

filed 2/25/2021

At: ~~8:30~~ 3:45 p.m

WILLIAM T. WALSH

CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Crim. No. 20-527 (MAS)
	:	
v.	:	21 U.S.C. § 846
	:	21 U.S.C. § 841
ROBERT M. GBANAPOLOR,	:	
a/k/a "Ruff"	:	<u>SUPERSEDING INDICTMENT</u>

The Grand Jury in and for the District of New Jersey, sitting at Trenton, charges:

COUNT ONE

(Conspiracy to Distribute and Possess With Intent to Distribute One Hundred Grams or More of Heroin)

1. At all times relevant to this Superseding Indictment:
  - a. Defendant ROBERT M. GBANAPOLOR, a/k/a "Ruff," resided in or around Trenton, New Jersey, and distributed heroin for profit.
  - b. Duane Paulino-Escalera, a/k/a "Papi," a co-conspirator, but not named as a defendant herein, resided in or around Philadelphia, Pennsylvania, and distributed heroin for profit.
  - c. Darryl Young, a co-conspirator, but not named as a defendant herein, resided in or around Trenton, New Jersey, and distributed heroin for profit.
  - d. Izae Alford, a co-conspirator, but not named as a defendant herein, resided in or around Trenton, New Jersey, and distributed heroin for profit.

e. Paul Beckford, a/k/a “Wall Street,” a co-conspirator, but not named as a defendant herein, resided in or around Trenton, New Jersey, and distributed heroin for profit.

f. Larry Murphy, a co-conspirator, but not named as a defendant herein, resided in or around Trenton, New Jersey, and distributed heroin for profit.

g. Alterrick Livingston, a/k/a “Dookie,” a co-conspirator, but not named as a defendant herein, resided in or around Trenton, New Jersey, and distributed heroin for profit.

h. Confidential Government Source (“CS”) resided in or around Trenton, New Jersey.

2. From at least as early as in or around June 2018 to in or around May 2019, in Mercer County, in the District of New Jersey, and elsewhere, the defendant,

ROBERT M. GBANAPOLOR,  
a/k/a “Ruff,”

did knowingly and intentionally conspire and agree with co-conspirators Paulino-Escalera, Young, Alford, Beckford, Murphy, and Livingston, and with others, to distribute and possess with intent to distribute one hundred grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

OBJECT OF THE CONSPIRACY

3. The object of the conspiracy was to distribute heroin, for profit, in and around Trenton, New Jersey, and elsewhere.

MANNER AND MEANS OF THE CONSPIRACY

4. The manner and means by which defendant GBANAPOLOR, and other co-conspirators, sought to accomplish the conspiracy included, among other things, the following:

a. It was part of the conspiracy that defendant GBANAPOLOR maintained a residence located on or around Highland Avenue in Trenton, New Jersey, at which he stored large quantities of heroin for re-distribution, and from which he operated unlawful drug trafficking activities in furtherance of the conspiracy.

b. It further was part of the conspiracy that on numerous occasions between in or around June 2018 and in or around May 2019, co-conspirator Paulino-Escalera supplied defendant GBANAPOLOR with large quantities of heroin, which GBANAPOLOR re-distributed for profit. For example:

(i) On or about April 28, 2019, co-conspirator Paulino-Escalera supplied defendant GBANAPOLOR with multiple “bricks” of heroin, which GBANAPOLOR subsequently provided to others to redistribute for profit.

(ii) On or about May 3, 2019, co-conspirator Paulino-Escalera supplied defendant GBANAPOLOR with multiple bricks of heroin, which GBANAPOLOR subsequently provided to others to redistribute for profit.

(iii) On or about May 8, 2019, co-conspirator Paulino-Escalera supplied defendant GBANAPOLOR with multiple bricks of heroin, which GBANAPOLOR subsequently provided to others to redistribute for profit.

c. It further was part of the conspiracy that, after co-conspirator Paulino-Escalera supplied heroin to defendant GBANAPOLOR, GBANAPOLOR re-distributed the heroin to co-conspirators Young, Alford, Beckford, Murphy, Livingston and, as well as to other members of the conspiracy, with the understanding that these other members of the conspiracy would re-sell that heroin, for profit, to other drug dealers (including their co-conspirators) and end users in and around Trenton, New Jersey, and elsewhere.

d. It further was part of the conspiracy that, to identify and differentiate various supplies of heroin, defendant GBANAPOLOR and co-conspirator Paulino-Escalera, and other members of the conspiracy, distributed heroin bearing ink stamps. During the conspiracy, defendant GBANAPOLOR and co-conspirators Alford and Murphy, as well as other members of the conspiracy, discussed and touted the heroin they were distributing by referring to the particular ink stamps on the packaging, including, but not limited to: "Tom Brady," "Exit 7A," "Hitman," "John Wall" and "AK-47."

e. It further was part of the conspiracy that defendant GBANAPOLOR discussed with other members of the conspiracy the quality and popularity of the heroin that co-conspirator Paulino-Escalera had supplied.

f. It further was part of the conspiracy that members of the conspiracy, including defendant GBANAPOLOR and co-conspirators Paulino-Escalera, Young, Alford, Beckford, Murphy and Livingston, and others, used cellular telephones to coordinate narcotics transactions and to otherwise communicate with other members of the conspiracy, in furtherance of the conspiracy's unlawful drug-trafficking activities.

g. It further was part of the conspiracy that, during a conversation between defendant GBANAPOLOR and an unidentified person, in regards to his unlawful narcotics-trafficking activities, GBANAPOLOR referred to himself as the "Mayor" of West Trenton; remarked that his sale of "weed," or marihuana, was merely a "decoy;" and boasted that he possessed "fire," or heroin.

h. It further was part of the conspiracy that, on or about December 11, 2018, defendant GBANAPOLOR in exchange for the payment of cash sold CS approximately 15 bricks of heroin bearing ink stamps that read "AK 47."

i. It further was part of the conspiracy that, on or about May 17, 2019, in connection with a controlled substances transaction, defendant GBANAPOLOR and co-conspirator Paulino-Escalera, while sitting in a vehicle driven by GBANAPOLOR, possessed the following items, among others: (i) approximately 90 bricks of heroin bearing ink stamps that read "Hitman"; and (ii) approximately \$3,100 in United States currency.

In violation of Title 21, United States Code, Section 846.

COUNT TWO

(Distribution and Possession With Intent to Distribute Heroin)

1. The allegations set forth in paragraphs 1, 3, and 4 of Count One of this Superseding Indictment are realleged and incorporated by reference as though fully set forth in this Count.

2. On or about December 11, 2018, in Mercer County, in the District of New Jersey, and elsewhere, the defendant,

ROBERT M. GBANAPOLOR,  
a/k/a "Ruff,"

did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

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

COUNT THREE

(Possession With Intent to Distribute 100 Grams or More of Heroin)

1. The allegations set forth in paragraphs 1, 3, and 4 of Count One of this Superseding Indictment are realleged and incorporated by reference as though fully set forth in this Count.

2. On or about May 17, 2019, in Mercer County, in the District of New Jersey, and elsewhere, the defendant,

ROBERT M. GBANAPOLOR,  
a/k/a "Ruff,"

did knowingly and intentionally possess with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

FORFEITURE ALLEGATION

1. The allegations contained in this Superseding Indictment are incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture pursuant to 21 U.S.C. § 853.

2. As a result of committing the controlled substance offenses in violation of Title 21, United States Code, Sections 841 and 846, as charged in Counts One through Three of this Superseding Indictment, the defendant,

ROBERT M. GBANAPOLOR,  
a/k/a "Ruff,"

shall forfeit to the United States of America, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the said offenses, 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 offenses alleged in this Superseding Indictment.

The property to be forfeited includes, but is not limited to, approximately \$3,103 in United States currency seized by law enforcement on or about May 17, 2019.

SUBSTITUTE ASSETS PROVISION

3. If by any act or omission of the defendant any of the property subject to forfeiture described above:

- 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,

the United States shall be entitled, pursuant to 21 U.S.C. § 853(p), to forfeiture of any other property of the defendants up to the value of the above-described forfeitable property.

A TRUE BILL



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RACHAEL A. HONIG  
Acting United States Attorney

**CASE NUMBER: 20-527 (MAS)**

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**United States District Court  
District of New Jersey**

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**UNITED STATES OF AMERICA**

**v.**

**ROBERT M. GBANAPOLOR,  
a/k/a “Ruff”**

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**SUPERSEDING INDICTMENT  
FOR**

**21 U.S.C. §§ 841, 846**

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**A True Bill,**



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RACHAEL A. HONIG  
ACTING UNITED STATES ATTORNEY  
FOR THE DISTRICT OF NEW JERSEY

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