

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**SUPERCEDING INDICTMENT FOR VIOLATIONS OF
THE FEDERAL CONTROLLED SUBSTANCES ACT
AND FEDERAL GUN CONTROL ACT**

UNITED STATES OF AMERICA

CRIMINAL DOCKET NO. 07-352

v.

SECTION: "N"

KEVIN L. COCKERHAM

a/k/a "Frog"

COREY T. MUSE a/k/a "Lambert"

RANDY DEAN a/k/a "Po"

XAVIER O'CONNOR a/k/a "Money"

CLINTON RODRIGUEZ a/k/a "South"

VIOLATIONS: 21 U.S.C. § 841 (a)(1)

21 U.S.C. § 846

21 U.S.C. § 843(b)

21 U.S.C. § 859

18 U.S.C. § 924(c)(1)(A)

The Grand Jury charges that:

COUNT 1

Beginning at a time unknown, but prior to October 1, 2004, and continuing to on or about February 15, 2008, in the Eastern District of Louisiana, the defendants, **KEVIN COCKERHAM a/k/a "Frog," COREY MUSE a/k/a "Lambert," RANDY DEAN a/k/a "Po," XAVIER O'CONNOR a/k/a "Money,"** and **CLINTON RODRIGUEZ a/k/a "South"** did knowingly and intentionally combine, conspire, confederate, and agree with each other, and with other persons

known and unknown to the Grand Jury to distribute and possess with the intent to distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine hydrochloride, a Schedule II narcotic drug controlled substance, and one (1) kilogram or more of a substance containing a detectable amount of heroin, a Schedule I drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 846.

COUNT 2

_____ On or about February 9, 2007, in the Eastern District of Louisiana, **XAVIER O'CONNOR a/k/a "Money"** did knowingly and intentionally distribute and possess with intent to distribute 100 grams or more of a substance containing a detectable amount of heroin, a Schedule I drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B), and Title 18, United States Code, Section 2. _____

COUNT 3

_____ On or about February 9, 2007, in the Eastern District of Louisiana, **XAVIER O'CONNOR a/k/a "Money"** did knowingly possess a firearm, to wit: a Taurus Millennium 9 mm handgun, serial number obliterated, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: possession with intent to distribute heroin as alleged in Count 2 of this indictment in violation of Title 21, United States Code, Section 841(a)(1); all in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 4

_____ On or about May 7, 2007, in the Eastern District of Louisiana, **RANDY DEAN a/k/a "Po"** did knowingly and intentionally possess with intent to distribute a quantity of a substance containing

a detectable amount of heroin, a Schedule I drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 5

On or about August 2, 2007, in the Eastern District of Louisiana, **CLINTON RODRIGUEZ a/k/a "South"** and **KEVIN COCKERHAM a/k/a "Frog"** did knowingly and intentionally use a communications facility, to wit, a telephone, in committing, causing and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, that is, conspiracy to possess with intent to distribute heroin, a Schedule I controlled substance; all in violation of Title 21, United States Code, Section 843(b).

COUNT 6

On or about February 26, 2008, in the Eastern District of Louisiana, **CLINTON RODRIGUEZ a/k/a "South"** did knowingly and intentionally possess with intent to distribute a quantity of a substance containing a detectable amount of heroin, a Schedule I drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 7

On or about February 26, 2008, in the Eastern District of Louisiana, the defendant, **CLINTON RODRIGUEZ a/k/a "South,"** a person at least 18 years of age, did knowingly and intentionally distribute a quantity of heroin, a Schedule I narcotic drug controlled substance to a person under 21 years of age, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), all in violation of Title 21, United States Code, Section 859.

NOTICE OF DRUG FORFEITURE

1. The allegations of Counts 1, 2, 4, 6, and 7 of this Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 1, 2, 4, 6, and 7 the defendants, **KEVIN COCKERHAM a/k/a "Frog," COREY MUSE a/k/a "Lambert," RANDY DEAN a/k/a "Po," XAVIER O'CONNOR a/k/a "Money,"** and **CLINTON RODRIGUEZ a/k/a "South"** shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violations 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 violations alleged in Counts 1, 2, 4, 6, and 7 of this Superseding Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendants:

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

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

NOTICE OF GUN FORFEITURE

1. The allegation of Count 3 of this Superseding Indictment is realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924 (d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the offense alleged in Count 3, the defendant, **XAVIER O'CONNOR a/k/a "Money,"** shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461, any firearm or ammunition, which was involved in or used in a knowing violation of Title 18, United States Code, Section 924(c)(1)(A).

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A) and 924(d)(1).

A TRUE BILL:

FOREPERSON

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New Orleans, Louisiana
April 10, 2008