

SUPERIOR COURT OF N.J.

REC'D

OCT 28 2002

DONALD E. PHELAN
CLERK

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ465-02-8(8)

Superior Court

Docket Number

02-10-00179-S

STATE OF NEW JERSEY)

v.)

JAPHET LOPEZ)
also known as)
KING JAPHET)

INDICTMENT

JUAN URENA)
also known as)
KING JHAN)

ANGEL ROSADO)
also known as)
KING CHINO)

and)

JOSE COLON)
also known as)
PETIE)

The Grand Jurors of and for the State of New Jersey, upon
their oaths, present that:

COUNT ONE

(Conspiracy - Second Degree)

JAPHET LOPEZ

JUAN URENA

ANGEL ROSADO

and

JOSE COLON

on or about May 23, 2002, at the City of Newark, in the County of Essex, elsewhere and within the jurisdiction of this Court, with the purpose of promoting and facilitating the crimes of kidnapping, theft by extortion, terroristic threats, possession of a weapon for an unlawful purpose, unlawful possession of a weapon, aggravated assault and tampering with a witness or informant did agree together and with other persons whose identities are known and unknown to the Grand Jurors, including Adam Roman, who are named as coconspirators but not as defendants in this Indictment, that:

A. One or all of them would engage in conduct which would constitute the aforesaid crimes, or

B. One or all of them would aid in the planning, solicitation and commission of the said crimes, that is:

1. Knowingly or purposely kidnapping Pedro Familia, by unlawfully removing Pedro Familia a substantial distance from the vicinity where he was found, with purpose to facilitate the commission of a crime or flight thereafter, or to inflict bodily injury on or to terrorize the said Pedro Familia, contrary to the provisions of N.J.S.A. 2C:13-1b;

2. Knowingly or purposely committing theft by extortion, by unlawfully obtaining the property of another by purposely threatening bodily injury to Pedro Familia, or by confining or restraining Pedro Familia until the property was

unlawfully obtained, contrary to the provisions of N.J.S.A.

2C:20-5;

3. Purposely threatening to kill Pedro Familia and his children and pointing a firearm at his knee, with the purpose to terrorize Pedro Familia, or in reckless disregard of the risk of causing such terror, contrary to the provisions of N.J.S.A.

2C:12-3a;.

4. Knowingly or purposely possessing a certain weapons, that is, several handguns, with the purpose to use them unlawfully against Pedro Familia, contrary to the provisions of N.J.S.A. 2C:39-4a;

5. Knowingly or purposely, under circumstances manifesting extreme indifference to the value of human life, pointing handguns at or in the direction of Pedro Familia, contrary to the provisions of N.J.S.A. 2C:12-1b(4); and

6. Believing that an official proceeding or investigation was pending or about to be instituted, knowingly attempting to cause a witness or informant, that is, Pedro Familia, to withhold testimony or information, by employing force or threat of force, contrary to the provisions of N.J.S.A. 2C:28-5a.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Kidnapping - First Degree)

JAPHET LOPEZ

JUAN URENA

ANGEL ROSADO

and

JOSE COLON

on or about May 23, 2002, at the City of Newark, in the County of Essex, elsewhere and within the jurisdiction of this Court, unlawfully did remove Pedro Familia a substantial distance from the vicinity where he was found, with purpose to facilitate the commission of a crime or flight thereafter, or to inflict bodily injury on or to terrorize the said Pedro Familia, contrary to the provisions of N.J.S.A. 2C:13-1b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Theft by Extortion - Second Degree)

JAPHET LOPEZ

JUAN URENA

ANGEL ROSADO

and

JOSE COLON

on or about May 23, 2002, at the City of Newark, in the County of Essex, elsewhere and within the jurisdiction of this Court, did purposely and unlawfully obtain the property of another by extortion, that is, by purposely threatening bodily injury to Pedro Familia, or by confining or restraining Pedro Familia until the property, that is, U.S. Currency, was unlawfully obtained, contrary to the provisions of N.J.S.A. 2C:20-5 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Terroristic Threats - Third Degree)

JAPHET LOPEZ

JUAN URENA

ANGEL ROSADO

and

JOSE COLON

on or about May 23, 2002, at the City of Newark, in the County of Essex, elsewhere and within the jurisdiction of this Court, with the purpose to terrorize Pedro Familia, or in reckless disregard of the risk of causing such terror, threatened to kill Pedro Familia and his children and pointed firearms at Pedro Familia, contrary to the provisions of N.J.S.A. 2C:12-3a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Possession of a Weapon for an Unlawful Purpose - Second Degree)

JAPHET LOPEZ

JUAN URENA

ANGEL ROSADO

and

JOSE COLON

on or about May 23, 2002, at the City of Newark, in the County of Essex, elsewhere and within the jurisdiction of this Court, knowingly did possess certain weapons, that is, handguns, with the purpose to use them unlawfully against another, that is, Pedro Familia, contrary to the provisions of N.J.S.A. 2C:39-4a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Aggravated Assault - Fourth Degree)

JAPHET LOPEZ

JUAN URENA

ANGEL ROSADO

and

JOSE COLON

on or about May 23, 2002, at the City of Newark, in the County of Essex, elsewhere and within the jurisdiction of this Court, knowingly or purposely, under circumstances manifesting extreme indifference to the value of human life, did point firearms at or in the direction of Pedro Familia, contrary to the provisions of N.J.S.A. 2C:12-1b(4) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Tampering with a Witness or Informant - Second Degree)

JAPHET LOPEZ

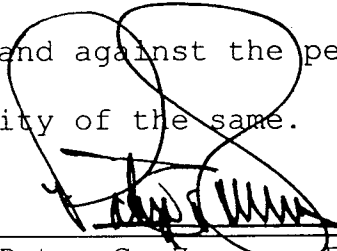
JUAN URENA

ANGEL ROSADO

and

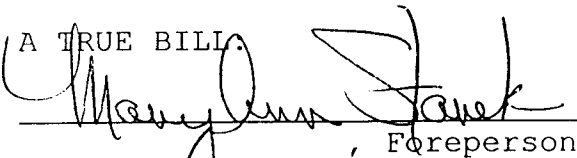
JOSE COLON

on or about May 23, 2002, at the City of Newark, in the County of Essex, elsewhere and within the jurisdiction of this Court, believing that an official proceeding or investigation was pending or about to be instituted, knowingly or purposely attempted to cause a witness or informant, that is, Pedro Familia, to withhold testimony or information, by employing force or threat of force, contrary to the provisions of N.J.S.A. 2C:28-5a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



Peter C. Harvey, F.A.A.G.
Director
Division of Criminal Justice

A TRUE BILL.



Mary Ann Frank, Foreperson

Dated: 10/23/02