

AB:AP  
F. #2021R00987

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
----- X

UNITED STATES OF AMERICA

- against -

BRIAN CASTRO,  
also known as "Morenaje,"  
MUSAH COWARD,  
also known as "General Mecka,"  
"Red" and "The General Red," and  
CHARLES POWELL,  
also known as "Payback,"

Defendants.

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THE GRAND JURY CHARGES:

COUNT ONE  
(Hobbs Act Robbery Conspiracy)

1. On or about October 7, 2020, within the Eastern District of New York and elsewhere, the defendants BRIAN CASTRO, also known as "Morenaje," MUSAH COWARD, also known as "General Mecka," "Red" and "The General Red," and CHARLES POWELL, also known as "Payback," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, to wit: the robbery of U.S. currency from patrons of a gambling establishment located at 181 Hegeman Avenue in Brooklyn, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

FILED  
IN CLERK'S OFFICE  
US DISTRICT COURT E.D.N.Y.  
\* MARCH 13, 2023 \*  
BROOKLYN OFFICE

SUPERSEDING  
INDICTMENT

Cr. No. 21-00572 (S-1) (EK)  
(T. 18, U.S.C., §§ 922(g)(1), 924(a)(2),  
924(c)(1)(A)(i), 924(c)(1)(A)(ii),  
924(c)(1)(A)(iii), 924(d)(1), 924(j)(1),  
981(a)(1)(C), 1951(a), 2 and 3551 et  
seq.; T. 21, U.S.C., § 853(p); T. 28,  
U.S.C., § 2461(c))

COUNT TWO  
(Hobbs Act Robbery)

2. On or about October 7, 2020, within the Eastern District of New York and elsewhere, the defendants BRIAN CASTRO, also known as “Morenaje,” MUSAH COWARD, also known as “General Mecka,” “Red” and “The General Red,” and CHARLES POWELL, also known as “Payback,” together with others, did knowing and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, to wit: the robbery of U.S. currency from patrons of a gambling establishment located at 181 Hegeman Avenue in Brooklyn, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT THREE  
(Discharging a Firearm During a Crime of Violence)

3. On or about October 7, 2020, within the Eastern District of New York and elsewhere, the defendants BRIAN CASTRO, also known as “Morenaje,” MUSAH COWARD, also known as “General Mecka,” “Red” and “The General Red,” and CHARLES POWELL, also known as “Payback,” together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to a crime of violence, to wit: the crime charged in Count Two, and did knowingly and intentionally possess such firearms in furtherance of said crime of violence, one or more of which firearms were brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 2 and 3551 et seq.)

COUNT FOUR

(Firearm-Related Murder of Rodney Maxwell)

4. On or about October 7, 2020, within the Eastern District of New York and elsewhere, the defendants BRIAN CASTRO, also known as “Morenaje,” MUSAH COWARD, also known as “General Mecka,” “Red” and “The General Red,” and CHARLES POWELL, also known as “Payback,” together with others, in the course of a violation of Title 18, United States Code, Section 924(c), to wit: the crime charged in Count Three, caused the death of a person through the use of one or more firearms, which killing was murder as defined in Title 18, United States Code, Section 1111(a), in that the defendants CASTRO, COWARD and POWELL, together with others, with malice aforethought, did unlawfully kill Rodney Maxwell during the perpetration of a robbery.

(Title 18, United States Code, Sections 924(j)(1), 2 and 3551 et seq.)

COUNT FIVE

(Felon in Possession of Ammunition)

5. On or about October 7, 2020, within the Eastern District of New York and elsewhere, the defendant CHARLES POWELL, also known as “Payback,” knowing that he had previously been convicted in a court of one or more crimes punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce ammunition, to wit: three .380 caliber cartridges (two Federal and one Perfecta).

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNTS ONE AND TWO

6. The United States hereby gives notice to the defendants that, upon their conviction of either of the offenses charged in Counts One and Two, the government will seek forfeiture in accordance with: (a) Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any property, real or personal, constituting or derived from proceeds obtained directly or indirectly as a result of such offenses; and (b) Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any violation of any other criminal law of the United States.

7. 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 party;
- (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

divided 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 the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 924(d)(1) and 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

**CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNTS THREE THROUGH FIVE**

8. The United States hereby gives notice to the defendants charged in Counts Three through Five that, upon their conviction of any of such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922 or Section 924 including but not limited to: ammunition, recovered on or about October 7, 2020, inside 181 Hegeman Avenue in Brooklyn, New York.

9. 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 party;
- (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

divided 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 the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL

  
\_\_\_\_\_  
FOREPERSON

*By Carolyn Pokorny, Assistant U.S. Attorney*

\_\_\_\_\_  
BREON PEACE  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

F#: 2021R00987  
FORM DBD-34  
JUN. 85

No. \_\_\_\_\_

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**UNITED STATES DISTRICT COURT**

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

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THE UNITED STATES OF AMERICA

vs.

*BRIAN CASTRO, et al.,*

Defendants.

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**SUPERSEDING INDICTMENT**

(T. 18, U.S.C., §§ 922(g)(1), 924(c)(1)(A)(i), 924(c)(1)(A)(ii),  
924(c)(1)(A)(iii), 924(a)(2), 924(d)(1), 924(j)(1), 981(a)(1)(C),  
1951(a), 2 and 3551 et seq.; T. 21, U.S.C., § 853(p); T. 28, U.S.C.,  
§ 2461(c))

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*A true bill.*

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*Deighton Reed*  
Foreperson

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Filed in open court this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20 \_\_\_\_\_

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Clerk

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Bail, \$ \_\_\_\_\_

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*Andrés Palacio, Assistant U.S. Attorney (718) 254-6215*