

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF GEORGIA

MACON DIVISION

(Redacted Version)

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| UNITED STATES OF AMERICA |) | SUPERSEDING INDICTMENT |
| |) | |
| vs. |) | CRIM. NO. |
| |) | |
| |) | VIOLATIONS: |
| DWIGHT D. YORK, A/K/A |) | |
| DR. MALACHI Z. YORK, A/K/A |) | 18 U.S.C. § 1962(d)-RICO Conspiracy |
| ISA MUHAMMAD, A/K/A |) | 18 U.S.C. § 1962(c)-RICO Acts |
| ISA AL HAADI AL MAHDI AND |) | 18 U.S.C. § 371-MANN Act Conspiracy |
| A/K/A "BABA" |) | 18 U.S.C. § 2423(a) MANN Act- Minor Transport |
| |) | 18 U.S.C. § 2423(b)-MANN Act Travel |
| |) | 18 U.S.C. § 3283-MANN Act Limitations Statute |
| |) | 18 U.S.C. § 2-Aiding and Abetting |
| |) | 31 U.S.C. § 5324(a)(3)-Structuring Cash |
| |) | 18 U.S.C. § 1963-RICO Forfeiture |
| |) | 18 U.S.C. § 2253(a)(3)-MANN Act Forfeiture |
| |) | 18 U.S.C. § 2253(o)-MANN Act Forfeiture |

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Commit Racketeering Violations)

From in or about January 1988, and continuing through May 8, 2002, in the Middle District of Georgia and elsewhere within the jurisdiction of this Court, the Defendant

**DWIGHT D. YORK, a/k/a DR. MALACHI Z. YORK, a/k/a
ISA MUHAMMAD, a/k/a ISA AL HAADI AL MAHDI and a/k/a "BABA"**
(hereinafter referred to as "DWIGHT YORK"),

being a person employed by and associated with an enterprise described in Paragraph A below, which was engaged in, and the activities of which affected, interstate commerce, did knowingly and willfully combine, conspire, confederate and agree, and have tacit understanding with unindicted co-conspirators and others, known and unknown to the Grand Jury, to violate Title 18, United States Code, Section 1962(c); that is, to conduct and participate, directly and indirectly, in

the conduct of the affairs of the enterprise through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and (5), which consisted of multiple acts of:

(1) transporting minors in interstate commerce for purposes of engaging in unlawful sexual activity, which is indictable under Title 18, United States Code, Section 2423(a), and which is defined as knowingly transporting and causing to be transported individuals who had not attained the age of eighteen years, in interstate commerce, with the intent that such minors engage in unlawful sexual activity for which a person can be charged with a criminal offense, including, but not limited to, violations of Georgia Code Sections 16-6-4 and 16-6-5, the individuals not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283;

(2) traveling in interstate commerce for the purpose of engaging in unlawful sexual activity with minors, which is indictable under Title 18, United States Code, Section 2423(b), and which is defined as knowingly traveling in interstate commerce for the purpose of engaging in an unlawful sexual act as defined in Title 18, United States Code, Section 2246(2), with a person under the age of eighteen, and under such circumstances as would constitute a violation of Title 18, United States Code, Section 2243(a), had the sexual acts occurred in the special maritime and territorial jurisdiction of the United States, the person not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283; and

(3) structuring cash transactions to evade currency transactions reporting requirements, which is indictable under Title 31, United States Code, Section 5324(a)(3), and which is defined as knowingly and willfully, and for the purpose of evading reporting

requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated therein, assisting in structuring a financial transaction with a domestic financial institution, whose deposits were then insured by the Federal Deposit Insurance Corporation, by making multiple deposits of United States currency in amounts less than \$10,000.00, in violation of Title 31, United States Code, Section 5324(a)(3), in connection with Title 31, United States Code, Section 5313(a), and Title 18, United States Code, Section 2.

A. THE ENTERPRISE

At all times material to this Superseding Indictment, there existed an organization, currently called the United Nation of Nuwaubian Moors (hereinafter referred to as the "Nuwaubians"), that was also known as The Tents of Kedar, Ansaru Allah Community, Ancient Mystic Order of the Melchizedek and Al Mahdi Sbriners. The Nuwaubians operated primarily in Kings County, New York, Sullivan County, New York, Athens-Clarke County, Georgia, Bibb County, Georgia, and Putnam County, Georgia. The Nuwaubians were a religious organization that consisted of approximately 5,000 members; including, but not limited to, DWIGHT YORK and unindicted co-conspirators and others, both known and unknown to the Grand Jury.

At all times material to this Superseding Indictment, the Nuwaubians, including its leadership and members, constituted an "enterprise," as defined by Title 18, United States Code, Section 1961(4); that is, a group of individuals associated in fact, although not a legal entity. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for the common purpose of achieving the objectives of the enterprise. This enterprise was engaged in, and its activities affected, interstate commerce.

At all times material to this Superseding Indictment, DWIGHT YORK was the leader of the enterprise who participated in, and directed and managed other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprise, including the transport of minors in interstate commerce for purposes of engaging in unlawful sexual activity, traveling in interstate commerce for purposes of engaging in unlawful sexual activity and the structuring of cash transactions to evade currency transactions reporting requirements.

B. PURPOSES OF THE ENTERPRISE

It was a purpose of the enterprise that DWIGHT YORK, as the leader of the Nuwaubians, and with the assistance of other members of the enterprise, created living communities for men, women and children who became followers of his religious teachings. DWIGHT YORK and other members of the enterprise would segregate minor aged boys and girls residing in his communities from their parents, groom minors for purposes of engaging in unlawful sexual activity, engage with minors in unlawful sexual activity and transport minors in interstate commerce for purposes of engaging in unlawful sexual activity.

It was a further purpose of the enterprise that DWIGHT YORK kept minor victims and their parents, and his other followers in fear of the enterprise, and in fear of its members, through violence and threats of violence.

It was a further purpose of the enterprise that DWIGHT YORK, with the assistance of other members of the enterprise, would and did attempt to conceal the activities of the enterprise

from the outside community by requiring that its members, its followers and their children, reside and work on properties owned and controlled by the enterprise.

It was a further purpose of the enterprise that DWIGHT YORK, with the assistance of other members of the enterprise, maintained the secrecy of the enterprise by directing its members to conceal the financial activities of the enterprise by structuring cash transactions to evade currency transaction reporting requirements.

C. MANNER AND MEANS OF THE ENTERPRISE

The manner and means used by the enterprise to further its goals and achieve its purposes include the following:

(1) DWIGHT YORK directed that other members of the enterprise, his followers and their children, live and work in tightly controlled communities that consisted of buildings and land owned and administered by the enterprise;

(2) DWIGHT YORK created all the rules for the enterprise, its other members and his followers and their children, and imposed punishments for infractions;

(3) DWIGHT YORK and other members of the enterprise, taught followers that DWIGHT YORK was a god-like figure;

(4) DWIGHT YORK and other members of the enterprise, directed that his followers refer to him as "Imam Esa," terms they were taught meant "father" and "Jesus" respectively in arabic.

(5) DWIGHT YORK and other members of the enterprise, taught minor aged followers to call DWIGHT YORK "Baba," another name for father;

(6) DWIGHT YORK directed that other members of the enterprise, its followers and their children, live segregated by sex and age, such that women and men lived in separate houses, and children lived in houses separate from their parents and segregated by age and sex;

(7) DWIGHT YORK determined when married couples could engage in sexual relations;

(8) DWIGHT YORK and other members of the enterprise, claimed that the enterprise's residential and work communities constituted a sovereign nation, and provided members of the enterprise and its followers with fraudulent passports;

(9) DWIGHT YORK and other members of the enterprise, taught children residing on properties owned by the enterprise to obey DWIGHT YORK instead of their parents;

(10) DWIGHT YORK and other members of the enterprise, administered the enterprise's communities so that residents relied on DWIGHT YORK for all necessities, including food, clothing, money and personal hygiene items;

(11) DWIGHT YORK ordered other members of the enterprise, that were his sexual partners, to bring minor aged boys and girls to him for purposes of engaging with them in unlawful sexual activity;

(12) To isolate and entice child victims selected for DWIGHT YORK'S unlawful sexual activity, DWIGHT YORK and other members of the enterprise, invited child victims to clean and work in his private residences located on properties owned by the enterprise;

(13) DWIGHT YORK targeted minor aged siblings as victims of his unlawful sexual activities;

(14) DWIGHT YORK, along with other members of the enterprise, gave minor aged victims instructions on how to perform sexual acts for and with DWIGHT YORK;

(15) DWIGHT YORK, and other members of the enterprise, showed minor victims pornographic video tapes;

(16) DWIGHT YORK, and other members of the enterprise, told minor, female victims that it was normal, as part of a custom purportedly practiced in Sudan, Africa, for fathers and uncles to engage in sexual acts with their daughters and nieces for the purpose of preparing minor females for marriage;

(17) DWIGHT YORK, and other members of the enterprise, instructed older minor victims to recruit younger children for purposes of engaging in unlawful sexual activity;

(18) DWIGHT YORK and other members of the enterprise, employed certain methods for grooming minor victims into engaging in unlawful sexual activity, including promises and gifts of jewelry, food, clothing and other special privileges;

(19) DWIGHT YORK supplied minor victims with alcoholic beverages prior to engaging with them in unlawful sexual activity;

(20) DWIGHT YORK and other members of the enterprise, sexually molested minors in groups with other children, and in groups with members of the enterprise;

(21) DWIGHT YORK, Kathy Johnson and other members of the enterprise, video taped DWIGHT YORK'S unlawful sexual activity with minors;

(22) DWIGHT YORK destroyed, and ordered others to destroy, pornographic video tapes;

(23) DWIGHT YORK and members of the enterprise, promoted a climate of fear among minor victims through threats of violence directed at minor victims and their parents, threats of and expulsion from the organization's residential communities, and the loss to minors, who refused DWIGHT YORK'S sexual advances, of gifts of food, clothing and special privileges;

(24) DWIGHT YORK promoted the activities of the enterprise, by purchasing large, isolated real properties where minors could be sexually molested without the knowledge of and opposition from the outside community;

(25) DWIGHT YORK and other members of the enterprise, transported and caused to be transported minor aged victims in interstate commerce for purposes of engaging in unlawful sexual activity;

(26) DWIGHT YORK traveled in interstate commerce for purposes of engaging in unlawful sexual activity with minors;

(27) DWIGHT YORK and other members of the enterprise, continued to engage in unlawful sexual activity with victims until the victims were able to leave property owned by the enterprise;

(28) DWIGHT YORK and other members of the enterprise, maintained the secrecy of the enterprise by forbidding minor aged victims, when seeking medical attention, to answer the questions of medical personnel;

(29) DWIGHT YORK further maintained the secrecy of the enterprise by using and threatening to use physical violence against various individuals;

(30) DWIGHT YORK further maintained the secrecy of the enterprise by directing its members to conceal the financial activities of the enterprise;

(31) DWIGHT YORK and other members of the enterprise used income earned by the enterprise to further DWIGHT YORK'S unlawful sexual activity with minors, through the purchases of gifts, visits to restaurants and trips to Disney World;

(32) DWIGHT YORK and other members of the enterprise, earned income for the enterprise through three financial operations: the Holy Tabernacle Stores, the Holy Tabernacle Ministries and the Ancient Mystic Order of the Mechizedek;

(33) DWIGHT YORK and other members of the enterprise, owned or permitted followers to own, and operate franchises of, the Holy Tabernacle Stores: a series of stores located in various U.S. cities that sold Nuwaubian merchandise, including books written by DWIGHT YORK and audio and video tapes produced by DWIGHT YORK, tee shirts, candles, incense, lotions and shampoos;

(34) DWIGHT YORK and other members of the enterprise, operated the Holy Tabernacle Ministries, which involved a mail order service; whereby, prospective Nuwaubian followers were required to purchase "passports" created by the enterprise at the cost of Twenty five (\$25.00) dollars annually;

(35) DWIGHT YORK and other members of the enterprise, through the operation of the Holy Tabernacle Ministries, sold professional certifications and degrees issued by the enterprise, including Doctorates of Divinity, and rabbi and ministerial certifications, at an approximate cost of Fifty (\$50.00) dollars each;

(36) DWIGHT YORK and other members of the enterprise, operated the Ancient Mystic Order of the Melchizedek (also called "AMOM"), a religious order of the enterprise, in which approximately 5,000 members were required to pay an annual membership fee of Twenty-seven (\$27.00) dollars;

(37) DWIGHT YORK and other members of the enterprise, by operation of the Ancient Mystic Order of the Melchizedek, sold prayer rugs, religious pamphlets and clothing through a mail order service, and conducted a weekly ceremony of the Order at the Eatonton, Putnam County, Georgia, property;

(38) DWIGHT YORK and other members of the enterprise, required that followers assigned to work in the enterprise's finance office collect income generated by the enterprise through the operation of the Holy Tabernacle Stores, the Holy Tabernacle Ministries and the Ancient Mystic Order of the Melchizedek;

(39) DWIGHT YORK and other members of the enterprise, directed that followers from the finance office deposit monies collected by the enterprise through the operation of the Holy Tabernacle Stores, the Holy Tabernacle Ministries and the Ancient Mystic Order of the Melchizedek, into one of three bank accounts maintained by the enterprise in the names of the "Malachi Z. York d/b/a Holy Tabernacle Store," "AMOM/Sisters of Aset," and a personal account in the name of "Malachi Z. York," all at Wachovia Bank located at 1200 Mitchell Bridge Road in Athens-Clarke County, Georgia, a financial institution whose deposits were then insured by the Federal Deposit Insurance Corporation;

(40) DWIGHT YORK and other members of the enterprise, directed that followers from the finance office remove dollar bills in denominations less than Fifty (\$50.00) dollars

from those monies earned by the Holy Tabernacle Stores, the Holy Tabernacle Ministries and the Ancient Mystic Order of the Melchizedek, and deposit those small bills into one of three bank accounts maintained by the enterprise;

(41) DWIGHT YORK and other members of the enterprise, directed that followers from the finance office remove dollar bills in denominations equal to and greater than Fifty (\$50.00) dollars from those monies earned by the Holy Tabernacle Stores, the Holy Tabernacle Ministries and the Ancient Mystic Order of the Melchizedek, and deliver those large bills to DWIGHT YORK for his private use;

(42) DWIGHT YORK and other members of the enterprise, ordered followers from the finance office to convert monies maintained by DWIGHT YORK for his private use into money orders labeled "donations," and to deposit those "donations" into one of three bank accounts maintained by the enterprise; and

(43) DWIGHT YORK and other members of the enterprise, ordered followers from the finance office to further conceal the financial activities of the enterprise by structuring cash transactions to evade currency transaction reporting requirements when making banking deposits.

D. OVERT ACTS

In furtherance of the conspiracy, and to effect the objects and purposes of the conspiracy, DWIGHT YORK along with unindicted co-conspirators and others, both known and unknown to the Grand Jury, committed various overt acts, including but not limited to, the following:

(1) In or about January 1988, at property owned by the enterprise in Kings County, New York, members of the enterprise recruited Person-1 (Person hereafter referred to as "P"),

for purposes of engaging in unlawful sexual activity with **DWIGHT YORK**, at a time when P-1 was approximately age 13;

(2) In or about January 1988, at property owned by the enterprise in Kings County, New York, **DWIGHT YORK**, in the presence of adult, female members of the enterprise, forced P-1 to perform oral sex on him at a time when P-1 was approximately age 13;

(3) In or about 1988, at property owned by the enterprise in Kings County, New York, members of the enterprise brought P-17, then approximately age 13, to work in **DWIGHT YORK'S** private residence, along with P-1, then approximately age 13, and P-13;

(4) In or about 1988, at his private residence located on property owned by the enterprise in Kings County, New York, **DWIGHT YORK** showed P-17 pictures of male genitalia and pornographic video tapes, at a time when P-17 was approximately age 13;

(5) In or about 1988, at property owned by the enterprise in Kings County, New York, members of the enterprise asked P-17, then approximately age 13, to engage in unlawful sexual activity with **DWIGHT YORK** as part of a purported African custom;

(6) In or about 1988, at property owned by the enterprise in Kings County, New York, **DWIGHT YORK** told P-17, then approximately age 13, that her sister, P-20, then approximately age 7, was "cute" and to bring P-20 to his house;

(7) In or about 1988, at property owned by the enterprise in Kings County, New York, **DWIGHT YORK**, and members of the enterprise, caused P-1, then approximately age 13, to engage in anal intercourse with **DWIGHT YORK**;

(8) In or about the Summer of 1991, **DWIGHT YORK** directed that P-1, P-17 and P-13, move to property purchased by the enterprise in Sullivan, County, New York;

(9) In or about 1990, at property owned by the enterprise in Sullivan County, New York, DWIGHT YORK anally molested P-17, who was then approximately age 15;

(10) In or about 1990, in Sullivan County, New York, DWIGHT YORK directed P-17, then approximately age 15, to recruit other young girls for his unlawful sexual activity, including p-27, P-6, P-19 and P-22, all of whom were approximately age 14 at the time;

(11) In or about 1990, in a trailer located on property owned by the enterprise in Sullivan County, New York, and used by DWIGHT YORK as his private residence, DWIGHT YORK and other members of the enterprise, in the presence of P-1, then approximately age 14, engaged in group sexual activity with P-17 and P-13, both of whom were approximately age 15 at the time;

(12) In or about 1991, at property owned by the enterprise in Sullivan County, New York, DWIGHT YORK, in the presence of P-1, fondled P-8, who was approximately age 4 at the time of the molestation;

(13) In or about 1992, in a trailer located on property owned by the enterprise in Sullivan County, New York, and used by DWIGHT YORK as his private residence, DWIGHT YORK, in the presence of P-1, forced P-8 to perform oral sex on him, at a time when P-8 was approximately age 5;

(14) In or about 1992, in a trailer located on property owned by the enterprise in Sullivan County, New York, and used by DWIGHT YORK as his private residence, DWIGHT YORK engaged in group sexual activity with P-20, then approximately age 8, and P-8, then approximately age 5;

- (15) In or about 1992, at property owned by the enterprise in Sullivan County, New York, DWIGHT YORK forced P-20, then approximately age 8, to perform oral sex on him;
- (16) In or about 1992, in a trailer located on property owned by the enterprise in Sullivan County, New York, and used by DWIGHT YORK as his private residence, DWIGHT YORK and P-13, engaged in sexual activity with P-17 and P-20's brother, P-21 and was approximately age 7 at the time of the molestation;
- (17) In or about 1992, at property owned by the enterprise in Sullivan County, New York, DWIGHT YORK gave P-23, then approximately age 13, a gold bracelet and invited the girl to his private residence to watch television;
- (18) In or about 1993, at property owned by the enterprise in Sullivan County, New York, DWIGHT YORK, in the presence of P-1, fondled P-12, who was approximately age 4 at the time of the molestation;
- (19) In or about January 1993, DWIGHT YORK and other members of the enterprise, purchased approximately 444 acres of land located at 404 Shady Dale Road in Eatonton, Putnam County, Georgia, for the purpose of relocating the enterprise from Sullivan County, New York;
- (20) In or about February 1993, DWIGHT YORK directed Kathy Johnson and P-1 to travel from Sullivan County, New York, to the enterprise's new location in Putnam County, Georgia;
- (21) In or about February 1993, DWIGHT YORK directed P-1 to create a list of his followers residing in Sullivan County, New York, including their respective ages, from which he selected those individuals whom he desired to relocate to the enterprise's new location in Putnam County, Georgia;

(22) In or about February 1993, DWIGHT YORK, and other members of the enterprise known and unknown to the Grand Jury, transported and caused to be transported, P-12, a minor at the time, from Sullivan County, New York, to Putnam County, Georgia, for the purpose of continuing to engage with DWIGHT YORK in unlawful sexual activity;

(23) In or about April 1993, DWIGHT YORK directed Kathy Johnson and P-1 to arrange for the transport of certain of his followers from Sullivan County, New York, to the enterprise's new location in Putnam County, Georgia;

(24) In or about April 1993, DWIGHT YORK and other members of the enterprise, directed that minors, with whom DWIGHT YORK and other members of the enterprise were engaged in unlawful sexual activity, move to Putnam County, Georgia, with the first groups of Nuwaubian followers to relocate to Putnam County, Georgia;

(25) In or about April 1993, DWIGHT YORK, and other members of the enterprise known and unknown to the Grand Jury, caused P-23, a minor at the time, to be transported from Kings County, New York, to Bibb County, Georgia, for the purpose of continuing to engage with DWIGHT YORK in unlawful sexual activity;

(26) In or about April 1993, DWIGHT YORK, and other members of the enterprise known and unknown to the Grand Jury, caused P-8, P-20 and P-21, all minors at the time, to be transported from Sullivan County, New York, to Putnam County, Georgia, for the purpose of continuing to engage with DWIGHT YORK in unlawful sexual activity;

(27) Between in or about April 1993, through in or about September 2000, DWIGHT YORK directed P-9 to refuse to complete Currency Transaction Reports (CTRs) when making cash deposits into bank accounts maintained by the enterprise;

(28) Between in or about April 1993, through in or about September 2000, DWIGHT YORK told P-9 to refuse to complete Currency Transaction Reports (CTRs) when making cash deposits into bank accounts maintained by the enterprise, in order to prevent the Internal Revenue Service from questioning the activities of the enterprise;

(29) On August 2, 1993, P-1 at age 17, bore a son fathered by DWIGHT YORK;

(30) In or about 1993, at his private residence in Putnam County, Georgia, DWIGHT YORK, in the presence of P-1, forced P-20, then approximately age 9, to perform oral sex on him;

(31) In or about 1993, at his private residence in Putnam County, Georgia, DWIGHT YORK anally molested P-20, then approximately age 10;

(32) In or about 1993, at his private residence in Putnam County, Georgia, DWIGHT YORK, in the presence of P-1, inserted his penis into the mouth of P-6's brother, P-5, who was then approximately age 13;

(33) In or about 1993, in Putnam County, Georgia, DWIGHT YORK directed P-5, then approximately age 13, to bring P-21, then approximately age 8, to him (DWIGHT YORK);

(34) In or about 1993, at his private residence in Putnam County, Georgia, DWIGHT YORK and Kathy Johnson engaged in sexual activity, including oral sex, with P-5, then approximately age 13, and P-21, then approximately age 8;

(35) In or about November 1993, at DWIGHT YORK'S direction, P-1 approached P-23 in Putnam County, Georgia, and told P-23 that DWIGHT YORK wished to have sex with her as part of a purported custom in Sudan, Africa, at a time when P-23 was approximately age

14;

(36) In or about November 1993, DWIGHT YORK took P-23 to dinner and bought P-23 new clothes and a ring;

(37) On or about November 20, 1993, DWIGHT YORK, at his private residence in Putnam County, Georgia, forced P-23 and P-25, both approximately age 14 at the time, to engage together with him in oral and vaginal sex;

(38) In or about November 1993, at his private residence in Putnam County, Georgia, DWIGHT YORK engaged in anal sex with P-23, then approximately age 14;

(39) In or about November 1993, at the private residence of DWIGHT YORK in Putnam County, Georgia, Kathy Johnson performed oral sex on and inserted her fingers into the vagina of P-23, then approximately age 14;

(40) In or about 1994, at his private residence in Putnam County, Georgia, DWIGHT YORK directed P-19 to perform oral sex on P-5, who was then approximately age 14;

(41) In or about 1994, at his private residence in Putnam County, Georgia, DWIGHT YORK, in the presence of P-21, then approximately age 9, forced P-12, then approximately age 5, to perform oral sex on DWIGHT YORK;

(42) In or about 1995, at his private residence in Putnam County, Georgia, DWIGHT YORK, along with Kathy Johnson, P-13 and P-19, engaged in sexual activity with P-20, then approximately age 11, in groups with other minors, including P-7, P-8, P-11, P-14, P-26 and P-23;

(43) In or about 1996, DWIGHT YORK directed P-26 to bring P-15, then approximately age 10, to his private residence in Putnam County, Georgia to clean;

(44) In or about 1996, while cleaning at DWIGHT YORK'S private residence in Putnam County, Georgia, P-26, then approximately age 12, encouraged P-15, then approximately age 10, to touch DWIGHT YORK'S penis;

(45) In or about 1996, at his private residence in Putnam County, Georgia, DWIGHT YORK, with the participation of Kathy Johnson and in the presence of P-15, then approximately age 11, forced P-8, then approximately age 10, to perform oral sex on him;

(46) In or about 1996, at his private residence in Putnam County, Georgia, DWIGHT YORK, with the participation of Kathy Johnson, vaginally and anally molested P-15 who was then approximately age 11;

(47) In or about 1996, DWIGHT YORK traveled from Putnam County, Georgia, to Orange County, Florida, to engage in unlawful sexual activity with P-20, P-14 and P-26;

(48) In or about 1996, DWIGHT YORK and other members of the enterprise, transported P-20, P-14 and P-26 from Putnam County, Georgia, to Orange County, Florida, to engage with DWIGHT YORK in unlawful sexual activity;

(49) In or about 1996, DWIGHT YORK, while at a hotel in Disney World located in Orange County, Florida, with minors P-20 and P-14, forced P-26, then a minor and in the presence of P-20, to perform oral sex on him;

(50) In or about 1996, DWIGHT YORK, while at a hotel in Disney World located in Orange County, Florida, with minors P-20 and P-26, forced P-14, then a minor, to sleep with him in his bedroom;

(51) In or about 1998, at DWIGHT YORK'S recording studio located in Putnam County, Georgia, DWIGHT YORK told P-5's brother, P-16, then approximately age 14, to touch DWIGHT YORK'S penis;

(52) In or about 1998, at his private residence in Putnam County, Georgia, DWIGHT YORK, in the presence of P-16, then approximately age 14, forced P-12, then approximately age 9, to perform oral sex on DWIGHT YORK;

(53) In or about 1998, In Putnam County, Georgia, DWIGHT YORK requested that P-23's sister, P-24, born on August-23, 1982, watch television at his residence, after which he forced P-24, then approximately age 16, to watch him engage in vaginal intercourse with P-1;

(54) In or about 1998, at his private residence in Putnam County, Georgia, DWIGHT YORK engaged in unlawful sexual activity with P-24, then approximately age 16, in groups with P-20 and P-10, both of whom were also minors at the time;

(55) In or around 1998, DWIGHT YORK opened three bank accounts in the names of the "Malachi Z. York d/b/a Holy Tabernacle Store," account number 13111201, "AMOM/Sister of Aset," account number 13111333, and a personal account in the name of "Malachi Z. York," all at Wachovia Bank located at 1200 Mitchell Bridge Road in Athens-Clarke County, Georgia, a financial institution whose deposits were then insured by the Federal Deposit Insurance Corporation;

(56) In or about 1999, at the property located in Athens-Clarke County, Georgia, DWIGHT YORK forced P-20, then approximately age 15, to engage in sexual activity with DWIGHT YORK in groups with other minors, including P-4, P-2 and P-3, P-10 and P-15;

(57) In or around 1998, DWIGHT YORK directed P-1 to refuse to complete Currency Transaction Reports (CTRs) when making cash deposits into bank accounts maintained by the enterprise;

(58) In or about 1999, at his private residence in Putnam County, Georgia, DWIGHT YORK, in the presence of P-8, forced P-16's sister, P-4, then approximately age 12, to touch his penis;

(59) In or about 1999, DWIGHT YORK and other members of the enterprise, purchased an approximately 10,000 square foot residence in Athens-Clarke County, Georgia, located at 155 Mansfield Court, where DWIGHT YORK moved the financial office of the enterprise;

(60) On September 29, 1999, P-1 wrote a Wachovia Bank deposit slip for cash proceeds for Holy Tabernacle Store, account number 13111201, in the amount of \$7,562.00, for purposes of evading currency transaction reporting requirements;

(61) On September 29, 1999, a member of the enterprise deposited into account number 13111201 at Wachovia Bank, cash proceeds from Holy Tabernacle Store, in the amount of \$7,562.00, for purposes of evading currency transaction reporting requirements;

(62) On September 30, 1999, P-1 wrote a Wachovia Bank deposit slip for cash proceeds for Holy Tabernacle Store, account number 13111201, in the amount of \$110.00, for purposes of evading currency transaction reporting requirements;

(63) On September 30, 1999, a member of the enterprise deposited into account number 13111201 at Wachovia Bank, cash proceeds from Holy Tabernacle Store, in the amount of \$110.00, for purposes of evading currency transaction reporting requirements;

(64) On September 30, 1999, P-1 wrote a Wachovia Bank deposit slip for cash proceeds for Holy Tabernacle Store, account number 13111201, in the amount of \$8,300.00, for purposes of evading currency transaction reporting requirements;

(65) On September 30, 1999, a member of the enterprise deposited into account number 13111201 at Wachovia Bank, cash proceeds from Holy Tabernacle Store, in the amount of \$8,300.00, for purposes of evading currency transaction reporting requirements;

(66) On October 6, 1999, P-1 wrote a Wachovia Bank deposit slip for cash proceeds for Holy Tabernacle Store, account number 13111201, in the amount of \$4,833.00, for purposes of evading currency transaction reporting requirements;

(67) On October 6, 1999, a member of the enterprise deposited into account number 13111201 at Wachovia Bank, cash proceeds from Holy Tabernacle Store, in the amount of \$4,833.00, for purposes of evading currency transaction reporting requirements;

(68) On October 8, 1999, P-1 wrote a Wachovia Bank deposit slip for cash proceeds for Holy Tabernacle Store, account number 13111201, in the amount of \$4,000.00, for purposes of evading currency transaction reporting requirements;

(69) On October 8, 1999, a member of the enterprise deposited into account number 13111201 at Wachovia Bank, cash proceeds from Holy Tabernacle Store, in the amount of \$4,000.00, for purposes of evading currency transaction reporting requirements;

(70) On October 8, 1999, P-1 wrote a Wachovia Bank deposit slip for cash proceeds for Holy Tabernacle Store, account number 13111201, in the amount of \$2,803.00, for purposes of evading currency transaction reporting requirements;

- (71) On October 8, 1999, a member of the enterprise deposited into account number 13111201 at Wachovia Bank, cash proceeds from Holy Tabernacle Store, in the amount of \$2,803.00, for purposes of evading currency transaction reporting requirements;
- (72) In or around January 2000, DWIGHT YORK threatened to kill P-20 and P-8;
- (73) On April 5, 2000, P-1 wrote a Wachovia Bank deposit slip for cash proceeds for Holy Tabernacle Store, account number 13111201, in the amount of \$8,876.00, for purposes of evading currency transaction reporting requirements;
- (74) On April 5, 2000, a member of the enterprise deposited into account number 13111201 at Wachovia Bank, cash proceeds from Holy Tabernacle Store, in the amount of \$8,876.00, for purposes of evading currency transaction reporting requirements;
- (75) On April 11, 2000, P-1 wrote a Wachovia Bank deposit slip for cash proceeds for Holy Tabernacle Store, account number 13111201, in the amount of \$7,805.00, for purposes of evading currency transaction reporting requirements;
- (76) On April 11, 2000, a member of the enterprise deposited into account number 13111201 at Wachovia Bank, cash proceeds from Holy Tabernacle Store, in the amount of \$7,805.00, for purposes of evading currency transaction reporting requirements;
- (77) In or about November 2000, DWIGHT YORK told P-15 that he believed P-20 wrote a letter to the Sheriff of Eatonton, Georgia, and that he (YORK) knew someone in the state of Virginia that could be hired to kill P-20;
- (78) In or about February 2001, DWIGHT YORK hit, kicked and threatened to have P-1 killed after P-1 asked to leave the property in Putnam County, Georgia;

(79) On April 23, 2002, DWIGHT YORK drove to an "O'Charley's" restaurant in Covington, Georgia, with minors P-4, P-2 and P-3, P-18 and P-26, all of whom were then minors that DWIGHT YORK was engaging in unlawful sexual activity; and

(80) On April 24, 2002, DWIGHT YORK told P-22 that followers cooperating with a criminal investigation being conducted by the Sheriff of Putnam County, Georgia, needed to be "taken care of."

All in violation of Title 18, United States Code, Section 1962(d).

COUNT TWO

A. THE RACKETEERING VIOLATION

1. Paragraphs C and D of COUNT ONE of this Superseding Indictment are re-alleged and incorporated by reference herein.

2. From in or about January 1988, and continuing through on or about May 8, 2002, in the Middle District of Georgia, and elsewhere within the jurisdiction of this Court, the Defendant,

**DWIGHT D. YORK, a/k/a DR. MALACHI Z. YORK, a/k/a
ISA MUHAMMAD, a/k/a ISA AL HAADI AL MAHDI and a/k/a "BABA"**
(hereinafter referred to as "DWIGHT YORK")

and others known and unknown to the Grand Jury, being persons employed by and associated with the Nuwaubians described above, which was an enterprise engaged in, and the activities of which affected, interstate commerce, unlawfully and knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity; that is, through the commission of the following Racketeering Acts, as set forth in Paragraph B below.

B. THE PATTERN OF RACKETEERING ACTIVITY

The pattern of racketeering activity as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

1. Racketeering Act One—
Transporting Minors in Interstate Commerce for Unlawful Sexual Activity

In or about February 1993, in the Middle District of Georgia, and elsewhere within the jurisdiction of this Court, the Defendant,

DWIGHT YORK

and others known and unknown to the Grand Jury, knowingly transported and caused to be transported P-12, an individual who had not attained the age of eighteen years, in interstate commerce from Sullivan County, New York, to Putnam County, Georgia, with the intent that such minor continue to engage in unlawful sexual activity for which a person can be charged with a criminal offense, including, but not limited to, violations of Georgia Code Sections 16-6-4 and 16-6-5, the individual not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283, all in violation of Title 18, United States Code, Sections 2423(a) and 2.

2. Racketeering Act Two—
Transporting Minors in Interstate Commerce for Unlawful Sexual Activity

In or about April 1993, in the Middle District of Georgia, and elsewhere within the jurisdiction of this Court, the Defendant,

DWIGHT YORK

and others known and unknown to the Grand Jury, knowingly transported and caused to be transported P-8, P-20 and P-21, individuals who had not attained the age of eighteen years, in

interstate commerce from Sullivan County, New York, to Putnam County, Georgia, with the intent that such minors engage in unlawful sexual activity for which a person can be charged with a criminal offense, including, but not limited to, violations of Georgia Code Sections 16-6-4 and 16-6-5, the individuals not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283, all in violation of Title 18, United States Code, Sections 2423(a) and 2.

3. **Racketeering Act Three—
Transporting Minors in Interstate Commerce for Unlawful Sexual Activity**

In or about April 1993, in the Middle District of Georgia, and elsewhere within the jurisdiction of this Court, the Defendant,

DWIGHT YORK

and others known and unknown to the Grand Jury, knowingly transported and caused to be transported P-23, an individual who had not attained the age of eighteen years, in interstate commerce from Kings County, New York, to Bibb County, Georgia, and Putnam County, Georgia, with the intent that such minor engage in unlawful sexual activity for which a person can be charged with a criminal offense, including, but not limited to, violations of Georgia Code Sections 16-6-4 and 16-6-5, the individuals not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283, all in violation of Title 18, United States Code, Sections 2423(a) and 2.

4. **Racketeering Act Four—
Transporting Minors in Interstate Commerce for Unlawful Sexual Activity**

In or about 1996, in the Middle District of Georgia, and elsewhere within the jurisdiction of this Court, the Defendant,

DWIGHT YORK

and others known and unknown to the Grand Jury, knowingly transported and caused to be transported P-20, P-14 and P-26, all individuals who had not attained the age of eighteen years, in interstate commerce from Putnam County, Georgia, to Orange County, Florida, with the intent that such minors engage in unlawful sexual activity for which a person can be charged with a criminal offense, including, but not limited to, violations of Georgia Code Sections 16-6-4 and 16-6-5, the individuals not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283, all in violation of Title 18, United States Code, Sections 2423(a) and 2.

5. **Racketeering Act Five--
Structuring Cash Transaction to Evade Currency Transactions Reporting
Requirements**

Between on or about September 29, 1999 and on or about September 30, 1999, in the Middle District of Georgia, the Defendant,

DWIGHT YORK

aided and abetted by others known and unknown to the Grand Jury, knowingly and willfully, and for the purpose of evading reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated therein, assisted in structuring a financial transaction with a domestic financial institution, by directing others known and unknown to the Grand Jury, to only deposit United States currency in an amount less than \$10,000.00; to wit: by causing \$7,562.00 in United States currency to be deposited into an account for the Holy Tabernacle Store, account number 13111201, on or about September 29, 1999, by causing \$110.00 in United States currency to be deposited into an account for the Holy Tabernacle Store, account number

13111201, on or about September 30, 1999, and by causing \$8,300.00 in United States currency to be deposited into an account for the Holy Tabernacle Store, account number 13111201, on or about September 30, 1999, all at Wachovia Bank located at 1200 Mitchell Bridge Road in Athens-Clarke County, Georgia, a financial institution whose deposits were then insured by the Federal Deposit Insurance Corporation, in violation of Title 31, United States Code, Section 5324(a)(3), in connection with Title 31, United States Code, Section 5313(a), and Title 18, United States Code, Section 2.

6. ~~Racketeering Act Six~~
Structuring Cash Transaction to Evade Currency Transactions Reporting Requirements

Between on or about October 6, 1999 and on or about October 8, 1999, in the Middle District of Georgia, the Defendant,

DWIGHT YORK

aided and abetted by others known and unknown to the Grand Jury, knowingly and willfully, and for the purpose of evading reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated therein, assisted in structuring a financial transaction with a domestic financial institution, by directing others known and unknown to the Grand Jury, to only deposit United States currency in an amount less than \$10,000.00; to wit: by causing \$4,833.00 in United States currency to be deposited into an account for the Holy Tabernacle Store, account number 13111201, on or about October 6, 1999, by causing \$4,000.00 in United States currency to be deposited into an account for the Holy Tabernacle Store, account number 13111201, on or about October 8, 1999, and by causing \$2,803.00 in United States currency to be deposited into an account for the Holy Tabernacle Store, account number 13111201, on or

about October 8, 1999, all at Wachovia Bank located at 1200 Mitchell Bridge Road in Athens-Clarke County, Georgia, a financial institution whose deposits were then insured by the Federal Deposit Insurance Corporation, in violation of Title 31, United States Code, Section 5324(a)(3), in connection with Title 31, United States Code, Section 5313(a), and Title 18, United States Code, Section 2.

7. **Racketeering Act Seven—
Structuring Cash Transaction to Evade Currency Transactions Reporting Requirements**

Between on or about April 5, 2000 and on or about April 11, 2000, in the Middle District of Georgia, the Defendant,

DWIGHT YORK

aided and abetted by others known and unknown to the Grand Jury, knowingly and willfully, and for the purpose of evading reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated therein, assisted in structuring a financial transaction with a domestic financial institution, by directing others known and unknown to the Grand Jury, to only deposit United States currency in an amount less than \$10,000.00; to wit: by causing \$8,876.00 in United States currency to be deposited into an account for the Holy Tabernacle Store, account number 13111201, on or about April 5, 2000, and by causing \$7,805.00 in United States currency to be deposited into an account for the Holy Tabernacle Store, account number 13111201, on or about April 11, 2000, all at Wachovia Bank located at 1200 Mitchell Bridge Road in Athens-Clarke County, Georgia, a financial institution whose deposits were then insured by the Federal Deposit Insurance Corporation, in violation of Title 31, United States Code,

Section 5324(a)(3), in connection with Title 31, United States Code, Section 5313(a), and Title 18, United States Code, Section 2.

All in violation of Title 18, United States Code, Sections 1962(c) and 2.

COUNT THREE

(Conspiracy to Transport Minors in Interstate Commerce for Unlawful Sexual Activity and Conspiracy to Commit Structuring of Cash Transactions)

1. COUNTS ONE and TWO of this Superseding Indictment, are re-alleged and incorporated by reference herein.

2. From in or about January 1988, and continuing through May 8, 2002, in the Macon Division of the Middle District of Georgia, and elsewhere within the jurisdiction of this Court, the Defendant,

**DWIGHT D. YORK, a/k/a DR. MALACHI Z. YORK, a/k/a
ISA MUHAMMAD, a/k/a ISA AL HAADI AL MAHDI and a/k/a "BABA,"**

knowingly and willfully conspired with unindicted co-conspirators and others, both known and unknown to the Grand Jury, to commit certain offenses against the United States in violation of Title 18, United States Code, Section 371, namely:

(A) transporting minors in interstate commerce for purposes of engaging in unlawful sexual activity, which is chargeable under Title 18, United States Code, Section 2423(a), and which is defined as knowingly transporting and causing to be transported individuals who had not attained the age of eighteen years, in interstate commerce, with the intent that such minors engage in unlawful sexual activity for which a person can be charged with a criminal offense, including, but not limited to, violations of Georgia Code Sections 16-6-4 and 16-6-5, the

individuals not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283;

(B) traveling in interstate commerce for the purpose of engaging in unlawful sexual activity with minors, which is indictable under Title 18, United States Code, Section 2423(b), and which is defined as knowingly traveling in interstate commerce for the purpose of engaging in an unlawful sexual act as defined in Title 18, United States Code, Section 2246(2), with a person under the age of eighteen, and under such circumstances as would constitute a violation of Title 18, United States Code, Section 2243(a), had the sexual acts occurred in the special maritime and territorial jurisdiction of the United States, the person not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283; and

(C) structuring cash transactions to evade currency transactions reporting requirements, which is chargeable under Title 31, United States Code, Section 5324(a)(3), and which is defined as knowingly and willfully, and for the purpose of evading reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated therein, assisting in structuring a financial transaction with a domestic financial institution, whose deposits were then insured by the Federal Deposit Insurance Corporation, by making multiple deposits of United States currency in amounts less than \$10,000.00, in violation of Title 31, United States Code, Section 5324(a)(3), in connection with Title 31, United States Code, Section 5313(a), and Title 18, United States Code, Section 2.

COUNT FOUR

(Transporting Minors in Interstate Commerce for Unlawful Sexual Activity)

1. Paragraph A of COUNT ONE of this Superseding Indictment is re-alleged and incorporated by reference herein.

2. In or about February 1993, in the Middle District of Georgia, and elsewhere within the jurisdiction of this Court, the Defendant,

**DWIGHT D. YORK, a/k/a DR. MALACHI Z. YORK, a/k/a
ISA MUHAMMAD, a/k/a ISA AL HAADI AL MAHDI and a/k/a "BABA,"**

and others known and unknown to the Grand Jury, knowingly transported and caused to be transported P-12, an individual who had not attained the age of eighteen years, in interstate commerce from Sullivan County, New York, to Putnam County, Georgia, with the intent that such minor engage in unlawful sexual activity for which a person can be charged with a criminal offense, including, but not limited to, violations of Georgia Code Sections 16-6-4 and 16-6-5, the individuals not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283, all in violation of Title 18, United States Code, Sections 2423(a) and 2.

COUNT FIVE

(Transporting Minors in Interstate Commerce for Unlawful Sexual Activity)

1. Paragraph A of COUNT ONE of this Superseding Indictment is re-alleged and incorporated by reference herein.

2. In or about April 1993, in the Middle District of Georgia, and elsewhere within the jurisdiction of this Court, the Defendant,

**DWIGHT D. YORK, a/k/a DR. MALACHI Z. YORK, a/k/a
ISA MUHAMMAD, a/k/a ISA AL HAADI AL MAHDI and a/k/a "BABA,"**

and others known and unknown to the Grand Jury knowingly transported and caused to be transported P-8, P-20 and P-21, all individuals who had not attained the age of eighteen years, in interstate commerce from Sullivan County, New York, to Putnam County, Georgia, with the intent that such minors engage in unlawful sexual activity for which a person can be charged with a criminal offense, including, but not limited to, violations of Georgia Code Sections 16-6-4 and 16-6-5, the individuals not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283, all in violation of Title 18, United States Code, Sections 2423(a) and 2.

COUNT SIX

(Transporting Minors in Interstate Commerce for Unlawful Sexual Activity)

1. Paragraph A of COUNT ONE of this Superseding Indictment is re-alleged and incorporated by reference herein.
2. In or about April 1993, in the Middle District of Georgia, and elsewhere within the jurisdiction of this Court, the Defendant,

**DWIGHT D. YORK, a/k/a DR. MALACHI Z. YORK, a/k/a
ISA MUHAMMAD, a/k/a ISA AL HAADI AL MAHDI and a/k/a "BABA,"**

and others known and unknown to the Grand Jury knowingly transported and caused to be transported P-23, an individual who had not attained the age of eighteen years, in interstate commerce from Kings County, New York, to Bibb County, Georgia, and Putnam County, Georgia, with the intent that such minor engage in unlawful sexual activity for which a person can be charged with a criminal offense, including, but not limited to, violations of Georgia Code Sections 16-6-4 and 16-6-5, the individuals not having yet reached the age of twenty-five years in

accordance with Title 18, United States Code, Section 3283, all in violation of Title 18, United States Code, Sections 2423(a) and 2.

COUNT SEVEN

(Traveling in Interstate Commerce to Engage in Unlawful Sexual Activity with Minors)

1. Paragraph A of COUNT ONE of this Superseding Indictment is re-alleged and incorporated by reference herein.
2. In or about 1996, in the Middle District of Georgia and elsewhere within the jurisdiction of this Court, the Defendant,

**DWIGHT D. YORK, a/k/a DR. MALACHI Z. YORK, a/k/a
ISA MUHAMMAD, a/k/a ISA AL HAADI AL MAHDI and a/k/a "BABA,"**

knowingly traveled in interstate commerce, from Putnam County, Georgia, to Orange County, Florida, for the purpose of engaging in an unlawful sexual act as defined in Title 18, United States Code, Section 2246(2), with a person under the age of eighteen, and under such circumstances as would constitute a violation of Title 18 United States Code, Section 2243(a), had the sexual acts occurred in the special maritime and territorial jurisdiction of the United States, the person not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283, all in violation of Title 18, United States Code, Sections 2423(b).

COUNT EIGHT

(Transporting Minors in Interstate Commerce for Unlawful Sexual Activity)

1. Paragraph A of COUNT ONE of this Superseding Indictment is re-alleged and incorporated by reference herein.

2. In or about 1996, in the Middle District of Georgia, and elsewhere within the jurisdiction of this Court, the Defendant,

DWIGHT D. YORK, a/k/a DR. MALACHI Z. YORK, a/k/a
ISA MUHAMMAD, a/k/a ISA AL HAADI AL MAHDI and a/k/a "BABA,"

and others known and unknown to the Grand Jury, knowingly transported and caused to be transported P-20, P-14 and P-26, all individuals who had not attained the age of eighteen years, in interstate commerce from Putnam County, Georgia, to Orange County, Florida, with the intent that such minors engage in unlawful sexual activity for which a person can be charged with a criminal offense, including, but not limited to, violations of Georgia Code Sections 16-6-4 and 16-6-5, the individuals not having yet reached the age of twenty-five years in accordance with Title 18, United States Code, Section 3283, all in violation of Title 18, United States Code, Sections 2423(a) and 2.

COUNT NINE

(Structuring Cash Transaction to Evade Currency Transactions Reporting Requirements)

1. Paragraph A of COUNT ONE of this Superseding indictment is re-alleged and incorporated by reference herein.

2. Between on or about September 29, 1999 and on or about September 30, 1999, in the Middle District of Georgia, the Defendant,

DWIGHT D. YORK, a/k/a DR. MALACHI Z. YORK, a/k/a
ISA MUHAMMAD, a/k/a ISA AL HAADI AL MAHDI and a/k/a "BABA,"

aided and abetted by others known and unknown to the Grand Jury, knowingly and willfully, and for the purpose of evading reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated therein, assisted in structuring a financial transaction with a domestic financial institution, by directing others known and unknown to the Grand Jury,

forfeitable property of DWIGHT YORK, or assets of equal value, up to the value of the above forfeitable property.

All pursuant to Title 18, United States Code, Section 1963.

COUNT THIRTEEN
(Unlawful Transport of Minors Forfeiture Allegation)

1. The allegations contained in COUNTS ONE through ELEVEN of this Indictment are hereby re-alleged and incorporated by reference into this Count for the purpose of alleging forfeiture to the United States of America, pursuant to the provision of Title 18, United States Code, Section 2253(a)(3).

2. As a result of the commission of the aforesaid violations of Title 18, United States Code, Sections 2423(a) and 2423(b), the defendant, DWIGHT YORK, shall forfeit to the United States all of his interest in any and all property, real or personal, used and intended to be used in any manner or part to commit and to facilitate the commission of the aforesaid violations, but not limited to the following:

REAL PROPERTY

(1) All that tract or parcel of land consisting of 444 Acres, more or less, commonly known as 404 Shady Dale Road, Eatonton, Putnam County, Georgia, and any and all appurtenances and improvements thereon, more particularly described as follows:

Tract A: All that certain tract or parcel of land in Land Lot 231, 390th G.M.D., Putnam County, Georgia, containing 176.13 acres and being more fully shown and described on a plat of same made by Edwin L. Thompson dated May

4, 1985, of record in Plat Book 12, Page 188, records of the Clerk of Superior Court of Putnam County, Georgia, which plat is incorporated by reference herein in aid of this description. This is the same property described as "Tract Five" in that certain Executor's Deed of record in Deed Book 5-C, Pages 304-309, Clerk's Office, Putnam County Superior Court and is the same property conveyed to Arne Lassen by deed from C. Arthur Gardner, Jr., et al., dated May 22, 1985, and recorded in Deed Book 6-H, Page 716, said records.

Tract B: All that tract or parcel of land containing 200.716 acres, more or less, in the 390th G.M.D. of Putnam County, Georgia, more particularly described as Tracts 1 and 2 in a deed from H. Grady Leverette, Jr. to Georgia Kraft Company dated December 22, 1978, and recorded in Deed Book 4-Z, Page 282, Deed Records, Putnam County, Georgia, the description in said deed being incorporated herein by reference thereto.

Tracts 1 and 2 are contiguous and are bounded, now or formerly, as follows: Northeast by United States Forest Service and Georgia Pacific Corporation; Southeast by H. Grady Leverette, Jr.; Southwest by William Larman, Jr.; and Northwest by Gardner and Howard and Mrs. C. W. Pinkerton.

Tract 1, containing 183.873 acres, more or less, is more particularly described on a plat prepared by Charles William Roberts recorded in Plat Book 7, Page 23, Putnam County, Georgia records. Tract 2, containing 16.843 acres, more or less, is more particularly described on a plat prepared by Ralph E. Lackey dated December 18, 1978,

and recorded in Deed Book 4-Z, Page 281, Deed Records, Putnam County, Georgia. Said plats are incorporated herein by reference thereto.

Also conveyed is a non-exclusive 40 foot easement to the above tract of land from Georgia Highway 142 along the common property line of property now or formerly owned by William Larman, Jr. and H. Grady Leverette, Jr., and being the same easement as described in Deed Book 4-Z, Page 282, Deed Records, Putnam County, Georgia.

Tract C, Parcel 1: All that tract or parcel of land lying and being in the 390th G.M.D. of Putnam County, Georgia containing 61.2 acres, more or less, according to a plat of survey for Continental Can Company, Inc. made by H. M. Brown, Georgia R.L.S., dated October 12, 1959, and recorded in Plat Book 2, Page 173, Putnam County, Georgia records; said plat by this reference being incorporated herein for a more particular and accurate description of the property. Said property being more particularly described as being bounded now and formerly as follows: Northerly and easterly by property of Mrs. Charles Pinkerton; Southerly by property of Arne Lassen; and Westerly by the Easterly right of way line of Georgia Highway No. 142.

Said property is conveyed subject to existing easements and rights of way, if any, affecting or crossing said property. This is the same property conveyed from Continental and Sales, inc. to Southern Pine Plantations, Inc. by Limited Warranty deed dated May 13, 1987, and recorded in the Clerk's Office of Putnam Superior Court in Deed Book 6-Z, Page 561.

LESS AND EXCEPT FROM THE ABOVE DESCRIBED PROPERTY:

All that tract or parcel of land, lying and being in the 390th G.M.D. Putnam County, Georgia, containing 6.23 acres, according to a plat of survey for Arne Chr. Lassen, dated September 10, 1988, made by Edwin L. Thompson, Georgia R.L.S., shown as Tract #2 and recorded in Plat Book 15, Page 156, Putnam County, Georgia records; said plat by this reference thereto being incorporated herein for a more particular and accurate description of said property. Said property being more particularly described as being bounded now and formerly as follows: Northerly by property of Mrs. Jennie (Charles) Pinkerton; Easterly by property of Mrs. Jennie (Charles) Pinkerton; and Westerly by property of Arne Chr. Lassen and Sandra Gay Lassen.

PRIOR DEED REFERENCE: The above described 6.23 acres is the same property as conveyed by Warranty Deed from Arne Chr. Lassen and Sandra Gay Lassen to Mrs. Jennie (Charles) Pinkerton dated October 4, 1988, and recorded in Deed Book 7-N, Page 254, Clerk's Office, Putnam County Superior Court.

Tract C, Parcel 2: All that tract or parcel of land lying and being in the 390th G.M.D. of Putnam County, Georgia, containing 6.23 acres according to a plat of survey for Arne Chr. Lassen, dated September 10, 1988, made by Edwin L. Thompson, Georgia R.L.S., shown as Tract #3 and recorded in Plat Book 15, Page 156, Putnam County, Georgia records; said plat by this reference thereto being incorporated herein for a more particular and accurate description of said property. Said property being more particularly described as being bounded now or

formerly as follows: Easterly by property of Mrs. Jennie (Charles) Pinkerton; Southerly by property of Arne Chr. Lassen; and Westerly by property of Arne Chr. Lassen and Sandra Gay Lassen.

Said property is conveyed subject to existing easements and rights of way, if any, affecting or crossing said property.

PRIOR DEED REFERENCE: The above described 6.23 acres is the same property as conveyed by Warranty Deed from Arne Chr. Lassen and Sandra Gay Lassen to Mrs. Jennie (Charles) Pinkerton dated October 4, 1988, and recorded in Deed Book 7-N, Page 252, Clerk's Office, Putnam County Superior Court.

(2) All that tract or parcel of land more commonly known as 155 Mansfield Court, Athens, Clarke County, Georgia, and any and all appurtenances and improvements thereon, more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND situated lying and being in the 1467th District, G. M., Athens-Clarke County, Georgia being known and designated as Lot 7 of Mansfield Subdivision, as shown on a plat entitled "Survey for Section Two of Mansfield Subdivision", dated February 15, 1982, by Landmark Engineering Corporation, said plat being recorded in the Office of the Clerk of the Superior Court for Athens-Clarke County, Georgia in Plat Book 19, page 71, which said plat and the recording thereof are by reference incorporated herein for a more complete and detailed description.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant :

- A. Cannot be located upon the exercise of due diligence;
- B. Has been transferred, sold to or deposited with a third person;
- C. Has been placed beyond the jurisdiction of the Court;
- D. Has been substantially diminished in value; or
- E. Has been commingled with other property which cannot be subdivided without

difficulty, it is the intent of the United States, pursuant to Title 18, United States Code, Section 2253(o), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property of DWIGHT YORK, or assets of equal value, up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 2253 and Rule 32.2 of the Federal Rules of Criminal Procedure.

A TRUE BILL

Henry E. Bruno
FOREPERSON OF THE GRAND JURY

Presented By:

Maxwell Wood
MAXWELL WOOD
UNITED STATES ATTORNEY

R. Moultrie
RICHARD S. MOULTRIE, JR.
ASSISTANT UNITED STATES ATTORNEY
MIDDLE DISTRICT OF GEORGIA

Stephanie D. Thacker
STEPHANIE D. THACKER
TRIAL ATTORNEY

No. _____

UNITED STATES DISTRICT COURT
Middle District of Georgia
Macon Division

THE UNITED STATES OF AMERICA
v.
DWIGHT D. YORK, A/K/A
DR. MALACHI Z. YORK, A/K/A
ISA MUHAMMAD, A/K/A
ISA AL HADDI AL MAHDI AND
A/K/A "BABA"

INDICTMENT

- 18 U.S.C. § 1962(d)
- 18 U.S.C. § 1962(e) & 2
- 31 U.S.C. § 5324(a)(3)
- 18 U.S.C. § 5313(a) & 18 USC 2
- 18 U.S.C. § 2423(a) & 2
- 18 U.S.C. § 2423(a) & 2
- 18 U.S.C. § 2423(b)
- 18 U.S.C. § 2423(a) & 2
- 31 U.S.C. § 5324(a)(3)
- 18 U.S.C. § 5313(a) & 18 USC 2
- 18 U.S.C. § 5324(a)(3)
- 18 U.S.C. § 5313(a) & 18 USC 2
- 18 U.S.C. § 1963
- 18 U.S.C. § 2253 & Rule 32.2 F.R.Crim.P.

Attest:

Dwight E. Bowers

Foreperson

Filed in open court this 27 ST day
Of March A.D. 2003.

Maureen A. Smith

Clerk

Bail, \$ _____