

**FILED**

**FEB 28 2019**

**State Grand Jury Judge**

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ729-19-3

Superior Court

Docket Number 19-02-00014-S

STATE OF NEW JERSEY )

v. )

INDICTMENT

FABIAN FRATER )

MARSHEA ANTHONY )

CHARLES JACKSON )

BRYANT NEVERS )

SHADEIK STRATFORD )

NHAZIR BRIGGS-SMITH )

JAHVON PARKER )

MICHAEL LAWHORN )

KARON NEVERS )

KELLY CUNNINGHAM )

PETER BRUNO )

PHOUNG LE )

NICHOLAS NAPALITANO )

ALFONSO PETRILLO )

JOAN DALTON )

RONALD JOHNSTONE )

TIMOTHY NESTOR )

CLAUDINE BURDZY )  
PAUL ZURAWSKI )  
 )

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Racketeering - First Degree)

FABIAN FRATER

MARSHEA ANTHONY

CHARLES JACKSON

BRYANT NEVERS

SHADEIK STRATFORD

NHAZIR BRIGGS-SMITH

JAHVON PARKER

MICHAEL LAWHORN

AND

KARON NEVERS

and other persons whose identities are known and unknown to the Grand Jurors, who are named as a co-conspirators and members of the enterprise, but not as defendants herein, at the times and places herein specified, did commit the crime of Racketeering, that is, the defendants and other persons employed by or associated with an enterprise engaged in or the activities of

which affected trade or commerce, purposely or knowingly did conduct or participate directly or indirectly, or did conspire in the conduct of the enterprise's affairs through a pattern of racketeering activity, including the commission of a crime of the first degree, in violation of N.J.S.A. 2C:41-2c and N.J.S.A. 2C:41-2d, all as hereinafter described.

THE RELEVANT TIMES AND PLACES

The predicate criminal activity occurred between on or about July 1, 2018, and on or about January 22, 2019, at the City of Paterson, in the County of Passaic, in the State of New Jersey, and within the jurisdiction of this Court.

THE ENTERPRISE

FABIAN FRATER, MARSHEA ANTHONY, CHARLES JACKSON, BRYANT NEVERS, SHADEIK STRATFORD, NHAZIR BRIGGS-SMITH, JAHVON PARKER, MICHAEL LAWHORN, KARON NEVERS and other persons whose identities are known and unknown to the Grand Jurors, who are named as a co-conspirators and members of the enterprise, but not as defendants herein, did constitute an enterprise within the meaning of N.J.S.A. 2C:41-1c, that is, a group of individuals associated in fact, for the purposes set forth below.

THE PURPOSES OF THE ENTERPRISE

The purposes of the enterprise included collectively generating income on behalf of and for the benefit of members of the enterprise through the distribution of controlled dangerous

substances in this State; using a defined structure with roles for each enterprise member or associate; dividing proceeds from enterprise members' and associates' criminal activities in accordance with enterprise protocol; and concealing from law enforcement authorities the existence of the enterprise, the means and locations from which it conducted its affairs, including, but not limited to, using a variety of locations, residences or motor vehicles for storage or delivery of controlled dangerous substances that members and associates of the enterprise bought and sold, and to conceal the profits derived from these activities.

#### THE PATTERN OF RACKETEERING ACTIVITY

The pattern of racketeering activity, as defined in N.J.S.A. 2C:41-1d, consisted of at least two incidents of racketeering conduct by the enterprise during the relevant time, including Possession with Intent to Distribute a Controlled Dangerous Substance (N.J.S.A. 2C:35-5), Distribution of a Controlled Dangerous Substance (N.J.S.A. 35-5), Distribution of a Controlled Dangerous Substance within 1,000 feet of School Property (N.J.S.A. 2C:35-7), Distribution of a Controlled Dangerous Substance within 500 feet of Public Property (N.J.S.A. 2C:35-7.1), Aggravated Assault (N.J.S.A. 2C:12-1), Attempted Murder (N.J.S.A. 2C:11-3), Possession of a Firearm for an Unlawful Purpose (N.J.S.A. 2C:39-4), and Financial Facilitation

of Criminal Activity (N.J.S.A. 2C:21-25), and Conspiracy to commit these crimes, as described herein and in Counts Two, Three, Five, Nine, Ten, Twelve, Thirteen, Fifteen, Eighteen, Nineteen, Twenty-One, Twenty-Two, Twenty-Four, Twenty-Five, Twenty-Seven, Twenty-Eight, Thirty, Thirty-One, Thirty-Three, Thirty-Four, Thirty-Six, Thirty-Seven, Thirty-Nine, Forty, Forty-Two, Forty-Three, Forty-Five, Forty-Seven, Forty-Eight, Fifty, and Fifty-One of this Indictment.

FABIAN FRATER

did commit the racketeering conduct by engaging in or conspiring to commit repeated acts of Conspiracy; Distribution of a Controlled Dangerous Substance; Financial Facilitation of Criminal Activity; and Aggravated Assault; which racketeering conduct is the subject of Counts Two, Twenty-Seven, Twenty-Eight, Thirty, Thirty-One, Thirty-Three, Thirty-Four, Thirty-Six, Thirty-Seven, Thirty-Nine, Forty, Forty-Two, and Forty-Three of this Indictment.

MARSHEA ANTHONY

did commit the racketeering conduct by engaging in or conspiring to commit repeated acts of Conspiracy; Distribution of a Controlled Dangerous Substance; Financial Facilitation of Criminal Activity; and Aggravated Assault; which racketeering conduct is the subject of Counts Two, Thirty, Thirty-One, Thirty-Three, Thirty-Four, Thirty-Nine, Forty, and Forty-Five of

this Indictment.

CHARLES JACKSON

did commit the racketeering conduct by engaging in or conspiring to commit repeated acts of Conspiracy; Distribution of a Controlled Dangerous Substance; and Financial Facilitation of Criminal Activity; which racketeering conduct is the subject of Counts Two, Twenty-One, Twenty-Two, Forty-Seven, and Forty-Eight of this Indictment.

BRYANT NEVERS

did commit the racketeering conduct by engaging in or conspiring to commit repeated acts of Conspiracy; Distribution of a Controlled Dangerous Substance; and Financial Facilitation of Criminal Activity; which racketeering conduct is the subject of Counts Two, Thirty, Thirty-One, Thirty-Three, Thirty-Four, Thirty-Nine, and Forty of this Indictment.

SHADEIK STRATFORD

did commit the racketeering conduct by engaging in or conspiring to commit repeated acts of Conspiracy; Distribution of a Controlled Dangerous Substance; Possession of a Firearm for an Unlawful Purpose; and Attempted Murder; which racketeering conduct is the subject of Counts Two, Three, and Five of this Indictment.

NHAZIR BRIGGS-SMITH

did commit the racketeering conduct by engaging in or conspiring to commit repeated acts of Conspiracy; Distribution of a Controlled Dangerous Substance; which racketeering conduct is the subject of Counts Two, Nine, Ten, Twelve, Thirteen, and Fifteen of this Indictment.

JAHVON PARKER

did commit the racketeering conduct by engaging in or conspiring to commit repeated acts of Conspiracy; Distribution of a Controlled Dangerous Substance; which racketeering conduct is the subject of Counts Two, Eighteen, Nineteen, Twenty-Four, and Twenty-Five of this Indictment.

MICHAEL LAWHORN

did commit the racketeering conduct by engaging in or conspiring to commit repeated acts of Conspiracy; Distribution of a Controlled Dangerous Substance; which racketeering conduct is the subject of Counts Two, Twenty-Four, and Twenty-Five of this Indictment.

KARON NEVERS

did commit the racketeering conduct by engaging in or conspiring to commit repeated acts of Conspiracy; Distribution of a Controlled Dangerous Substance; which racketeering conduct is the subject of Counts Two, Fifty, and Fifty-One of this Indictment.

All in violation of N.J.S.A. 2C:41-2c and N.J.S.A. 2C:41-2d, and against the peace of this State, the government and dignity of the same.



COUNT TWO

(Conspiracy - Second Degree)

FABIAN FRATER

MARSHEA ANTHONY

CHARLES JACKSON

BRYANT NEVERS

SHADEIK STRATFORD

NHAZIR BRIGGS-SMITH

JAHVON PARKER

MICHAEL LAWHORN

AND

KARON NEVERS

between on or about July 1, 2018 and on or about January 22, 2019, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crime of Distribution of a Controlled Dangerous Substance, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crimes, or

B. One or more of them knowingly would aid in the planning, solicitation, or commission of said crimes, that is:

1. Knowingly or purposely distribute a controlled dangerous substance, that is, heroin, contrary to the provisions

of N.J.S.A. 2C:35-5a(1), and N.J.S.A. 2C:35-5b(3).

2. Knowingly or purposely distribute a controlled dangerous substance, that is, cocaine, contrary to the provisions of N.J.S.A. 2C:35-5a(1), N.J.S.A. 2C:35-5b(3), and N.J.S.A. 2C:35-5c.

3. Knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, in violation of N.J.S.A. 2C:35-5a, while within 1,000 feet of School Property, which is owned by or leased to the Paterson Board of Education and used for school purposes, contrary to the provisions of N.J.S.A. 2C:35-7.

4. Knowingly or purposely did distribute a controlled dangerous substance, that is, cocaine, in violation of N.J.S.A. 2C:35-5a, while within 1,000 feet of School Property, which is owned by or leased to the Paterson Board of Education and used for school purposes, contrary to the provisions of N.J.S.A. 2C:35-7.

5. Knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, in violation of N.J.S.A. 2C:35-5a, while within 500 feet of Public Property, contrary to the provisions of N.J.S.A. 2C:35-7.1a

6. Knowingly or purposely did distribute a controlled dangerous substance, that is, Ketamine, a Schedule III controlled dangerous substance, in violation of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(13).

7. Knowingly or purposely did distribute a controlled dangerous substance, that is, Ketamine, a Schedule III controlled dangerous substance, in violation of N.J.S.A. 2C:35-5a, while within 1,000 feet of School Property, which is owned by or leased to the Paterson Board of Education and used for school purposes, contrary to the provisions of N.J.S.A. 2C:35-7.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Attempted Murder - First Degree)

Shadeik Stratford

on or about October 27, 2018, at the City of Paterson, in the County of Passaic, elsewhere and within the jurisdiction of this Court, knowingly or purposely did attempt to inflict serious bodily injury upon Victim #1, which would have resulted in the said Victim #1's death, contrary to the provisions of N.J.S.A. 2C:11-3 and N.J.S.A. 2C:5-1, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Unlawful Possession of Weapon - Second Degree)

Shadeik Stratford

on or about October 27, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, did knowingly possess a certain weapon, that is, a 9mm Luger caliber Ruger semiautomatic pistol, bearing serial number 30331691, contrary to the provisions of N.J.S.A. 2C:39-5, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Possession of Weapon for an Unlawful Purpose - Second Degree)

Shadeik Stratford

on or about October 27, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, did knowingly possess a certain weapon, that is, a 9mm Luger caliber Ruger semiautomatic pistol, bearing serial number 30331691, with purpose to use it unlawfully against the person or property of another, contrary to the provisions of N.J.S.A. 2C:39-4(a), and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Unlawful Possession of Weapon - Second Degree)

Shadeik Stratford

And

Nhazir Briggs-Smith

on or about October 29, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, did knowingly possess a certain weapon, that is, a 9mm Luger caliber Ruger semiautomatic pistol, bearing serial number 30331691, contrary to the provisions of N.J.S.A. 2C:39-5 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Unlawful Possession of a Large Capacity Ammunition Magazine -  
Fourth Degree)

Shadeik Stratford

And

Nhazir Briggs-Smith

on or about October 29, 2018, at the City of Paterson, in the  
County of Passaic, elsewhere, and within the jurisdiction of  
this Court, knowingly did possess a large capacity ammunition  
magazine, contrary to the provisions of N.J.S.A. 2C:39-3j and  
N.J.S.A. 2C:2-6, and against the peace of this State, the  
government and dignity of the same.



COUNT EIGHT

(Possession of a Controlled Dangerous Substance - Third Degree)

Nhazir Briggs-Smith

Claudine Burdzy

And

Paul Zurawski

on or about November 2, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT NINE

(Distribution of a Controlled Dangerous Substance - Third Degree)

Nhazir Briggs-Smith

on or about November 2, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(3), and against the peace of this State, the government and dignity of the same.

COUNT TEN

(Distribution of a Controlled Dangerous Substance on or within  
1,000 feet of School Property - Third Degree)

Nhazir Briggs-Smith

on or about November 2, 2018, at the City of Paterson, in the  
County of Passaic, elsewhere, and within the jurisdiction of  
this Court, knowingly or purposely did distribute a controlled  
dangerous substance, that is, heroin, in violation of N.J.S.A.  
2C:35-5a, while within 1,000 feet of Paterson Public School 25,  
which is owned by or leased to the Paterson Board of Education  
and used for school purposes, contrary to the provisions of  
N.J.S.A. 2C:35-7, and against the peace of this State, the  
government and dignity of the same.

COUNT ELEVEN

(Possession of a Controlled Dangerous Substance - Third Degree)

Nhazir Briggs-Smith

Claudine Burdzy

And

Paul Zurawski

on or about November 2, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, Ketamine, a Schedule III controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT TWELVE

(Distribution of a Controlled Dangerous Substance - Third Degree)

Nhazir Briggs-Smith

on or about November 2, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, Ketamine, a Schedule III controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(13), and against the peace of this State, the government and dignity of the same.

COUNT THIRTEEN

(Distribution of a Controlled Dangerous Substance on or within  
1,000 feet of School Property - Third Degree)

Nhazir Briggs-Smith

on or about November 2, 2018, at the City of Paterson, in the  
County of Passaic, elsewhere, and within the jurisdiction of  
this Court, knowingly or purposely did distribute a controlled  
dangerous substance, that is, Ketamine, a Schedule III  
controlled dangerous substance, in violation of N.J.S.A. 2C:35-  
5a, while within 1,000 feet of Paterson Public School 25, which  
is owned by or leased to the Paterson Board of Education and  
used for school purposes, contrary to the provisions of N.J.S.A.  
2C:35-7, and against the peace of this State, the government and  
dignity of the same.

COUNT FOURTEEN

(Possession of a Controlled Dangerous Substance - Third Degree)

Nhazir Briggs-Smith

on or about November 2, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1), and against the peace of this State, the government and dignity of the same.

COUNT FIFTEEN

(Distribution of a Controlled Dangerous Substance - Third Degree)

Nhazir Briggs-Smith

on or about November 2, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(3), and against the peace of this State, the government and dignity of the same.



COUNT SIXTEEN

(Eluding - Second Degree)

Nhazir Briggs-Smith

on or about November 2, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, while operating a vehicle, did knowingly flee or attempt to elude law enforcement officers after having received a signal from such officers to bring his vehicle to a full stop, and in so doing, created a risk of death or injury to law enforcement officers and others, contrary to the provisions of N.J.S.A. 2C:29-2b, and against the peace of this State, the government and the dignity of the same.

COUNT SEVENTEEN

(Possession of a Controlled Dangerous Substance - Third Degree)

Jahvon Parker

And

Joan Dalton

on or about November 13, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, cocaine, a Schedule II controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT EIGHTEEN

(Distribution of a Controlled Dangerous Substance - Third Degree)

Jahvon Parker

on or about November 13, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, cocaine, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(3), and against the peace of this State, the government and dignity of the same.

COUNT NINETEEN

(Distribution a Controlled Dangerous Substance on or within  
1,000 feet of School Property - Third Degree)

Jahvon Parker

on or about November 13, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, cocaine, in violation of N.J.S.A. 2C:35-5a, while within 1,000 feet of Paterson Public School 26 and/or the Rosa L. Parks Arts High School, which are owned by or leased to the Paterson Board of Education and used for school purposes, contrary to the provisions of N.J.S.A. 2C:35-7, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY

(Possession of a Controlled Dangerous Substance - Third Degree)

Charles Jackson

Ronald Johnstone

And

Timothy Nestor

on or about November 23, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-ONE

(Distribution of a Controlled Dangerous Substance - Third Degree)

Charles Jackson

on or about November 23, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(3), and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-TWO

(Distribution of a Controlled Dangerous Substance on or within  
500 feet of Public Property - Second Degree)

Charles Jackson

on or about November 23, 2018, at the City of Paterson, in the  
County of Passaic, elsewhere, and within the jurisdiction of  
this Court, knowingly or purposely did distribute a controlled  
dangerous substance, that is, heroin, in violation of N.J.S.A.  
2C:35-5a, while within 500 feet of Eastside Park, contrary to  
the provisions of N.J.S.A. 2C:35-7.1a, and against the peace of  
this State, the government and dignity of the same.

COUNT TWENTY-THREE

(Possession of a Controlled Dangerous Substance - Third Degree)

Jahvon Parker

Michael Lawhorn

And

Nicholas Napalitano

on or about November 26, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



COUNT TWENTY-FOUR

(Distribution of a Controlled Dangerous Substance - Third Degree)

Jahvon Parker

And

Michael Lawhorn

on or about November 26, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, contrary to the provisions of N.J.S.A. 2C:35-5a(1), N.J.S.A. 2C:35-5b(3), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-FIVE

(Distribution of a Controlled Dangerous Substance on or within  
1,000 feet of School Property - Third Degree)

Jahvon Parker

And

Michael Lawhorn

on or about November 26, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, in violation of N.J.S.A. 2C:35-5a, while within 1,000 feet of Paterson School 21 and/or the Rosa L. Parks Arts High School, which are owned by or leased to the Paterson Board of Education and used for school purposes, contrary to the provisions of N.J.S.A. 2C:35-7 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-SIX

(Possession of a Controlled Dangerous Substance - Third Degree)

Fabian Frater

And

Alfonso Petrillo

on or about December 3, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-SEVEN

(Distribution of a Controlled Dangerous Substance - Third Degree)

Fabian Frater

on or about December 3, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(3), and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-EIGHT

(Distribution of a Controlled Dangerous Substance on or within  
1,000 feet of School Property - Third Degree)

Fabian Frater

on or about December 3, 2018, at the City of Paterson, in the  
County of Passaic, elsewhere, and within the jurisdiction of  
this Court, knowingly or purposely did distribute a controlled  
dangerous substance, that is, heroin, in violation of N.J.S.A.  
2C:35-5a, while within 1,000 feet of Paterson Public School 24,  
which is owned by or leased to the Paterson Board of Education  
and used for school purposes, contrary to the provisions of  
N.J.S.A. 2C:35-7, and against the peace of this State, the  
government and dignity of the same.

COUNT TWENTY-NINE

(Possession of a Controlled Dangerous Substance - Third Degree)

Fabian Frater

Bryant Nevers

Marshea Anthony

And

Kelly Cunningham

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THIRTY

(Distribution of a Controlled Dangerous Substance - Third Degree)

Fabian Frater

Bryant Nevers

and

Marshea Anthony

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, contrary to the provisions of N.J.S.A. 2C:35-5a(1), N.J.S.A. 2C:35-5b(3), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THIRTY-ONE

(Distribution of a Controlled Dangerous Substance on or within  
1,000 feet of School Property - Third Degree)

Fabian Frater

Bryant Nevers

and

Marshea Anthony

on or about December 4, 2018, at the City of Paterson, in the  
County of Passaic, elsewhere, and within the jurisdiction of  
this Court, knowingly or purposely did distribute a controlled  
dangerous substance, that is, heroin, in violation of N.J.S.A.  
2C:35-5a, while within 1,000 feet of Paterson Public School 26,  
which is owned by or leased to the Paterson Board of Education  
and used for school purposes, contrary to the provisions of  
N.J.S.A. 2C:35-7 and N.J.S.A. 2C:2-6, and against the peace of  
this State, the government and dignity of the same.



COUNT THIRTY-TWO

(Possession of a Controlled Dangerous Substance - Third Degree)

Fabian Frater

Bryant Nevers

Marshea Anthony

and

Kelly Cunningham

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, cocaine, a Schedule II controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THIRTY-THREE

(Distribution of a Controlled Dangerous Substance - Third Degree)

Fabian Frater

Bryant Nevers

and

Marshea Anthony

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, cocaine, contrary to the provisions of N.J.S.A. 2C:35-5a(1), N.J.S.A. 2C:35-5b(3), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THIRTY-FOUR

(Distribution of a Controlled Dangerous Substance on or within  
1,000 feet of School Property - Third Degree)

Fabian Frater

Bryant Nevers

and

Marshea Anthony

on or about December 4, 2018, at the City of Paterson, in the  
County of Passaic, elsewhere, and within the jurisdiction of  
this Court, knowingly or purposely did distribute a controlled  
dangerous substance, that is, cocaine, in violation of N.J.S.A.  
2C:35-5a, while within 1,000 feet of Paterson Public School 26,  
which is owned by or leased to the Paterson Board of Education  
and used for school purposes, contrary to the provisions of  
N.J.S.A. 2C:35-7 and N.J.S.A. 2C:2-6, and against the peace of  
this State, the government and dignity of the same.

COUNT THIRTY-FIVE

(Possession of a Controlled Dangerous Substance - Third Degree)

Fabian Frater

And

Peter Bruno

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THIRTY-SIX

(Distribution of a Controlled Dangerous Substance - Third Degree)

Fabian Frater

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(3), and against the peace of this State, the government and dignity of the same.

COUNT THIRTY-SEVEN

(Distribution of a Controlled Dangerous Substance on or within  
1,000 feet of School Property - Third Degree)

Fabian Frater

on or about December 4, 2018, at the City of Paterson, in the  
County of Passaic, elsewhere, and within the jurisdiction of  
this Court, knowingly or purposely did distribute a controlled  
dangerous substance, that is, heroin, in violation of N.J.S.A.  
2C:35-5a, while within 1,000 feet of the Martin Luther King  
Elementary School, which is owned by or leased to the Paterson  
Board of Education and used for school purposes, contrary to the  
provisions of N.J.S.A. 2C:35-7 and N.J.S.A. 2C:2-6, and against  
the peace of this State, the government and dignity of the same.

COUNT THIRTY-EIGHT

(Possession of a Controlled Dangerous Substance - Third Degree)

Fabian Frater

Bryant Nevers

Marshea Anthony

and

Phoung Le

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THIRTY-NINE

(Distribution of a Controlled Dangerous Substance - Third Degree)

Fabian Frater

Bryant Nevers

and

Marshea Anthony

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, contrary to the provisions of N.J.S.A. 2C:35-5a(1), N.J.S.A. 2C:35-5b(3), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



COUNT FORTY

(Distribution a Controlled Dangerous Substance on or within  
1,000 feet of School Property - Third Degree)

Fabian Frater

Bryant Nevers

and

Marshea Anthony

on or about December 4, 2018, at the City of Paterson, in the  
County of Passaic, elsewhere, and within the jurisdiction of  
this Court, knowingly or purposely did distribute a controlled  
dangerous substance, that is, heroin, in violation of N.J.S.A.  
2C:35-5a, while within 1,000 feet of School 16, which is owned  
by or leased to the Paterson Board of Education and used for  
school purposes, contrary to the provisions of N.J.S.A. 2C:35-7  
and N.J.S.A. 2C:2-6, and against the peace of this State, the  
government and dignity of the same.

COUNT FORTY-ONE

(Eluding - Second Degree)

Fabian Frater.

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, while operating a vehicle, did knowingly flee or attempt to elude law enforcement officers after having received a signal from such officers to bring his vehicle to a full stop, and in so doing, created a risk of death or injury to law enforcement officers and others, contrary to the provisions of N.J.S.A. 2C:29-2b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and the dignity of the same.

COUNT FORTY-TWO

(Aggravated Assault on a Law Enforcement Officer - Third Degree)

Fabian Frater

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, purposely did attempt to cause bodily injury to Victim #2, a law enforcement officer of the Paterson Police Department, while the said Victim #2 was acting in the performance of his duties while in uniform or exhibiting evidence of his authority, contrary to the provisions of N.J.S.A. 2C:12-1b(5) (a) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and the dignity of the same.

COUNT FORTY-THREE

(Money Laundering - Third Degree)

Fabian Frater

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly did transport or possess property known, or which a reasonable person would believe to be derived from criminal activity, that is, the said FABIAN FRATER did possess approximately \$2,754 in U.S. currency, known or which a reasonable person would believe to be derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25(a), and against the peace of this State, the government and dignity of the same.

COUNT FORTY-FOUR

(Resisting Arrest by Flight - Fourth Degree)

Marshea Anthony

And

Bryant Nevers

on or about December 4, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, purposely prevented or attempt to prevent a law enforcement officer from effecting an arrest by flight, contrary to the provisions of N.J.S.A. 2C:29-2(a)(2), and against the peace of this State, the government and the dignity of the same.

COUNT FORTY-FIVE

(Money Laundering - Third Degree)

Marshea Anthony

on or about December 6, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly did transport or possess property known, or which a reasonable person would believe to be derived from criminal activity, that is, the said MARSHEA ANTHONY did possess approximately \$1,535 in U.S. currency, known or which a reasonable person would believe to be derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25(a), and against the peace of this State, the government and dignity of the same.

COUNT FORTY-SIX

(Possession of a Controlled Dangerous Substance - Third Degree)

Charles Jackson

on or about December 8, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1), and against the peace of this State, the government and dignity of the same.

COUNT FORTY-SEVEN

(Possession with Intent to Distribute a Controlled Dangerous Substance - Third Degree)

Charles Jackson

on or about December 8, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess with intent to distribute a controlled dangerous substance, that is, heroin, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(3), and against the peace of this State, the government and dignity of the same.



COUNT FORTY-EIGHT

(Money Laundering - Third Degree)

Charles Jackson

on or about December 8, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly did transport or possess property known, or which a reasonable person would believe to be derived from criminal activity, that is, the said CHARLES JACKSON did possess approximately \$3,282 in U.S. currency, known or which a reasonable person would believe to be derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25(a), and against the peace of this State, the government and dignity of the same.

COUNT FORTY-NINE

(Possession of a Controlled Dangerous Substance - Third Degree)

Karon Nevers

on or about January 22, 2019, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1), and against the peace of this State, the government and dignity of the same.

COUNT FIFTY

(Distribution of a Controlled Dangerous Substance - Third Degree)

Karon Nevers

on or about January 22, 2019, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(3), and against the peace of this State, the government and dignity of the same.

COUNT FIFTY-ONE

(Distribution of a Controlled Dangerous Substance on or within  
500 feet of Public Property - Second Degree)

Karon Nevers

on or about January 22, 2019, at the City of Paterson, in the  
County of Passaic, elsewhere, and within the jurisdiction of  
this Court, knowingly or purposely did distribute a controlled  
dangerous substance, that is, heroin, in violation of N.J.S.A.  
2C:35-5a, while within 500 feet of Triangle Park, contrary to  
the provisions of N.J.S.A. 2C:35-7.1a, and against the peace of  
this State, the government and dignity of the same.

COUNT FIFTY-TWO

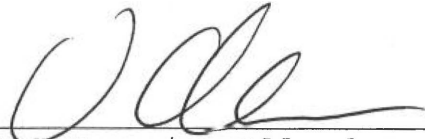
(Possession of a Weapon by a Convicted Person - Second Degree)

Nhazir Briggs-Smith

on or about October 29, 2018, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, having been convicted of the crime of Possession with Intent to Distribute and/or Distribution within 1,000 feet of School Property on Passaic County Accusation 17-04-00398-A did purchase, own, possess or control a firearm, that is, 9mm Luger caliber Ruger semiautomatic pistol, bearing serial number 30331691, contrary to the provisions of N.J.S.A. 2C:39-7b, and against the peace of this State, the government and dignity of the same.

A TRUE BILL:

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\_\_\_\_\_  
AAG Veronica Allende  
Director  
Division of Criminal Justice

Dated:

2/28/19