

***IN THE DISTRICT COURT OF THE UNITED STATES  
for the Western District of New York***

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**July 2023 GRAND JURY  
(Impaneled 07/28/2023)**

**THE UNITED STATES OF AMERICA**

**-vs-**

**PETER GERACE JR.**

(Counts 1, 2, 3)

**JOHN THOMAS ERMIN a/k/a Tommy O**

(Counts 1–3, 24)

**MICHAEL RONCONE a/k/a Cone**

(Counts 1, 25, 26)

**FRANK KNIGHT**

(Counts 1, 5, 23)

**HOWARD HINKLE JR. a/k/a Hard How**

(Counts 1–3, 19–22)

**SIMON GOGOLACK a/k/a Greek**

(Counts 1–4, 6–18)

**CORTNIE BARBER**

(Counts 6, 11–12)

**BERNARD BYRD III a/k/a Deal**

(Count 6)

**SCOTT BARNES a/k/a Big Scott 1%er**

(Counts 27–28)

**SECOND SUPERSEDING  
INDICTMENT  
23-CR-99-JLS**

**Violations:**

21 U.S.C. §§ 846 and 856(a)(1), and  
18 U.S.C. §§ 371, 1001(a)(2),  
924(c)(1)(A), 922(g)(1), 922(g)(3),  
1201(a)(1), 1512(k), 1512(b)(1),  
1512(b)(2)(A), 1512(b)(3), and  
1513(f)

(28 Counts and 6 Forfeiture  
Allegations)

## INTRODUCTION

### **The Grand Jury Charges That:**

As relevant to this Second Superseding Indictment:

1. The defendant, **PETER GERACE JR.** (“**GERACE**”) was the owner and operator of Pharaohs Gentleman’s Club (“PGC”), located at 999 Aero Drive, Cheektowaga, New York, an establishment that sells alcohol, food, and offers live strip tease performances by female dancers.

2. The defendant, **JOHN ERMIN a/k/a Tommy O** (“**ERMIN**”) was the manager of PGC and the National President of the Outlaws Motorcycle Club (“Outlaws MC”), an International 1%er motorcycle club with chapters located in Buffalo, New York, additional locations in the United States, Canada, South America, Europe, Russia, Asia, and Australia. Other members of the Outlaws MC were also employed at PGC and attended PGC socially.

3. The Outlaws MC have a motto that, “God Forgives, Outlaws Don’t,” which refers to the Outlaws MC’s organizational commitment to intimidating, harming, or potentially killing individuals who pose a threat to their organization. Another phrase used by the Outlaws MC is “Snitches are a Dying Breed,” which expresses the Outlaws MC’s view about what should happen to individuals who cooperate and provide information to law enforcement, testify in court proceedings, or otherwise act adversely to the interests of the Outlaws MC, its leaders, members, and associates.

4. **GERACE** was indicted and charged in United States District Court for the Western District of New York in Case Nos. 19-CR-227 and 23-CR-37.

5. The Second Superseding Indictment in Case No. 19-CR-227 charged **GERACE** with Conspiracy to Defraud the United States; Paying a Bribe to a Public Official; Maintaining a Drug-Involved Premises, to wit: PGC; Conspiracy to Distribute Controlled Substances; and Conspiracy to Commit Sex Trafficking.

6. The Introduction of the Second Superseding Indictment in Case No. 19-CR-227, specifically alleged, in part: “Several of **GERACE’S** male employees at Pharaoh’s are members of a motorcycle club called the Outlaws Motorcycle Club (“Outlaws MC”).”

7. The Indictment in Case No. 23-CR-37 charged **GERACE** with three counts of Witness Tampering and one count of Distribution of Cocaine.

8. The Second Superseding Indictment in Case No. 19-CR-227 and the Indictment in 23-CR-37 were ordered joined for trial, and the scheduled trial was adjourned from several scheduled dates in 2023, which included June 16, 2023, August 14, 2023, and October 23, 2023.

9. Crystal Quinn was a former PGC employee, a longtime friend, associate, and cleaning lady for **GERACE**, and was associated with several members of the Outlaws MC.

10. On February 3, 2023, Crystal Quinn was charged by Criminal Complaint, 23-MJ-11, related to Facebook messages she sent to threaten a witness against **GERACE**. A copy of the Second Superseding Indictment in Case No. 19-CR-227 charging **GERACE** was attached to Crystal Quinn's Criminal Complaint.

11. On February 16, 2023, Crystal Quinn met with FBI agents for a proffer interview during which she provided information about **GERACE**.

12. On February 27, 2023, Crystal Quinn met with FBI agents for a proffer interview during which she provided information about **GERACE** and members of the Outlaws MC, including information that she had previously had a seizure from using cocaine at the Outlaws MC Chapter clubhouse in Buffalo, New York.

13. On March 7, 2023, Crystal Quinn met with FBI agents for a proffer interview during which she provided information about **GERACE** and members of the Outlaws MC.

14. On March 9, 2023, Crystal Quinn testified before the March 2022 Grand Jury in the United States District Court for the Western District of New York.

15. On March 23, 2023, the March 2022 Grand Jury returned an Indictment, Case No. 23-CR-37, charging **GERACE** with three counts of Witness Tampering and one count of Distribution of Cocaine.

16. On March 24, 2023, **GERACE** appeared before a United States District Judge for an arraignment on Indictment 23-CR-37. Following detention hearing proceedings on March 24 and March 27, 2023, **GERACE** was ordered detained pending trial.

17. On April 3, 2023, Crystal Quinn entered a Pre-Trial Diversion agreement with the United States Attorney's Office and the United States Probation Office, and also entered a formal Cooperation Agreement with the United States Attorney's Office.

18. Crystal Quinn's Cooperation Agreement required her to, in part: "[P]rovid[e] complete and truthful information regarding the witness's knowledge of any and all criminal activity, whether undertaken by [Crystal Quinn] or others, in any way involving or related to activities involving unlawful possession, manufacture, distribution, or use of controlled substances by others; activities involving maintaining a drug-involved premises; activities involving witness tampering, intimidation, or retaliation; and, activities involving bribery and/or public corruption. [Crystal Quinn's] cooperation shall also include submitting to interviews by government attorneys and agents, as well as testifying truthfully and completely before grand juries and at such other proceedings as the government shall deem necessary, including, but not limited to pre-trial hearings, trials, sentencing hearings and forfeiture proceedings."

19. On April 6, 2023, upon request of the United States, Crystal Quinn's Criminal Complaint (23-MJ-11) was dismissed, and that dismissal was noted on the public docket for 23-MJ-11.

20. On April 28, 2023, Case Nos. 19-CR-227 and 23-CR-37 were ordered joined for trial, and Crystal Quinn was scheduled to testify at trial in Case Nos. 19-CR-227 and 23-CR-37 pending against **GERACE**.

21. On May 10, 2023, the United States Attorney's Office filed its witness list, under seal and pursuant to a protective order, in Case Nos. 19-CR-227 and 23-CR-37, listing Crystal Quinn as a government witness for trial.

22. On or about May 24, 2023, defendant **GERACE** moved to reopen his detention hearing and sought pre-trial release in Case Nos. 19-CR-227 and 23-CR-37.

23. On May 31, 2023, **GERACE'S** previously filed motion to reopen his detention hearing in Case Nos. 19-CR-227 and 23-CR-37 was denied, and he remained detained pending trial.

24. Gerace Attorney 1, who is known to the Grand Jury, was one of **GERACE'S** attorneys of record in Case Nos. 19-CR-227 and 23-CR-37 from June 15, 2021, until September 6, 2023. Attorney 2, who is known to the Grand Jury, was an unwitting attorney that Gerace Attorney 1 used to send messages to government witness Crystal Quinn in or about February 2023.

25. The Rare Breed Motorcycle Club ("RBMC") is a motorcycle club with chapters located and operating in Buffalo, New York and Wellsville, New York, within the Western

District of New York. The RBMC is aligned with and supports the Outlaws MC, and has a relationship with **GERACE** and PGC.

26. PGC is a location where the Outlaws MC and other motorcycle clubs loyal to them, including the RBMC, have congregated. PGC has also sponsored Outlaws MC and RBMC events, including the RBMC Blues Cruise.

27. **MICHAEL RONCONE a/k/a Cone** (“**RONCONE**”) was the President of the RBMC Wellsville Chapter, Vice President of the RBMC Buffalo Chapter, and is associated with **ERMIN** and the Outlaws MC.

28. **FRANK KNIGHT** (“**KNIGHT**”) is a resident of Wellsville, New York, and is an associate of **RONCONE**, the RBMC, **HOWARD HINKLE JR.** (“**HINKLE**”), and **SIMON GOGOLACK a/k/a Greek** (“**GOGOLACK**”).

29. **KNIGHT’S** residence in Wellsville, New York is located across the street from **GOGOLACK’S** residence in Wellsville, New York.

30. **HINKLE** is a Wellsville resident and is an associate of **RONCONE**, the RBMC, **KNIGHT**, and **GOGOLACK**.

31. **GOGOLACK** is a Wellsville resident and is an associate of the RBMC, **KNIGHT**, and **HINKLE**. **GOGOLACK** also knew Crystal Quinn from growing up and spending time with her in Depew, New York, where Crystal Quinn lived.

32. **RONCONE** hosted a weekly Thursday night poker game at the RBMC Chapter clubhouse in Wellsville, New York until the clubhouse was destroyed by a fire. Thereafter, **KNIGHT** hosted the weekly Thursday night RBMC poker game at the Wellsville Fire Hall.

### COUNT 1

#### **(Obstruction of Justice Conspiracy)**

##### **The Grand Jury Further Charges:**

1. The allegations of the Introduction are repeated and re-alleged and incorporated herein by reference as though set forth fully herein.

2. From in or about February 2023, and continuing thereafter until the return date of this Second Superseding Indictment, the defendants, **PETER GERACE JR.**, **JOHN THOMAS ERMIN a/k/a Tommy O**, **MICHAEL RONCONE a/k/a Cone**, **FRANK KNIGHT**, **HOWARD HINKLE, JR.**, and **SIMON GOGOLACK a/k/a Greek**, did knowingly and intentionally conspire and agree together and with others, known and unknown to the Grand Jury:

a. to defraud the United States of and concerning its governmental functions and rights, that is of and concerning its right to have its business and its affairs, and



particularly the transaction of the official business of the United States District Court of the Western District of New York, and the Grand Jury of the United States District Court for the Western District of New York conducted honestly and impartially, free from corruption, fraud, improper and undue influence, dishonesty, unlawful impairment, and obstruction; and

b. to violate Title 18, United States Code, Section 1503 (Obstruction of Justice) by corruptly endeavoring to influence, obstruct, and impede the due administration of justice, that is, the proceedings of the federal grand jury and the trials of the United States District Court for the Western District of New York.

**Manner and Means**

3. The conspiracy was carried out by the Manner and Means set forth below.

4. It was a part of the conspiracy that the defendants would, by deceit, craft, trickery, and dishonest means, defraud the United States and interfere with its right to have its business and its affairs, and particularly the transaction of the official business of the United States District Court of the Western District of New York, and the Grand Jury of the United States District Court for the Western District of New York, conducted honestly and impartially, free from corruption, fraud, improper and undue influence, dishonesty, unlawful impairment, and obstruction.

5. It was a part of the conspiracy that the defendants would corruptly endeavor to influence, obstruct, and impede the due administration of justice, that is, the proceedings of the United States District Court of the Western District of New York, and the Grand Jury of the United States District Court for the Western District of New York, in that the defendants would:

a. corruptly and by threat, force, and communication, influence, obstruct, and impede, and endeavor to influence, obstruct, and impede the due administration of justice regarding the scheduled trial in United States District Court for the Western District of New York Case Nos. 19-CR-227 and 23-CR-37; the March 2022 Federal Grand Jury in the Western District of New York; and the July 2023 Federal Grand Jury in the Western District of New York, by:

- i. causing an individual, Attorney 2, to text message Crystal Quinn, who was already represented by another attorney, to corruptly influence, obstruct, and impede, and endeavor to corruptly influence, obstruct, and impede Crystal Quinn from cooperating with members of federal law enforcement, and to prevent Crystal Quinn from testifying against **GERACE** in United States District Court for the Western District of New York in Case Nos. 19-CR-227 and 23-CR-37, and from testifying before any federal grand juries investigating **GERACE**, including the March 2022 Federal Grand Jury in the Western District of New York;
- ii. causing dead rats to be placed at Crystal Quinn's residence to corruptly and by threat and communication, influence, obstruct, and impede, and endeavor to corruptly influence, obstruct, and impede Crystal Quinn from cooperating with members of federal law enforcement, and to prevent Crystal Quinn from testifying against **GERACE** in United States District Court for the Western District of New York in Case Nos. 19-CR-227 and 23-CR-37, and from testifying before any federal grand juries investigating **GERACE**, including the March 2022 Federal Grand Jury in the Western District of New York;
- iii. causing members and associates of motorcycle clubs to corruptly and by threat and communication, influence, obstruct, and impede, and endeavor to corruptly influence, obstruct, and impede Crystal Quinn from cooperating with members of federal law enforcement, and to

prevent Crystal Quinn from testifying against **GERACE** in United States District Court for the Western District of New York in Case Nos. 19-CR-227 and 23-CR-37;

- iv. causing the death of Crystal Quinn to corruptly obstruct and impede Crystal Quinn from cooperating with members of federal law enforcement, and to prevent Crystal Quinn from testifying against **GERACE** in United States District Court for the Western District of New York in Case Nos. 19-CR-227 and 23-CR-37;
- v. concealing the manner of Crystal Quinn's death from law enforcement and misdirecting law enforcement and FBI agents to prevent information from being discovered, subpoenaed, and presented to the July 2023 Grand Jury, which was investigating federal drug and firearm offenses and the death of Crystal Quinn, a federal witness;
- vi. concealing evidence related to the death of Crystal Quinn to prevent information from being discovered, subpoenaed, and presented to the July 2023 Grand Jury, which was investigating federal drug and firearm offenses and the death of Crystal Quinn, a federal witness;
- vii. concealing the identities and the extent and nature of the relationships between individuals who caused Crystal Quinn's death, and the RBMC, the Outlaws MC, **ERMIN**, and **GERACE** to prevent information from being discovered, subpoenaed, and presented to the July 2023 Grand Jury, which was investigating federal drug and firearm offenses, and the death of Crystal Quinn, a federal witness;
- viii. creating and advancing a false narrative that Crystal Quinn was suicidal in order to conceal her true cause and manner of death, and to prevent such information from being discovered, subpoenaed, and presented to the July 2023 Grand Jury which was investigating federal drug and firearm offenses, and the death of Crystal Quinn, a federal witness; and
- ix. concealing the unlawful activities of **GOGOLACK**, **KNIGHT**, **HINKLE**, **RONCONE**, and the RBMC to prevent information from being discovered, subpoenaed, and presented to the July 2023 Grand Jury, which was investigating federal drug and firearm offenses, and the death of Crystal Quinn, a federal witness,

In violation of Title 18, United States Code, Section 1503.

6. It was part of the conspiracy that Gerace Attorney 1, would make efforts to prevent Crystal Quinn from becoming a government witness.

7. It was part of the conspiracy that **GERACE** would advise others about the identity of witnesses who were cooperating and believed to be cooperating with members of federal law enforcement, and witnesses who had testified and were expected to testify before federal grand juries and at federal trials.

8. It was part of the conspiracy that **GERACE**, **ERMIN**, and others would monitor developments, share information, and meet regarding the federal investigations and prosecutions related to **GERACE** and PGC.

9. It was part of the conspiracy that members of the Outlaws MC, including **ERMIN**, would coordinate with members of the RBMC, including **RONCONE**.

10. It was part of the conspiracy that unknown individuals would attempt to scare Crystal Quinn and cause her to cease cooperation with the FBI in order to prevent her from testifying at federal court proceedings, including grand jury and trial proceedings.

11. It was part of the conspiracy that **GOGOLACK**, **HINKLE**, and unknown bikers would silence Crystal Quinn by any means necessary, including causing her death and making it look like an accident or a suicide.

12. It was part of the conspiracy that **GOGOLACK, KNIGHT, GERACE,** Gerace Attorney 1, and others made efforts to create and advance a cover story and false public narrative that Crystal Quinn was suicidal.

13. It was part of the conspiracy that **ERMIN, RONCONE, KNIGHT, HINKLE, GOGOLACK,** and others obtained and shared information about the FBI investigation into criminal activities and the death of Crystal Quinn, a federal witness.

14. It was part of the conspiracy that the defendants, **RONCONE, KNIGHT, HINKLE,** and **GOGOLACK,** made false, misleading, and evasive statements to law enforcement regarding their knowledge of the facts and circumstances related to the death of Crystal Quinn, a federal witness.

15. It was part of the conspiracy that the defendants, **RONCONE, KNIGHT, HINKLE,** and **GOGOLACK,** made false and misleading statements to law enforcement to conceal the nature and extent of their relationships with each other and with the RBMC.

16. It was part of the conspiracy that the members of the conspiracy made efforts to conceal physical evidence from members of law enforcement investigating the death of Crystal Quinn, and the criminal activities of defendants **RONCONE, KNIGHT, HINKLE,** and **GOGOLACK,** and others known and unknown to the Grand Jury, including members and associates of the RBMC.

Overt Acts

17. On or about February 16, 2023, knowing and having reason to know that Crystal Quinn was represented in the matter by another attorney, Gerace Attorney 1 caused an unwitting attorney, Attorney 2, to: (i) communicate with Crystal Quinn without the consent of Crystal Quinn's attorney; (ii) offer to represent Crystal Quinn in the matter in which Crystal Quinn already had an attorney; and (iii) offer to represent Crystal Quinn because Gerace Attorney 1, was "concerned that the feds might be trying to intimidate [Crystal Quinn] or even just bring [Crystal Quinn] in for questioning." Gerace Attorney 1 caused Attorney 2 to make a communication to Crystal Quinn as follows:

Omg I'm sorry to hear that hunny 🥺  
Where are you living now?  
Are you ok otherwise?  
I know [REDACTED] well, great guy and great attorney. I'm guessing he's meeting you for the same concern I had as I got a call from Peter Gerace's attorney, [REDACTED] [REDACTED] concerned that the feds might be trying to intimidate you or even just bring you in for questioning. He saw that I was your attorney in the past and reached out to me for me to make sure you were OK and knew I'm here if you need representation. And I want you to know I'm here even if you just need a friend as well 😊

18. On or about March 13, 2023, individuals unknown to the Grand Jury placed dead rats on Crystal Quinn's mother's vehicle and in the vicinity of Crystal Quinn's residence in Depew, New York.

19. On April 4, 2023, after **GERACE** was ordered detained on March 27, 2023, **ERMIN** visited **GERACE** in person at the Niagara County Jail.

20. On or about May 24, 2023, defendant **GERACE**, through Gerace Attorney 1, moved to reopen **GERACE'S** detention hearing and for pre-trial release.

21. On or about May 31, 2023, **GERACE'S** motion to reopen his detention hearing in Case Nos 19-CR-227 and 23-CR-37 was denied. Following this denial, **GERACE** made statements, in sum and substance, as follows: (i) Fuck the rats; (ii) All rats should die; (iii) No matter what, anybody can get touched because when all this is over, I have very serious people to tie up my loose ends.

22. At all times relevant to this Second Superseding Indictment, inside the Outlaws MC clubhouse in Buffalo, New York, prominently displayed behind the bar, was a skeleton of a dead rat hanging from a noose with the caption "Outlaws 1%ers".

23. On June 6, 2023, the District Judge assigned to Case Nos. 19-CR-227 and 23-CR-37 issued a written decision denying **GERACE'S** motion to re-open the detention hearing and denying his motion for pre-trial release.

24. On or about June 20, 2023, Gerace Attorney 1 filed and caused the filing of a trial witness list that named two relatives of the assigned District Judge as **GERACE'S** defense witnesses. The listing of the District Judge's relatives as **GERACE** trial witnesses resulted in the District Judge recusing himself pursuant to 28 U.S.C. 455(b)(5)(iv), and the trial of Case Nos. 19-CR-227 and 23-CR-37, which was then scheduled for August 14, 2023, being adjourned.

25. The trial witness list filed or caused to be filed by Gerace Attorney 1 also listed Crystal Quinn as a defense witness. The listing of Crystal Quinn as a witness for Gerace circumvented the provisions of a Protective Order which prohibited attorneys for **GERACE** from revealing to **GERACE** the government's witnesses' names and from providing **GERACE** with the government's witness list.

26. On June 30, 2023, the trial in Case Nos. 19-CR-227 and 23-CR-37, previously scheduled to commence on August 14, 2023, was adjourned. When the newly assigned District Judge suggested a new trial date of September 25, 2023, Gerace Attorney 1 made representations to the District Judge that he was not available due to a previously scheduled vacation. Based, in part, on the representations of Gerace Attorney 1, the trial was rescheduled to commence on October 23, 2023.

27. On or about June 30, 2023, **RONCONE** and **KNIGHT** met in-person.



28. On or about July 4, 2023, **HINKLE** associated in-person with various bikers in Wellsville, New York.

29. On July 6, 2023, **ERMIN** visited **GERACE** in person at the Niagara County Jail.

30. On July 22, 2023, at approximately 5:51 p.m. EST, **GUGLACK** made an outgoing call to **HINKLE** and then called and texted Crystal Quinn.

31. On July 22, 2023, at approximately 6:57 p.m. EST, **GUGOLACK** asked Crystal Quinn to drive him from Buffalo, New York to Wellsville, New York by texting, in part: “let’s take ur whip [car] to the country [Wellsville].”

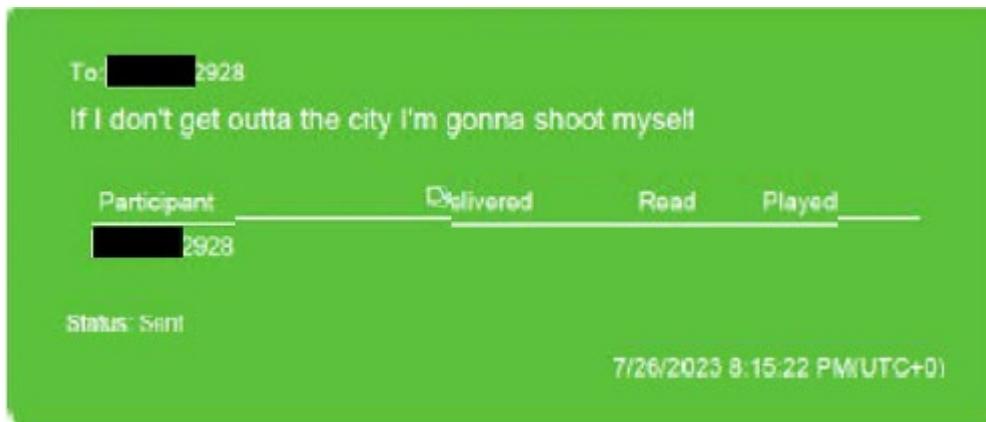
32. On July 22, 2023, at approximately 9:31 p.m. EST, **GUGOLACK** received an incoming call from **HINKLE**, which lasted 16 minutes and 17 seconds.

33. On the morning of July 24, 2023, **KNIGHT** and **HINKLE** exchanged a cellular telephone call, which lasted approximately 1 minute.

34. Later that day, **KNIGHT** and **HINKLE** attempted to communicate by cellular telephone two additional times.

35. On July 25, 2023, at approximately 11:59 p.m. EST, **GOGOLACK**, who was still in the Buffalo-area, texted **IIINKLE** that he "should be in town [Wellsville, New York] tomorrow give me a call then."

36. On July 26, 2023, at approximately 4:15 p.m. EST, **GOGOLACK** texted Crystal Quinn and told her that he was stranded in Buffalo with no transportation and that he needed help getting back to Wellsville, as follows:



37. On July 27, 2023, **GOGOLACK** and Crystal Quinn took Crystal Quinn's mother's car and drove from Depew, New York to Wellsville, New York.

38. On July 27, 2023, at approximately 7:39 p.m. EST, while with Crystal Quinn, **GOGOLACK** made an outgoing call to **IIINKLE**. **GOGOLACK** then texted **HINKLE** and stated that he was "in town [and] have that," as follows:



39. On July 27, 2023, at approximately 7:40 p.m. EST, **GOGOLACK** sent a follow-up text advising **HINKLE** to "[let me know] asap, as follows:



40. On July 27, 2023, at approximately 8:01 p.m. EST, **HINKLE** called **GOGOLACK**, and thereafter **GOGOLACK** brought Crystal Quinn to the poker game hosted by **KNIGHT**, and attended by **HINKLE**, at the Wellsville Fire Hall.

41. On July 27, 2023, at approximately 8:26 p.m. EST, **HINKLE** and **GOGOLACK** walked off and engaged in private conversation away from Crystal Quinn.

42. On July 27, 2023, at approximately 9:51 p.m. EST, **HINKLE** and **GOGOLACK** walked off and engaged in private conversation away from Crystal Quinn.

43. On July 27, 2023, at approximately 9:59 p.m. EST, after the poker game had ended, **HINKLE** and **KNIGHT** engaged in conversation.

44. On July 27, 2023, after the poker game, **HINKLE**, **GOGOLACK**, and Crystal Quinn went to **HINKLE'S** nearby cabin.

45. On July 28, 2023, during the early morning hours, **GOGOLACK** and Crystal Quinn returned to **GOGOLACK'S** residence, located at 296 Scott Avenue in Wellsville. **GOGOLACK** then left Crystal Quinn in the residence while he walked over to **KNIGHT'S** residence, which was nearby. While **GOGOLACK** was out of the residence, Crystal Quinn was confronted by "bikers", whose actions placed Crystal Quinn in fear for her life.

46. On July 28, 2023, after Crystal Quinn was confronted by bikers and placed in fear for her life, **GOGOLACK** returned to the residence and reassured Crystal Quinn that he was on her side and would protect her from the bikers.

47. On or about July 31, 2023, **GOGOLACK** intentionally provided Crystal Quinn with a lethal dose of fentanyl.

48. On or about August 1, 2023, Crystal Quinn's mother texted **GOGOLACK** and threatened to call law enforcement if **GOGOLACK** did not get back to her immediately regarding her daughter, Crystal Quinn. Thereafter, **GOGOLACK** called Crystal Quinn's mother and falsely suggested that Crystal Quinn was suicidal and falsely stated that Crystal Quinn had taken half a Xanax and never woke up.

49. On August 1, 2023, after Crystal Quinn was deceased and prior to calling 911 **GOGOLACK** manipulated and staged the crime scene to make it look like Crystal Quinn's death was an accidental overdose or a suicide. This included **GOGOLACK** removing and

attempting to conceal physical evidence, including some of Crystal Quinn's personal belongings, in an abandoned vehicle located on his property some distance from the house.

50. On August 1, 2023, at approximately 6:23 p.m. EST, **GOGOLACK** called 911 and reported that Crystal Quinn was not responsive, that he "tried Narcan," and that it was a "possible overdose."

51. On August 1, 2023, after Crystal Quinn was deceased and after **GOGOLACK** called 911, **GOGOLACK** called then texted **KNIGHT** that he could "use a local friend." **GOGOLACK** then called **HINKLE**.

52. On August 1, 2023, after members of the Wellsville Police Department and the Allegany County Coroner responded to **GOGOLACK'S** residence, as a result of his 911 call, **GOGOLACK** made false and misleading statements about the occupancy and layout of the residence in order to dissuade members of the Wellsville Police Department from searching areas of **GOGOLACK'S** residence in addition to the room in which Crystal Quinn's body was found. **GOGOLACK** also made false and misleading statements about Crystal Quinn's cause of death to create and advance a false narrative that Crystal Quinn had committed suicide. Specifically, **GOGOLACK** told law enforcement that Crystal Quinn was going to court against some "big wigs" and she was under a lot of stress and was talking about "ending it all."

53. On August 1, 2023, after **GOGOLACK** called them, **KNIGHT** and **HINKLE** spoke with each other via cell phone.

54. On or about August 1, 2023, after members of the Wellsville Police Department and the Allegany County Coroner left **GOGOLACK'S** residence, **GOGOLACK** faked his own overdose and went to a local hospital.

55. On or about the evening of August 1, 2023, **KNIGHT** and **HINKLE** communicated with each other via cell phone for approximately three-and-a-half minutes.

56. On August 2, 2023, at approximately 8:15 a.m., **HINKLE** and **KNIGHT** communicated with each other by cell phone.

57. On the evening of August 2, 2023, **GOGOLACK** made false and misleading statements to the FBI regarding the manner and cause of Crystal Quinn's death and regarding **HINKLE'S** relationship with bikers.

58. On the evening of August 2, 2023, **KNIGHT** and **RONCONE** communicated with each other by cell phone and exchanged several text messages relating to the death of Crystal Quinn.

59. On August 3, 2023, **RONCONE** communicated via cell phone with several other members of the RBMC.

60. On August 3, 2023, **KNIGHT** made false and misleading statements to the FBI, including that **HINKLE** had not been present at the July 27, 2023 poker game that **KNIGHT** had organized and that **GOGOLACK** and Crystal Quinn had attended.

61. On August 3, 2023, **KNIGHT** told the FBI that he “assumed” Crystal Quinn died of a fentanyl overdose. **KNIGHT** further stated that **GOGOLACK** had told him that Crystal Quinn killed herself with Xanax and alcohol, thus advancing the false narrative that Crystal Quinn had committed suicide.

62. On August 3, 2023, following **KNIGHT’S** interview by the FBI, **KNIGHT** exchanged phone calls and text messages with **RONCONE**.

63. On August 3, 2023, at approximately 4:45 p.m., **KNIGHT** had a phone call with **RONCONE** that lasted for approximately 14 minutes.

64. At approximately 5:00 p.m., **KNIGHT** called **HINKLE** and engaged in a brief phone call. **KNIGHT** then visited **HINKLE** in person and reported to **HINKLE** regarding **KNIGHT’S** interview with the FBI.

65. On August 3, 2023, at approximately 6:03 p.m., **RONCONE** texted **KNIGHT** a screenshot of Crystal Quinn’s Facebook profile and asked, “Is this the girl?”

66. At approximately 6:11 p.m., **RONCONE** called **KNIGHT** and they spoke for approximately two minutes.

67. Following **RONCONE'S** communications with **KNIGHT** on August 3, 2023, **RONCONE** communicated with other RBMC associates.

68. On August 4, 2023, Gerace Attorney 1 stated in United States District Court for the Western District of New York that Crystal Quinn had killed herself as a result of pressure placed on her by the government to testify against **GERACE**. This statement by Gerace Attorney 1 was intended to advance the false narrative that Crystal Quinn's death was a suicide.

69. On August 5, 2023, **KNIGHT** and **RONCONE** spoke on the phone for approximately 12 minutes.

70. On August 8, 2023, the FBI executed a search warrant at **GOGOLACK'S** Wellsville, New York residence.

71. Prior to August 8, 2023, **GOGOLACK** anticipated that law enforcement would search his house, and arranged with **KNIGHT** for **KNIGHT** to conceal a number of **GOGOLACK'S** firearms in **KNIGHT'S** residence, which was across the street from **GOGOLACK'S** house.



72. On August 8, 2023, the day of the search of **GOGOLACK'S** residence, **KNIGHT** sent a text message to another individual regarding Quinn's connection as witness to "[P]haroah[']s night club in Buffalo" and the "news articles" recounting the prosecution of **GERACE** in Case No. 19-CR-227.

73. On August 8, 2023, minutes after the FBI began executing the search of **GOGOLACK'S** residence, **KNIGHT** texted **RONCONE** and referenced the law enforcement activity unfolding across the street. Soon thereafter, **RONCONE** called **KNIGHT** and the two spoke for approximately one-and-a-half minutes.

74. On August 8, 2023, Gerace Attorney 1 filed a Motion, Declaration, and Memorandum of Law with exhibits in support of another motion seeking **GERACE'S** pre-trial release.

75. On August 11, 2023, **KNIGHT** and **GOGOLACK** communicated via CashApp. **KNIGHT**, in an effort to surreptitiously gauge the status of the federal investigation of **GOGOLACK**, asked **GOGOLACK** "they gonna hang you?" **GOGOLACK** responded with an update about the federal investigation.

76. On or about August 11, 2023, an investigator working with Gerace Attorney 1, a person known to the Grand Jury and referred to herein as "Investigator 1," was instructed by Gerace Attorney 1 to interview Crystal Quinn's mother and a friend of Crystal Quinn's

mother in order to generate and obtain statements which would advance a narrative that Crystal Quinn had been suicidal prior to her death.

77. On or about August 11, 2023, Investigator 1 simultaneously interviewed Crystal Quinn's mother and her mother's friend. During the interview, Crystal Quinn's mother and her mother's friend both specifically denied that Crystal Quinn was suicidal prior to her death.

78. On or before August 14, 2023, Investigator 1 drafted affidavits for Crystal Quinn's mother and her mother's friend which purported to accurately reflect the statements they had made to him during the interview. Investigator 1 then gave the draft affidavits to Gerace Attorney 1.

79. On or about August 14, 2023, Gerace Attorney 1 made changes or caused changes to be made to the draft affidavits provided by Investigator 1. The changes made or caused to be made by Gerace Attorney 1 supported the narrative that Crystal Quinn had been suicidal prior to her death. Thereafter, Gerace Attorney 1 caused Crystal Quinn's mother and her mother's friend to sign affidavits containing things they never said.

80. On or about August 14, 2023, Gerace Attorney 1 prepared an affidavit for himself which contained false and misleading statements about his relationship with Investigator 1 and the manner in which the statements from Crystal Quinn's mother and her mother's friend were obtained.

81. On or about August 15, 2023, Gerace Attorney 1 caused the filing of his affidavit and the affidavits of Crystal Quinn's mother and her mother's friend as part of a Reply in support of **GERACE'S** motion for release.

82. On August 27, 2023, members of the RBMC attended an Outlaws MC party in Lancaster, New York.

83. On or about August 29, 2023, **KNIGHT** and **RONCONE** spoke via cell phone.

84. On or about September 1, 2023, two days after **GOGOLACK'S** scheduled detention hearing on criminal complaint 23-MJ-1115 in the United States District Court for the Western District of New York was adjourned, **KNIGHT** and **RONCONE** spoke via cell phone.

85. On or about September 4, 2023, **KNIGHT** and **RONCONE** spoke via cell phone.

86. On or about September 8, 2023, **KNIGHT** and **RONCONE** spoke via cell phone.

87. On or about September 9, 2023, **KNIGHT** and **RONCONE** spoke via cell phone.

88. On or about September 15, 2023 **KNIGHT** and **RONCONE** spoke via cell phone twice.

89. On or about October 7, 2023, **KNIGHT** and **RONCONE** spoke via cell phone.

90. On or about October 15, 2023, **KNIGHT** and **RONCONE** spoke via cell phone.

91. On or about October 16, 2023, **KNIGHT** and **RONCONE** spoke via cell phone.

92. On October 21, 2023, **ERMIN** was in telephonic contact with **RONCONE'S** relative, a member of the RBMC.

93. On October 24, 2023, the FBI executed federal search warrants at **HINKLE** and **KNIGHT'S** residences. Prior to the execution of the search warrant at **KNIGHT'S** residence and prior to **KNIGHT'S** cell phone being seized by the FBI, **KNIGHT** communicated with **RONCONE** several times by call and text message.

94. On October 24, 2023, following communications with **KNIGHT**, **RONCONE** called his father, a member of the RBMC.

95. On October 24, 2023, the FBI interviewed **KNIGHT**. During the interview, **KNIGHT** made false and misleading statements to the FBI, including denying that **GOGOLACK** had visited **KNIGHT'S** residence during the early morning hours on July 28, 2023, which was the same approximate timeframe when Crystal Quinn was texting her friend, among other things, "911" and that she believed **GOGOLACK** and "the bikers" were setting her up.

96. On October 24, 2023, following **KNIGHT'S** interview with the FBI, **KNIGHT** acquired a new cellular phone. **RONCONE** called **KNIGHT'S** new phone number at approximately 5:26 p.m. EST, and they spoke for approximately 27 minutes.

97. On October 24, 2023, **ERMIN** communicated via cell phone with **RONCONE** from two separate phones.

98. On October 25, 2023, **RONCONE** and other members of the RBMC held a meeting at their Buffalo Chapter Clubhouse, located at 934 East Delevan Avenue, Buffalo, New York. During the meeting, members were directed to "keep their shit tight," to avoid criminal exposure.

99. On October 26, 2023, **KNIGHT** used a temporary phone to communicate with **RONCONE** via phone call approximately 12 times.

100. On October 28, 2023, **KNIGHT** and **RONCONE** communicated telephonically.

101. On October 29, 2023, **KNIGHT** and **RONCONE** communicated telephonically.

102. On October 30, 2023, **KNIGHT** and **RONCONE** communicated telephonically for approximately 51 minutes.

103. On October 31, 2023, **KNIGHT** and **RONCONE** communicated telephonically.

104. On November 3, 2023, **HINKLE** appeared in federal court following his arrest on a Criminal Complaint (23-MJ-5219) the government proffered **HINKLE'S** connection to dangerous motorcycle clubs.

105. Thereafter, on or about November 8, 2023, the RBMC suspended their Wellsville Chapter and switched **RONCONE'S** title from RBMC Wellsville Chapter President to RBMC Buffalo Chapter Vice President.

106. On or about December 7, 2023, **RONCONE** made false, misleading, and evasive statements to the FBI including that he did not know Crystal Quinn “at all;” that “Simon [**GOGOLACK**] is crazy on drugs and out of his mind;” that **RONCONE** does not

“know anything about the [Crystal Quinn] death;” and that there were “no drugs in his residence.”

107. On a date unknown, and continuing until on or about December 7, 2023, **ERMIN** monitored court proceedings and acquired court documents filed in Case No. 19-CR-227.

**All in violation of Title 18, United States Code, Section 371.**

**COUNT 2**

**(Witness Tampering Conspiracy)**

**The Grand Jury Further Charges That:**

1. The allegations of the Introduction and Count 1 are repeated and re-alleged and incorporated herein by reference as though set forth fully herein.

2. From in or about March 2023, through on or about August 1, 2023, in the Western District of New York, and elsewhere, the defendants **PETER GERACE JR.**, **JOHN THOMAS ERMIN a/k/a Tommy O**, **HOWARD HINKLE, JR. a/k/a Hard How**, and **SIMON GOGOLACK a/k/a Greek**, did knowingly and willfully combine, conspire, and agree together and with others, known and unknown to the Grand Jury, to commit the following offenses:

a. to kill Crystal Quinn, a witness, with the intent to prevent the attendance and testimony of Crystal Quinn in Case Nos. 19-CR-227 and 23-CR-37, Federal proceedings held in the United States District Court for the Western District of New York, and with the intent

to prevent communication by Crystal Quinn to a law enforcement officer of the United States relating to the commission and possible commission of a Federal offense, in violation of Title 18, United States Code, Sections 1512(a)(1) and 1512(j);

b. to use physical force against Crystal Quinn, a witness, with the intent to influence, delay, and prevent the testimony of Crystal Quinn in Case Nos. 19-CR-227 and 23-CR-37, Federal proceedings held in the United States District Court for the Western District of New York, and with the intent to hinder, delay, and prevent communication by Crystal Quinn to a law enforcement officer and judge of the United States relating to the commission and possible commission of a Federal offense, in violation of Title 18, United States Code, Sections 1512(a)(2) and 1512(j);

c. to use intimidation, threats, and corruptly persuade, Crystal Quinn, a witness, and to attempt to do so, with intent to influence, delay, and prevent the testimony of Crystal Quinn in Case Nos. 19-CR-227 and 23-CR-37, Federal proceedings held in the United States District Court for the Western District of New York, in violation of Title 18, United States Code, Section 1512(b)(1) and 1512(j);

d. to use intimidation, threats, and corruptly persuade, Crystal Quinn, a witness, and to attempt to do so, with intent to cause and induce Crystal Quinn to withhold testimony from an official proceeding in Case Nos. 19-CR-227 and 23-CR-37, Federal proceedings held in the United States District Court for the Western District of New York, in violation of Title 18, United States Code, Sections 1512(b)(2)(A) and 1512(j); and

e. to use intimidation, threats, and corruptly persuade, Crystal Quinn, a witness, and to attempt to do so, with intent to prevent communication by Crystal Quinn to a law



enforcement officer of the United States relating to the commission and possible commission of a Federal offense, in violation of Title 18, United States Code, Section 1512(b)(3).

**All in violation of Title 18, United States Code, Section 1512(k).**

**COUNT 3**

**(Witness Retaliation Conspiracy)**

**The Grand Jury Further Charges That:**

1. The allegations of the Introduction and Count 1 are repeated and re-alleged and incorporated herein by reference as though set forth fully herein.

2. From in or about March 2023, through on or about August 1, 2023, in the Western District of New York, and elsewhere, the defendants **PETER GERACE JR., JOHN THOMAS ERMIN a/k/a Tommy O, HOWARD HINKLE JR. a/k/a Hard How, and SIMON GOGOLACK a/k/a Greek**, did knowingly and willfully combine, conspire, and agree together and with others, known and unknown to the Grand Jury, to commit the following offenses:

a. to kill Crystal Quinn, a witness, with the intent to retaliate against Crystal Quinn for her attendance at an official proceeding, namely, a Federal grand jury proceeding in Case Number 23-CR-37 in the United States District Court for the Western District of New York, in violation of Title 18, United States Code, Section 1513(a)(1)(A);

b. to kill Crystal Quinn, a witness, with the intent to retaliate against Crystal Quinn for providing to a law enforcement officer any information relating to the commission

and possible commission of a Federal offense, in violation of Title 18, United States Code, Section 1513(a)(1)(B);

c. to knowingly engage in conduct and thereby cause bodily injury to Crystal Quinn, with the intent to retaliate against Crystal Quinn for her attendance as a witness in a Federal proceeding, namely a Federal grand jury proceeding in Case Number 23-CR-37 in United States District Court for the Western District of New York, and for providing information relating to the commission and possible commission of a Federal offense to a law enforcement officer, in violation of Title 18, United States Code, Section 1513(b).

**All in violation of Title 18, United States Code, Section 1513(f).**

**COUNT 4**

**(Distribution of Fentanyl Resulting in Death)**

**The Grand Jury Further Charges That:**

Between on or about July 31, 2023, and August 1, 2023, in the Western District of New York, the defendant, **SIMON GOGOLACK a/k/a Greek**, did knowingly, intentionally, and unlawfully possess with intent to distribute, and distribute, fentanyl, a Schedule II controlled substance; and the death of Crystal Quinn, resulted from the use of such substances.

**All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).**

**COUNT 5**

**(False Statements)**

**The Grand Jury Further Charges That:**

On or about August 3, 2023, in the Western District of New York, the defendant, **FRANK KNIGHT**, in a matter within the jurisdiction of the executive branch of the United States, did willfully, and knowingly make materially false, fictitious, and fraudulent statements and representations to special agents of the Federal Bureau of Investigation, in that the defendant stated that **HOWARD HINKLE, JR.** was not at a poker game in Wellsville attended by Crystal Quinn on July 27, 2023, and that he did not think **HINKLE** was at the poker game, when in truth and in fact, and as defendant **FRANK KNIGHT** then and there well knew, **HOWARD HINKLE, JR.** was at a poker game in Wellsville attended by Crystal Quinn on July 27, 2023.

**All in violation of Title 18, United States Code, Section 1001(a)(2).**

**COUNT 6**

**(Narcotics Conspiracy)**

**The Grand Jury Further Charges That:**

Beginning on or before July 2, 2023, and continuing until on or about October 17, 2023, the exact dates being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendants, **SIMON GOGOLACK**, **CORTNIE BARBER**, and **BERNARD BYRD III a/k/a Deal**, did knowingly and intentionally combine, conspire, and agree together and with others, known and unknown to the Grand Jury, to commit the following offenses, that is, to possess with intent to distribute, and to distribute:

- (i) fentanyl, a Schedule II controlled substance;
- (ii) cocaine, a Schedule II controlled substance;
- (iii) methamphetamine, a Schedule II controlled substance;
- (iv) marihuana, a Schedule I controlled substance;
- (v) Alprazolam (Xanax), a Schedule IV controlled substance; and
- (vi) Amphetamine (Adderall), a Schedule II controlled substance;

in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 841(b)(1)(D).

**All in violation of Title 21, United States Code, Section 846.**

**COUNT 7**

**(Maintaining a Drug-Involved Premises)**

**The Grand Jury Further Charges That:**

Beginning on or about July 2, 2023, and continuing to on or about August 8, 2023, the exact dates being unknown to the Grand Jury, in the Western District of New York, and elsewhere, the defendant, **SIMON GOGOLACK**, did unlawfully and knowingly use and maintain a place, that is, the premises known as 296 Scott Avenue, Wellsville, New York, for the purpose of manufacturing, distributing, and using marihuana, a Schedule I controlled substance; cocaine, methamphetamine, amphetamine (Adderall) and fentanyl, Schedule II controlled substances; and Alprazolam (Xanax), a Schedule IV controlled substance.

**All in violation of Title 21, United States Code, Section 856(a)(1).**

**COUNT 8**

**(Possession of Firearms in Furtherance of Drug Trafficking)**

**The Grand Jury Further Charges That:**

Between on or about July 2, 2023, and on or about August 8, 2023, the exact dates being unknown to the Grand Jury, in the Western District of New York, the defendant, **SIMON GOGOLACK**, in furtherance of drug trafficking crimes for which he may be prosecuted in a court of the United States, that is, violations of Title 21, United States Code, Sections 846 and 856(a)(1), committed in the manner set forth in Counts 6 and 7 of this Second Superseding Indictment, the allegations of which are incorporated herein by reference, did knowingly possess firearms.

**All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).**

**COUNT 9**

**(Felon in Possession of a Firearm and Ammunition)**

**The Grand Jury Further Charges That:**

Between on or about July 21, 2023, and on or about August 8, 2023, the exact dates being unknown to the Grand Jury, in the Western District of New York, the defendant, **SIMON GOGOLACK**, knowing that he had been previously convicted on or about November 7, 2007, in County Court, Erie County, New York, of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting commerce, a firearm, namely, one KEL-TEC CNC Inc., Model KSG, 12-gauge pump action shotgun bearing serial number XXFD48, and ammunition, including, seven (7) 12-gauge rounds of ammunition labeled "AGUILA 12" on the headstamp; fourteen (14) 9mm LUGER caliber

rounds of ammunition labeled “G.F.L 9mm LUGER” on the headstamp; eight (8) 9mm caliber rounds of ammunition labeled “FC 9mm LUGER” on the headstamp; and one (1) 40 S&W caliber round of ammunition labeled “R-P 40 S&W” on the headstamp.

**All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).**

**COUNT 10**

**(Unlawful User of Controlled Substances in Possession of a Firearm and Ammunition)**

**The Grand Jury Further Charges That:**

Between on or about July 21, 2023, and on or about August 8, 2023, the exact dates being unknown to the Grand Jury, in the Western District of New York, the defendant, **SIMON GOGOLACK**, knowing that he was an unlawful user of controlled substances as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting commerce, a firearm, namely, one KEL-TEC CNC Inc., Model KSG, 12-gauge pump action shotgun bearing serial number XXFD48, and ammunition, including, seven (7) 12-gauge rounds of ammunition labeled “AGUILA 12” on the headstamp; fourteen (14) 9mm LUGER caliber rounds of ammunition labeled “G.F.L 9mm LUGER” on the headstamp; eight (8) 9mm caliber rounds of ammunition labeled “FC 9mm LUGER” on the headstamp; and one (1) 40 S&W caliber round of ammunition labeled “R-P 40 S&W” on the headstamp.

**All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(8).**

**COUNT 11**

**(Kidnapping)**

**The Grand Jury Further Charges That:**

Between on or about March 14, 2023, and on or about March 15, 2023, the exact date being unknown, in the Western District of New York, the defendants, **SIMON GOGOLACK** and **CORTNIE BARBER**, did knowingly, intentionally, and unlawfully seize, confine, inveigle, decoy, and carry away and otherwise hold Victim 1, a person known to the Grand Jury, for some purpose and benefit, and in committing and in furtherance of the commission of the offense, did use any means, facility, or instrumentality of interstate or foreign commerce.

**All in violation of Title 18, United States Code, Sections 1201(a)(1) and 2.**

**COUNT 12**

**(Kidnapping)**

**The Grand Jury Further Charges That:**

Between on or about March 14, 2023, and on or about March 15, 2023, the exact date being unknown, in the Western District of New York, the defendant, **SIMON GOGOLACK** and **CORTNIE BARBER**, did knowingly, intentionally, and unlawfully seize, confine, inveigle, decoy, and carry away and otherwise hold Victim 2, a person known to the Grand Jury, for some purpose and benefit, and in committing and in furtherance of the commission of the offense, did use any means, facility, or instrumentality of interstate or foreign commerce.

**All in violation of Title 18, United States Code, Sections 1201(a)(1) and 2.**

**COUNT 13**

**(Tampering with a Witness)**

**The Grand Jury Further Charges That:**

On or about August 14, 2023, in the Western District of New York, the defendant, **SIMON GOGOLACK**, did knowingly use intimidation, threaten, and corruptly persuade, and attempt to use intimidation, threaten, and corruptly persuade Victim 1, a person known to the Grand Jury, by sending an intimidating, threatening, and harassing CashApp message to Victim 1 with the intent to influence, delay, and prevent the testimony of Victim 1 in an official proceeding, that is, a federal grand jury investigation and subsequent criminal proceedings involving the defendant, **SIMON GOGOLACK**, in the United States District Court for the Western District of New York.

**All in violation of Title 18, United States Code, Sections 1512(b)(1).**

**COUNT 14**

**(Tampering with a Witness)**

**The Grand Jury Further Charges That:**

On or about August 14, 2023, in the Western District of New York, the defendant, **SIMON GOGOLACK**, did knowingly use intimidation, threaten, and corruptly persuade, and attempt to use intimidation, threaten, and corruptly persuade Victim 1, a person known to the Grand Jury, by sending an intimidating, threatening, and harassing CashApp message to Victim 1 with the intent to cause and induce Victim 1 to withhold testimony from an official proceeding, that is, a federal grand jury investigation, and subsequent criminal proceedings



involving the defendant, **SIMON GOGOLACK**, in the United States District Court for the Western District of New York.

**All in violation of Title 18, United States Code, Sections 1512(b)(2)(A).**

**COUNT 15**

**(Tampering with a Witness)**

**The Grand Jury Further Charges That:**

On or about August 14, 2023, in the Western District of New York, the defendant, **SIMON GOGOLACK**, did knowingly use intimidation, threaten, and corruptly persuade, and attempt to use intimidation, threaten, and corruptly persuade Victim 1, a person known to the Grand Jury, by sending an intimidating, threatening, and harassing CashApp message to Victim 1 with the intent to hinder, delay, and prevent communication to a law enforcement officer and judge of the United States of information relating to the commission and possible commission of a federal offense.

**All in violation of Title 18, United States Code, Sections 1512(b)(3).**

**COUNT 16**

**(Tampering with a Witness)**

**The Grand Jury Further Charges That:**

On or about August 14, 2023, in the Western District of New York, the defendant, **SIMON GOGOLACK**, did knowingly use intimidation, threaten, and corruptly persuade, and attempt to use intimidation, threaten, and corruptly persuade Victim 2, a person known to the Grand Jury, by sending an intimidating, threatening, and harassing CashApp message

to Victim 2 with the intent to influence, delay, and prevent the testimony of Victim 2 in an official proceeding, that is, a federal grand jury investigation and subsequent criminal proceedings involving the defendant, **SIMON GOGOLACK**, in the United States District Court for the Western District of New York.

**All in violation of Title 18, United States Code, Sections 1512(b)(1).**

**COUNT 17**

**(Tampering with a Witness)**

**The Grand Jury Further Charges That:**

On or about August 14, 2023, in the Western District of New York, the defendant, **SIMON GOGOLACK**, did knowingly use intimidation, threaten, and corruptly persuade, and attempt to use intimidation, threaten, and corruptly persuade Victim 2, a person known to the Grand Jury, by sending an intimidating, threatening, and harassing CashApp message to Victim 2 with the intent to cause and induce Victim 2 to withhold testimony from an official proceeding, that is, a federal grand jury investigation, and subsequent criminal proceedings involving the defendant, **SIMON GOGOLACK**, in the United States District Court for the Western District of New York.

**All in violation of Title 18, United States Code, Sections 1512(b)(2)(A).**

**COUNT 18**

**(Tampering with a Witness)**

**The Grand Jury Further Charges That:**

On or about August 14, 2023, in the Western District of New York, the defendant, **SIMON GOGOLACK**, did knowingly use intimidation, threaten, and corruptly persuade,

and attempt to use intimidation, threaten, and corruptly persuade Victim 2, a person known to the Grand Jury, by sending an intimidating, threatening, and harassing CashApp message to Victim 2 with the intent to hinder, delay, and prevent communication to a law enforcement officer and judge of the United States of information relating to the commission and possible commission of a federal offense.

**All in violation of Title 18, United States Code, Sections 1512(b)(3).**

**COUNT 19**

**(Manufacture and Possession with Intent to Distribute 100 or More Marihuana Plants)**

**The Grand Jury Further Charges That:**

On or about October 24, 2023, in the Western District of New York, the defendant, **HOWARD HINKLE JR.**, did knowingly and willfully manufacture and possess with intent to distribute 100 or more marihuana plants, a Schedule I controlled substance.

**All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(vii), and Title 18, United States Code, Section 2.**

**COUNT 20**

**(Maintaining a Drug-Involved Premises)**

**The Grand Jury Further Charges That:**

Beginning in 2023, and continuing until on or about October 24, 2023, in the Western District of New York, and elsewhere, the defendant, **HOWARD HINKLE, JR.**, did unlawfully and knowingly use and maintain a place, that is, the premises at 4290 Donovan

Road, Alma, New York, for the purpose of manufacturing, distributing, and using marihuana, a Schedule I controlled substance.

**All in violation of Title 21, United States Code, Section 856(a)(1) and Title 18, United States Code, Section 2.**

**COUNT 21**

**(Possession of Firearms in Furtherance of Drug Trafficking)**

**The Grand Jury Further Charges That:**

On or about October 24, 2023, in the Western District of New York, the defendant, **HOWARD HINKLE, JR.**, in furtherance of drug trafficking crimes for which he may be prosecuted in a court of the United States, that is, violations of Title 21 United States Code, Sections 841(a)(1) and 856(a)(1), committed in the manner set forth in Counts 19 and 20 of this Second Superseding Indictment, the allegations of which are incorporated herein by reference, did knowingly possess firearms.

**All in violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2.**

**COUNT 22**

**(Felon in Possession of Firearms)**

**The Grand Jury Further Charges That:**

On or about October 24, 2023, in the Western District of New York, the defendant, **HOWARD HINKLE JR.**, knowing that he had previously been convicted on or about September 10, 2007, in County Court, Allegany County, New York, of a crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess, in

and affecting commerce, firearms, namely, a (i) Savage, model 93, .22 W.M.R. caliber bolt action rifle, bearing serial number 944622; (ii) Ruger, model 10/22, .22LR caliber semi-automatic rifle, bearing serial number 824-31238; and (iii) Mossberg, model 835 ULTI-MAG, 12-gauge pump action shotgun, bearing serial number UM0015640.

**All in violation of Title 18, United States Code, Section, 922(g)(1).**

**COUNT 23**

**(False Statements)**

**The Grand Jury Further Charges That:**

On or about October 24, 2023, in the Western District of New York, the defendant, **FRANK KNIGHT**, in a matter within the jurisdiction of the executive branch of the United States, did willfully, and knowingly make materially false, fictitious, and fraudulent statements and representations to special agents of the Federal Bureau of Investigation, in that the defendant stated that **SIMON GOGOLACK a/k/a Greek**, did not visit **FRANK KNIGHT'S** residence during the early morning hours on July 28, 2023, when in truth and in fact, and as defendant **FRANK KNIGHT** then and there well knew, **SIMON GOGOLACK a/k/a Greek** visited **FRANK KNIGHT'S** residence during the early morning hours on July 28, 2023.

**All in violation of Title 18, United States Code, Section 1001(a)(2).**

**COUNT 24**

**(Unlawful User of Controlled Substance in Possession of Firearms)**

**The Grand Jury Further Charges That:**

On December 7, 2023, in the Western District of New York, the defendant, **JOHN THOMAS ERMIN a/k/a Tommy O**, knowing that he was an unlawful user of controlled substances as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting commerce, firearms, namely, a (i) Ruger, Model 10/22, .22LR caliber semi-automatic rifle, bearing serial number 247-30699; and (ii) Savage, model Mark II, .22LR caliber bolt action rifle, bearing serial number 1529814; (iii) Marlin Firearms Corporation, model 1936, .30-.30 caliber lever action rifle, bearing serial number 1145; (iv) Winchester, model 1200 Defender, 12-gauge pump action shotgun, bearing serial number L1404443; and (v) Winchester, model 1200 Defender, 12-gauge pump action shotgun, bearing serial number L1301970.

**All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(8).**

**COUNT 25**

**(Unlawful User of Controlled Substance in Possession of Firearms)**

**The Grand Jury Further Charges That:**

On December 7, 2023, in the Western District of New York, the defendant, **MICHAEL RONCONE a/k/a Cone**, knowing that he was an unlawful user of controlled substances as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting commerce, firearms, namely: (i) Springfield Armory by HS Produkt, model Hellcat, 9 X 19 caliber semi-automatic pistol, bearing serial number BY524165; (ii)

Springfield Armory, model Range Officer Elite, .45 caliber semi-automatic pistol, bearing serial number LW168920; and (iii) Chinese type 56 SKS Carbine, 7.62 X 39mm caliber semi-automatic rifle, bearing serial 1803870.

**All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(8).**

**COUNT 26**

**(False Statements)**

**The Grand Jury Further Charges That:**

On or about December 7, 2023, in the Western District of New York, the defendant, **MICHAEL RONCONE a/k/a Cone**, in a matter within the jurisdiction of the executive branch of the United States, did willfully, and knowingly make materially false, fictitious, and fraudulent statements and representations to special agents of the Federal Bureau of Investigation, in that the defendant stated (i) that he did not know anything about Crystal Quinn's death; and (ii) that there were no drugs in his residence, when in truth and in fact, and as defendant **MICHAEL RONCONE a/k/a Cone** then and there well knew, (i) he did know something about Crystal Quinn's death; and (ii) there were drugs inside his residence.

**All in violation of Title 18, United States Code, Section 1001(a)(2).**

**COUNT 27**

**(Felon in Possession of Firearms)**

**The Grand Jury Further Charges That:**

On or about December 7, 2023, in the Western District of New York, the defendant, **SCOTT BARNES**, knowing that he had previously been convicted on or about October 20,

1991, in a General Court Martial at Fort Ord, California, of a crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess, in and affecting commerce, firearms, namely, a Glock, Model 22, .40 caliber pistol bearing serial number GPU157.

**All in violation of Title 18, United States Code, section, 922(g)(1).**

**COUNT 28**

**(Possession of a Stolen Firearm)**

**The Grand Jury Further Charges That:**

On or about December 7, 2023, in the Western District of New York, the defendant, **SCOTT BARNES**, knowingly possessed a stolen firearm, that is, a Glock, Model 22, .40 caliber pistol bearing serial number GPU157, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen.

**All in violation of Title 18, United States Code, Section, 922(j).**

**FIRST FORFEITURE ALLEGATION**

**The Grand Jury Alleges That:**

Upon conviction of one or more of the offenses set forth in Counts 4, 6, 7, 8, 9, and 10 of this Second Superseding Indictment, the defendant, **SIMON GOGOLACK a/k/a Greek**, shall forfeit to the United States, all his right, title and interest in any firearm and ammunition involved or used in the commission of the offenses, or found in the possession or under the immediate control of the defendant, including but not limited to the following property seized from 296 Scott Avenue, Wellsville, New York on or about August 8, 2023:



**FIREARMS & AMMUNITION**

- a. Twenty-three (23) rounds of ammunition in pill bottle
- b. Twenty-one (21) rounds of ammunition in pill bottle
- c. Two (2) shotgun shells
- d. One (1) .12 gauge shotgun shell
- e. Seven (7) .12 gauge shotgun rounds
- f. Three (3) rounds
- g. Two (2) rounds of .300 WinMag
- h. Mixed rounds
- i. Thirteen (13) rounds of ammunition
- j. Three (3) shotgun shells
- k. Fifty-one (51) rounds of ammunition
- l. One (1) KEL-TEC Shotgun, Model KSG, .12 gauge, bearing serial number XXFD48
- m. Two (2) rounds of ammunition

**All pursuant to Title 18, United States Code, Sections 924(d)(1) and 3665 and Title 28, United States Code, Section 2461(c).**

**SECOND FORFEITURE ALLEGATION**

**The Grand Jury Further Alleges That:**

Upon conviction of one or more of the offenses set forth in Counts 4, 6 and 7 of this Second Superseding Indictment, the defendant, **SIMON GOGLACK a/k/a Greek**, shall forfeit to the United States, all his right, title, and interest in any property intended to be used, in any manner or part, to commit or to facilitate the commission of said violation, including, but not limited to:

**REAL PROPERTY:**

The premises and real property with its buildings, improvements, fixtures, attachments and easements, known as 296 Scott Avenue, Wellsville, New York; that is, all that tract or parcel of land, situate in the Town of Wellsville, County of Allegany and State of New York and more particularly described in a certain deed recorded in Liber 2017, of deeds at page 90792, of the Allegany County Clerk's Office.

**All pursuant to Title 21, United States Code, Section 853(a)(2).**

**THIRD FORFEITURE ALLEGATION**

**The Grand Jury Further Alleges That:**

Upon conviction of one or more of the offenses set forth in Counts 19, 20, 21 and 22 of this Second Superseding Indictment, the defendant, **HOWARD HINKLE, JR.** a/k/a

**Hard How**, shall forfeit to the United States, all his right, title and interest in any firearm and ammunition involved or used in the commission of the offenses, or found in the possession or under the immediate control of the defendant, including but not limited to the following property seized from 4290 Donovan Road, Alma, New York on or about October 24, 2023:

**FIREARMS AND AMMUNITION**

- a. One (1) Savage Arms Rifle Model: 93, .22 gauge bearing serial number 944622 and magazine loaded with .22 gauge ammunition
- b. One (1) Remington Arms Rifle Model: 770, .243 caliber bearing serial number M72127455
- c. One (1) Knight Muzzleloader Model: LK-93, .50 caliber, bearing serial number 387345
- d. One (1) Ruger LR Rifle Model: 10/22, .22 caliber, bearing serial number

824- 31238

- e. One (1) round of live .22 caliber ammunition
- f. One (1) Remington Arms Rifle Model; 700ML, .50 caliber, bearing serial number ML076382
- g. One (1) Remington Arms Rifle Model: 552, .22 caliber, bearing serial number A1825823
- h. Eleven (11) rounds of .22 ammunition
- i. One (1) Unknown make Shotgun Model: SB, .20 gauge caliber, bearing serial number C1236358
- j. Thirty-six (36) rounds of live ammunition
- k. Sixty (60) rounds of live .12 gauge ammunition
- l. One (1) Loaded Ruger magazine with .22 caliber ammunition and Twenty-three (23) rounds of ammunition
- m. One (1) J Stevens Arms Shotgun Model: 39A, .410 caliber, unknown serial number
- n. One (1) Ithaca Gun Company Rifle Model: M66, .28 gauge caliber, bearing serial number 660257974
- o. One (1) Remington Arms Wingmaster Shotgun Model: 810, .12 gauge caliber, bearing serial number 843222V
- p. Loaded Ruger magazine with 22 caliber ammunition and One (1) round of .243 live ammunition
- q. One (1) Crescent Firearms Model: Peerless, unknown caliber, bearing serial number 238622
- r. One (1) Remington Arms Shotgun Model: 1100, .20 gauge caliber, bearing serial number R034386K
- s. Twenty-four (24) rounds of live ammunition
- t. Two (2) rounds of live ammunition
- u. One (1) CVA Olympia Optima Rifle, .50 caliber, bearing serial number 61-13- 017794-18
- v. One (1) New England Firearms Handi-Rifle Model: 852, .223 caliber, bearing serial number NM283405

- w. One (1) Mossberg Shotgun Model: 855, .12 gauge caliber, bearing serial number UM0015640
- x. Seventeen (17) .12 gauge rounds of live ammunition
- y. Thirteen (13) rounds of live ammunition
- z. One (1) Remington Arms Shotgun Model: 1100, .20 gauge caliber, bearing serial number N844620K
- aa. One (1) Spa Luige Franchi Brescia Shotgun, .12 gauge caliber, bearing serial number 056240
- bb. One (1) Unknown Revolver bearing serial number M4255 [49]
- cc. One (1) Remington Arms Shotgun Model: 870, .12 gauge caliber, bearing serial number AZ00482M
- dd. Four (4) .16 gauge rounds of ammunition
- ee. One (1) Box of .12 gauge
- ff. Two (2) boxes of .12 gauge ammunition
- gg. Two (2) rounds of .223 live ammunition
- hh. One (1) .30-30 round
- ii. Various rounds of live ammunition

**All pursuant to Title 18, United States Code, Sections 924(d)(1) and 3665, and Title 28, United States Code, Section 2461(c).**

**FOURTH FORFEITURE ALLEGATION**

**The Grand Jury Further Alleges That:**

Upon conviction of Count 24 of this Second Superseding Indictment, the defendant, **JOHN THOMAS ERMIN a/k/a Tommy O**, shall forfeit to the United States, all his right, title and interest in any firearm and ammunition involved or used in the commission of the offense, or found in the possession or under the immediate control of the defendant, including but not limited to the following property seized from 41 Richmond Avenue, Lancaster, New York on or about December 7, 2023:

**FIREARMS AND AMMUNITION**

- a. One (1) Marlin Rifle Model: 336W, .30-30 caliber, bearing serial number MR30199F win and black leather ammunition carrier in black case
- b. Six (6) live rounds of Winchester 30-30
- c. One (1) FLLPIETTA Handgun Model: Unknown, .44 caliber, bearing serial number 227999 in brown leather holster
- d. Twenty seven (27) live rounds of Winchester .30-30
- e. One hundred eighty-six (186) rounds of live ammunition
- f. Two hundred fifty nine (259) rounds of live ammunition
- g. One (1) Flintlock Antique Black Powder Pistol, unknown make and model, bearing serial number 1357
- h. One (1) live round
- i. One (1) Ruger Rifle Model: 10/22, .22LR caliber, bearing serial number 247- 30699
- j. One (1) Marlin Rifle Model: 1936, .30-30 caliber, bearing serial number 1145
- k. One (1) Remington Shotgun Model: 1187, .12 gauge caliber, bearing serial number PC223867
- l. One (1) Winchester Shotgun Model: 1200, .12 gauge caliber, bearing serial number L1404443
- m. One (1) Ted Williams Shotgun Model: 200, .20 gauge caliber, bearing serial number P287624
- n. One (1) Savage Arms Rifle Model: Mark II, .22LR caliber, bearing serial number 1529814
- o. One (1) Mossberg Shotgun Model: 500A, .12 gauge caliber, bearing serial number R194409
- p. One (1) Marlin Rifle Model: Glenfield 60, .22LR caliber, bearing serial number 24411352
- q. One (1) Mossberg Shotgun Model: 930, .12 gauge caliber, bearing serial number AF121657

- r. One (1) Winchester Shotgun Model: 1200 Defender, .12 gauge caliber, bearing serial number L1301970
- s. One (1) GEHA Shotgun, .12 gauge caliber, no model or serial number
- t. One (1) Rifle Model: 98, unknown make and caliber, bearing serial number 7570
- u. One thousand three hundred and sixty one (1,361) rounds of live ammunition
- v. One (1) Mossberg Shotgun Model: 500A, .12 gauge caliber, bearing serial number P582185
- w. Four (4) rounds of .12 gauge live ammunition

**All pursuant to Title 18, United States Code, Sections 924(d)(1) and 3665, and Title 28, United States Code, Section 2461(c).**

**FIFTH FORFEITURE ALLEGATION**

**The Grand Jury Further Alleges That:**

Upon conviction of Count 25 of this Second Superseding Indictment, the defendant, **MICHAEL RONCONE a/k/a Cone**, shall forfeit to the United States, all his right, title and interest in any firearm and ammunition involved or used in the commission of the offense, or found in the possession or under the immediate control of the defendant, including but limited to, the following firearms and ammunition seized from the RBMC Wellsville Clubhouse, which sits behind (North) of, and in between 801 and 882 Alma Hill Road, Wellsville, New York 14895 on or about December 7, 2023:

**FIREARMS AND AMMUNITION**

- a. One (1) Bush Master Rifle, .223 caliber, bearing serial number MDDXM15-E25
- b. One (1) green ammunition box containing .223 caliber ammunition
- c. One (1) green ammunition box containing .223 caliber ammunition
- d. One (1) green ammunition box with 9mm ammunition
- e. One (1) green Broken ammunition box containing .762 caliber
- f. One (1) green Cabela's ammunition box containing various boxed ammunition
- g. One (1) green Case guard with .23 ammunition
- h. Ten (10) Magpul rounds, .762 magazine
- i. One (1) Briklee Sema SKS Rifle, 7.62x39m caliber, bearing serial number 1803870
- j. One (1) Remington .22 caliber ammunition
- k. Eight (8) boxes of .12 gauge
- l. Various rounds of ammunition
- m. One (1) box of Remington Rifle cartridges, Two (2) Winchester ammunition grey box

The following which were seized from 4998 William Street, Lancaster, New York on or about December 7, 2023:

**FIREARMS AND AMMUNITION**

- a. Twenty (20) rounds of Winchester Power Point ammunition
- b. One (1) round of ammunition
- c. One (1) loaded Handgun bearing serial number LW168920, one (1) magazine with six (6) rounds of ammunition, two (2) magazines, fourteen (14) rounds of ammunition and one (1) empty magazine
- d. One (1) Loaded Handgun with red dot, bearing serial number BY524165, one (1) magazine and eleven (11) rounds of ammunition

- e. One (1) Revolver, bearing serial number 232K162 and six (6) loose bullets
- f. One (1) loaded Gun, bearing serial number BKWN594 and one (1) magazine with ten (10) round of ammunition
- g. One (1) Loaded Gun, bearing serial number P10014437 and one (1) magazine with eight (8) rounds of ammunition
- h. One (1) Gun, bearing serial number 8139824
- i. One (1) Long Gun, bearing serial number 786-85465
- j. One (1) Gun, bearing serial number PC083863
- k. One (1) Gun, bearing serial number ES61-06-215145-23
- l. One (1) Gun, bearing serial number 740793
- m. One (1) Gun, bearing serial number RS096217 or RS09621Z
- n. One (1) Gun, bearing serial number ML062814
- o. One (1) Gun, bearing serial number B243364M
- p. One (1) Gun, bearing serial number 10676253
- q. One (1) Gun, bearing serial number 08312946
- r. One (1) Gun, bearing serial number J917617
- s. One (1) Gun, bearing serial number 4021333
- t. One (1) Gun, bearing serial number 832-51716
- u. One (1) Gun, bearing serial number M71662862
- v. One (1) Gun, bearing serial number G681218
- w. One (1) Gun, bearing serial number M093000
- x. One (1) Gun, bearing serial number AZ00015U
- y. One (1) Gun, bearing serial number 293223
- z. One (1) Gun, bearing serial number N520020M
- aa. One (1) Gun, bearing serial number 61-13-061497-99
- bb. One (1) Gun, bearing serial number 14-13-050824-05
- cc. Three (3) round of ammunition
- dd. Four (4) Hybred Sabot Slug ammunition
- ee. Nineteen (19) rounds of Ultramay ammunition
- ff. Three hundred and seventeen (317) rounds of ammunition
- gg. One hundred and twenty one (121) rounds of ammunition



- hh. One (1) loaded magazine with four (4) rounds of ammunition
- ii. Three hundred and twenty-five (325) various shotgun rounds of ammunition
- jj. Seven hundred and sixty-three (763) various rounds of ammunition
- kk. Fourteen (14) rounds of ammunition and loaded magazine with ten (10) rounds

**All pursuant to Title 18, United States Code, Sections 924(d)(1) and 3665, and Title 28, United States Code, Section 2461(c).**

**SIXTH FORFEITURE ALLEGATION**

**The Grand Jury Further Alleges That:**

Upon conviction of one or more of the offenses set forth in Counts 27 and 28 of this Second Superseding Indictment, the defendant, **SCOTT BARNES a/k/a Big Scott 1%er**, shall forfeit to the United States, all his right, title and interest in any firearm and ammunition involved or used in the commission of the offense, or found in the possession or under the immediate control of the defendant, including but limited to, the following property seized from 417 Northumberland Avenue, Buffalo, New York on or about December 7, 2023:

**FIREARMS & AMMUNITION**

- a. One (1) Glock 22 handgun, .40 caliber, bearing serial number GPU157
- b. Eleven (11) unfired .40 caliber ammunition with magazine

**All pursuant to Title 18, United States Code, Sections 924(d)(1) and 3665,  
and Title 28, United States Code, Section 2461(c).**

DATED: Buffalo, New York, January 5, 2024.

TRINI E. ROSS  
United States Attorney

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A TRUE BILL:

S/FOREPERSON

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FOREPERSON