Mack be distributing these drugs?
 13:20 **6** **A. Schoolhouse, Brown's Park, sometimes Atlantic Avenue,**
 13:21 **7** **Stanley Holmes Village.**
 13:21 **8** **Q.** Okay. If we could go to the next one, Number 25.
 13:21 **9** (Document was published.)
 13:21 **10** BY MR. ASKIN:
 13:21 **11** **Q.** Do you know the woman in this photo?
 13:21 **12** **A. Yes.**
 13:21 **13** **Q.** And who is that? Do you know her by her name or
 13:21 **14** nickname?
 13:21 **15** **A. Big Truck.**
 13:21 **16** **Q.** Big Truck?
 13:21 **17** **A. Yes.**
 13:21 **18** **Q.** Okay. Is that what they called her?
 13:21 **19** **A. Yes.**
 13:21 **20** **Q.** Did you ever meet up with her at various times when you
 13:21 **21** were on the street in 2011 -- I'm sorry.
 13:21 **22** 2012, after you started dealing with Mr. Ellis with the
 13:21 **23** heroin, did you ever meet up with Big Truck, this woman, in
 13:21 **24** 2012 or 2013?
 13:21 **25** **A. Yes.**

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13:21 **1** **Q.** In Atlantic City?
 13:21 **2** **A. Yes.**
 13:21 **3** **Q.** And what were the purpose of those meetings?
 13:21 **4** **A. She was coming to pick up money that I owed to her or**
 13:22 **5** **drop off heroin to me.**
 13:22 **6** **Q.** Did she -- did this happen once or more than once?
 13:22 **7** **A. More than once.**
 13:22 **8** **Q.** Did she at times drop off heroin to you that came from
 13:22 **9** Tyrone Ellis, that you were buying from Tyrone Ellis?
 13:22 **10** **A. Yes.**
 13:22 **11** **Q.** And did she pick up money that you owed Ellis for heroin
 13:22 **12** that he had already given to you?
 13:22 **13** **A. Yes.**
 13:22 **14** **Q.** Did you know her to be doing that for Tyrone Ellis,
 13:22 **15** dropping off and picking up money?
 13:22 **16** **A. Yes.**
 13:22 **17** **Q.** They called her Big Truck. What -- do you remember what
 13:22 **18** kind of vehicle she drove?
 13:22 **19** **A. A -- it was a gray truck.**
 13:22 **20** **Q.** When you say a truck, I mean, like a dump truck or a
 13:22 **21** pickup truck or an SUV?
 13:22 **22** **A. An SUV.**
 13:22 **23** **Q.** What color do you think it was?
 13:22 **24** **A. Gray.**
 13:22 **25** **Q.** Gray?

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13:22 **1** Go to the next one, Photo Number 26.
 13:22 **2** (Document was published.)
 13:22 **3** BY MR. ASKIN:
 13:23 **4** **Q.** Do you recognize this male?
 13:23 **5** **A. Yes.**
 13:23 **6** **Q.** And who is that?
 13:23 **7** **A. Ronald Davis.**
 13:23 **8** **Q.** And did he go by a nickname?
 13:23 **9** **A. Black.**
 13:23 **10** **Q.** Did you call him Black when he was out on the street?
 13:23 **11** **A. Yes.**
 13:23 **12** **Q.** Did you hear other members of the group calling him
 13:23 **13** Black?
 13:23 **14** **A. Yes.**
 13:23 **15** **Q.** Okay. And was Ronald Davis, at points in 2012 when you
 13:23 **16** were out there and in early 2013, was he involved, when you
 13:23 **17** were both out there at times, in any illegal activity?
 13:23 **18** **A. Yes.**
 13:23 **19** **Q.** What was he involved in?
 13:23 **20** **A. Selling heroin.**
 13:23 **21** **Q.** And what kind of quantities of heroin was he selling?
 13:23 **22** **A. Bricks.**
 13:23 **23** **Q.** And who were his suppliers of heroin?
 13:23 **24** **A. Mykal Derry and some other guy from Trenton.**
 13:23 **25** **Q.** Okay. And where was Ronald Davis distributing this

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- 13:23 1 heroin that he was getting from Mykal Derry and at times from
 13:23 2 a guy in Trenton?
 13:23 3 **A. Stanley Holmes, outside of Stanley Holmes, around**
 13:23 4 **Atlantic City area.**
 13:23 5 **Q.** Was he a member of your group?
 13:24 6 **A. Yes.**
 13:24 7 **Q.** Was he permitted to sell heroin because he was a member
 13:24 8 of the group in Stanley Holmes?
 13:24 9 **A. Yes.**
 13:24 10 **Q.** Did you see him at times in those trap houses?
 13:24 11 **A. Yes.**
 13:24 12 **Q.** Did you ever see Ronald Davis in possession of a firearm,
 13:24 13 that you recall?
 13:24 14 **A. Not that I recall.**
 13:24 15 **Q.** Okay. Did you ever see him in these trap houses,
 13:24 16 including the one in the third village?
 13:24 17 **A. Yes.**
 13:24 18 **Q.** And that you said was, if I understand your -- did you
 13:24 19 testify earlier that that was his sister's house, Bonita's?
 13:24 20 **A. Yes.**
 13:24 21 **Q.** Was Bonita living there at the time, his sister?
 13:24 22 **A. No.**
 13:24 23 **Q.** Okay. To your knowledge, was Bonita involved directly in
 13:24 24 the drug activity?
 13:24 25 **A. No.**

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- 13:25 1 (Document was published.)
 13:25 2 BY MR. ASKIN:
 13:25 3 **Q.** Do you recognize this male?
 13:25 4 **A. Yes.**
 13:25 5 **Q.** And who is that?
 13:25 6 **A. Son Son.**
 13:25 7 **Q.** Do you know his real name?
 13:25 8 **A. No.**
 13:25 9 **Q.** Okay. But you called him Son Son?
 13:25 10 **A. Yes.**
 13:25 11 **Q.** Was he involved in illegal activity in Atlantic City in
 13:25 12 2012 and early 2013, that you know of?
 13:25 13 **A. Yes.**
 13:25 14 **Q.** What was he involved in?
 13:25 15 **A. Selling heroin.**
 13:25 16 **Q.** Okay. Do you know who was supplying him with heroin?
 13:26 17 **A. Tyrone Ellis.**
 13:26 18 **Q.** Okay. And you knew that personally?
 13:26 19 **A. Yes.**
 13:26 20 **Q.** Okay. And was he distributing that heroin, reselling it
 13:26 21 in Atlantic City?
 13:26 22 **A. Yes.**
 13:26 23 **Q.** The heroin that he was getting from Tyrone Ellis?
 13:26 24 **A. Yes.**
 13:26 25 **Q.** And what kind of quantities was he getting it in?

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- 13:24 1 **Q.** Okay. But she was, as you understood it, allowing her
 13:24 2 brother to use the house?
 13:24 3 **A. Yes.**
 13:24 4 **Q.** Okay. And you mentioned earlier in your testimony that
 13:24 5 several people from your group were in that house at times; is
 13:24 6 that right?
 13:24 7 **A. Yes.**
 13:24 8 **Q.** Were there illegal items being stored in that house?
 13:24 9 **A. Yes.**
 13:24 10 **Q.** And what were they?
 13:24 11 **A. Drugs and guns.**
 13:24 12 **Q.** Okay. Was Ronald Davis present, ever present when those
 13:24 13 guns were in the house?
 13:24 14 **A. Yes.**
 13:24 15 **Q.** Okay. Was he present when the guns were out in the open?
 13:25 16 **A. Yes.**
 13:25 17 **Q.** Okay. From that, do you believe he knew about the guns
 13:25 18 and that they were part of this?
 13:25 19 **A. Yes.**
 13:25 20 **Q.** But you never saw him with a gun, correct?
 13:25 21 **A. Correct.**
 13:25 22 **Q.** Okay. Did you know Ronald Davis, to your knowledge, to
 13:25 23 be a user of the drug heroin?
 13:25 24 **A. No.**
 13:25 25 **Q.** We can go to Number 27.

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- 13:26 1 **A. Bricks.**
 13:26 2 **Q.** Was Tyrone Ellis -- you said he was fronting you heroin;
 13:26 3 is that right?
 13:26 4 **A. Yes.**
 13:26 5 **Q.** And he was fronting heroin to Mykal Derry?
 13:26 6 **A. Yes.**
 13:26 7 **Q.** From your earlier testimony.
 13:26 8 Do you know if Tyrone Ellis was fronting heroin
 13:26 9 generally to other individuals as well or if you know?
 13:26 10 **A. Yes.**
 13:26 11 **Q.** He was?
 13:26 12 **A. Yes.**
 13:26 13 **Q.** Okay. Keep your voice up.
 13:26 14 Let me go to Number 28.
 13:26 15 (Document was published.)
 13:26 16 BY MR. ASKIN:
 13:26 17 **Q.** Do you recognize this male?
 13:26 18 **A. Yes.**
 13:26 19 **Q.** And what's his name?
 13:27 20 **A. Saeed Zaffa.**
 13:27 21 **Q.** How long have you known Saeed Zaffa, roughly?
 13:27 22 **A. Since 2008.**
 13:27 23 **Q.** And is he from Atlantic City?
 13:27 24 **A. Yes.**
 13:27 25 **Q.** Okay. Was he a member of your group?

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- 13:27 1 A. **Yes.**
- 13:27 2 Q. And was he involved in any illegal criminal activity in
- 13:27 3 2012, and the early part of 2013?
- 13:27 4 A. **Yes.**
- 13:27 5 Q. What was he involved in?
- 13:27 6 A. **Selling heroin.**
- 13:27 7 Q. And what type of quantities of heroin was he selling?
- 13:27 8 A. **Bricks.**
- 13:27 9 Q. And where was he getting the heroin from?
- 13:27 10 A. **Mykal Derry.**
- 13:27 11 Q. And where was Saeed Zaffa distributing the bricks of
- 13:27 12 heroin that he got from Mykal Derry?
- 13:27 13 A. **Stanley Holmes.**
- 13:27 14 Q. He was a member of your group?
- 13:27 15 A. **Yes.**
- 13:27 16 Q. He was permitted to sell heroin in Stanley Holmes?
- 13:27 17 A. **Yes.**
- 13:27 18 Q. Did you see him in some of these trap houses that you
- 13:27 19 guys used to store drugs and guns in and sell out of?
- 13:27 20 A. **Yes.**
- 13:27 21 Q. As a member of the group, was he permitted to do that?
- 13:27 22 A. **Yes.**
- 13:27 23 Q. Did you ever know Saeed Zaffa to be a heroin user?
- 13:27 24 A. **No.**
- 13:28 25 Q. Did you ever see Saeed Zaffa in possession of any other

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- 13:28 1 items that were illegal?
- 13:28 2 A. **Yes.**
- 13:28 3 Q. What did you see him in possession of?
- 13:28 4 A. **I believe it was a MAC-10 or a MAC-11.**
- 13:28 5 Q. Okay. And you say a MAC-10 or a MAC-11. Can you tell us
- 13:28 6 what the gun looked like or any features it had compared to
- 13:28 7 other guns that you possessed or had seen?
- 13:28 8 A. **It was -- it was a bigger gun.**
- 13:28 9 Q. Okay. What about the -- do you understand what I mean by
- 13:28 10 magazine capacity or the capacity of the weapon, in terms of
- 13:28 11 ammunition?
- 13:28 12 A. **I believe it held more than a regular handgun.**
- 13:28 13 Q. The MAC-10 or MAC-11 that Mr. Zaffa had?
- 13:28 14 A. **Yes.**
- 13:28 15 Q. Did you personally see him with that weapon?
- 13:28 16 A. **Yes.**
- 13:28 17 Q. Where did he possess that weapon?
- 13:28 18 A. **In his house.**
- 13:28 19 Q. Okay. And where was his house?
- 13:28 20 A. **Robinson Avenue.**
- 13:28 21 Q. In Atlantic City, Robinson Avenue?
- 13:29 22 A. **Yes.**
- 13:29 23 Q. Have you ever been in that house?
- 13:29 24 A. **Yes.**
- 13:29 25 Q. At the time -- were you present at the house when he

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- 13:29 1 possessed the gun?
- 13:29 2 A. **Yes.**
- 13:29 3 Q. And was this inside or outside that you saw this?
- 13:29 4 A. **Inside.**
- 13:29 5 Q. Inside the house?
- 13:29 6 Do you know where he had gotten that gun?
- 13:29 7 A. **Haneef Cooper.**
- 13:29 8 Q. Haneef Cooper gave him the gun?
- 13:29 9 A. **Yes.**
- 13:29 10 Q. At the time he was in possession of that gun, was
- 13:29 11 Mr. Zaffa in that time frame involved in illegal criminal
- 13:29 12 activity?
- 13:29 13 A. **Yes.**
- 13:29 14 Q. What was he doing?
- 13:29 15 A. **Selling heroin.**
- 13:29 16 Q. Saeed Zaffa, was he being fronted heroin, if you know, by
- 13:29 17 Mykal Derry?
- 13:29 18 A. **No.**
- 13:29 19 Q. Okay. Was he doing something with his money with respect
- 13:29 20 to Mykal Derry and the heroin?
- 13:29 21 A. **Yes.**
- 13:30 22 Q. What was he doing?
- 13:30 23 A. **He was sending his money up when Mykal Derry would go**
- 13:30 24 **re-up.**
- 13:30 25 Q. Sending money up to where?

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- 13:30 1 A. **Paterson.**
- 13:30 2 Q. With Mykal Derry?
- 13:30 3 A. **Yes.**
- 13:30 4 Q. If I understand your testimony, so they could purchase
- 13:30 5 more heroin together?
- 13:30 6 A. **Yes.**
- 13:30 7 Q. Was there a benefit to Mr. Zaffa doing that, to your
- 13:30 8 understanding?
- 13:30 9 A. **Yes. He was getting -- getting it for a cheaper price**
- 13:30 10 **than everybody else.**
- 13:30 11 Q. You mentioned the term "re-up." What does "re-up" mean?
- 13:30 12 A. **To go get more drugs.**
- 13:30 13 Q. Okay. How did you know that Saeed Zaffa was putting his
- 13:30 14 money together with Mykal Derry's money to go up to -- to get
- 13:30 15 more heroin from Paterson together at a lower price?
- 13:30 16 A. **He told me.**
- 13:30 17 Q. Zaffa told you?
- 13:30 18 A. **Yes.**
- 13:30 19 Q. Did you know him to be doing this once or on multiple
- 13:30 20 occasions?
- 13:30 21 A. **Multiple.**
- 13:30 22 Q. Okay. Number 29, Photo Number 29.
- 13:31 23 (Document was published.)
- 13:31 24 BY MR. ASKIN:
- 13:31 25 Q. Do you recognize the male depicted in this photo?

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- 13:31 **1 A. Yes.**
- 13:31 **2 Q.** Who is that?
- 13:31 **3 A. Buck.**
- 13:31 **4 Q.** Do you know his real name?
- 13:31 **5 A. No.**
- 13:31 **6 Q.** Okay. You just knew him as Buck?
- 13:31 **7 A. Yes.**
- 13:31 **8 Q.** Did you call him Buck?
- 13:31 **9 A. Yes.**
- 13:31 **10 Q.** Did you hear others routinely all the time calling him
- 13:31 **11 Buck?**
- 13:31 **12 A. Yes.**
- 13:31 **13 Q.** Okay. You ever heard the term "Buck 'Em Down"? Did you
- 13:31 **14 ever hear that?**
- 13:31 **15 A. Yes.**
- 13:31 **16 Q.** Okay. Who is that a reference to?
- 13:31 **17 A. Not him.**
- 13:31 **18 Q.** Okay. Oh, okay. So when you heard "Buck 'Em Down," you
- 13:31 **19 don't believe it was a reference to him?**
- 13:31 **20 A. No.**
- 13:31 **21 Q.** Okay. Buck, though, is a reference to this guy?
- 13:31 **22 A. Yes.**
- 13:31 **23 Q.** Okay. Was Buck involved in any illegal activity in 2012
- 13:31 **24 and 2013?**
- 13:31 **25 A. Yes.**

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- 13:31 **1 Q.** What was he involved with?
- 13:32 **2 A. Selling heroin, carrying guns.**
- 13:32 **3 Q.** Where was Buck, if you know, where was Buck living? In
- 13:32 **4 2012 and 2013 when you were both home, where was Buck living?**
- 13:32 **5 A. First village.**
- 13:32 **6 Q.** First village of Stanley Holmes?
- 13:32 **7 A. Yes.**
- 13:32 **8 Q.** Did he have a place there?
- 13:32 **9 A. Yes.**
- 13:32 **10 Q.** Okay. Did he live there with someone else?
- 13:32 **11 A. His girlfriend.**
- 13:32 **12 Q.** And what was her name?
- 13:32 **13 A. Nikki.**
- 13:32 **14 Q.** Did you know her?
- 13:32 **15 A. Yes.**
- 13:32 **16 Q.** Okay. And you ever been inside Buck's -- during this
- 13:32 **17 time frame, were you ever inside Buck's place?**
- 13:32 **18 A. Yes.**
- 13:32 **19 Q.** In the first village of Stanley Holmes?
- 13:32 **20 A. Yes.**
- 13:32 **21 Q.** And did you see anything in there that was notable to
- 13:32 **22 you?**
- 13:32 **23 A. Yes.**
- 13:32 **24 Q.** And what did you see, in the place or on Buck, what did
- 13:32 **25 you see in there?**

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- 13:32 **1 A. Guns.**
- 13:32 **2 Q.** Okay. And what -- describe where you saw the guns.
- 13:32 **3 A. Like around his rib cage.**
- 13:32 **4 Q.** How many?
- 13:32 **5 A. Two.**
- 13:32 **6 Q.** Okay. How did he show you that or how did you see that?
- 13:33 **7 A. He lifted up his shirt and he had a belt around -- around**
- 13:33 **8 his rib cage.**
- 13:33 **9 Q.** And there were two guns inside the belt?
- 13:33 **10 A. Yes.**
- 13:33 **11 Q.** Did he make any comment to you at that time?
- 13:33 **12 A. Yeah. He lifted up his shirt and told me -- he said,**
- 13:33 **13 it's all -- he always ready, always got to be on point because**
- 13:33 **14 it's war out there.**
- 13:33 **15 Q.** He's always got to be on point, he's always got to be
- 13:33 **16 ready because what?**
- 13:33 **17 A. It's war out there.**
- 13:33 **18 Q.** Okay. Do you know what he was referring to?
- 13:33 **19 A. Yes.**
- 13:33 **20 Q.** And what was he referring to?
- 13:33 **21 A. The rival -- the rival drug dealers we was having beef**
- 13:33 **22 with.**
- 13:33 **23 Q.** Where was Buck getting the heroin that he was
- 13:33 **24 distributing?**
- 13:33 **25 A. Mykal Derry.**

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- 13:33 **1 Q.** Was Mykal Derry fronting him heroin?
- 13:33 **2 A. I be- -- yes.**
- 13:33 **3 Q.** Okay. Were drugs or any other items other than those
- 13:33 **4 guns being stored in Buck's house at times?**
- 13:33 **5 A. Yes.**
- 13:33 **6 Q.** And what was being stored in his house?
- 13:33 **7 A. Heroin and guns.**
- 13:33 **8 Q.** Okay. And who did the heroin that was being stored
- 13:33 **9 there -- whose heroin was being stored there?**
- 13:34 **10 A. Both Buck and Mykal Derry.**
- 13:34 **11 Q.** Were storing heroin in Buck's house?
- 13:34 **12 A. Yes.**
- 13:34 **13 Q.** Okay. What was -- other than selling heroin, where was
- 13:34 **14 -- where was Spencer -- I'm sorry.**
- 13:34 **15 Where was Buck selling heroin?**
- 13:34 **16 A. Stanley Holmes, Brown's Park. Different places.**
- 13:34 **17 Q.** Okay. Did you see Buck with those -- you said you saw
- 13:34 **18 him with two guns on him on some belt around his chest when he**
- 13:34 **19 lifted up his sweatshirt in his house one time. Did you see**
- 13:34 **20 Buck with guns on any other occasions?**
- 13:34 **21 A. Yes.**
- 13:34 **22 Q.** One time or multiple times?
- 13:34 **23 A. Multiple.**
- 13:34 **24 Q.** And where were some of the other places you saw him with
- 13:34 **25 guns?**

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13:34 1 A. **Outside in the first village.**
 13:34 2 Q. Go ahead.
 13:34 3 A. **Rashada house. Muslimah house. The park.**
 13:35 4 Q. Which park?
 13:35 5 A. **Brown's Park.**
 13:35 6 Q. Okay. Did he play a certain role, in addition to being a
 13:35 7 seller for the drug organization or the drug group that you
 13:35 8 were part of, crime family, did he play a role in that besides
 13:35 9 being a drug seller?
 13:35 10 A. **He was the enforcer.**
 13:35 11 Q. Okay. Did you know of shootings that Buck was actually
 13:35 12 involved in?
 13:35 13 A. **Yes.**
 13:35 14 Q. All right. We'll get to that later.
 13:35 15 Go to the next one, Number 30.
 13:35 16 (Document was published.)
 13:35 17 BY MR. ASKIN:
 13:35 18 Q. Do you recognize that male?
 13:35 19 A. **Yes.**
 13:35 20 Q. And who is that?
 13:35 21 A. **Mace Head.**
 13:35 22 Q. And what's his real name?
 13:35 23 A. **Terry Davis.**
 13:35 24 Q. Okay. Did you know him to be involved in any criminal
 13:35 25 activity in -- when you were both out there in 2012 and early

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13:35 1 part of 2013?
 13:35 2 A. **Yes.**
 13:35 3 Q. And what was he involved with?
 13:35 4 A. **Selling heroin.**
 13:35 5 Q. What else? Anything?
 13:35 6 A. **Carrying guns.**
 13:35 7 Q. Okay. Was he a member of this group?
 13:36 8 A. **Yes.**
 13:36 9 Q. The crime family group that you were a part of with Mykal
 13:36 10 Derry?
 13:36 11 A. **Yes.**
 13:36 12 Q. And the few times he was selling heroin that you know of,
 13:36 13 where was he selling it, do you recall?
 13:36 14 A. **Schoolhouse, Stanley Holmes.**
 13:36 15 Q. Okay. In that area?
 13:36 16 A. **Yes.**
 13:36 17 Q. Now, let me ask you this: Was his primary role in the
 13:36 18 drug group, crime family, as a seller or some other role?
 13:36 19 A. **He was also an enforcer.**
 13:36 20 Q. An enforcer?
 13:36 21 A. **Yes.**
 13:36 22 Q. And as an enforcer, what did he do for the group?
 13:36 23 A. **He protected us with his gun.**
 13:36 24 Q. Did you see Terry Davis or Mace Head carrying guns at
 13:36 25 various times?

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13:36 1 A. **Yes.**
 13:36 2 Q. Once or multiple times?
 13:36 3 A. **Multiple.**
 13:36 4 Q. Did you know of any incidents where Terry Davis was
 13:36 5 arrested?
 13:36 6 A. **Yes.**
 13:36 7 Q. Okay. Referring back to December, mid-December of 2012,
 13:37 8 was there an incident that you were present for involving the
 13:37 9 police and Terry Davis?
 13:37 10 A. **Yes.**
 13:37 11 Q. And what happened in that incident?
 13:37 12 A. **He was chased by Atlantic City Police.**
 13:37 13 Q. Okay. And was the police officer in uniform or in plain
 13:37 14 clothes, if you recall?
 13:37 15 A. **Uniform.**
 13:37 16 Q. Okay. And did you see -- did the police officer -- was
 13:37 17 he walking a beat or did he get out of a car, if you know?
 13:37 18 A. **He got out of a car.**
 13:37 19 Q. And was there some kind of a chase or something?
 13:37 20 A. **Yes. He started chasing down Atlantic Ave.**
 13:37 21 Q. The police officer started chasing Terry Davis down
 13:37 22 Atlantic Avenue?
 13:37 23 A. **Yes.**
 13:37 24 Q. Was this -- this is outside of Stanley Holmes, correct?
 13:37 25 A. **Yes.**

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13:37 1 Q. Is it nearby?
 13:37 2 A. **Yes.**
 13:37 3 Q. Okay. And do you recall who you were with at the time?
 13:37 4 Were you alone or with others, do you remember?
 13:37 5 A. **I was with others.**
 13:37 6 Q. Okay. Who were some of the others, if you remember?
 13:37 7 A. **Levi Young, Fat Daddy. I can't remember everybody else I**
 13:38 8 **was with.**
 13:38 9 Q. Okay. Was Levi Young someone who was involved in illegal
 13:38 10 activity at this time?
 13:38 11 A. **Yes.**
 13:38 12 Q. What was he doing?
 13:38 13 A. **Selling crack and heroin.**
 13:38 14 Q. And where was he selling the heroin?
 13:38 15 A. **Atlantic Avenue, Schoolhouse.**
 13:38 16 Q. Okay. Was he affiliated with your group?
 13:38 17 A. **Yes.**
 13:38 18 Q. Okay. Who was he getting heroin from at times?
 13:38 19 A. **Mykal Derry.**
 13:38 20 Q. When the police started chasing Terry Davis, what did you
 13:38 21 and Levi Young and these other guys do?
 13:38 22 A. **We started running.**
 13:38 23 Q. Okay. But the police weren't chasing you, right?
 13:38 24 A. **No. We started running so the police could start chasing**
 13:38 25 **us and Terry Davis can get away.**

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13:38 1 Q. You wanted the police to chase you so that Terry Davis
 13:38 2 could get away?
 13:38 3 A. **Yes, because we new he had a handgun on him.**
 13:38 4 Q. Okay. Why did you know that Terry Davis had a handgun on
 13:38 5 him at that time? Did you see him with a handgun?
 13:38 6 A. **We always -- we know he always got a handgun on him.**
 13:38 7 Q. You saw him carrying guns all the time so you figured he
 13:39 8 had a gun on him?
 13:39 9 A. **Yes.**
 13:39 10 Q. Okay. And what happened when the police were chasing
 13:39 11 him? Was this one police officer chasing him or multiple
 13:39 12 police officers, at least initially?
 13:39 13 A. **I seen one at the time.**
 13:39 14 Q. Okay. Police officers chasing -- a uniformed police
 13:39 15 officer in mid-December is chasing Terry Davis down Atlantic
 13:39 16 Avenue. You're with Levi Young and Fat somebody?
 13:39 17 A. **Fat Daddy.**
 13:39 18 Q. Fat Daddy. And you guys run. And does the police
 13:39 19 officer start chasing you or does he keep chasing Terry Davis?
 13:39 20 A. **He keeps chasing Terry Davis.**
 13:39 21 Q. Okay. Did you see something happen with Terry Davis,
 13:39 22 with respect to Terry Davis, while he was being chased by the
 13:39 23 police that day?
 13:39 24 A. **Yes.**
 13:39 25 Q. What did he do?

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13:39 1 A. **He was running down Schoolhouse alleyway. He had the cop**
 13:39 2 **beat. He turned the corner, threw the gun into the car.**
 13:39 3 Q. Did you see that?
 13:39 4 A. **Yes.**
 13:39 5 Q. Okay. And did the police get the gun that day?
 13:39 6 A. **No.**
 13:39 7 Q. Okay. Did someone else pick up the gun?
 13:39 8 A. **Yes.**
 13:39 9 Q. Who picked up the gun?
 13:39 10 A. **Bashir.**
 13:39 11 Q. Who is Bashir?
 13:40 12 A. **Jermaine Reynolds' baby mother.**
 13:40 13 Q. Okay. And what's Jermaine Reynolds' nickname?
 13:40 14 A. **Bam.**
 13:40 15 Q. Was he one of members of the group?
 13:40 16 A. **Yes.**
 13:40 17 Q. So his girlfriend picked up the gun thrown by Terry
 13:40 18 Davis?
 13:40 19 A. **Yes.**
 13:40 20 Q. Did you later find out what she did with the gun?
 13:40 21 A. **She put it in her pocketbook and took it upstairs.**
 13:40 22 Q. Did the police officer ultimately catch up with Terry
 13:40 23 Davis?
 13:40 24 A. **Yes.**
 13:40 25 Q. Okay. But Terry Davis didn't have the gun on him at that

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13:40 1 time?
 13:40 2 A. **No.**
 13:40 3 Q. Did you know Terry Davis at any time, to your knowledge,
 13:40 4 to be a user of the drug heroin?
 13:40 5 A. **No.**
 13:40 6 Q. Was Terry Davis -- you said he was a member of this group
 13:40 7 and an enforcer for this group, the group that you were part
 13:40 8 of with Mykal Derry, correct?
 13:40 9 A. **Yes.**
 13:40 10 Q. As a result was Terry Davis allowed to sell drugs in
 13:40 11 Stanley Holmes?
 13:40 12 A. **Yes.**
 13:40 13 Q. Was he permitted to be in these trap houses that you guys
 13:40 14 were using to store and to sell drugs and to keep firearms?
 13:40 15 A. **Yes.**
 13:41 16 Q. Did you see him in those trap houses at times?
 13:41 17 A. **Yes.**
 13:41 18 Q. Go to Number -- before we move off Terry Davis, a few
 13:41 19 days later, you said there was a time that Derreck Mack, Dirt,
 13:41 20 you knew to be shot to death by the police, correct?
 13:41 21 A. **Yes.**
 13:41 22 Q. And that was near Stanley Holmes?
 13:41 23 A. **Yes.**
 13:41 24 Q. You heard about that incident, I think you said in your
 13:41 25 earlier testimony, it was discussed with other members of your

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13:41 1 group, correct?
 13:41 2 A. **Yes.**
 13:41 3 Q. When it was discussed, did you find out or did you know
 13:41 4 from members of the group that anyone else was arrested that
 13:41 5 day, the day that Dirt or Derreck Mack was shot to death by
 13:41 6 the police?
 13:41 7 A. **I found out by members that it was two other people that**
 13:41 8 **got arrested.**
 13:41 9 Q. Okay. Who were the other two people that got arrested
 13:41 10 that day?
 13:41 11 A. **Raymond Mack and Terry Davis.**
 13:41 12 Q. Okay. Did you find out from members of your group what
 13:42 13 Terry Davis was arrested for?
 13:42 14 A. **A handgun.**
 13:42 15 Q. Okay. Did you generally discuss with members of your
 13:42 16 group, the drug organization, times when members got arrested,
 13:42 17 if the members of the group found out about it? Would you
 13:42 18 discuss those things, arrests by the police of members of your
 13:42 19 group?
 13:42 20 A. **Yes.**
 13:42 21 Q. Why would you discuss those things?
 13:42 22 A. **So we could bail them out.**
 13:42 23 Q. Okay. Was that something that the group tried to do for
 13:42 24 members is at times bail them out of custody?
 13:42 25 A. **Yes.**

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13:42 1 Q. Okay. If members of the group were arrested by the
 13:42 2 police, is that something that you would want to know about
 13:42 3 for other reasons other than just bail?
 13:42 4 A. Yes.
 13:42 5 Q. And why would you want to know?
 13:42 6 A. So we know what happened.
 13:42 7 Q. All right. Were you interested in knowing if the police
 13:43 8 were watching you or doing surveillance on you?
 13:43 9 A. Yes.
 13:43 10 Q. Okay. Were you interested in knowing how the police came
 13:43 11 to arrest certain members of the group?
 13:43 12 A. Yes.
 13:43 13 Q. And, therefore, was that something that was discussed
 13:43 14 amongst members of the group?
 13:43 15 A. Yes.
 13:43 16 Q. I don't know if I asked you. Was Terry Davis, to your
 13:43 17 knowledge, ever a user of heroin?
 13:43 18 A. No, he wasn't.
 13:43 19 Q. Move on to Number 31.
 13:43 20 (Document was published.)
 13:43 21 BY MR. ASKIN:
 13:43 22 Q. Do you recognize this woman?
 13:43 23 A. Yes.
 13:43 24 Q. Who is that?
 13:43 25 A. Tiarrah Turner.

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13:45 1 A. Yes.
 13:45 2 Q. Was he also selling the drug?
 13:45 3 A. Yes.
 13:45 4 Q. Who was he getting the heroin -- who was Gator getting
 13:45 5 the heroin from that he was selling?
 13:45 6 A. Mykal Derry.
 13:45 7 Q. And what kind of quantities was he buying from Mykal
 13:45 8 Derry, if you remember?
 13:45 9 A. I believe he was getting fronted brick -- a brick at a
 13:45 10 time buy.
 13:45 11 Q. Was -- so, from your recollection, Mykal Derry was
 13:45 12 fronting him bricks of heroin?
 13:45 13 A. Yes.
 13:45 14 Q. Okay. And where was Gator selling the heroin that he was
 13:46 15 getting from Mykal Derry?
 13:46 16 A. Renaissance Plaza and Brown's Park.
 13:46 17 Q. Okay. Was he permitted to do that by members of this
 13:46 18 group?
 13:46 19 A. Yes.
 13:46 20 Q. And was -- Gator, was he doing this occasionally or on a
 13:46 21 regular basis?
 13:46 22 A. Regular basis.
 13:46 23 Q. Did anyone else in the group also at times supply Wallace
 13:46 24 Boston with heroin?
 13:46 25 A. We all have.

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13:43 1 Q. Did you know her to be -- well, did you know her to be
 13:43 2 residing in the area somewhere or associated with a particular
 13:43 3 residence?
 13:44 4 A. Yes, she lived right next-door to me.
 13:44 5 Q. Okay. And is she older than you, younger than you, if
 13:44 6 you know?
 13:44 7 A. She a little older.
 13:44 8 Q. Okay. Did you know her to be in a relationship at one
 13:44 9 time romantically with anyone that we discussed?
 13:44 10 A. Yes.
 13:44 11 Q. And who is that?
 13:44 12 A. Tyrone Ellis.
 13:44 13 Q. If you could go to Government's Exhibit 33.
 13:44 14 (Document was published.)
 13:44 15 BY MR. ASKIN:
 13:44 16 Q. Do you recognize this male?
 13:44 17 A. Yes.
 13:44 18 Q. And who is that?
 13:45 19 A. Gator.
 13:45 20 Q. And did you know this male when you were on the street?
 13:45 21 A. Yes.
 13:45 22 Q. And what was he involved in?
 13:45 23 A. He was a heroin user and seller.
 13:45 24 Q. Okay. So this male, Gator, was, in fact, using heroin,
 13:45 25 he was a drug addict?

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13:46 1 Q. A lot of members of the group, you mean?
 13:46 2 A. Yes.
 13:46 3 Q. Okay. And supplied him with heroin that you were
 13:46 4 generally getting from whom?
 13:46 5 A. Mykal Derry.
 13:46 6 Q. Okay.
 13:47 7 MR. ASKIN: May I have a moment with Mr. Darragh,
 13:47 8 your Honor?
 13:47 9 THE COURT: Yes.
 13:47 10 (Pause.)
 13:47 11 MR. ASKIN: Your Honor, may I have a moment with
 13:47 12 counsel, your Honor?
 13:47 13 THE COURT: Yes.
 13:47 14 (Discussion held off the record among counsel.)
 13:48 15 MR. ASKIN: Your Honor, thank you for the opportunity
 13:48 16 to speak with counsel.
 13:48 17 There are a series of other additional photos, really
 13:48 18 the same thing, more facial photos, except that the first
 13:48 19 exhibit collectively was 4 -- Government's 4, and it was Pages
 13:49 20 1 through 32. These are marked separately 4A-1 through 4A-20,
 13:49 21 I'm told. They're additional photos. Counsel has no
 13:49 22 objection. I just wanted to note that for the record that we
 13:49 23 would ask to be able to show and publish and admit these
 13:49 24 photos, and instead of going through them one by one, I
 13:49 25 understand counsel, although they're separately marked, have

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13:49 1 no objection and I just was showing counsel and discussing it
 13:49 2 with them.
 13:49 3 THE COURT: All right. Thank you.
 13:49 4 The exhibit number?
 13:49 5 MR. ASKIN: It's 4A-1 -- I'm sorry -- through 4A-15.
 13:49 6 I misspoke. 4A-1 through 4A-15.
 13:49 7 THE COURT: All right. So they're separately marked
 13:49 8 as exhibits?
 13:49 9 MR. ASKIN: Yes, and we're going to go through them
 13:49 10 one by one.
 13:49 11 THE COURT: All right. And there are 15 of them?
 13:49 12 MR. ASKIN: Yes, Your Honor.
 13:49 13 THE COURT: All right. Any objection, Mr. Madden?
 13:49 14 MR. MADDEN: No objection, Your Honor. Thank you.
 13:49 15 THE COURT: Mr. Markowitz?
 13:49 16 MR. MARKOWITZ: No objection.
 13:49 17 THE COURT: In evidence. You may publish. Thank
 13:49 18 you.
 13:49 19 (GOVERNMENT EXHIBITS G-4A-1 THROUGH 4A-15 WERE RECEIVED IN
 13:49 20 EVIDENCE.)
 13:49 21 MR. ASKIN: And just so the record is clear, your
 13:49 22 Honor, we're not going to necessarily go through them in that
 13:49 23 order but they are separately marked. I will name the exhibit
 13:49 24 that I am going to.
 13:49 25 THE COURT: All right, sir.

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13:49 1 MR. ASKIN: Thank you.
 13:50 2 BY MR. ASKIN:
 13:50 3 Q. I show what's been marked for identification purposes
 13:50 4 Government Exhibit 4A-10. Would you show that to the witness
 13:50 5 and display that?
 13:50 6 MR. ASKIN: Sorry. We are going to use the Elmo. It
 13:50 7 may take us just a minute here.
 13:51 8 I'm going to ask him some questions while we set up
 13:51 9 the Elmo.
 13:51 10 THE COURT: All right.
 13:51 11 BY MR. ASKIN:
 13:51 12 Q. Mr. Young, the -- the -- when you were in custody, did
 13:51 13 you know a guy they referred to as Ant 50?
 13:51 14 A. Yes.
 13:51 15 Q. Okay. And you were in custody for a period of time
 13:51 16 between the fall of 20009 and July of 2011 or so, for the most
 13:51 17 part, right?
 13:51 18 A. Yes.
 13:51 19 Q. And while you were in custody during that period of
 13:51 20 time -- well, you came home in July of 2011, correct?
 13:51 21 A. Yes.
 13:51 22 Q. And when you came home in 2011, did some member of the
 13:51 23 group tell you something with respect to Ant 50?
 13:51 24 A. Yes.
 13:51 25 Q. And what did they tell you? Well, first of all, let's

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13:51 1 establish who told you.
 13:51 2 A. Levi Young and Leon Childs.
 13:52 3 Q. Okay. And Levi Young, you have already testified, was a
 13:52 4 member of the group who was getting heroin and distributing it
 13:52 5 from Mykal Derry, correct?
 13:52 6 A. Yes.
 13:52 7 Q. Okay. And was Leon Childs, who was Leon Childs?
 13:52 8 A. He was a member of the group.
 13:52 9 Q. Okay. What did they call him?
 13:52 10 A. L Boog.
 13:52 11 Q. Okay. Levi Young -- these two guys were members of the
 13:52 12 group. What, if anything, did they tell you with respect to
 13:52 13 what happened to Ant 50, what did they tell you?
 13:52 14 A. They told me that he was -- he was kidnapped, beaten, his
 13:52 15 dreads cut out, and they told me that somebody had stuck a
 13:52 16 broom stick in his anal.
 13:52 17 Q. Okay.
 13:52 18 A. Stuck something in his anal.
 13:52 19 Q. Let me stop you there. What -- with respect to the
 13:52 20 beating, of Anthony -- of this guy, Ant 50, were you told by
 13:52 21 these members of the group, Levi Young, specifically, and the
 13:53 22 other guy, why this happened?
 13:53 23 A. Yes.
 13:53 24 Q. Why did it happen?
 13:53 25 A. They said because they stopped buying -- he stopped

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13:53 1 buying heroin from Mykal Derry and Trevin Allen.
 13:53 2 Q. And what -- what did he continue to do?
 13:53 3 A. Sell heroin that he got from somebody else around Stanley
 13:53 4 Holmes.
 13:53 5 Q. And is that why they -- that's why they told you that he
 13:53 6 was assaulted?
 13:53 7 A. Yes.
 13:53 8 Q. Did you know Ant 50, this guy, before you went into
 13:53 9 custody?
 13:53 10 A. Yes.
 13:53 11 Q. Okay. After he was -- just so the record is clear, when
 13:53 12 he was assaulted, Ant 50 was assaulted, where were -- where
 13:53 13 were you? Were you in custody or on the street?
 13:53 14 A. In custody.
 13:53 15 Q. Okay. So it's very clear that you were not present for
 13:53 16 this assault, right?
 13:54 17 A. Yes.
 13:54 18 Q. You know about the assault because the two members of the
 13:54 19 group, Levi Young and L Boog, or whatever his name is, Childs,
 13:54 20 told you about it, right?
 13:54 21 A. Yes.
 13:54 22 Q. When you came home?
 13:54 23 A. Yes.
 13:54 24 Q. Now, after that, did Ant 50 -- well, you still weren't
 13:54 25 home for awhile. That happened in October, 2010. You didn't

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13:54 1 get home until July of 2011, right?

13:54 2 A. Yes.

13:54 3 Q. Did you later hear from someone that something else

13:54 4 happened to Ant 50 after he was assaulted?

13:54 5 A. Yes.

13:54 6 Q. What happened to him?

13:54 7 MR. MADDEN: Objection, Your Honor, hearsay. Can I

13:54 8 have a sidebar?

13:54 9 THE COURT: All right.

13:54 10 (The following occurred at sidebar.)

13:54 11 THE COURT: All right. If the objection is hearsay,

13:54 12 I would sustain it on the basis of the questioning so far.

13:54 13 MR. MADDEN: And the other -- the point, so -- the

13:55 14 stuff -- the stuff about the earlier Ant 50, presumably, the

13:55 15 government is saying it's not hearsay because they are

13:55 16 co-conspirators who told him, but the two people who he says

13:55 17 told him are not co-conspirators.

13:55 18 THE COURT: I think that the question was asked

13:55 19 whether they were part of the group, and he said yes.

13:55 20 MR. ASKIN: Yeah, and he said --

13:55 21 MR. MADDEN: They were not.

13:55 22 MR. ASKIN: They were not -- no, they were not

13:55 23 arrested, indicted co-conspirators but they were

13:55 24 co-conspirators. They were getting heroin from Mykal Derry

13:55 25 and that they were members of the group. And that's been his

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13:55 1 testimony, I think he said it a couple times. They just

13:55 2 weren't arrested, which is a prosecutorial decision about how

13:55 3 much evidence there is or how many people we want to charge.

13:55 4 So, but he made it clear that they were members of the group,

13:55 5 and he said that they were getting heroin from Mykal Derry.

13:55 6 THE COURT: All right. Well, I'm overruling that

13:55 7 objection because I heard him say that they were part of the

13:55 8 group, so that's sufficient for 801(d)(2)(E). But the problem

13:55 9 with the last question, if you're raising the same objection,

13:56 10 is he just said did you hear from somebody, and --

13:56 11 MR. ASKIN: Absolutely, that should be rephrased.

13:56 12 THE COURT: Yes. As I think our recent discussion

13:56 13 demonstrates, it has to be -- there has to be a hearsay

13:56 14 exception or exclusion for each layer of it, so, and this is

13:56 15 just one layer, so who he hears it from matters as to whether

13:56 16 or not it's admissible.

13:56 17 MR. ASKIN: Right.

13:56 18 THE COURT: If you are offering it for the truth.

13:56 19 MR. ASKIN: What it is, your Honor, he said this

13:56 20 repeatedly, in fact, I was trying not to lead him, but the

13:56 21 issue is he said -- he's told us repeatedly, testified in the

13:56 22 last trial, testified in the grand jury, that at some point,

13:56 23 months after this happens, Mykal Derry tells him that he

13:56 24 had -- he, Mykal Derry, had his cousin, King Jaffe, shoot this

13:56 25 male, Anthony Rosario, because of this, and I will get him to

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13:56 1 that.

13:56 2 THE COURT: Who, what, when, where, and why. As long

13:56 3 as you ask those questions, you will be okay.

13:57 4 MR. MADDEN: While we are here, I didn't want to

13:57 5 object to it because I didn't want to make a bigger issue than

13:57 6 it was, but he did talk about -- he did talk about something

13:57 7 we agreed that would not be brought up, and that was the whole

13:57 8 broom in the anus thing.

13:57 9 MR. ASKIN: I'm not -- I'm not sure why he brought

13:57 10 that up, Judge, because I discussed with him not to bring it

13:57 11 up.

13:57 12 MR. MADDEN: I just wanted to make a record of it.

13:57 13 MR. ASKIN: And I will leave it alone because I don't

13:57 14 want to highlight anything with it.

13:57 15 THE COURT: All right. Very good. Thank you.

13:57 16 (Sidebar concluded.)

13:57 17 MR. ASKIN: May I proceed, your Honor?

13:57 18 THE COURT: Yes.

13:57 19 BY MR. ASKIN:

13:57 20 Q. Did something else happen to Ant 50 after -- after this

13:58 21 assault?

13:58 22 A. He was shot and paralyzed.

13:58 23 Q. Now, just so the record is clear --

13:58 24 MR. MADDEN: Objection, foundation.

13:58 25 MR. ASKIN: Okay.

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13:58 1 BY MR. ASKIN:

13:58 2 Q. Who told you or -- did you find this out -- let me back

13:58 3 up.

13:58 4 Were you in custody when this happened, when -- you

13:58 5 believe you were in custody when Ant 50 was shot and

13:58 6 paralyzed?

13:58 7 A. Yes.

13:58 8 Q. So you didn't see it, correct?

13:58 9 A. No.

13:58 10 MR. MADDEN: Objection. There has been no testimony

13:58 11 that he was paralyzed.

13:58 12 MR. ASKIN: He just said he was shot and paralyzed.

13:58 13 MR. MADDEN: Maybe I didn't hear it.

13:58 14 MR. ASKIN: And Detective Jones testified to that.

13:58 15 THE COURT: I think there is such testimonies but --

13:58 16 MR. MADDEN: Withdrawn.

13:58 17 THE COURT: I'll allow this line of questioning. You

13:58 18 may proceed, Mr. Askin.

13:58 19 MR. ASKIN: Okay.

13:58 20 BY MR. ASKIN:

13:58 21 Q. You were in custody when Mr. -- Ant 50 was shot and

13:58 22 paralyzed, correct?

13:58 23 A. Yes.

13:58 24 Q. So you didn't personally see this, correct?

13:58 25 A. Correct.

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000572a

13:58 1 Q. Were you told about it by a particular individual that
 13:58 2 was arrested in this case?
 13:58 3 A. Yes.
 13:58 4 Q. Who told you about it?
 13:59 5 A. Mykal Derry.
 13:59 6 Q. Okay. And did he tell you -- did he tell you while you
 13:59 7 were in custody or after you came home from custody?
 13:59 8 A. After I came home from custody.
 13:59 9 Q. And what did he tell you about the shooting of Ant 50?
 13:59 10 A. He told me he had Ant 50 shot because he had made a
 13:59 11 statement against him.
 13:59 12 Q. What was Ant 50 doing in making a statement against him?
 13:59 13 A. Snitching.
 13:59 14 Q. Is that what he considered it, Mykal Derry?
 13:59 15 A. Yes.
 13:59 16 Q. Is that what he told you?
 13:59 17 A. Yes.
 13:59 18 Q. Did he tell you who he had shoot him?
 13:59 19 A. Yes.
 13:59 20 Q. Who did Mykal Derry have shoot Ant 50?
 13:59 21 A. His cousin, King Jaffe.
 13:59 22 Q. And Mykal Derry told you that when he came home?
 13:59 23 A. Yes.
 13:59 24 Q. Okay. I'm going to show the next photo, Government's
 14:00 25 Exhibit 4A-10. I'm sorry. We're going to display it for the

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14:01 1 BY MR. ASKIN:
 14:01 2 Q. The groups split and then the groups are having a
 14:01 3 problem, correct?
 14:01 4 A. Yes.
 14:01 5 Q. At one point the groups were together, correct?
 14:01 6 A. Yes.
 14:01 7 Q. Okay. Do you believe this was before or after the groups
 14:01 8 split that Trevin Allen and Mykal Derry and others beat up
 14:01 9 Ant 50?
 14:01 10 A. Before.
 14:01 11 Q. It was before the split?
 14:01 12 A. Yes.
 14:02 13 (Document was published.)
 14:02 14 BY MR. ASKIN:
 14:02 15 Q. I'm showing you a photo, Government's Exhibit 4A-6, and
 14:02 16 ask you if you recognize that male?
 14:02 17 A. Yes.
 14:02 18 Q. Who is that?
 14:02 19 A. Qadaf.
 14:02 20 Q. And what's his real name, do you know?
 14:02 21 A. Trevin Allen.
 14:02 22 Q. That's the male you were referencing earlier in your
 14:02 23 testimony?
 14:02 24 A. Yes.
 14:02 25 Q. Okay. Was Trevin Allen involved in illegal activity when

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14:00 1 jurors.
 14:00 2 THE COURT: All right.
 14:00 3 (Document was published.)
 14:00 4 BY MR. ASKIN:
 14:00 5 Q. Now, Mr. Young, for the record, this photo has been
 14:00 6 marked Government's Exhibit 4A-10. Do you recognize that
 14:00 7 male?
 14:00 8 A. Yes.
 14:00 9 Q. And who is that?
 14:00 10 A. King Jaffe.
 14:00 11 Q. And that's the male that Mr. Derry referred to as the
 14:00 12 individual who shot -- he had shoot Ant 50?
 14:00 13 A. Yes.
 14:00 14 Q. Now, the earlier incident that you referred to, without
 14:00 15 going into the details of it, the earlier incident where Mr.
 14:00 16 Ant 50 -- Ant 50 was beat up, do you remember that testimony?
 14:01 17 A. Yes.
 14:01 18 Q. Who was involved in that? Did you know who was involved
 14:01 19 in that besides Mykal Derry?
 14:01 20 A. Trevin Allen, Quran Brown.
 14:01 21 Q. Okay. And, now, you testified earlier, just so the
 14:01 22 record is clear, that Trevin Allen at some point -- the group
 14:01 23 split, correct, and Trevin Allen's group becomes --
 14:01 24 MR. MADDEN: Objection, leading.
 14:01 25 THE COURT: Overruled.

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14:02 1 he was on the streets of Atlantic City?
 14:02 2 A. Yes.
 14:02 3 Q. And before the split, what was he doing?
 14:02 4 A. Selling heroin, carrying guns, shooting at people.
 14:02 5 Q. And before the split, where was he selling that heroin or
 14:02 6 what's one of the places he was selling that heroin?
 14:02 7 A. Stanley Holmes.
 14:02 8 Q. Okay. Do you know from members of the group or from your
 14:03 9 own personal knowledge whether or not Trevin Allen was ever
 14:03 10 arrested in this beating of Ant 50?
 14:03 11 A. Yes.
 14:03 12 Q. Was he?
 14:03 13 A. Yes.
 14:03 14 Q. And did he spend time in custody because of that?
 14:03 15 A. Yes.
 14:03 16 Q. Okay. While he was in custody -- after he went into
 14:03 17 custody, was there then a split between the two groups?
 14:03 18 A. Yes.
 14:03 19 Q. Okay. After that split, were Trevin Allen's guys, his
 14:03 20 drug dealers, permitted in Stanley Holmes to sell drugs?
 14:03 21 A. No.
 14:03 22 (Document was published.)
 14:03 23 BY MR. ASKIN:
 14:03 24 Q. Okay. I'm going to show you Government's Exhibit 4A-4
 14:03 25 and ask you if you recognize that individual?

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14:03 1 A. Yes.
 14:03 2 Q. And who is that?
 14:03 3 A. Heed Hom.
 14:04 4 Q. Okay. Do you know his real name?
 14:04 5 A. Shaheed Hamilton.
 14:04 6 Q. And they called him Heed Hom?
 14:04 7 A. Yes.
 14:04 8 Q. Was he involved in criminal activity when you were both
 14:04 9 on the streets in Atlantic City?
 14:04 10 A. Yes.
 14:04 11 Q. And before the -- before the split between the two
 14:04 12 groups, what was he doing?
 14:04 13 A. Selling heroin.
 14:04 14 Q. And where was -- where was one of the places he was
 14:04 15 selling it?
 14:04 16 A. Stanley Holmes.
 14:04 17 Q. Okay. After the split of the two groups, was he
 14:04 18 permitted to sell heroin in Stanley Holmes by the members of
 14:04 19 your group?
 14:04 20 A. No.
 14:04 21 Q. Okay. Did he stop selling drugs in Stanley Holmes after
 14:04 22 that?
 14:04 23 A. Yes.
 14:04 24 Q. Okay. Was there an incident with him that you're aware
 14:04 25 of or where something was attempted against him that you're

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14:04 1 aware of?
 14:04 2 A. Yes.
 14:04 3 Q. What happened?
 14:04 4 A. He was shot at.
 14:04 5 Q. And, to your knowledge, who --
 14:04 6 MR. MADDEN: Objection, lack of foundation.
 14:04 7 MR. ASKIN: Okay. Well --
 14:04 8 MR. MADDEN: Lack of personal knowledge.
 14:05 9 THE COURT: I'll sustain the objection. Please lay a
 14:05 10 foundation.
 14:05 11 MR. ASKIN: Okay.
 14:05 12 BY MR. ASKIN:
 14:05 13 Q. How do you know about Heed Hom being shot at?
 14:05 14 A. Devonte Molley told me.
 14:05 15 Q. Okay. What's Devonte Molley's name? What is his
 14:05 16 nickname?
 14:05 17 A. Husk.
 14:05 18 Q. And was Husk involved in criminal activity back at that
 14:05 19 time?
 14:05 20 A. Yes.
 14:05 21 Q. And who was he -- what was he involved in doing?
 14:05 22 A. Selling heroin.
 14:05 23 Q. Okay. And who was he selling heroin with?
 14:05 24 MR. MADDEN: Objection, leading.
 14:05 25 THE COURT: Overruled.

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14:05 1 BY MR. ASKIN:
 14:05 2 Q. Who was he selling heroin with?
 14:05 3 A. Mykal Derry and a guy from Trenton.
 14:05 4 Q. Okay. And was he permitted to be in Stanley Holmes
 14:05 5 selling heroin?
 14:05 6 A. Yes.
 14:05 7 Q. Was he considered a part of the group?
 14:05 8 A. Yes.
 14:05 9 Q. Okay. What did Devonte Molley tell you about a shooting
 14:05 10 at Heed Hom?
 14:05 11 A. He said he called Heed Hom --
 14:05 12 MR. MADDEN: Objection, hearsay.
 14:05 13 THE COURT: Overruled.
 14:05 14 BY MR. ASKIN:
 14:05 15 Q. Who called Heed Hom?
 14:06 16 THE COURT: 801(d)(2)(E).
 14:06 17 THE WITNESS: Devonte Molley told me that he seen
 14:06 18 Heed Hom come down the street in his car and he started
 14:06 19 shooting at him.
 14:06 20 BY MR. ASKIN:
 14:06 21 Q. That Devonte Molley started shooting at him?
 14:06 22 A. Yes.
 14:06 23 Q. Okay.
 14:06 24 MR. ASKIN: If I may have one moment, your Honor?
 14:06 25 THE COURT: Yes.

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14:06 1 BY MR. ASKIN:
 14:06 2 Q. That was 4A point --
 14:06 3 Did you tell us what Heed Hom -- after -- after the
 14:06 4 split and after you came home in July of 2011, did you --
 14:06 5 would you see Heed Hom around?
 14:06 6 A. No.
 14:06 7 Q. You didn't see him around anymore?
 14:06 8 A. Not around Stanley Holmes.
 14:06 9 Q. Okay. Well, did you see him anywhere else?
 14:06 10 A. Yes.
 14:06 11 Q. Okay. Where would you see him around?
 14:06 12 A. Atlantic Avenue, driving past in his car, driving past
 14:06 13 Stanley Holmes in his car.
 14:06 14 Q. But not inside Stanley Holmes?
 14:06 15 A. No.
 14:06 16 Q. Okay. And who was --
 14:07 17 MR. MADDEN: I renew my objection, your Honor, as to
 14:07 18 hearsay, because he's not part of the conspiracy.
 14:07 19 MR. ASKIN: Well, he's saying he saw him.
 14:07 20 THE COURT: Hold on.
 14:07 21 Overruled.
 14:07 22 BY MR. ASKIN:
 14:07 23 Q. Okay. So, after the split, if I understand your
 14:07 24 testimony, you didn't really see Heed Hom in Stanley Holmes
 14:07 25 anymore?

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000574q

- 14:07 1 A. No.
- 14:07 2 Q. You just testified you saw him driving around the area.
- 14:07 3 A. Yes.
- 14:07 4 Q. Okay. Do you know -- did there continue to be a problem
- 14:07 5 with Trevin Allen's guys, Heed Hom and others, after the
- 14:08 6 split?
- 14:08 7 A. Yes.
- 14:08 8 Q. Okay. And were there incidents related to that?
- 14:08 9 A. Yes.
- 14:08 10 Q. Okay. And what did they include?
- 14:08 11 MR. MADDEN: Objection, foundation.
- 14:08 12 THE COURT: Overruled.
- 14:08 13 MR. MADDEN: Lack of personal knowledge.
- 14:08 14 THE COURT: Overruled.
- 14:08 15 BY MR. ASKIN:
- 14:08 16 Q. To your personal knowledge, what did those incidents
- 14:08 17 include?
- 14:08 18 A. People getting shot at and shot.
- 14:08 19 Q. Let's go to 4A-9, see if you recognize that individual.
- 14:08 20 (Document was published.)
- 14:08 21 BY MR. ASKIN:
- 14:08 22 Q. Do you recognize that individual?
- 14:08 23 A. Yes.
- 14:08 24 Q. And what did they call him?
- 14:08 25 A. Mizz.

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- 14:08 1 Q. Okay. Do you know his real name?
- 14:08 2 A. No.
- 14:08 3 Q. Do you know who -- if he's related to anyone?
- 14:08 4 A. Shaheed Hamilton.
- 14:08 5 Q. The guy we just showed?
- 14:08 6 A. Yes.
- 14:08 7 Q. So this guy, Mizz, is related to Heed Hom?
- 14:08 8 A. Yes.
- 14:08 9 Q. To the best of your knowledge, how are they related?
- 14:08 10 A. They're cousins.
- 14:08 11 Q. Okay. Did you hear about anything, without telling us
- 14:09 12 what, did you hear about anything happening to Mizz?
- 14:09 13 A. Yes.
- 14:09 14 Q. Okay. And what happened to him?
- 14:09 15 A. He was shot.
- 14:09 16 MR. MADDEN: Objection, hearsay.
- 14:09 17 THE COURT: Sustained.
- 14:09 18 BY MR. ASKIN:
- 14:09 19 Q. Did someone tell you about something happening to Mizz or
- 14:09 20 were you present for it?
- 14:09 21 A. No, Mykal Derry told me what happened.
- 14:09 22 Q. Okay. What did Mykal Derry tell you had happened?
- 14:09 23 A. That he shot Mizz.
- 14:09 24 Q. Okay. Did he tell you who he was trying to shoot?
- 14:09 25 MR. MADDEN: Objection, leading, and assuming facts

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- 14:09 1 not in evidence.
- 14:09 2 THE COURT: Overruled.
- 14:09 3 BY MR. ASKIN:
- 14:09 4 Q. Did he tell you who he was trying to shoot?
- 14:09 5 A. He was trying to shoot him.
- 14:09 6 Q. Mizz?
- 14:09 7 A. Yes.
- 14:09 8 Q. Did he tell you who Mizz was with? If you remember.
- 14:09 9 A. No, not that I remember.
- 14:09 10 Q. Okay. And did Mykal Derry tell you -- did Mykal Derry
- 14:10 11 tell you what happened prior to Mykal Derry shooting Mizz?
- 14:10 12 A. Yes.
- 14:10 13 Q. What had happened prior to Mizz being shot, according to
- 14:10 14 Mykal Derry?
- 14:10 15 A. Shaheed Hamilton little brother shot Buck.
- 14:10 16 Q. So Buck was shot prior to Mizz being shot?
- 14:10 17 A. Yes.
- 14:10 18 Q. And when Mykal Derry told you this, that Buck was shot by
- 14:10 19 Shaheed Hamilton's little brother, tell us what Mykal Derry --
- 14:10 20 what else did he tell you about that incident?
- 14:10 21 A. He said after Buck was shot, he said that he went
- 14:10 22 downtown, picked up his gun, went back to Stanley Holmes, and
- 14:10 23 dressed like a female Muslim, and went out to -- I believe it
- 14:10 24 was Chelsea Heights and shot Mizz.
- 14:10 25 Q. Okay. So who picked up -- who told you that they picked

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- 14:10 1 up Buck's gun?
- 14:10 2 A. Mykal Derry.
- 14:10 3 Q. And who told you that they dressed up as a Muslim female?
- 14:11 4 A. Mykal Derry.
- 14:11 5 Q. And who told you that they then went to Chelsea Heights
- 14:11 6 and shot Mizz?
- 14:11 7 A. Mykal Derry.
- 14:11 8 Q. That's what he told you?
- 14:11 9 A. Yes.
- 14:11 10 Q. And the guy he told you that shot Buck was Heed Hom's
- 14:11 11 little brother, that's what Mykal Derry told you?
- 14:11 12 A. Yes.
- 14:11 13 Q. And the guy that Mykal Derry shot was Heed Hom's cousin,
- 14:11 14 right?
- 14:11 15 A. Yes.
- 14:11 16 Q. That's what he told you?
- 14:11 17 A. Yes.
- 14:11 18 Q. This guy, Mizz?
- 14:11 19 A. Yes.
- 14:11 20 Q. Did you know -- did you later -- Mykal Derry told you
- 14:11 21 this. Did you later know about Buck being shot, did you see
- 14:11 22 him around?
- 14:11 23 A. Yes.
- 14:11 24 Q. Where was he shot in, do you remember, what part of his
- 14:11 25 body? If you remember.

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14:11 1 **A. I forget what part of the body he was shot in.**
 14:11 2 **Q.** But you remember that he was shot?
 14:11 3 **A. Yes.**
 14:12 4 (Document was published.)
 14:12 5 BY MR. ASKIN:
 14:12 6 **Q.** I'm showing you another photo that's been marked 4A-3.
 14:12 7 Do you recognize that male?
 14:12 8 **A. Yes.**
 14:12 9 **Q.** And who is that male?
 14:12 10 **A. Said.**
 14:12 11 **Q.** Okay. And was Said involved in any illegal criminal
 14:12 12 activity when you were both out there? Let's talk about prior
 14:12 13 to you going into custody in 2009 and 2011. Was Said involved
 14:12 14 in criminal activity that you were aware of?
 14:12 15 **A. Yes.**
 14:12 16 **Q.** And what was he involved in?
 14:12 17 **A. Selling heroin, carrying guns.**
 14:12 18 **Q.** And where was he doing that prior to you going into
 14:12 19 custody?
 14:12 20 **A. Carver Hall.**
 14:12 21 **Q.** Okay. Back in -- back before the split, was he selling
 14:12 22 drugs somewhere else other than Carver Hall, if you know?
 14:12 23 **A. Sometimes in Stanley Holmes.**
 14:12 24 **Q.** Okay. And after the split, was he permitted to be in
 14:12 25 Stanley Holmes selling drugs?

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14:12 1 **A. No.**
 14:12 2 **Q.** Okay. Who was he with in the drug business after the
 14:13 3 split, who was his group? Said.
 14:13 4 **A. Trevin Allen.**
 14:13 5 **Q.** Anybody else?
 14:13 6 **A. TY. Quran Heed -- Quran Brown. That's all I can**
 14:13 7 **remember right now.**
 14:13 8 **Q.** Okay. And did something happen, without telling us what,
 14:13 9 do you remember an incident that happened with regard to Said?
 14:13 10 **A. Yes.**
 14:13 11 **Q.** Okay. And were you present -- were you present actually
 14:13 12 for part of that?
 14:13 13 **A. Yes.**
 14:13 14 **Q.** Okay. And what did you see?
 14:13 15 **A. Mykal Derry and Buck, they rode past my house on bikes.**
 14:13 16 **Q.** And your house was where? In the second village you're
 14:13 17 talking about?
 14:13 18 **A. Yes, on Kentucky Ave.**
 14:13 19 **Q.** Okay. And one day -- is this while you're all selling
 14:14 20 drugs together?
 14:14 21 **A. Yes.**
 14:14 22 **Q.** Okay. So one day Buck and Mykal Derry ride by your house
 14:14 23 on bikes, and what happens?
 14:14 24 **A. Buck shot --**
 14:14 25 MR. MADDEN: Objection, foundation. Lack of personal

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14:14 1 knowledge.
 14:14 2 BY MR. ASKIN:
 14:14 3 **Q.** Were you --
 14:14 4 THE COURT: I'll sustain the objection.
 14:14 5 BY MR. ASKIN:
 14:14 6 **Q.** Were you physically present when Mykal Derry and Buck
 14:14 7 rode by on the bikes that day?
 14:14 8 **A. Yes. I was in front of my house.**
 14:14 9 **Q.** Okay. So you saw them ride by on bikes, correct?
 14:14 10 **A. Yes.**
 14:14 11 **Q.** Did you see an actual shooting?
 14:14 12 **A. No.**
 14:14 13 **Q.** Okay. Did you hear an actual shooting?
 14:14 14 **A. Yes.**
 14:14 15 **Q.** Okay. So how far away from you do you think the shooting
 14:14 16 was, in terms of -- you didn't see it but you heard it. How
 14:14 17 far away was it, do you think?
 14:14 18 **A. About half a block up.**
 14:14 19 **Q.** Okay. Did you see anything after the shooting? Like did
 14:14 20 you see the crime scene, did you see anybody come, did you see
 14:14 21 any of that?
 14:14 22 **A. Yes.**
 14:14 23 **Q.** Okay. What did you see?
 14:14 24 **A. I seen the police and ambulance come.**
 14:14 25 **Q.** Okay. And did you later find out who was shot?

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14:15 1 **A. Yes.**
 14:15 2 **Q.** That day or the next day? When did you find out who was
 14:15 3 shot?
 14:15 4 **A. That day.**
 14:15 5 **Q.** And who told you about it?
 14:15 6 **A. I believe it was -- I can't remember at this moment.**
 14:15 7 **Q.** Okay. You were told about it, you believe, what day?
 14:15 8 The next day or the same day?
 14:15 9 **A. Same day.**
 14:15 10 **Q.** Okay.
 14:15 11 MR. ASKIN: May I have one minute, your Honor?
 14:15 12 THE COURT: Yes.
 14:15 13 BY MR. ASKIN:
 14:15 14 **Q.** All right. Come back to that.
 14:16 15 How long after -- if you remember, approximately how
 14:16 16 long after Mykal Derry and Buck rode by you did you hear the
 14:16 17 gunshots?
 14:16 18 **A. Like three minutes after they rode by me.**
 14:16 19 **Q.** Okay. And how far away were the gunshots?
 14:16 20 **A. It was right up the street.**
 14:16 21 **Q.** Okay. All right. So it was near Stanley Holmes?
 14:16 22 **A. Yes. It was on New York Avenue.**
 14:16 23 MR. ASKIN: Your Honor, if I might approach the
 14:16 24 witness?
 14:16 25 THE COURT: Yes.

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000576q

14:16 1 BY MR. ASKIN:
 14:16 2 Q. You said that you don't recall who told you about this;
 14:16 3 is that correct?
 14:16 4 A. Yes.
 14:16 5 MR. ASKIN: If -- JK -- for the record, J-KY-3, at
 14:17 6 Pages 162 and 163.
 14:17 7 MR. MADDEN: Grand jury?
 14:17 8 MR. ASKIN: Yes, grand jury.
 14:17 9 BY MR. ASKIN:
 14:17 10 Q. Mr. Young, do you remember testifying before the grand
 14:17 11 jury back in September of 2014?
 14:17 12 A. Yes.
 14:17 13 Q. With respect to this issue of who told you about the
 14:17 14 shooting of Sedrick Lindo, if I showed you the transcript of
 14:17 15 your testimony on this issue, do you believe that might
 14:17 16 refresh your recollection?
 14:17 17 A. Yes.
 14:17 18 Q. Okay.
 14:17 19 MR. ASKIN: May I approach the witness, your Honor?
 14:17 20 THE COURT: You may.
 14:17 21 MR. ASKIN: I have let counsel know, for the record,
 14:17 22 the exact location of where we're talking about.
 14:17 23 THE COURT: Okay. For the record, the page number?
 14:17 24 MR. ASKIN: Yes, Your Honor. It's -- this is marked
 14:17 25 grand jury testimony from September 10th, 2014, has been
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14:17 1 marked for indication purposes Government's Exhibit J-KY-3,
 14:17 2 and I'm going to refer the witness to Pages 162, 163, and I
 14:17 3 believe the top of Page 164.
 14:17 4 THE COURT: All right. Very good.
 14:18 5 MR. ASKIN: Your Honor, it has a binder clip on it.
 14:18 6 I'll take this off and separate it for him so he could see
 14:18 7 this.
 14:17 8 BY MR. ASKIN:
 14:18 9 Q. Mr. Young, I'm going to ask you to read from Line 19 on
 14:18 10 Page 162 to yourself, Page 162, the bottom of Page 162 to Page
 14:18 11 163, and Page 164, through Page 164. Okay? Could you read
 14:18 12 that to yourself? Just take a few minutes. Take the time
 14:18 13 that you need.
 14:18 14 (Sneezing.)
 14:18 15 THE COURT: Bless you.
 14:19 16 (Pause)
 14:20 17 THE WITNESS: What's the --
 14:20 18 MR. ASKIN: One second.
 14:20 19 THE COURT: Wait for the question.
 14:20 20 MR. ASKIN: Wait for the question.
 14:20 21 BY MR. ASKIN:
 14:20 22 Q. Mr. Young, have you had an opportunity to read your grand
 14:20 23 jury testimony on those pages that I mentioned with respect to
 14:20 24 this incident?
 14:20 25 A. Yes.
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14:20 1 Q. And does that refresh your recollection of what -- of who
 14:21 2 told you about the shooting of Sedrick Lindo?
 14:21 3 A. Mykal Derry and Buck.
 14:21 4 Q. Okay. Did they both tell you?
 14:21 5 A. Yes.
 14:21 6 Q. Okay. Is that what you testified to before the grand
 14:21 7 jury?
 14:21 8 A. Yes.
 14:21 9 Q. Do you recall that now?
 14:21 10 A. Yes.
 14:21 11 Q. Okay. And who actually shot Sedrick Lindo that day?
 14:21 12 A. Buck.
 14:21 13 Q. And when did Mykal Derry and -- to the best of your
 14:21 14 recollection, when did Buck and Mykal Derry tell you about it?
 14:21 15 Was it the same day or shortly thereafter?
 14:21 16 A. Probably a couple days later.
 14:21 17 Q. Okay. Incidentally, did Mykal Derry tell you anything
 14:21 18 else with respect to another incident with Sedrick Lindo?
 14:21 19 A. Yes.
 14:21 20 Q. What did he tell you?
 14:21 21 A. He told me that Sedrick fired one shot at him.
 14:22 22 Q. Okay. And who told you that?
 14:22 23 A. Mykal Derry.
 14:22 24 Q. That Sedrick had fired one shot at Mykal Derry?
 14:22 25 A. Yes.

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14:22 1 Q. Did -- did you -- did Mykal Derry tell you whether he hit
 14:22 2 him or not?
 14:22 3 A. He didn't get hit.
 14:22 4 Q. Okay. Mykal Derry didn't get hit.
 14:22 5 A. No.
 14:22 6 Q. Did Mykal Derry tell you anything about what he intended
 14:22 7 to do about that?
 14:22 8 A. Yes.
 14:22 9 Q. What did he say?
 14:22 10 A. He said he was gonna kill him.
 14:22 11 Q. That Mykal was going to kill Sedrick?
 14:22 12 A. Yes.
 14:22 13 Q. And Sedrick was a drug dealer affiliated with whom?
 14:22 14 A. Trevin Allen.
 14:22 15 Q. Was that something -- do you recall discussions --
 14:22 16 Sedrick Lindo coming up in these discussions about the problem
 14:22 17 with the Trevin Allen group once there was a split?
 14:22 18 A. Yes.
 14:22 19 Q. And the ongoing shootings?
 14:22 20 A. Yes.
 14:22 21 Q. Okay. Was there an understanding of what the group was
 14:22 22 going to do if they saw guys, Trevin Allen's guys like Sedrick
 14:22 23 Lindo?
 14:23 24 A. Yes.
 14:23 25 Q. And what was your understanding as a member of the group

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14:23 1 about what you were supposed to do if you saw Sedrick Lindo?
 14:23 2 **A. Kill him.**
 14:23 3 (Document was published.)
 14:23 4 BY MR. ASKIN:
 14:23 5 **Q.** I'm showing you the next photo, Government's Exhibit
 14:23 6 4A-13. Do you recognize that individual?
 14:23 7 **A. Yes.**
 14:23 8 **Q.** And who is that?
 14:23 9 **A. TY.**
 14:23 10 **Q.** Do you know his real name? Or you just know him as TY?
 14:23 11 **A. Ty-- Tyquinn James.**
 14:23 12 **Q.** Okay. Do you recall out there, was Tyquinn James
 14:23 13 involved in criminal activity?
 14:23 14 **A. Yes.**
 14:23 15 **Q.** In Atlantic City?
 14:23 16 **A. Yes.**
 14:23 17 **Q.** And what was he involved with?
 14:23 18 **A. Selling heroin.**
 14:23 19 MR. MADDEN: Objection, lack of foundation -- or lack
 14:23 20 of personnel knowledge.
 14:23 21 BY MR. ASKIN:
 14:23 22 **Q.** Do you have personal knowledge about this?
 14:23 23 **A. Yes.**
 14:23 24 **Q.** Okay. Tyquinn James, who was he -- who was he with when
 14:23 25 he was selling heroin? Who was he doing it with?

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14:23 1 **A. Before Trevin Allen was locked up?**
 14:24 2 **Q.** Before Trevin Allen was locked up.
 14:24 3 **A. Him and Sedrick.**
 14:24 4 **Q.** Meaning who and Sedrick?
 14:24 5 **A. TY -- TY and Said.**
 14:24 6 **Q.** Were doing that with who?
 14:24 7 **A. Each other.**
 14:24 8 **Q.** And who else? Before Trevin Allen was locked up, were
 14:24 9 they doing it with Trevin Allen?
 14:24 10 **A. Yes.**
 14:24 11 MR. MADDEN: Objection, leading.
 14:24 12 THE COURT: Overruled.
 14:24 13 BY MR. ASKIN:
 14:24 14 **Q.** So Trevin Allen, Said, and Tyquinn James were selling
 14:24 15 heroin together before -- before Trevin Allen was locked up?
 14:24 16 **A. Yes.**
 14:24 17 **Q.** And after Trevin Allen was locked up, to your knowledge,
 14:24 18 did Tyquinn James continue to sell drugs in the area?
 14:24 19 **A. Yes.**
 14:24 20 **Q.** Okay. After the split, did Tyquinn James -- did you see
 14:24 21 him selling drugs in Stanley Holmes after the split?
 14:24 22 **A. No.**
 14:24 23 **Q.** Had you seen him selling drugs in Stanley Holmes when
 14:24 24 Trevin Allen was out before the split?
 14:24 25 **A. Yes.**

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14:24 1 **Q.** Okay. Did you see Tyquinn James or TY around after that?
 14:24 2 You know, after Trevin Allen was in custody, when you were
 14:25 3 back out there, July of 11 -- July of 2011 to February, 2013,
 14:25 4 did you see TY out there at times?
 14:25 5 **A. No.**
 14:25 6 **Q.** Just in the neighborhood?
 14:25 7 **A. I seen him around Atlantic Avenue.**
 14:25 8 **Q.** Atlantic Avenue?
 14:25 9 **A. But not around Stanley Holmes.**
 14:25 10 **Q.** Okay. And were there discussions in particular about
 14:25 11 Tyquinn James and what you guys were supposed to do to him?
 14:25 12 **A. Yes.**
 14:25 13 **Q.** And what were those discussions?
 14:25 14 **A. We were supposed to kill him if we seen him.**
 14:25 15 **Q.** And was there more -- one discussion about that or more
 14:25 16 than one discussion?
 14:25 17 **A. More than one.**
 14:25 18 **Q.** Okay. In one of the discussions, did someone use a
 14:25 19 particular phrase to refer to what was supposed to happen to
 14:25 20 Tyquinn James that you remember?
 14:25 21 **A. Yes.**
 14:25 22 **Q.** And who was that?
 14:25 23 **A. Mykal Derry.**
 14:25 24 **Q.** And what did he say?
 14:25 25 **A. If we see him, we got to put him down.**

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14:25 1 **Q.** "Put him down"? Did you understand what Mykal Derry
 14:25 2 meant when he said "put him down" --
 14:25 3 **A. Yes.**
 14:25 4 **Q.** -- with respect to TY?
 14:25 5 **A. Yes.**
 14:25 6 **Q.** What did he mean?
 14:25 7 **A. Kill him.**
 14:25 8 **Q.** And this was after the split between the two drug groups,
 14:26 9 correct?
 14:26 10 **A. Yes.**
 14:26 11 **Q.** And you've testified that Tyquinn James was one of Trevin
 14:26 12 Allen's guys in the drug business, correct?
 14:26 13 **A. Yes.**
 14:26 14 THE COURT: Mr. Askin, I have 2:26. If you find a
 14:26 15 convenient breaking point in the next five minutes, it would
 14:26 16 be a good time to take a break.
 14:26 17 MR. ASKIN: Yes, your Honor.
 14:26 18 (Document was published.)
 14:26 19 BY MR. ASKIN:
 14:26 20 **Q.** This is Government's Exhibit 4A-10. Do you recognize
 14:26 21 that individual?
 14:26 22 **A. Yes.**
 14:26 23 **Q.** And who is that?
 14:26 24 **A. Pop.**
 14:26 25 **Q.** Did you call him anything else?

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14:26 1 A. Pizz.
 14:26 2 Q. Okay. Do you know his real name?
 14:26 3 A. No.
 14:26 4 Q. Okay. Do you know if he's related to anyone we just
 14:26 5 talked about?
 14:26 6 A. Yes.
 14:26 7 Q. Who is he related to?
 14:26 8 A. Said.
 14:26 9 Q. And what's their relationship, as far as you know?
 14:26 10 A. They're brothers.
 14:26 11 Q. Okay. So this Pop or Pizz, 4A-10, is Said, who we were
 14:26 12 just talking about, Said's brother, right?
 14:27 13 A. Yes.
 14:27 14 Q. Was he involved, to your knowledge, in any criminal
 14:27 15 activity in Atlantic City when you were out there? If you
 14:27 16 know.
 14:27 17 A. I wasn't down in Atlantic City when he had just recently
 14:27 18 came home, but before he was -- when he was out there before,
 14:27 19 yeah.
 14:27 20 Q. Okay. So you don't have personal knowledge for certain
 14:27 21 periods of time, correct?
 14:27 22 A. Yes.
 14:27 23 Q. Okay. But you're referring back to what -- essentially,
 14:27 24 what period of time are you referring to?
 14:27 25 A. About 2007, '8.

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14:27 1 Q. Before you were in custody?
 14:27 2 A. Yes.
 14:27 3 Q. Okay. Back then, what was -- what was Pop or Pizz doing,
 14:27 4 if anything, in the drug business, what was he doing?
 14:27 5 A. He was -- I believe he was selling heroin, crack,
 14:27 6 carrying a gun.
 14:27 7 Q. Okay. And what areas was he doing that in?
 14:27 8 A. Stanley Holmes.
 14:27 9 Q. Okay. Did you see him selling drugs in Stanley Holmes
 14:28 10 when you came home in July of 2011?
 14:28 11 A. I don't believe he was home at that time.
 14:28 12 Q. Oh, okay.
 14:28 13 Did he remain -- you believe he remained in custody for
 14:28 14 a period of time?
 14:28 15 A. Yes.
 14:28 16 Q. Did you see him -- do you recall seeing him in 2011 or
 14:28 17 2012?
 14:28 18 A. No.
 14:28 19 Q. You think he was in custody that whole time?
 14:28 20 A. Yes.
 14:28 21 Q. Okay. Do you recall, if you know -- just if you know --
 14:28 22 whether or not he got out, Pop or Pizz got out, before you
 14:28 23 left for Florida in February, 2013? If you know.
 14:28 24 A. I believe he got out after I left for Florida.
 14:28 25 Q. Okay. When he was in the drug business years ago, 2007,

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14:28 1 2008, before you were in custody, who were his associates in
 14:28 2 the drug business?
 14:28 3 MR. MADDEN: Objection, lack of foundation.
 14:28 4 MR. ASKIN: If you know.
 14:28 5 THE COURT: You may answer, sir. Thank you.
 14:28 6 THE WITNESS: 2008?
 14:28 7 BY MR. ASKIN:
 14:28 8 Q. Yeah. Back then, do you know who his associates in the
 14:28 9 drug business were?
 14:28 10 A. It was Trevin Allen, TY, Sedrick, Heed Hom. That's all I
 14:29 11 could remember.
 14:29 12 Q. Okay.
 14:29 13 MR. ASKIN: Your Honor, I think this might be an
 14:29 14 appropriate time for a break.
 14:29 15 THE COURT: All right. Ladies and gentlemen of the
 14:29 16 jury, we'll take our mid-afternoon break.
 14:29 17 Ms. Novoa?
 14:29 18 THE DEPUTY CLERK: All rise.
 14:29 19 (The Jury left the courtroom at 2:29 p.m.)
 14:30 20 THE COURT: All right. Thank you. You may step
 14:30 21 down, Mr. Young.
 14:30 22 (The witness left the stand.)
 14:30 23 THE COURT: All right. I assume that this testimony
 14:30 24 will continue for a little while longer at least?
 14:30 25 MR. ASKIN: Yes.

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14:30 1 THE COURT: How much longer do you have?
 14:30 2 MR. ASKIN: Your Honor, we have a handful of photos
 14:30 3 to go through and ask him about those individuals, but then we
 14:30 4 have -- there is a series of notes of particular incidents
 14:30 5 that we're checking off and going through. So I don't know --
 14:30 6 THE COURT: All right. Well, you still think you
 14:30 7 will finish with him sometime today but --
 14:30 8 MR. ASKIN: Yes, I'm hoping to finish with him on
 14:30 9 direct sometime day. I'm not sure how much cross we're going
 14:30 10 to get to, though.
 14:30 11 THE COURT: Okay. What -- tell me now what you think
 14:30 12 I should tell the jury about the schedule for next week. I
 14:30 13 assume -- how many more witnesses do you have?
 14:30 14 MR. ASKIN: Well, we have this witness, our drug
 14:31 15 expert, Special Agent McNamara, who is in the courtroom who, I
 14:31 16 might add, he is only available -- and I've told counsel --
 14:31 17 he's only available on Monday and Tuesday because he's going
 14:31 18 to be out of town after that. And he told us that a long time
 14:31 19 ago. So I want to fit him in --
 14:31 20 THE COURT: He's an expert?
 14:31 21 MR. ASKIN: He's an expert. Normally, I would call
 14:31 22 him at the end of the case, but I told him I'll fit him in
 14:31 23 because I want to get him -- he's got to fly out Wednesday
 14:31 24 morning, so we have to fit him in on Monday, Tuesday.
 14:31 25 THE COURT: All right.

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14:31 1 MR. ASKIN: I assume he's not -- I don't think he's
 14:31 2 going to take a half a day. I think it's going to be less
 14:31 3 than that.
 14:31 4 MR. MADDEN: We'll fit him.
 14:31 5 MR. ASKIN: We'll fit him in.
 14:31 6 MR. MADDEN: Who is after that?
 14:31 7 MR. ASKIN: Excuse me?
 14:31 8 THE COURT: Who is after that?
 14:31 9 MR. ASKIN: Oh, after that we have another
 14:31 10 cooperator, Maurice Thomas, who I believe will be considerably
 14:31 11 shorter than Mr. Young.
 14:31 12 We have -- I believe we are going to have a
 14:31 13 stipulation to all the chemists.
 14:31 14 I believe we are going to have -- we're going to
 14:31 15 discuss with defense a stipulation to certain ballistics
 14:31 16 testimony. Some of it's going to be stipulated to. We will
 14:31 17 have to discuss the details of how much of it.
 14:32 18 We have to recall Special Agent Kopp at some point
 14:32 19 for some testimony about the drug quantities, some summary
 14:32 20 testimony, and some -- some other, you know, miscellaneous
 14:32 21 matters.
 14:32 22 I'm trying to think. What else?
 14:32 23 We have a cell site expert who is going to testify
 14:32 24 about cell site.
 14:32 25 THE COURT: Okay. Let me ask you this. My point of

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14:32 1 my questioning is, in part, just to make sure everything is
 14:32 2 all lined up and notice to the defense, but it's also to give
 14:32 3 some idea to the jury. They've been here a long time and so
 14:32 4 far, we're, I think, on good -- this is consistent with what
 14:32 5 we have told them in the past, but I want to give them as much
 14:32 6 information as I can without misleading them or creating any
 14:32 7 false expectations. It sounds like we're going to fill next
 14:32 8 week with testimony.
 14:32 9 MR. ASKIN: My thinking is that we're probably going
 14:32 10 to fill next week with testimony. I also know the defense
 14:32 11 believes they're going to call a DNA expert when we're done
 14:32 12 with the case.
 14:32 13 MR. MARKOWITZ: Right. Mr. Askin and I have to work
 14:32 14 out the DNA chemist, and then we each have to have a time to
 14:33 15 sit down with -- I think it's female, if I recall correctly --
 14:33 16 MR. ASKIN: Yes.
 14:33 17 MR. MARKOWITZ: -- from the report. So that I can at
 14:33 18 least talk to her and everything, and the government has been
 14:33 19 kind enough to make her available to me. But I'll be ready
 14:33 20 whenever the defense goes on, so long as Mr. Askin complies
 14:33 21 with me.
 14:33 22 MR. ASKIN: But I think that is going to take -- I
 14:33 23 think we're probably going to take next week, but I think
 14:33 24 towards the end of next week, we should be reaching sort of
 14:33 25 the end of testimony. I don't know if we'll finish next week

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14:33 1 but I think it's quite possible we could finish at the end of
 14:33 2 the week or not have much after that. I think the closings
 14:33 3 will -- the charge conference and the closings I think will
 14:33 4 take us into the next week.
 14:33 5 THE COURT: Okay. So why don't I tell them that I
 14:33 6 anticipate that most, if not all, of next week will be
 14:33 7 testimony, but based on current estimates, the case will
 14:33 8 proceed past the testimony stage the week after.
 14:33 9 MR. ASKIN: That's what I believe will happen.
 14:33 10 THE COURT: We will give you more detail on that
 14:33 11 schedule as next week unfolds.
 14:33 12 MR. ASKIN: Correct.
 14:33 13 THE COURT: All right. Is that a fair assessment?
 14:34 14 MR. MARKOWITZ: Yes, your Honor.
 14:34 15 MR. MADDEN: Yes, your Honor.
 14:34 16 I believe we're presenting some defense and witnesses
 14:34 17 also.
 14:34 18 THE COURT: Okay.
 14:34 19 MR. ASKIN: Okay.
 14:34 20 THE COURT: So I'm safe then by saying, if not all --
 14:34 21 I just want to give them at least some ray of hope, consistent
 14:34 22 with both sides' rights to present testimony if they are so
 14:34 23 inclined.
 14:34 24 All right. Anything else I need to address at this
 14:34 25 time?

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14:34 1 Mr. Askin?
 14:34 2 MR. ASKIN: I don't believe so, your Honor.
 14:34 3 THE COURT: Mr. Madden?
 14:34 4 MR. MADDEN: No, Your Honor.
 14:34 5 THE COURT: Mr. Markowitz?
 14:34 6 MR. MARKOWITZ: No, Your Honor.
 14:34 7 THE COURT: All right. We'll be back in about ten
 14:34 8 minutes.
 14:49 9 (A recess was taken at 2:34 p.m.).
 14:49 10 (In open court at 2:49 p.m.)
 14:49 11 THE COURT: All right. Are we ready to proceed?
 14:49 12 MR. MADDEN: Yes, your Honor.
 14:49 13 MR. ASKIN: Yes, your Honor.
 14:50 14 THE DEPUTY COURT CLERK: All rise.
 14:50 15 (Whereupon the jury entered the courtroom.)
 14:50 16 THE COURT: All right. Thank you. Please be seated.
 14:50 17 All right. Mr. Askin?
 14:50 18 MR. ASKIN: Yes, sir.
 14:50 19 THE COURT: You may proceed when you're ready, sir.
 14:50 20 MR. ASKIN: Thank you, your Honor.
 14:50 21 (Document published to jury.)
 14:50 22 BY MR. ASKIN:
 14:50 23 Q. Mr. Young, I show you a photo that's -- just a minute.
 14:51 24 I'm showing you a photo for the record that's marked
 14:51 25 Government's 4A-11. Do you recognize that individual?

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- 14:51 1 **A. Yes.**
- 14:51 2 **Q.** And who is that?
- 14:51 3 **A. Yachor Napper.**
- 14:51 4 **Q.** Was Yachor Napper, when you were both out there in
- 14:51 5 Atlantic City on the streets, was Yachor Napper involved in
- 14:51 6 criminal activity to your knowledge?
- 14:51 7 **A. Yes.**
- 14:51 8 **Q.** And what was he involved with?
- 14:51 9 **A. Selling heroin.**
- 14:51 10 **Q.** Okay. And is that the same Yachor Napper you testified
- 14:51 11 about earlier that there was a problem over Nazir Allen?
- 14:51 12 **A. Yes.**
- 14:51 13 **Q.** At the casinos?
- 14:51 14 **A. Yes.**
- 14:51 15 **Q.** I'm sorry, Tropicana Casino, correct?
- 14:52 16 **A. Yes.**
- 14:52 17 **Q.** Okay.
- 14:52 18 (Document published to jury.)
- 14:52 19 BY MR. ASKIN:
- 14:52 20 **Q.** Let me show Government's Exhibit 4A-1. Do you recognize
- 14:52 21 that male?
- 14:52 22 **A. Yes.**
- 14:52 23 **Q.** And what -- do you know his name or nickname?
- 14:52 24 **A. Totty.**
- 14:52 25 **Q.** And was Totty, to your knowledge, involved in criminal

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- 14:52 1 activity when you were both on the streets in Atlantic City?
- 14:52 2 **A. Yes.**
- 14:52 3 **Q.** What was he involved in?
- 14:52 4 **A. Selling heroin.**
- 14:52 5 **Q.** And to your knowledge, who was he doing it with or who
- 14:52 6 was he associated with in the drug business?
- 14:52 7 **A. Yachor Napper.**
- 14:52 8 **Q.** Was Totty -- did you see him present in the Tropicana
- 14:52 9 Casino the night that you got in -- that your group, Mykal
- 14:52 10 Derry and your group got involved in that fight with Yachor
- 14:52 11 Napper and them?
- 14:52 12 **A. Yes.**
- 14:52 13 **Q.** And was Totty part of that fight?
- 14:52 14 **A. Yes.**
- 14:53 15 (Document published to jury.)
- 14:53 16 BY MR. ASKIN:
- 14:53 17 **Q.** I show you Government's Exhibit 4A-8. This exhibit, do
- 14:53 18 you recognize this male?
- 14:53 19 **A. Yes.**
- 14:53 20 **Q.** And do you know him by name or nickname?
- 14:53 21 **A. Yes, S.P.**
- 14:53 22 **Q.** Okay. And to your knowledge, was he involved in any
- 14:53 23 criminal activity when he was on the streets of Atlantic City?
- 14:53 24 **A. Yes.**
- 14:53 25 **Q.** What was he involved in?

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- 14:53 1 **A. Selling crack.**
- 14:53 2 **Q.** And where was -- where was he -- what area of the city
- 14:53 3 was he associated with?
- 14:53 4 **A. Back Maryland.**
- 14:53 5 **Q.** So the record is clear, he was not part of your group,
- 14:53 6 correct?
- 14:53 7 **A. Correct.**
- 14:53 8 (Document published to jury.)
- 14:53 9 BY MR. ASKIN:
- 14:53 10 **Q.** I show you a photo that has been marked for
- 14:53 11 identification purposes 4A-12. Do you recognize that
- 14:53 12 individual?
- 14:53 13 **A. Yes.**
- 14:54 14 **Q.** And who is that?
- 14:54 15 **A. Roddy.**
- 14:54 16 **Q.** Roddy?
- 14:54 17 **A. Yes.**
- 14:54 18 **Q.** Like R-O-D-D-Y?
- 14:54 19 **A. Yes.**
- 14:54 20 **Q.** To your knowledge, was he involved in criminal activity
- 14:54 21 when he was on the streets --
- 14:54 22 **A. Yes.**
- 14:54 23 **Q.** -- of Atlantic City?
- 14:54 24 **A. Yes.**
- 14:54 25 **Q.** And what was he involved with?

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- 14:54 1 **A. Shooting, selling drugs.**
- 14:54 2 **Q.** And what section of the city is he from?
- 14:54 3 **A. Back Maryland.**
- 14:54 4 **Q.** So the record is clear, was he part of your group?
- 14:54 5 **A. No.**
- 14:54 6 **Q.** Was he part of a rival group?
- 14:54 7 **A. A rival group.**
- 14:54 8 **Q.** Okay. And when you said shootings, are you familiar with
- 14:54 9 any of those shootings?
- 14:54 10 **A. Yes. Yes.**
- 14:54 11 **Q.** What shootings are you familiar with?
- 14:54 12 MR. MADDEN: Objection, foundation.
- 14:54 13 THE COURT: Rephrase. Sustained.
- 14:54 14 BY MR. ASKIN:
- 14:54 15 **Q.** With respect to this Roddy, he was a Back Maryland drug
- 14:54 16 dealer who you said was involved in shootings, correct?
- 14:55 17 **A. Yes.**
- 14:55 18 **Q.** Do you have personal knowledge of any of these shootings?
- 14:55 19 **A. Yes.**
- 14:55 20 **Q.** Okay. And when you -- let's establish what you mean by
- 14:55 21 personal knowledge. Did you see any of them?
- 14:55 22 **A. One.**
- 14:55 23 **Q.** Okay. And you were present for it?
- 14:55 24 **A. Yes.**
- 14:55 25 **Q.** And where did that shooting take place?

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14:55 1 A. **In front of my girlfriend house.**
 14:55 2 Q. In front of your girlfriend's house?
 14:55 3 A. **Yeah.**
 14:55 4 Q. And where in Atlantic City?
 14:55 5 A. **In the inlet.**
 14:55 6 Q. Inlet area?
 14:55 7 A. **Yes.**
 14:55 8 Q. And was Roddy by himself or with others?
 14:55 9 A. **He was with others in a car.**
 14:55 10 Q. Okay. And what happened?
 14:55 11 A. **I was sitting on the porch. I just came from Stanley**
 14:55 12 **Holmes. They rode past and he started shooting at me.**
 14:55 13 Q. He started shooting at you?
 14:55 14 A. **Yes.**
 14:55 15 Q. Did he hit you?
 14:55 16 A. **No.**
 14:55 17 Q. Okay. Was there any discussion before Roddy and the guys
 14:55 18 he was with starting shooting at you?
 14:56 19 A. **Yes.**
 14:56 20 Q. Oh, there was a discussion?
 14:56 21 A. **Amongst the people that's in my group?**
 14:56 22 Q. No, no. I'm sorry. Did Roddy or the people he was with
 14:56 23 say anything to you before they started firing at you?
 14:56 24 A. **Oh, no.**
 14:56 25 Q. They just drove up in a car, saw you on the stoop of your

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14:56 1 girlfriend's house, and started shooting?
 14:56 2 A. **Yes.**
 14:56 3 Q. Okay. You said there was some discussion with members of
 14:56 4 your group about this?
 14:56 5 A. **Yes.**
 14:56 6 Q. Before or after the incident?
 14:56 7 A. **After.**
 14:56 8 Q. After the incident, did you tell anyone about it?
 14:56 9 A. **Yes.**
 14:56 10 Q. Was anyone from your group with you at the time?
 14:56 11 A. **No.**
 14:56 12 Q. You were just at your girlfriend's place, right?
 14:56 13 A. **Yes.**
 14:56 14 Q. You told the guys in the group about it?
 14:56 15 A. **Yes.**
 14:56 16 Q. And did you tell them it was Roddy?
 14:56 17 A. **Yes.**
 14:56 18 Q. And what was the discussion? Was there a discussion
 14:56 19 about what was going to be done about it?
 14:56 20 A. **Yes.**
 14:56 21 Q. What was the discussion? What did they say they were
 14:56 22 going to do about it?
 14:56 23 A. **That we were going to kill all of them.**
 14:56 24 Q. That they, the members of your group, were going to kill
 14:57 25 all these Back Maryland guys?

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14:57 1 A. **Yes.**
 14:57 2 Q. And who was -- who do you recall being present for that
 14:57 3 discussion?
 14:57 4 A. **It was myself, Saeed Zaffa, Ibn Abdullah, Bread, Baby**
 14:57 5 **Boy.**
 14:57 6 Q. Okay.
 14:57 7 (Document published to jury.)
 14:57 8 BY MR. ASKIN:
 14:57 9 Q. I show you a photo that's marked Government's Exhibit
 14:57 10 4A-14. It's not a very good quality photo, but do you
 14:57 11 recognize that male?
 14:57 12 A. **Yes.**
 14:57 13 Q. And do you know him by a name or nickname?
 14:57 14 A. **Yes.**
 14:57 15 Q. And what's his name or nickname?
 14:57 16 A. **Coodie.**
 14:57 17 Q. Coodie. Did you know him, through your personal
 14:57 18 knowledge, of him being involved in any criminal activity when
 14:57 19 he was on the streets of Atlantic City?
 14:57 20 A. **Yes.**
 14:57 21 Q. And what was he involved in?
 14:57 22 A. **Selling weed and selling heroin sometimes.**
 14:57 23 Q. Okay. And do you know where he was doing that
 14:58 24 geographically, like where in Atlantic City he was doing it?
 14:58 25 A. **Carver Hall, Adams Court.**

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14:58 1 Q. Carver Hall and Adams Court, those are two basically
 14:58 2 apartment complexes or -- are they public housing, both of
 14:58 3 them?
 14:58 4 A. **Yes.**
 14:58 5 Q. Public housing complexes near Stanley Holmes; is that
 14:58 6 right?
 14:58 7 A. **Yes.**
 14:58 8 Q. In that same neighborhood?
 14:58 9 A. **Yes.**
 14:58 10 Q. Did you know Coodie to be associated with anyone else we
 14:58 11 talked about? Was he buddies with anyone else we talked about
 14:58 12 that you know of?
 14:58 13 A. **He was close to a lot of us.**
 14:58 14 Q. Okay. Did you know him -- do you know whether or not
 14:58 15 Coodie knew Tyquinn James?
 14:58 16 A. **Yes.**
 14:58 17 Q. Does he know him?
 14:58 18 A. **Yes.**
 14:58 19 Q. Did you ever see them together?
 14:58 20 A. **Yes.**
 14:58 21 Q. But Coodie, just so the record is clear, he was not part
 14:59 22 of your group, correct?
 14:59 23 A. **Correct.**
 14:59 24 Q. Do you have a recollection, Mr. Young, of another
 14:59 25 shooting involving members of your group? You told us of --

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- 14:59 **1** involving members of your group and going back to Back
 14:59 **2** Maryland?
 14:59 **3** **A. Yes.**
 14:59 **4** **Q.** Okay. And do you recall which members of the group were
 14:59 **5** involved in that?
 14:59 **6** **A. Yes.**
 14:59 **7** **Q.** And which members of the group were that?
 14:59 **8** **A. Mykal Derry and Buck.**
 15:00 **9** **Q.** Okay. And do you recall whether they -- how did they get
 15:00 **10** back to Back Maryland, do you know?
 15:00 **11** **A. A limo.**
 15:00 **12** **Q.** Okay. And were you present when they took the limo? Is
 15:00 **13** this something they told you? How do you know about this?
 15:00 **14** **A. I was there.**
 15:00 **15** **Q.** You were there meaning where, though?
 15:00 **16** **A. Before they got into the limo, I was there.**
 15:00 **17** **Q.** Okay. Where did they get into the limo?
 15:00 **18** **A. On, I believe that's Mediterranean, between the first and**
 15:00 **19** **second village.**
 15:00 **20** **Q.** Okay. And was there a discussion that you were present
 15:00 **21** for before they got in the limo about what was going to
 15:00 **22** happen?
 15:00 **23** **A. Yeah, they was going to go to Back Maryland and start**
 15:00 **24** **shooting at them.**
 15:00 **25** **Q.** Okay. And did you see -- if you recall, did you see

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- 15:00 **1** Mykal Derry and/or Mr. -- well, Buck, in possession of
 15:00 **2** anything before they got in the limo?
 15:00 **3** **A. Yeah, they both had handguns.**
 15:00 **4** **Q.** Do you remember that on February 10th -- in the evening
 15:01 **5** hours of February 10th of 2013, do you recall, without giving
 15:01 **6** us the content of everything, do you recall receiving some
 15:01 **7** call from somebody just letting you know that T.Y. had been
 15:01 **8** killed?
 15:01 **9** **A. Yes.**
 15:01 **10** **Q.** Okay. Prior to T.Y. being killed, were you at a
 15:01 **11** particular location, a hotel or something, in Atlantic City?
 15:01 **12** **A. Yes. I was at the Showboat.**
 15:01 **13** **Q.** Okay. And why were you at the Showboat?
 15:01 **14** **A. Because I had a room there.**
 15:01 **15** **Q.** Okay. And -- okay. Why did you have a room there? What
 15:01 **16** were you doing?
 15:01 **17** **A. Chilling with my girlfriend.**
 15:01 **18** **Q.** Okay. So, you rented a room in the Showboat?
 15:01 **19** **A. Yes.**
 15:01 **20** **Q.** During that time frame, February 10th, 2013, this is just
 15:01 **21** a few days before you left for Florida, correct?
 15:01 **22** **A. Yes.**
 15:02 **23** **Q.** But did you continue to sell heroin at that time?
 15:02 **24** **A. Yes.**
 15:02 **25** **Q.** Okay. Who were you getting the heroin from at that time?

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- 15:02 **1** **A. Mykal Derry.**
 15:02 **2** **Q.** Was he fronting you?
 15:02 **3** **A. Yes.**
 15:02 **4** **Q.** Okay. Did you call Mykal Derry on February 10th while
 15:02 **5** you were at the Showboat asking him for more heroin?
 15:02 **6** **A. Yes.**
 15:02 **7** **Q.** Okay. Do you recall meeting with Mykal Derry?
 15:02 **8** **A. Yes.**
 15:02 **9** **Q.** And where did you meet with him?
 15:02 **10** **A. In front of the Showboat, valet parking.**
 15:02 **11** **Q.** And did Mykal Derry provide you with heroin at that time?
 15:02 **12** **A. Yes.**
 15:02 **13** **Q.** And was that the same night that you found out that T.Y.
 15:02 **14** had been killed?
 15:02 **15** **A. Yes.**
 15:02 **16** **Q.** And was -- if you know, when you met with Mykal Derry at
 15:02 **17** the Showboat, do you know if that was before or after T.Y. was
 15:02 **18** killed?
 15:02 **19** **A. That was before T.Y. was killed.**
 15:02 **20** **Q.** Okay. Hours, in your estimation, hours and hours before
 15:02 **21** he was killed, or you think a short time before he was killed,
 15:02 **22** if you know?
 15:02 **23** **A. I don't remember. I just know it was after they came and**
 15:03 **24** **met me.**
 15:03 **25** **Q.** Okay. Was Mykal Derry on foot, or do you recall that he

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- 15:03 **1** was in a vehicle?
 15:03 **2** **A. He was in a vehicle.**
 15:03 **3** **Q.** Okay. And do you remember which vehicle it was or
 15:03 **4** whether it was his vehicle or a rental or do you remember?
 15:03 **5** **A. If --**
 15:03 **6** **Q.** If you remember.
 15:03 **7** **A. I can't remember right now.**
 15:03 **8** **Q.** Okay.
 15:03 **9** **MR. ASKIN:** May I have one moment, your Honor?
 15:03 **10** **THE COURT:** Yes.
 15:04 **11** **BY MR. ASKIN:**
 15:04 **12** **Q.** Do you know an individual by the name of Kevin Green?
 15:04 **13** **A. Yes.**
 15:04 **14** **Q.** Okay. And back in September of 2011, did something
 15:04 **15** happen to Kevin Green?
 15:04 **16** **A. Yes.**
 15:04 **17** **Q.** What happened to him?
 15:04 **18** **MR. MADDEN:** Objection, foundation, lack of personal
 15:04 **19** knowledge.
 15:04 **20** **THE COURT:** Sustained.
 15:04 **21** **BY MR. ASKIN:**
 15:04 **22** **Q.** Okay. Were you present in the area right before
 15:04 **23** something happened to Kevin Green in Atlantic City?
 15:04 **24** **A. Yes.**
 15:04 **25** **Q.** Okay. You were present with -- and where were you?

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15:04 1 A. **Brown's Park.**
 15:04 2 Q. And who were you with?
 15:04 3 A. **Buck, Jermaine Reynolds, and there was a couple of us out**
 15:04 4 **there that night.**
 15:04 5 Q. Okay. But you remember that it was Buck -- yourself,
 15:04 6 Buck, and Jermaine Reynolds?
 15:04 7 A. **Yes.**
 15:04 8 Q. Remind us, what's Jermaine Reynolds's nickname?
 15:05 9 A. **Bam.**
 15:05 10 Q. Was Bam a member of your group?
 15:05 11 A. **Yes.**
 15:05 12 Q. What role did he play?
 15:05 13 A. **Enforcer.**
 15:05 14 Q. And was that one of Buck's roles?
 15:05 15 A. **Yes.**
 15:05 16 Q. Now, did someone come by or ride by while you were there
 15:05 17 in Brown's Park with those two guys?
 15:05 18 A. **Yes.**
 15:05 19 Q. And who rode by?
 15:05 20 A. **T.Y. and Kevin Green.**
 15:05 21 Q. Okay. And were they in a car? Were they walking? Were
 15:05 22 they on a bike? What were they doing?
 15:05 23 A. **They was on bikes.**
 15:05 24 Q. Okay. Do you remember, was it one bike or more than one
 15:05 25 bike?

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15:05 1 A. **Just one bike.**
 15:05 2 Q. Okay. Someone was on the bike and --
 15:05 3 A. **Someone was on the handlebars.**
 15:05 4 Q. Okay. So, one of them was riding the bike and one of
 15:05 5 them was on the handlebars?
 15:05 6 A. **Yes.**
 15:05 7 Q. And they rode by?
 15:05 8 A. **Yes.**
 15:05 9 Q. And you were in Brown's Park?
 15:05 10 A. **Yes.**
 15:05 11 Q. Now, did -- was something said by somebody about who rode
 15:05 12 by?
 15:05 13 MR. MADDEN: Objection, leading and hearsay.
 15:05 14 THE COURT: Overruled.
 15:05 15 BY MR. ASKIN:
 15:05 16 Q. Was something said by one of the members of your group?
 15:06 17 A. **Yes.**
 15:06 18 Q. And what was said?
 15:06 19 A. **Do you want me to say what they said?**
 15:06 20 Q. Yeah.
 15:06 21 A. **I can't believe these niggas just rode by us.**
 15:06 22 Q. Who said that?
 15:06 23 A. **Buck.**
 15:06 24 Q. Okay. Had these guys done anything to you guys? I mean,
 15:06 25 in that moment, when they rode by, did they say anything to

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15:06 1 you?
 15:06 2 A. **No.**
 15:06 3 Q. Did they even acknowledge you?
 15:06 4 A. **I don't think they seen us.**
 15:06 5 Q. You don't think they saw you?
 15:06 6 A. **No.**
 15:06 7 Q. But that was Buck's reaction: I can't believe this nigga
 15:06 8 just rode by here. That's what he said?
 15:06 9 A. **Yes.**
 15:06 10 Q. And what happened after that?
 15:06 11 A. **Buck hopped on a bike, and he rode to the Disstons, and**
 15:06 12 **then he shot Kevin Green by accident.**
 15:06 13 MR. MADDEN: Objection, lack of personal knowledge.
 15:06 14 MR. ASKIN: Okay. We'll get to it.
 15:06 15 BY MR. ASKIN:
 15:06 16 Q. Did you go -- when you say Disston, are you referring to
 15:06 17 the Disston Apartments?
 15:06 18 A. **Yes.**
 15:06 19 Q. Okay. And the Disston Apartments is an apartment
 15:06 20 building in Atlantic City, correct?
 15:06 21 A. **Yes.**
 15:07 22 Q. Did you ride over -- when Kevin Green and Tyquinn James
 15:07 23 rode by on the bike, Buck made that comment, and you said Buck
 15:07 24 got on a bike and went after them?
 15:07 25 A. **Yes.**

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15:07 1 Q. Did you go after them, too, or did you remain in Brown's
 15:07 2 Park?
 15:07 3 A. **I remained in Brown's Park.**
 15:07 4 Q. How about Bam, did he go with him -- did he go with Buck
 15:07 5 or did he stay with you in Brown's Park?
 15:07 6 A. **He stayed with me.**
 15:07 7 Q. Okay. How far would you say it was from where you guys
 15:07 8 were in Brown's Park to where Buck went to this Disston
 15:07 9 apartment building?
 15:07 10 A. **From here to that wall back there.**
 15:07 11 MR. ASKIN: Okay. Indicating, your Honor, from the
 15:07 12 witness stand to the back wall of the courtroom.
 15:07 13 THE COURT: All right.
 15:07 14 BY MR. ASKIN:
 15:07 15 Q. Now, could you see, from where you were, the front door
 15:07 16 of the Disston apartment building? Could you see the front of
 15:07 17 the building or whatever side of the building was facing you?
 15:07 18 A. **If we got on the sidewalk I could.**
 15:07 19 Q. Okay. So -- well, did you get on the sidewalk or not?
 15:08 20 A. **We walked up some.**
 15:08 21 Q. Okay. Did you -- when Buck left you guys, he was on a
 15:08 22 bike, right? He wasn't on foot?
 15:08 23 A. **Correct.**
 15:08 24 Q. Right? Is it fair to say that if you or I or Buck rode a
 15:08 25 bike from the witness stand to the back of the courtroom, what

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15:08 1 would you say that would take in terms of time? A few
 15:08 2 seconds?
 15:08 3 A. Yes.
 15:08 4 Q. Is that fair, a few seconds?
 15:08 5 A. Yes.
 15:08 6 Q. A few seconds later, did you see or hear something?
 15:08 7 A. Yes.
 15:08 8 Q. What did you hear?
 15:08 9 A. You heard gunshot.
 15:08 10 Q. Okay. Did you actually see the shooting?
 15:08 11 A. No.
 15:08 12 Q. But you heard the gunshots?
 15:08 13 A. Yes.
 15:08 14 Q. And was it a few seconds after Buck rode off toward the
 15:08 15 Disston?
 15:08 16 A. Yes.
 15:08 17 Q. Okay. Did you later have a discussion with Buck or any
 15:08 18 of the other members of the group about this?
 15:08 19 A. Yes.
 15:08 20 Q. And who did you discuss it with?
 15:08 21 A. Buck.
 15:08 22 Q. And was that the same day or the next day, do you recall?
 15:09 23 A. I don't recall.
 15:09 24 Q. Okay. And same day, next day, at some point, was it
 15:09 25 close in time to when this event happened?

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15:09 1 A. Yes.
 15:09 2 Q. And what did Buck tell you?
 15:09 3 A. He said he hit -- I believe he said he had hit the wrong
 15:09 4 person.
 15:09 5 MR. MADDEN: Objection to speculation.
 15:09 6 THE COURT: Overruled.
 15:09 7 BY MR. ASKIN:
 15:09 8 Q. Okay. And who did he hit?
 15:09 9 A. Kevin Green.
 15:09 10 Q. Okay. Where was Kevin Green shot?
 15:09 11 A. In his face.
 15:09 12 Q. Okay. Did Buck indicate who he was trying to hit?
 15:09 13 A. T.Y.
 15:09 14 Q. To your knowledge, was T.Y. shot that day?
 15:09 15 A. No, he wasn't.
 15:09 16 Q. Okay. And to your knowledge, this occurred inside the
 15:09 17 Disston apartment building?
 15:09 18 A. Yes.
 15:09 19 Q. Was this -- did this shooting happen -- September 2011,
 15:10 20 you were already home from custody, correct?
 15:10 21 A. Yes.
 15:10 22 Q. Did this shooting happen after the split where Trevin
 15:10 23 Allen was in custody and these guys, T.Y. and Sed and them,
 15:10 24 were not allowed in Stanley Holmes anymore?
 15:10 25 A. Yes.

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15:10 1 Q. And they were no longer to sell drugs in your area,
 15:10 2 correct?
 15:10 3 A. Yes.
 15:10 4 Q. Do you know of any other reason Buck or members of your
 15:10 5 group had to shoot Kevin Green and T.Y. other than that
 15:10 6 reason?
 15:10 7 A. No.
 15:10 8 MR. MADDEN: Objection.
 15:10 9 THE COURT: Overruled.
 15:10 10 BY MR. ASKIN:
 15:10 11 Q. Any other reason that you're aware of?
 15:10 12 A. Not that I'm aware of.
 15:10 13 Q. Did -- do you know where Trevin Allen's mother lives?
 15:10 14 A. Yes.
 15:10 15 Q. Where does she live? If you remember.
 15:11 16 A. She lives in the alleyway of the Police Athletic League,
 15:11 17 right across the street from the village.
 15:11 18 Q. Right across the street from the village and near the
 15:11 19 Police Athletic League?
 15:11 20 A. Yes.
 15:11 21 Q. Right?
 15:11 22 A. Yes.
 15:11 23 Q. Okay. Did you ever hear from anyone in your group about
 15:11 24 anything happening at her house?
 15:11 25 A. Yes.

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15:11 1 Q. What did you hear about?
 15:11 2 A. That T.Y. was there, and they tried to shoot at T.Y.
 15:11 3 Q. Who -- do you recall who you were told was shooting at
 15:11 4 him?
 15:11 5 A. Mykal Derry's brother.
 15:11 6 Q. Which brother?
 15:11 7 A. Boo.
 15:11 8 Q. Boo. In other words, not Malik Derry, his other brother,
 15:11 9 Boo?
 15:11 10 A. Right.
 15:11 11 Q. So, his other brother is Boo was the one you had heard
 15:12 12 was involved in the shooting?
 15:12 13 A. Yes.
 15:12 14 Q. Who else? Do you know who else was involved in it, if
 15:12 15 you recall?
 15:12 16 A. Not that I recall.
 15:12 17 Q. Okay. And who were they shooting at?
 15:12 18 A. T.Y.
 15:12 19 Q. T.Y.?
 15:12 20 A. Yes.
 15:12 21 Q. And do you recall who was involved in telling you that?
 15:12 22 A. Jermaine Reynolds and I believe it was Boo.
 15:13 23 MR. ASKIN: If I could have one moment, your Honor?
 15:13 24 THE COURT: Yes.
 15:14 25 MR. ASKIN: If I may have one moment, your Honor?

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15:14 1 THE COURT: Yes, Mr. Askin.
 15:14 2 MR. ASKIN: Your Honor, this -- I want to show the
 15:14 3 witness a photo that's already in evidence that's part of
 15:14 4 Exhibit 6056. It's a photo that's part of Exhibit 6056. I
 15:14 5 believe it's the last page of it.
 15:14 6 THE COURT: All right. In evidence. You may
 15:14 7 publish.
 15:14 8 (Document published to jury.)
 15:14 9 BY MR. ASKIN:
 15:14 10 Q. Okay. So, Mr. Young, do you see that in front of you,
 15:15 11 that photo?
 15:15 12 A. Yes.
 15:15 13 Q. And do you recognize -- it's some type of firearm; is
 15:15 14 that correct?
 15:15 15 A. Yes.
 15:15 16 Q. Do you recognize this firearm?
 15:15 17 A. Yes.
 15:15 18 Q. And where have you seen that before?
 15:15 19 A. **Dominique Venable.**
 15:15 20 Q. Okay. Is that the sawed-off rifle that you were talking
 15:15 21 about that Dominique Venable possessed?
 15:15 22 A. Yes.
 15:15 23 Q. That he told you he was arrested with?
 15:15 24 A. Yes.
 15:15 25 Q. Is that the -- on the left-hand side there, is that the

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15:15 1 shoestring type part of the weapon that you were talking
 15:15 2 about?
 15:15 3 A. Yes.
 15:15 4 Q. Now, did you describe this to Special Agent Kopp and I
 15:15 5 before you had ever seen a photo of it?
 15:15 6 A. Yes.
 15:15 7 Q. In other words, you described it to us, and then we
 15:15 8 showed you a photo, correct?
 15:15 9 A. Yes.
 15:15 10 Q. Not the other way around?
 15:15 11 A. Yes.
 15:15 12 Q. You said that weapon, Dominique Venable told you that
 15:15 13 weapon had been involved in a shooting, correct?
 15:16 14 A. Yes.
 15:16 15 Q. And you described the shooting as at Barb's house?
 15:16 16 A. Yes.
 15:16 17 Q. Did we ever present you, before you told us that, did we
 15:16 18 ever present you with any evidence of the police reports of
 15:16 19 that incident?
 15:16 20 A. No.
 15:16 21 Q. Have you ever seen the police reports of that incident?
 15:16 22 A. No.
 15:16 23 Q. Did we ever present you with any ballistics match or
 15:16 24 anything about that incident before you told us about it?
 15:16 25 A. No.

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15:16 1 Q. Have you ever seen the ballistics report from that
 15:16 2 incident?
 15:16 3 A. No.
 15:16 4 Q. Did you, since you've been in custody at the -- when you
 15:16 5 were at the Federal Detention Center, did you have -- did you
 15:16 6 have any issues over there with relation to your own conduct?
 15:16 7 Did you ever get in trouble when you were at the Federal
 15:17 8 Detention Center?
 15:17 9 A. Yes.
 15:17 10 Q. Were you involved in a fight over there?
 15:17 11 A. Yes.
 15:17 12 Q. Who was -- who was involved in that fight?
 15:17 13 A. **Me and Saeed Zaffa.**
 15:17 14 Q. Okay. Against each other or against someone else?
 15:17 15 A. **Against somebody else.**
 15:17 16 Q. You and Saeed Zaffa?
 15:17 17 A. Yes.
 15:17 18 Q. Okay. And was the fight related to anything to do with
 15:17 19 this case?
 15:17 20 A. No.
 15:17 21 Q. Okay. You just got in an argument, a fight with this
 15:17 22 guy?
 15:17 23 A. Yes.
 15:17 24 Q. Were you disciplined for that?
 15:17 25 A. Yes.

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15:17 1 Q. Did the U.S. Attorney's Office try to help you in any way
 15:17 2 with that discipline, you know, help lighten that discipline
 15:17 3 over at the Federal Detention Center?
 15:17 4 A. No.
 15:17 5 Q. When you were transferred out of the Federal Detention
 15:17 6 Center, without revealing the institution, to another jail,
 15:17 7 did you have any kind of disciplinary proceedings against you
 15:17 8 at that other jail?
 15:17 9 A. Yes.
 15:17 10 Q. Okay. Did you -- were you written up or charged
 15:17 11 internally, I mean at the jail, with defacing property?
 15:18 12 A. Yes.
 15:18 13 Q. Did you write your name on a desk there?
 15:18 14 A. Yes.
 15:18 15 Q. Did you also write something else on the desk?
 15:18 16 A. Yes.
 15:18 17 Q. What did you write?
 15:18 18 A. **I put AC goon.**
 15:18 19 Q. You put that on a desk?
 15:18 20 A. Yes.
 15:18 21 Q. How did they know it was you?
 15:18 22 A. **Because I put my name on top.**
 15:18 23 Q. Okay. So, they found out it was you and they wrote you
 15:18 24 up for that?
 15:18 25 A. Yes.

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15:18 **1 Q.** Were you disciplined for it? In other words, did they do
 15:18 **2** anything about that?
 15:18 **3 A.** **They just wrote me up.**
 15:18 **4 Q.** Okay. And were you also disciplined or written up for
 15:18 **5** creating some kind of disturbance?
 15:18 **6 A.** **Yes.**
 15:18 **7 Q.** Were you also disciplined or written up for coming out of
 15:18 **8** your cell one time when you weren't supposed to? Do you
 15:18 **9** recall that?
 15:18 **10 A.** **No.**
 15:18 **11 Q.** Leaving your cell when you're supposed to be locked in
 15:18 **12** your cell or something like that; were you ever written up for
 15:18 **13** that, if you remember?
 15:18 **14 A.** **Not that I remember.**
 15:18 **15 Q.** Okay. All right. Did the U.S. Attorney's Office ever
 15:19 **16** try to help you with any of those incidents, if the prison
 15:19 **17** system wanted to discipline you?
 15:19 **18 A.** **No.**
 15:19 **19 Q.** Now, did you -- at some point, do you recall, towards the
 15:19 **20** beginning of your cooperation, you had testified previously
 15:19 **21** there were some issues when you were over at the Federal
 15:19 **22** Detention Center in the sense of the first day of your
 15:19 **23** testimony about some comments being made to you by Mykal Derry
 15:19 **24** and others, correct?
 15:19 **25 A.** **Yes.**

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15:19 **1 Q.** And as a result of that, did you have concerns about
 15:19 **2** cooperating with us?
 15:19 **3 A.** **Yes.**
 15:19 **4 Q.** Okay. And as a result of that, did we arrange for your
 15:19 **5** transfer through the marshals out of the Federal Detention
 15:19 **6** Center?
 15:19 **7 A.** **Yes.**
 15:19 **8 Q.** And did you, once you were transferred out of the Federal
 15:20 **9** Detention Center, did you agree to continue to cooperate with
 15:20 **10** us?
 15:20 **11 A.** **Yes.**
 15:20 **12 Q.** Were there some discussions where the Government
 15:20 **13** discussed with you your attorney applying for bail at one
 15:20 **14** point?
 15:20 **15 A.** **Yes.**
 15:20 **16 Q.** And you knew through your attorney that you had the right
 15:20 **17** to submit what we refer to as a bail package, a bail proposal,
 15:20 **18** to the Court, correct?
 15:20 **19 A.** **Yes.**
 15:20 **20 Q.** And was there some discussion between myself and your
 15:20 **21** attorney, Peter Levin, about you submitting through your
 15:20 **22** attorney a bail package to the Court, the magistrate judge, so
 15:20 **23** that you might be released by the Court, supervised in
 15:20 **24** electronic monitoring somewhere, if you could come up with an
 15:20 **25** appropriate place to live?

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15:20 **1 A.** **Yes.**
 15:20 **2 Q.** And we discussed it would have to be out of Atlantic
 15:20 **3** City, nowhere near Atlantic City?
 15:20 **4 A.** **Yes.**
 15:20 **5 Q.** And did the Government agree to allow you to go on bail
 15:20 **6** or agree not to oppose that if we thought it was appropriate?
 15:21 **7 A.** **Agree not to oppose.**
 15:21 **8 Q.** All right. If the Court thought it was appropriate,
 15:21 **9** correct?
 15:21 **10 A.** **Yes.**
 15:21 **11 Q.** Okay. And did I discuss that with you in the presence of
 15:21 **12** your attorney, Peter Levin?
 15:21 **13 A.** **Yes.**
 15:21 **14 Q.** That it would have to be appropriate and accepted by the
 15:21 **15** Court and Pretrial Services, and then we would agree not to
 15:21 **16** oppose it if that was accepted by the Court; is that right?
 15:21 **17 A.** **Yes.**
 15:21 **18 Q.** Did that actually ever happen?
 15:21 **19 A.** **No.**
 15:21 **20 Q.** Did you actually ever get out of custody?
 15:21 **21 A.** **No.**
 15:21 **22 Q.** Have you been in continuous custody from the time you
 15:21 **23** were arrested by FBI agents in April of 2013 until the
 15:21 **24** present?
 15:21 **25 A.** **Yes.**

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15:21 **1 Q.** Was that your decision not to -- not to pursue that
 15:21 **2** further?
 15:21 **3 A.** **Yes.**
 15:21 **4 Q.** And why was that?
 15:21 **5 A.** **Because I couldn't find a place out of Atlantic City.**
 15:21 **6 Q.** You needed to find an appropriate place to live outside
 15:21 **7** of Atlantic City at the time and you didn't think you had one?
 15:21 **8 A.** **Yes.**
 15:21 **9 Q.** Okay. So, you decided that you had nothing to propose to
 15:21 **10** the Court at that time; is that right?
 15:21 **11 A.** **Yes.**
 15:21 **12 Q.** But just so the record is clear, we did have those
 15:22 **13** discussions; is that right?
 15:22 **14 A.** **Yes.**
 15:22 **15 Q.** Now, you wrote me a letter --
 15:22 **16** MR. ASKIN: For the record, your Honor, I'm referring
 15:22 **17** to Government's Exhibit J-KY-19. It's a letter addressed from
 15:22 **18** Mr. Young to Patrick C. Askin, received in the U.S. Attorney's
 15:22 **19** Office on June 24th, 2015, and counsel have a copy of it.
 15:22 **20** (GOVERNMENT EXHIBIT J-KY-19 WAS MARKED FOR IDENTIFICATION.)
 15:22 **21** BY MR. ASKIN:
 15:22 **22 Q.** Do you recall what you wrote in this letter?
 15:22 **23 A.** **Yes.**
 15:22 **24 Q.** Okay. And just to shorten it, did you ask me about what
 15:22 **25** was going on with the case, with your case?

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- 15:22 1 **A. Yes.**
- 15:22 2 **Q.** You also have some pending cases in Atlantic County; is
- 15:22 3 that right?
- 15:22 4 **A. Yes.**
- 15:22 5 **Q.** And did you ask me something with respect to those state
- 15:22 6 cases?
- 15:22 7 **A. Yes.**
- 15:22 8 **Q.** What do you recall asking me to do?
- 15:22 9 **A. If you could help me with my state cases.**
- 15:23 10 **Q.** Right. And did I respond to your letter in writing?
- 15:23 11 **A. No.**
- 15:23 12 **Q.** Did I let you know at some point after this that, before
- 15:23 13 and after this, that generally I have to correspond with you,
- 15:23 14 you're represented by counsel, through counsel? Do you
- 15:23 15 understand that?
- 15:23 16 **A. Yes.**
- 15:23 17 **Q.** Do you understand that that's why I didn't respond to
- 15:23 18 your letter?
- 15:23 19 **A. Yes.**
- 15:23 20 **Q.** Okay. In the presence of your attorney at some point or
- 15:23 21 after we spoke with your attorney, did I talk to you about
- 15:23 22 your letter to me about these state cases?
- 15:23 23 **A. Yes.**
- 15:23 24 **Q.** Okay. And did I make any promises to do anything with
- 15:23 25 your state cases?

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- 15:23 1 **A. No.**
- 15:23 2 **Q.** Do you understand that I'm not the prosecutor on your
- 15:23 3 state cases?
- 15:23 4 **A. Yes.**
- 15:23 5 **Q.** You know that, right, there's a prosecutor assigned in
- 15:23 6 Atlantic County, correct?
- 15:23 7 **A. Yes.**
- 15:23 8 **Q.** As part of your agreements, did we cover the fact that
- 15:23 9 myself or another representative of the U.S. Attorney's Office
- 15:23 10 would contact, if you want us to, the state prosecutors
- 15:23 11 handling your cases and tell them about what went on here,
- 15:24 12 correct?
- 15:24 13 **A. Yes.**
- 15:24 14 **Q.** In other words, A, that you pled guilty, and B, what you
- 15:24 15 were charged with, C, what we expect you to be sentenced to,
- 15:24 16 and D, about any cooperation you provide. Do you understand
- 15:24 17 that?
- 15:24 18 **A. Yes.**
- 15:24 19 **Q.** Did we agree to do that both orally, in other words, told
- 15:24 20 you that verbally, and also in writing in our agreements?
- 15:24 21 **A. Yes.**
- 15:24 22 **Q.** Were there any promises beyond that in terms of these
- 15:24 23 state cases?
- 15:24 24 **A. No.**
- 15:24 25 **Q.** You understand that that will be decided by the State

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- 15:24 1 Court prosecutors and the State Court judges, correct?
- 15:24 2 **A. Yes.**
- 15:24 3 **Q.** We'll just inform them what went on in Federal Court.
- 15:24 4 **A. Correct.**
- 15:24 5 **Q.** Is that your understanding?
- 15:24 6 **A. Yes.**
- 15:24 7 **Q.** Okay. In a recent discussion, did you -- let me back up.
- 15:25 8 Were you, in addition to this, being a member of this
- 15:25 9 Crime Family, or Crime Family for Life, or Crime Fam 3-6-6-12,
- 15:25 10 did you advise the Government recently that you were also
- 15:25 11 involved in another group while you were out on the streets?
- 15:25 12 **A. Yes.**
- 15:25 13 **Q.** And while you were in custody, I believe, as a juvenile?
- 15:25 14 **A. Yes.**
- 15:25 15 **Q.** And what group was that?
- 15:25 16 **A. The Grape Street Crips.**
- 15:25 17 **Q.** Okay. When did that start that you considered yourself
- 15:25 18 in the Grape Street Crips?
- 15:25 19 **A. 2008.**
- 15:25 20 **Q.** Okay. In -- how old are you now?
- 15:25 21 **A. 22.**
- 15:25 22 **Q.** In 2008, were you a juvenile?
- 15:25 23 **A. Yes.**
- 15:25 24 **Q.** Okay. So, when you were a juvenile -- did this start
- 15:25 25 while you were in custody or on the street?

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- 15:25 1 **A. Custody.**
- 15:25 2 **Q.** You were in custody in North Jersey? Where was it?
- 15:25 3 **A. I was in New Hope, New Jersey.**
- 15:26 4 **Q.** Okay. And while you were in custody, did you get in this
- 15:26 5 Grape Street Crips gang?
- 15:26 6 **A. Yes.**
- 15:26 7 **Q.** Okay. And were there guys in custody that you were with
- 15:26 8 in the Grape Street Crips?
- 15:26 9 **A. Yes.**
- 15:26 10 **Q.** Okay. Why did you -- why did you want to get involved in
- 15:26 11 that?
- 15:26 12 **A. Because I thought it was cool.**
- 15:26 13 **Q.** Was that really what it was about?
- 15:26 14 **A. Yeah.**
- 15:26 15 **Q.** Okay. When you came home from custody in roughly July of
- 15:26 16 2011, did you still consider yourself a member of the Grape
- 15:26 17 Street Crips?
- 15:26 18 **A. Yes.**
- 15:26 19 **Q.** Okay. And did you -- you came home, and I believe you
- 15:26 20 testified you continued to sell drugs like you were doing
- 15:26 21 before you went into custody, correct?
- 15:26 22 **A. Yes.**
- 15:26 23 **Q.** And you continued to sell -- sell those drugs around
- 15:26 24 Stanley Holmes, correct?
- 15:26 25 **A. Yes.**

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- 15:26 1 Q. And did you continue to carry firearms?
- 15:26 2 A. Yes.
- 15:26 3 Q. Did -- did anything really change from the fact that you
- 15:26 4 were -- now considered yourself a Crip?
- 15:26 5 A. No.
- 15:26 6 Q. Okay. Did the -- did you continue to consider yourself a
- 15:27 7 member of the Crips while you were on the street in Atlantic
- 15:27 8 City in 2011 and 2012 and 2013?
- 15:27 9 A. No.
- 15:27 10 Q. You did or you didn't?
- 15:27 11 A. Can you say it again?
- 15:27 12 Q. Yes. Did you continue to consider yourself a member of
- 15:27 13 the Grape Street Crips in addition to being in Crime Family
- 15:27 14 while you were on the street in 2011, 2012, and 2013?
- 15:27 15 A. Yes.
- 15:27 16 Q. Were you under a certain person in the Grape Street
- 15:27 17 Crips, you know, in the hierarchy of it?
- 15:27 18 A. Yes.
- 15:27 19 Q. And who was that?
- 15:27 20 A. Hook.
- 15:27 21 Q. And do you know what Hook's real name is?
- 15:27 22 A. No.
- 15:27 23 Q. But you know this guy. Is he from Atlantic City?
- 15:27 24 A. Yes.
- 15:27 25 Q. Okay. Did you also -- were you guys also associated with

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- 15:27 1 some Crips in North Jersey in terms of the Grape Street Crips
- 15:27 2 sect?
- 15:27 3 A. Yes.
- 15:27 4 Q. And did you know the names of some of those guys?
- 15:27 5 A. Yes.
- 15:27 6 Q. Okay. Did this have anything to do with your selling
- 15:27 7 drugs in Stanley Holmes?
- 15:27 8 A. No.
- 15:27 9 Q. Okay. Did it have anything to do with your membership in
- 15:28 10 Crime Family?
- 15:28 11 A. No.
- 15:28 12 Q. Okay. Did you go to some Grape Street Crip meetings?
- 15:28 13 A. Yes.
- 15:28 14 Q. Okay. In some of those meetings, did you discuss
- 15:28 15 criminal activity?
- 15:28 16 A. Yes.
- 15:28 17 Q. Okay. Did you attempt to acquire anything -- you and
- 15:28 18 others attempt to get anything from the North Jersey Grape
- 15:28 19 Street Crips with respect to illegal activity?
- 15:28 20 A. Yes.
- 15:28 21 Q. What did you attempt to get or talk to them about
- 15:28 22 getting?
- 15:28 23 A. Drugs and guns.
- 15:28 24 Q. To the best of your recollection, did you -- were you
- 15:28 25 personally ever involved in getting any drugs or guns from the

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- 15:28 1 North Jersey Crips that you were associated with?
- 15:28 2 A. It never happened.
- 15:28 3 Q. It never happened?
- 15:28 4 A. No.
- 15:28 5 Q. But it was talked about?
- 15:28 6 A. Yes.
- 15:28 7 Q. Did any of this affect your membership in 3-6 or Crime
- 15:28 8 Family with Mykal Derry?
- 15:28 9 A. No.
- 15:28 10 Q. Was, to your knowledge, Mykal Derry ever involved in the
- 15:28 11 Crips street gang, as far as you know?
- 15:29 12 A. No.
- 15:29 13 Q. Okay. Were other members of Crime Family, the
- 15:29 14 organization you were in with Mykal Derry, the drug
- 15:29 15 organization, also involved with various sects of the Crips
- 15:29 16 street gang?
- 15:29 17 A. Yes.
- 15:29 18 MR. ASKIN: Okay. Could you pull up Government's
- 15:29 19 Exhibit 1, the chart?
- 15:29 20 THE COURT: All right. Ladies and gentlemen of the
- 15:29 21 jury, you're now being shown a chart which the Government used
- 15:29 22 in its opening statement, and it was also the subject of
- 15:29 23 testimony by a Government witness. I want to remind you at
- 15:29 24 this time that this chart is not in and of itself evidence,
- 15:29 25 but rather represents what the Government contends the

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- 15:29 1 evidence will show. Whether or not any assertions, factual
- 15:30 2 assertions on this chart are true is left to your
- 15:30 3 determination during your deliberations.
- 15:30 4 All right. You may --
- 15:30 5 MR. ASKIN: May we pass out these paper copies, your
- 15:30 6 Honor?
- 15:30 7 THE COURT: Yes.
- 15:30 8 MR. ASKIN: Thank you.
- 15:30 9 (Document given to the jury.)
- 15:31 10 BY MR. ASKIN:
- 15:31 11 Q. Do you have that in front of you on the screen, Mr.
- 15:31 12 Young?
- 15:31 13 A. Yes.
- 15:31 14 Q. Okay. Just on the issue -- we're going to go through a
- 15:31 15 couple issues here that I want you to refer to the chart for.
- 15:31 16 You said that you were in the -- considered yourself in
- 15:31 17 the Grape Street Crips for this period of time while you were
- 15:31 18 on the street when you came home from juvenile custody, and
- 15:31 19 you said that Mykal Derry, to your knowledge, was not in the
- 15:31 20 Crips street gang. Were -- I believe you testified other
- 15:31 21 members of 3-6 or Crime Family, the Derry -- the organization
- 15:31 22 you were in with Mykal Derry, the drug organization, were
- 15:31 23 members of the Crip street gang?
- 15:31 24 A. Yes.
- 15:31 25 Q. In addition to their membership in Crime Family?

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15:31 1 A. Yes.

15:31 2 Q. Did that have any impact on their membership in the drug organization, Crime Family?

15:31 3 A. No.

15:31 4 Q. Did it affect the drug business in Stanley Holmes?

15:31 5 A. No.

15:31 6 Q. Okay. If you could go through the top row here of the chart and just tell us whether any of those guys in that top row there -- well, any of the ones that you know of, yeah, I was referring -- I was actually referring to starting with the row that Raymond Mack is in. Were any of those guys, starting from left to right, to your knowledge, in the Crips street gang?

15:32 7 A. Yes.

15:32 8 Q. Which ones? Start from left to right.

15:32 9 A. Raymond Mack, Derreck Mack, Malik Derry, Saeed Zaffa, Kareem Bailey, myself, Dwayne Townsend.

15:32 10 Q. Okay. And which -- were you all in the same sects of the Crips?

15:32 11 A. No, there was different Crips sects.

15:32 12 Q. Okay. Did that have any impact or friction between you guys?

15:32 13 A. No.

15:32 14 Q. Was there any friction or impact to the fact that Mykal Derry wasn't in the Crips gang?

15:32 15 A. Yes.

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15:32 1 A. No.

15:32 2 Q. That some of these other guys weren't in the Crips gang?

15:32 3 A. You said were they?

15:32 4 Q. Did -- it sounds like some of guys in Crime Family were in the Crips street gang in various different sects and some of them weren't, right?

15:33 5 A. Yes.

15:33 6 Q. Was it a problem that some of these other guys weren't in the Crips sect?

15:33 7 A. No.

15:33 8 Q. Okay. Did it affect the drug business?

15:33 9 A. No.

15:33 10 Q. Okay. What sect of the Crips -- if you remember, what sect of the Crips was Raymond Mack in?

15:33 11 A. Grape Street.

15:33 12 Q. Grape Street. The same one you were?

15:33 13 A. Yes.

15:33 14 Q. How about Derreck, Derreck Mack?

15:33 15 A. Grape Street.

15:33 16 Q. Who was the next guy you mentioned?

15:33 17 A. Malik Derry.

15:33 18 Q. What was Malik Derry in?

15:33 19 A. Rollin 60s.

15:33 20 Q. That's another sect of the Crips gang?

15:33 21 A. Yes.

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15:33 1 Q. Saeed Zaffa?

15:33 2 A. Five Deuce Hoover.

15:33 3 Q. Who was the next guy?

15:33 4 A. Kareem Bailey.

15:33 5 Q. Who was the next guy? Was it Kareem Bailey?

15:33 6 A. Yes.

15:33 7 Q. What was he in?

15:33 8 A. Grape Street.

15:33 9 Q. Okay. You said you were in Grape Street. You're on the chart. Who was the next one?

15:34 10 A. Dwayne Townsend.

15:34 11 Q. That's your little cousin?

15:34 12 A. Yes.

15:34 13 Q. What was he in?

15:34 14 A. He had two different sects.

15:34 15 Q. Okay. Which two different sects was he in?

15:34 16 A. He was 74 Hoover, then he switched sects to 10-7.

15:34 17 Q. To what?

15:34 18 A. 10-7 Hoover.

15:34 19 Q. 10 --

15:34 20 A. 107.

15:34 21 Q. Oh 10-7, 107 Hoover?

15:34 22 A. Yes.

15:34 23 Q. And they called it 107 Hoover?

15:34 24 A. Yes.

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15:34 1 Q. All right. From the chart, do you know of any of the other guys, to your knowledge, to be in the Crips street gang, if you know?

15:34 2 A. No.

15:34 3 Q. Okay. Now, when you -- when you were -- 2012, if you're looking at this chart, 2012, in the early part of 2013, was there one individual that seemed to be the primary supplier of many of the members on this chart in terms of their heroin distribution in Atlantic City, in and around Stanley Holmes and Brown's Park?

15:35 4 A. Yes.

15:35 5 Q. And who was that one person?

15:35 6 A. Mykal Derry.

15:35 7 Q. When you communicated with Mykal Derry and others, did you use certain code words or slang to communicate, particularly over cellular telephones?

15:35 8 A. Yes.

15:35 9 Q. Okay. Did you use words for guns rather than say guns or firearms?

15:35 10 A. Yes.

15:35 11 Q. And what kind of words -- what are some of the words that you remember using?

15:35 12 A. Blick, strap, jawm.

15:35 13 Q. Okay. And did you at times refer to bricks by different names or short names?

15:35 14 A. Yes.

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- 15:35 1 **A. Call them walls.**
- 15:35 2 **Q.** Walls? Okay. And did you at times refer to stamps over
- 15:36 3 the wire without trying to say the word "stamps?" If you
- 15:36 4 recall.
- 15:36 5 **A. I can't recall.**
- 15:36 6 **Q.** Okay. Would you -- did you -- do you have a recollection
- 15:36 7 of trying not to say the stamps over the wire, or were you
- 15:36 8 fine with saying the stamps over the wire, of the heroin?
- 15:36 9 **A. We were saying -- sometimes I'd say the stamps over the**
- 15:36 10 **wire.**
- 15:36 11 **Q.** Okay. And did you use several, at least a couple cell
- 15:36 12 phones to communicate with Mykal Derry and other members of
- 15:36 13 this Crime Fam drug organization to, in fact, acquire -- get
- 15:36 14 heroin and redistribute heroin to your customers?
- 15:36 15 **A. Yes.**
- 15:36 16 **Q.** How did you refer to heroin customers? Did you use
- 15:36 17 certain terms to refer to customers?
- 15:36 18 **A. Flow, fiends.**
- 15:37 19 **Q.** Did you also -- did you list customers in your phone at
- 15:37 20 times?
- 15:37 21 **A. Yes.**
- 15:37 22 **Q.** And would you abbreviate them with different
- 15:37 23 abbreviations?
- 15:37 24 **A. Yes.**
- 15:37 25 **Q.** And what would you abbreviate? Like give us an example

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- 15:37 1 of that.
- 15:37 2 **A. I use FL1, FL2.**
- 15:37 3 **Q.** Okay. And what did FL stand for?
- 15:37 4 **A. Flow.**
- 15:37 5 **Q.** Okay. Did you guys, at times, if you were unavailable --
- 15:37 6 did you have customers that would call you on the phone, drug
- 15:37 7 addicts and stuff that would call you on the phone looking for
- 15:37 8 heroin?
- 15:37 9 **A. Yes.**
- 15:37 10 **Q.** Did members of your group -- like if you had something to
- 15:37 11 do and you had to be away from Stanley Holmes and Brown's
- 15:37 12 Park, would your customers still be calling you even though
- 15:37 13 you're away?
- 15:37 14 **A. Yes.**
- 15:37 15 **Q.** Okay. And did you guys and the members of the group have
- 15:37 16 a way of dealing with that situation?
- 15:37 17 **A. Yes.**
- 15:37 18 **Q.** To make sure the customers still kept coming?
- 15:37 19 **A. Yes.**
- 15:37 20 **Q.** And what would you do?
- 15:37 21 **A. We would call one another and let them know about the**
- 15:37 22 **sale so they can go get it.**
- 15:37 23 **Q.** Okay. Did you refer sales to one another when you
- 15:38 24 weren't available?
- 15:38 25 **A. Yes.**

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- 15:38 1 **Q.** To make sure the sales stayed within the group?
- 15:38 2 **A. Yes.**
- 15:38 3 **Q.** At times did you hold other people's phones or did they
- 15:38 4 hold your phone so that they could answer these calls?
- 15:38 5 **A. Yes.**
- 15:38 6 **Q.** Is that something you did for other members of the group?
- 15:38 7 **A. Yes.**
- 15:38 8 **Q.** Would you have done that for other random drug dealers in
- 15:38 9 Atlantic City who weren't part of the group?
- 15:38 10 **A. No.**
- 15:38 11 **Q.** Did you want them to get the sales, the nonmembers of the
- 15:38 12 group?
- 15:38 13 **A. No.**
- 15:38 14 **MR. ASKIN:** Your Honor, at this point I have no
- 15:38 15 further questions of Mr. Young.
- 15:38 16 **THE COURT:** All right.
- 15:38 17 **MR. ASKIN:** On direct.
- 15:38 18 **THE COURT:** Mr. Madden, cross-examination?
- 15:38 19 **MR. MADDEN:** Yes, your Honor.
- 15:38 20 **(CROSS-EXAMINATION OF KAREEM YOUNG BY MR. MADDEN:)**
- 15:38 21 **Q.** So, Mr. Young, you'll lie to get out of jail, right?
- 15:39 22 **A. No.**
- 15:39 23 **Q.** No? You tried to lie to get out of jail before, right?
- 15:39 24 **A. Correct.**
- 15:39 25 **Q.** Okay. And you tried to lie on this case to get out of

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- 15:39 1 jail, right?
- 15:39 2 **A. I never lied on this case.**
- 15:39 3 **Q.** Well, you talked to a probation officer on this case,
- 15:39 4 right?
- 15:39 5 **A. Yes.**
- 15:39 6 **Q.** All right. And you lied to the probation officer, right?
- 15:39 7 **A. That's not to get out of jail. That's to get a shorter**
- 15:39 8 **sentence.**
- 15:39 9 **Q.** Okay.
- 15:39 10 **A. To get my sentence cut in half, to go to a drug program,**
- 15:39 11 **not to get out of jail.**
- 15:39 12 **Q.** Okay. Well, if you get your sentence cut in half, then
- 15:39 13 you're getting out of jail in half the amount of time, right?
- 15:39 14 **A. Correct.**
- 15:39 15 **Q.** Right. So, you lied to get out of jail quicker, right?
- 15:39 16 **A. Correct.**
- 15:39 17 **Q.** All right. So, you did lie before in this case in an
- 15:40 18 attempt to get out of jail sooner, right?
- 15:40 19 **A. Correct.**
- 15:40 20 **Q.** All right. And so you would do that again, right?
- 15:40 21 **A. No, because I'm under oath, and I know that I can face**
- 15:40 22 **perjury if I do lie on this stand.**
- 15:40 23 **Q.** Is that why you're not lying anymore?
- 15:40 24 **A. Yes, because I want to tell the truth. It's the right**
- 15:40 25 **thing to do.**

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15:40 **1 Q.** So, if I was to tell you that you could lie to me right
 15:40 **2** now and get out of jail, would you do it?
 15:40 **3 A.** No.
 15:40 **4 Q.** Even if it would get you out of jail?
 15:40 **5 A.** No.
 15:40 **6 Q.** Why not?
 15:40 **7 A.** Because sooner or later I would be, you know, be found
 15:40 **8** out in a lie, and I would still be in trouble for it.
 15:40 **9 Q.** So, you're not lying because you're afraid it would get
 15:40 **10** you in more trouble and give you more jail time?
 15:40 **11 A.** Correct.
 15:40 **12 Q.** All right. And who determines what's a lie and what's
 15:40 **13** not a lie?
 15:40 **14 A.** I believe Mr. Askin's office.
 15:40 **15 Q.** Right. So, Mr. Askin is the one who determines what's a
 15:41 **16** lie and what's not a lie, right?
 15:41 **17 A.** Correct.
 15:41 **18 Q.** And in the past, you've sat down and you've met with Mr.
 15:41 **19** Askin many a time, right?
 15:41 **20 A.** Yes.
 15:41 **21 Q.** Probably over six times, right?
 15:41 **22 A.** Yes.
 15:41 **23 Q.** And you told him some things which he in turn told you
 15:41 **24** that he didn't believe you; he thought was a lie, right?
 15:41 **25 A.** He never said that to me.

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15:41 **1 Q.** Okay. Did -- did you meet with them in the past and tell
 15:41 **2** them lies?
 15:41 **3 A.** I didn't tell them lies. I just didn't tell them the
 15:41 **4** whole story.
 15:41 **5 Q.** What the difference?
 15:41 **6 A.** You said what's the difference?
 15:41 **7 Q.** Yes.
 15:41 **8 A.** The difference is not telling the whole story and just
 15:41 **9** lying completely about it. I didn't lie. I just never told
 15:41 **10** the full story. I told them the story, but not the rest. So,
 15:41 **11** basically I didn't lie.
 15:41 **12 Q.** That's not a lie?
 15:41 **13 A.** I just never finished the story.
 15:41 **14 Q.** Okay. But they asked you questions about people who were
 15:42 **15** involved in selling drugs in Atlantic City, right?
 15:42 **16 A.** Correct.
 15:42 **17 Q.** Right? And you said no, those people weren't involved,
 15:42 **18** right?
 15:42 **19 A.** Are you referring to people that's on my case?
 15:42 **20 Q.** Right.
 15:42 **21 A.** I don't remember saying that.
 15:42 **22 Q.** Do you remember telling them that certain people were not
 15:42 **23** involved in selling drugs in Atlantic City?
 15:42 **24 A.** Yes.
 15:42 **25 Q.** And then later on saying, oh, no, I'm sorry, those people

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15:42 **1** actually were involved?
 15:42 **2 A.** Right, I did say that.
 15:42 **3 Q.** All right. So that was a lie, right?
 15:42 **4 A.** Yes, it was.
 15:42 **5 Q.** Right. And when you initially told it, you were saying
 15:42 **6** that you were telling the truth; in other words, when you
 15:42 **7** initially said -- when you originally said certain people
 15:42 **8** weren't involved with selling drugs, you were saying I'm
 15:42 **9** telling you the truth, right?
 15:42 **10 A.** I didn't say I wasn't telling -- now I'm telling you the
 15:42 **11** truth. I just didn't want to hurt them, so...
 15:42 **12 Q.** You lied?
 15:42 **13 A.** Yes.
 15:42 **14 Q.** And the person who challenged you on that lie, in other
 15:42 **15** words, who said you're lying, you need to stop lying, was Pat
 15:43 **16** Askin, right?
 15:43 **17 A.** Yes.
 15:43 **18 Q.** Right. And so you've learned now over the last however
 15:43 **19** months since you first started meeting with Mr. Askin that
 15:43 **20** there is the truth as you told it before and then there is the
 15:43 **21** truth as told to you by Mr. Askin, right?
 15:43 **22** MR. ASKIN: Objection. Assumes facts not in
 15:43 **23** evidence.
 15:43 **24** THE COURT: I'm going to sustain the objection.
 15:43 **25** BY MR. MADDEN:

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15:43 **1 Q.** You've sat down in many a proffer session, right?
 15:43 **2 A.** Yes.
 15:43 **3 Q.** And you haven't always told the truth in those proffer
 15:43 **4** sessions, right? There were things that you withheld, right?
 15:44 **5 A.** Yes, regarding things I withheld.
 15:44 **6 Q.** Are you withholding anything now as you testify in front
 15:44 **7** of this jury?
 15:44 **8 A.** No.
 15:44 **9 Q.** Let's talk about your record prior to this and
 15:44 **10** specifically when you went down to Florida right before this
 15:44 **11** arrest. Why did you go to Florida?
 15:44 **12 A.** Because I had a pending state case.
 15:44 **13 Q.** Excuse me?
 15:44 **14 A.** I had a pending state case.
 15:44 **15 Q.** Cases, right, several?
 15:44 **16 A.** Yes.
 15:44 **17 Q.** In fact, you kept catching state cases?
 15:44 **18 A.** Yes.
 15:44 **19 Q.** Right?
 15:44 **20 A.** Yes.
 15:44 **21 Q.** What did you have -- you have three open state cases,
 15:44 **22** right?
 15:44 **23 A.** Yes.
 15:44 **24 Q.** And that was why you left the jurisdiction, right?
 15:44 **25 A.** Yes.

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- 15:44 1 Q. And, in fact, those open state cases, that's what you
 15:45 2 wrote Mr. Askin about, right?
 15:45 3 A. **Correct.**
 15:45 4 Q. Because it's your belief or it was your belief when you
 15:45 5 wrote him a letter that he could help you with those state
 15:45 6 cases, right?
 15:45 7 A. **I asked for help, yes.**
 15:45 8 Q. Because you want him to help you with those, right?
 15:45 9 A. **Correct.**
 15:45 10 Q. And, in fact, your bail was lifted on those state cases,
 15:45 11 right?
 15:45 12 A. **Yes.**
 15:45 13 Q. Those cases aren't being held -- you're not being held in
 15:45 14 jail on those state cases any more, right?
 15:45 15 A. **Correct.**
 15:45 16 Q. And is it your understanding that that has something to
 15:45 17 do with the fact that you're cooperating with the Government
 15:45 18 right now? Do you understand my question?
 15:45 19 A. **Yes.**
 15:45 20 Q. Is the answer -- are you saying yes that you understand
 15:45 21 my question?
 15:45 22 A. **Yes.**
 15:45 23 Q. Or are you saying yes to my question?
 15:45 24 A. **I'm saying both.**
 15:45 25 Q. All right. So, you've already gotten something in your

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- 15:45 1 state cases in return for cooperating. You've gotten your
 15:46 2 bail lifted on those cases, right?
 15:46 3 A. **That was for -- my bails got lifted because if I would**
 15:46 4 **had gotten out on bail, if I had put my bail motion in, then**
 15:46 5 **nothing would be owed. That's why my bails was lifted.**
 15:46 6 Q. Right. Your bail was lifted on the state cases in the
 15:46 7 hope that your bail would be lifted in your federal case,
 15:46 8 right?
 15:46 9 A. **Correct.**
 15:46 10 Q. It hasn't happened yet, right?
 15:46 11 A. **Nope.**
 15:46 12 Q. But the Government told you, hey, we're not going to
 15:46 13 argue against your bail being lifted in the federal case,
 15:46 14 right?
 15:46 15 A. **Correct.**
 15:46 16 Q. They said we won't stand in your way, right?
 15:46 17 A. **Correct.**
 15:46 18 Q. And that's because you're testifying for them, right?
 15:46 19 A. **I don't believe that's the reason.**
 15:46 20 Q. What's the reason?
 15:46 21 A. **I don't know.**
 15:46 22 Q. Because they like you?
 15:46 23 A. **I don't know if he like me or not. I don't know him.**
 15:46 24 Q. What's the reason that they didn't oppose your bail
 15:46 25 petition in Federal Court? What's your understanding of the

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- 15:46 1 reason?
 15:46 2 A. **Because I was trying to get out on bail.**
 15:46 3 Q. So, when you went to Florida, you used a fake name down
 15:47 4 there, right?
 15:47 5 A. **Yes.**
 15:47 6 Q. And what was the reason you did that?
 15:47 7 A. **Because I knew I had a warrant out for my arrest.**
 15:47 8 Q. And you didn't want to get arrested, right?
 15:47 9 A. **Yes.**
 15:47 10 Q. And you didn't want to get picked up, right?
 15:47 11 A. **Yes.**
 15:47 12 Q. And even when you were picked up, you still used, tried
 15:47 13 to use a fake name, right?
 15:47 14 A. **When I was picked up by who?**
 15:47 15 Q. The U.S. marshals in Florida.
 15:47 16 A. **No.**
 15:47 17 Q. All right. When you were first detained in Florida, you
 15:47 18 didn't give them a fake name down there?
 15:47 19 A. **Not that I recall.**
 15:47 20 Q. Okay. Now, with regard to this case, you pled guilty,
 15:48 21 what, to one count of 100 grams of heroin, right?
 15:48 22 A. **Yes.**
 15:48 23 Q. Nothing else, right?
 15:48 24 A. **Correct.**
 15:48 25 Q. All right. Now, you understand that it's illegal to walk

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- 15:48 1 around and possess guns when you're selling heroin, right?
 15:48 2 A. **Yes.**
 15:48 3 Q. And you understand there's really serious repercussions.
 15:48 4 In other words, the jail time you could get for that is a lot
 15:48 5 of time, right?
 15:48 6 A. **Yes.**
 15:48 7 Q. Do you know what that time is for you?
 15:48 8 A. **No.**
 15:48 9 Q. Do you know what it could have been?
 15:48 10 A. **No.**
 15:48 11 Q. But the offer for you to plead guilty, there was no gun
 15:48 12 charges involved in that, right?
 15:48 13 A. **There was a gun enhancement.**
 15:48 14 Q. A gun enhancement, okay, but you didn't have to plead
 15:48 15 guilty to possession of the gun, right?
 15:48 16 A. **Correct.**
 15:48 17 Q. Right. And you understand that other people who weren't
 15:48 18 agreeing to plead guilty, they still had that charge against
 15:48 19 them, right?
 15:48 20 A. **Yes.**
 15:48 21 Q. And in turn they still had that exposure of that
 15:49 22 significant amount of jail time against them, right?
 15:49 23 A. **Yes.**
 15:49 24 Q. So, in return for you pleading guilty, you didn't have to
 15:49 25 worry about all that time from the gun charge, right?

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- 15:49 **1 A. Yes.**
- 15:49 **2 Q.** Right. And in addition, you pled to 100 grams, selling
- 15:49 **3** 100 grams of heroin, right?
- 15:49 **4 A. Correct.**
- 15:49 **5 Q.** And you understand, as far as the time in jail you're
- 15:49 **6** looking at, the amount matters, right?
- 15:49 **7 A. Yes.**
- 15:49 **8 Q.** Right. And 100 grams, the time you're looking at is a
- 15:49 **9** whole lot less than 1,000 grams, right?
- 15:49 **10 A. Yes.**
- 15:49 **11 Q.** And so, that's also part of the reason why you pled
- 15:49 **12** guilty, right?
- 15:49 **13 A. Yes.**
- 15:49 **14 Q.** And so your hope was that by pleading guilty and getting
- 15:49 **15** rid of all that extra stuff that you were going to get out of
- 15:49 **16** jail, right?
- 15:49 **17 A. No, I thought I was going to get less time, but not get**
- 15:49 **18** out of jail.
- 15:49 **19 Q.** And then when you got your presentence report from the
- 15:49 **20** Federal Probation Department, you realized that you were
- 15:49 **21** looking at mandatory sentence and your time was a lot more,
- 15:50 **22** right?
- 15:50 **23 A. Yes.**
- 15:50 **24 Q.** All right. And so then what happened? What did you do?
- 15:50 **25 A. I started cooperating.**

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- 15:51 **1 A. Yes.**
- 15:51 **2 Q.** Okay. And after you do that, then you're a member of the
- 15:51 **3** Crips?
- 15:51 **4 A. Yes.**
- 15:51 **5 Q.** All right. What does it entail to be a member of the
- 15:51 **6** Crips, like are there rules?
- 15:51 **7 A. Yes.**
- 15:51 **8 Q.** What are some of the rules?
- 15:51 **9 A. No getting high, like smoking heroin, like doing heroin,**
- 15:51 **10** **smoking crack, no -- you can't rape nobody, nothing like that.**
- 15:51 **11** **You wouldn't be allowed to be no Crip then. You ain't**
- 15:51 **12** **supposed to snitch.**
- 15:51 **13 Q.** And you what, you're not supposed to snitch?
- 15:51 **14 A. Yeah.**
- 15:51 **15 Q.** What does that mean, snitch?
- 15:51 **16 A. Cooperate.**
- 15:51 **17 Q.** Okay. What are the other rules?
- 15:51 **18 A. You're supposed to be there for each other, have each**
- 15:51 **19** **other backs.**
- 15:51 **20 Q.** Are you allowed to be a member of other gangs if you're a
- 15:52 **21** member of the Crips?
- 15:52 **22 A. Yeah.**
- 15:52 **23 Q.** Okay. And the Crips, is that a big organization?
- 15:52 **24 A. Yes.**
- 15:52 **25 Q.** What do you mean by big organization? What's your

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- 15:50 **1 Q.** Okay. And that was specifically for the purpose of
- 15:50 **2** getting out of jail sooner, right?
- 15:50 **3 A. Yes.**
- 15:50 **4 Q.** No other reason, right?
- 15:50 **5 A. No.**
- 15:50 **6 Q.** Now, you testified earlier that you were a member of the
- 15:50 **7** Crips?
- 15:50 **8 A. Yes.**
- 15:50 **9 Q.** What does that mean, to be a member of the Crips? What
- 15:50 **10** does it entail? How do you become a member of the Crips?
- 15:50 **11 A. You got to get jumped in.**
- 15:50 **12 Q.** All right. What does that mean, jumped in?
- 15:50 **13 A. You have to fight people.**
- 15:50 **14 Q.** Okay. Where?
- 15:50 **15 A. In the circle, somewhere out of view of a camera, like in**
- 15:50 **16** **the back of a house or something like that.**
- 15:50 **17 Q.** All right. Just once?
- 15:50 **18 A. Yes.**
- 15:50 **19 Q.** All right. So, you have to get into one fist fight?
- 15:50 **20 A. Three minutes.**
- 15:50 **21 Q.** Three minutes?
- 15:50 **22 A. Yes, with three people.**
- 15:51 **23 Q.** With three people?
- 15:51 **24 A. Yes.**
- 15:51 **25 Q.** Like three on one?

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- 15:52 **1** understanding?
- 15:52 **2 A. There's a lot of Crips in this world.**
- 15:52 **3 Q.** In this world and in this country?
- 15:52 **4 A. Yes.**
- 15:52 **5 Q.** Okay. And were you the member of any other
- 15:52 **6** organizations?
- 15:52 **7 A. Dirty Block Crime Fam.**
- 15:52 **8 Q.** Okay. Any others?
- 15:52 **9 A. That's it.**
- 15:52 **10 Q.** That's it, all right. And what is the Dirty Block Crime
- 15:52 **11** Fam?
- 15:52 **12 A. What is it?**
- 15:52 **13 Q.** Yes, what is it?
- 15:52 **14 A. It's a street gang.**
- 15:52 **15 Q.** Excuse me?
- 15:52 **16 A. A street gang.**
- 15:52 **17 Q.** How is that different than the Crips?
- 15:52 **18 A. You don't have to get jumped in or you don't have to**
- 15:52 **19** **learn the history of the gang.**
- 15:52 **20 Q.** What do you have to do to be a member of the Dirty Block
- 15:52 **21** Crime Fam?
- 15:52 **22 A. You have to prove that you built to be around certain**
- 15:53 **23** **people, that you give money, that you be at the front line**
- 15:53 **24** **when it's time to go to war. You take your charges when you**
- 15:53 **25** **go down, not tell. Just be there.**

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- 15:53 1 Q. Okay. And when did you become a member of the Dirty
 15:53 2 Block Crime Fam?
 15:53 3 A. **When I was like 13.**
 15:53 4 Q. Okay. So, I'm sorry, what year was that around?
 15:53 5 A. **I don't -- probably like 2006, '7, '5.**
 15:53 6 Q. 2005? Okay. It's safe to say you didn't know Mykal
 15:53 7 Derry back in 2005, right?
 15:53 8 A. **No, I didn't know him.**
 15:53 9 Q. You had no idea who he was, right?
 15:53 10 A. **No.**
 15:53 11 Q. And you had no idea if he was involved with this Dirty
 15:53 12 Block Crime Fam then?
 15:53 13 A. **I heard of his name. I just never met him personally**
 15:53 14 **because he was always in jail.**
 15:54 15 Q. And so did you -- how did you become a member of the
 15:54 16 Dirty Block Crime Fam in 2005? Like, what did you have to do
 15:54 17 to become a member?
 15:54 18 A. **I was just hanging around them, then I just started**
 15:54 19 **claiming everything that they was claiming.**
 15:54 20 Q. What does that mean, claiming everything that they were
 15:54 21 claiming?
 15:54 22 A. **They was 3-6; I was 3-6. They was saying they was 3-6; I**
 15:54 23 **was saying I was 3-6. Ain't nobody have a problem with it, so**
 15:54 24 **I was in. And everybody liked me.**
 15:54 25 Q. When you said they say they were 3-6 and I was 3-6, what

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- 15:54 1 does that mean?
 15:54 2 A. **Who, they? You want to know who they is?**
 15:54 3 Q. Yes.
 15:54 4 A. **Trevin Allen, Heed Hom, who was Shaheed Hamilton,**
 15:54 5 **Jermaine Reynolds, Tay-moo, Griffin.**
 15:55 6 Q. Were these guys your age or older than you or what?
 15:55 7 A. **No, they was older than me.**
 15:55 8 Q. You said you were like 13 at the time when you joined,
 15:55 9 right?
 15:55 10 A. **Yes.**
 15:55 11 Q. And how old were these guys?
 15:55 12 A. **They had to be in their twenties.**
 15:55 13 Q. All right. And these are all guys from the Stanley
 15:55 14 Holmes section of Atlantic City?
 15:55 15 A. **Yes.**
 15:55 16 Q. Is it safe to say that most people around that age from
 15:55 17 Stanley Holmes joined a gang?
 15:55 18 A. **They grow up around it, so they start saying wherever**
 15:55 19 **they from. They start claiming where they from. So, I**
 15:55 20 **started claiming where I was from.**
 15:55 21 Q. And what did that mean?
 15:55 22 A. **That I was from 3-6.**
 15:55 23 Q. Okay. Is 3-6 in your mind the same thing or a different
 15:56 24 thing than the Dirty Block Crime Family?
 15:56 25 A. **Dirty Block is different.**

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- 15:56 1 Q. What's the difference?
 15:56 2 A. **Dirty Block was the courts, Virginia Avenue Courts.**
 15:56 3 Q. Basketball courts you mean?
 15:56 4 A. **No, Virginia Avenue Courts, but they got knocked down.**
 15:56 5 **Once they got knocked down, everybody from Virginia Avenue**
 15:56 6 **Courts moved down, started hustling, and started being around**
 15:56 7 **the village, Stanley Holmes Village. So, everybody started**
 15:56 8 **saying that they was Dirty Block and Crime Fam.**
 15:56 9 Q. Okay. Are they the names of neighborhoods?
 15:56 10 A. **Yes.**
 15:56 11 Q. So, is it a gang or is it a way of saying what
 15:56 12 neighborhood you're from or is it kind of both?
 15:56 13 A. **It's both.**
 15:56 14 Q. Both?
 15:56 15 A. **Yes.**
 15:56 16 Q. All right. And so my question was, is -- is anybody from
 15:56 17 around that neighborhood who doesn't, I don't know, go away
 15:56 18 and go to school or get a job and move away, are they -- kind
 15:56 19 of just become a member of these gangs?
 15:57 20 MR. ASKIN: Objection, your Honor. I don't really
 15:57 21 have a problem other than I didn't understand the question, so
 15:57 22 I doubt the witness understands the question. I'd just ask
 15:57 23 that it be rephrased.
 15:57 24 BY MR. MADDEN:
 15:57 25 Q. Did you understand the question?

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- 15:57 1 A. **A little bit.**
 15:57 2 Q. A little bit?
 15:57 3 A. **Yes.**
 15:57 4 THE COURT: All right. It's 3:57. I'd like to
 15:57 5 conclude in a few minutes when you reach a natural break.
 15:57 6 I'm going to direct that you rephrase the question.
 15:57 7 MR. MADDEN: Yes, your Honor.
 15:57 8 BY MR. MADDEN:
 15:57 9 Q. Do you become a member of these organizations just by
 15:57 10 living in the neighborhood and saying that you're a member?
 15:57 11 A. **If you want to become, that's when you start saying you**
 15:57 12 **want to become a member.**
 15:57 13 Q. And --
 15:57 14 A. **If you go away to school, then you just go away to**
 15:57 15 **school. You ain't -- you're just from 3-6, but you're not a**
 15:57 16 **part of it. You're not part of that lifestyle. You got a**
 15:57 17 **whole different life, but that's where you're from. That's**
 15:57 18 **what you grew up with, but you're not a part of it now.**
 15:58 19 MR. MADDEN: I can stop there; I can keep going.
 15:58 20 THE COURT: All right. Let's conclude then for the
 15:58 21 day. Thank you, Mr. Madden.
 15:58 22 MR. MADDEN: Thank you.
 15:58 23 THE COURT: All right. Ladies and gentlemen of the
 15:58 24 jury, we've now reached the end of the testimony for the day
 15:58 25 and for the week. We will be off tomorrow as is our practice.

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15:58 1 We'll see you back here on Monday.
 15:58 2 I've consulted with counsel, and we expect that the
 15:58 3 testimony will cover -- and just leave those pictures on the
 15:58 4 chair when you leave, and we'll collect them afterwards.
 15:58 5 Thank you for being mindful of that.
 15:58 6 I've been informed by counsel that the testimony will
 15:58 7 continue through next week for most of the week if not all of
 15:58 8 the week. If we continue on that schedule, it's likely the
 15:58 9 week after that will be either the conclusion of the case
 15:58 10 after the testimony or perhaps some continuation of the
 15:59 11 testimony. We'll know more about that as the testimony
 15:59 12 unfolds next week. I'm sorry I can't be more specific about
 15:59 13 that, but that's what I've been told by counsel, that we
 15:59 14 should expect a full week next week and then we'll tell you
 15:59 15 more about what the week after that will entail once the week
 15:59 16 next week unfolds.
 15:59 17 Please remember my previous instructions to you about
 15:59 18 not doing any independent research, not consulting on the case
 15:59 19 with -- between yourselves or with anyone else, and we wish
 15:59 20 you a good Friday and weekend and look forward to seeing you
 15:59 21 back here Monday morning.
 15:59 22 Once again, on behalf of the parties, we appreciate
 15:59 23 very much your promptness, your attention during these
 15:59 24 proceedings, and your patience during those times that you're
 15:59 25 not in the jury box. We wish you a good weekend.

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16:01 1 of the day. And like I said, we're concerned, we want to
 16:01 2 get -- I mean, counsel can take as much time as they want, but
 16:01 3 when they're done we want to get Special Agent McNamara on to
 16:01 4 make sure he's on schedule for his -- he's going away, and we
 16:01 5 want to make sure he's on the schedule.
 16:01 6 THE COURT: And how long will his testimony be?
 16:01 7 MR. ASKIN: I'm anticipating that Special Agent
 16:01 8 McNamara's testimony, I'm guessing, but on direct, just going
 16:01 9 from the last trial, I mean, I'm thinking he's going to be
 16:02 10 two, two-and-a-half hours on direct probably, something like
 16:02 11 that, and then whatever cross they have.
 16:02 12 MR. MADDEN: Cross could be as much as an hour if we
 16:02 13 get into these things.
 16:02 14 THE COURT: All right. So, that will take Monday
 16:02 15 into Tuesday, it sounds like.
 16:02 16 MR. ASKIN: Probably.
 16:02 17 THE COURT: Or a big chunk of Tuesday. All right.
 16:02 18 Well, just keep me informed so I can let the jury know as the
 16:02 19 week unfolds how much progress we're making.
 16:02 20 All right. Anything else I need to address?
 16:02 21 MR. ASKIN: I don't believe so at this time, your
 16:02 22 Honor.
 16:02 23 MR. MADDEN: No, your Honor.
 16:02 24 THE COURT: All right. Thank you.
 16:02 25 Mr. Markowitz?

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15:59 1 Ms. Novoa.
 15:59 2 THE DEPUTY COURT CLERK: All rise.
 15:59 3 (Whereupon the jury exited the courtroom.)
 16:00 4 THE COURT: All right. Thank you. Please be seated
 16:00 5 except for counsel. Mr. Young, you may step down.
 16:00 6 We will continue on -- we will continue with the
 16:00 7 cross-examination of Mr. Young on Monday, and how much more do
 16:00 8 you think you have, Mr. Madden? I know you just started.
 16:01 9 MR. MADDEN: Yes. It won't be any more than until
 16:01 10 lunch at the most, at the very most.
 16:01 11 THE COURT: Mr. Markowitz, you'll have some?
 16:01 12 MR. MARKOWITZ: Yes, but not nearly as lengthy as Mr.
 16:01 13 Madden's.
 16:01 14 THE COURT: All right. So, it sounds like sometime
 16:01 15 in the afternoon will be -- I assume there will be some
 16:01 16 redirect and recross, but --
 16:01 17 MR. ASKIN: I think we'll get to another witness.
 16:01 18 Well, I don't know. I think we will.
 16:01 19 MR. MADDEN: Look, I could just be -- I don't mean to
 16:01 20 say look, I'm sorry, but I could just be an hour and a half.
 16:01 21 I could just be until the first break.
 16:01 22 THE COURT: That's quite all right. I just want to
 16:01 23 make sure that the Government has somebody -- enough to fill
 16:01 24 the rest of the day.
 16:01 25 MR. ASKIN: We will have something to fill the rest

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16:02 1 MR. MARKOWITZ: No, your Honor.
 16:02 2 THE COURT: All right. Continue to work on any
 16:02 3 stipulations that might streamline things without prejudice to
 16:02 4 either side's ability to present the case or put the other
 16:02 5 side to their proofs.
 16:02 6 MR. ASKIN: Yes, your Honor. I think that over the
 16:02 7 weekend I'm sure we'll be working, I intend to work all
 16:02 8 weekend, and I think we'll look at the stipulations. We have
 16:02 9 a list of stipulations or potential topics for stipulations.
 16:03 10 We're going to look at those. I believe we'll be drafting
 16:03 11 some and probably e-mailing them to counsel and trying to
 16:03 12 discuss that so that by Monday we might have some stipulations
 16:03 13 ready to go.
 16:03 14 THE COURT: All right. I appreciate these efforts.
 16:03 15 MR. MADDEN: Thank you, your Honor.
 16:03 16 THE COURT: All right. Have a nice rest of the week
 16:03 17 and a nice weekend, and we'll see you back on Monday morning.
 16:03 18 MR. ASKIN: Thank you, your Honor.
 16:03 19 (Proceedings concluded at 4:03 p.m.)
 16:03 20
 16:03 21
 16:03 22
 16:03 23
 16:03 24
 16:03 25

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