

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

- v. - :

SYDNEY SCALES, :
a/k/a "Sid," :
a/k/a "Moe Black," and :
ERNEST HORGE, :
a/k/a "Ern," :
a/k/a "Mac," :

Defendants. :

- - - - - X

SEALED INDICTMENT

19¹⁹ CRIM Cr. 0'9'6

COUNT ONE
(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about 2016 up to and including in or about 2019, in the Southern District of New York and elsewhere, SYDNEY SCALES, a/k/a "Sid," a/k/a "Moe Black," and ERNEST HORGE, a/k/a "Ern," a/k/a "Mac," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that SYDNEY SCALES, a/k/a "Sid," a/k/a "Moe Black," and ERNEST HORGE, a/k/a "Ern," a/k/a "Mac," the defendants, and others known and unknown, would and did distribute and possess with

intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that SYDNEY SCALES, a/k/a "Sid," a/k/a "Moe Black," and ERNEST HORGE, a/k/a "Ern," a/k/a "Mac," the defendants, conspired to distribute and possess with intent to distribute were: (1) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(A); (2) five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A); (3) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A); and (4) mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

COUNT TWO
**(Using, Carrying, Possessing,
Brandishing, and Discharging Firearms)**

The Grand Jury further charges:

4. From at least in or about 2016 up to and including in or about 2019, in the Southern District of New York and elsewhere, SYDNEY SCALES, a/k/a "Sid," a/k/a "Moe Black," and ERNEST HORGE, a/k/a "Ern," a/k/a "Mac," the defendants,

during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics distribution conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, some of which were brandished and discharged.

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

COUNT THREE
(Conspiracy to Commit Murder for Hire)

The Grand Jury further charges:

5. In or about June 2017, in the Southern District of New York and elsewhere, SYDNEY SCALES, a/k/a "Sid," a/k/a "Moe Black," the defendant, and others known and unknown, knowingly did combine, conspire, confederate, and agree together and with each other to travel in and cause another to travel in interstate commerce, and to use and cause another to use the mail and a facility of interstate commerce, with intent that a murder be committed in violation of the laws of a State and of the United States as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value, to wit, SCALES agreed to compensate other individuals in return for their locating and killing at least

one rival drug dealer, and SCALES and his co-conspirators used cellphones to communicate about their progress.

(Title 18, United States Code, Section 1958.)

COUNT FOUR
(Using, Carrying, and Possessing Firearms)

The Grand Jury further charges:

6. In or about June 2017, in the Southern District of New York and elsewhere, SYDNEY SCALES, a/k/a "Sid," a/k/a "Moe Black," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the conspiracy to commit murder for hire charged in Count Three of this Indictment, knowingly did use and carry firearms, and in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms.

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

FORFEITURE ALLEGATION

7. As a result of committing the controlled substance offense alleged in Count One of this Indictment, SYDNEY SCALES, a/k/a "Sid," a/k/a "Moe Black," and ERNEST HORGE, a/k/a "Ern," a/k/a "Mac," the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said

violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment, including but not limited to a sum in United States currency representing the amount of all proceeds obtained as a result of the controlled substance offense alleged in Count One of this Indictment.

Substitute Asset Provision

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

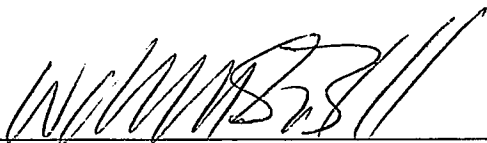
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C.

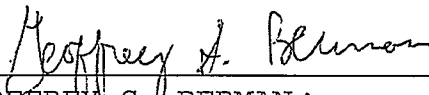
§ 982(b) and 21 U.S.C. § 853(p) to seek forfeiture of any other

property of said defendants up to the value of the above
forfeitable property.

(Title 18, United States Code, Section 982; Title 21, United
States Code, Section 853.)



FOREPERSON



GEOFFREY S. BERMAN
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

SYDNEY SCALES,
a/k/a "Sid," a/k/a "Moe Black,"
and
ERNEST HORGE
a/k/a "Ern," a/k/a "Mac,"

Defendants.

SEALED INDICTMENT

19 Cr. ()

(Title 21, United States Code,
Section 846; Title 18, United States
Code, Sections 924(c)(1)(A)(i), (ii),
and (iii), 1958(a), and 2.)

GEOFFREY S. BERMAN
United States Attorney.

A TRUE BILL



Foreperson.