

COUNTY COURT: STATE OF NEW YORK
COUNTY OF ROCKLAND

-----X

THE PEOPLE OF THE STATE OF NEW YORK

IND. #

-against-

RAFAEL FIGUEROA

DEFENDANT.

-----X

COUNT 1

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of the crime of CONSPIRACY IN THE SECOND DEGREE, in violation of § 105.15 of the Penal Law of the State of New York, committed as follows:

The defendant, acting in concert with an individual whose identity is known to the members of the Grand Jury, in the County of Rockland, County of New York, County of Bronx and elsewhere within the State of New York, from on or about and between the 11th day of August 2022, and the 17th day of January 2023, with intent that conduct constituting the crimes of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE, CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE, and CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE, said crimes being Class A Felonies, be performed, the defendant agreed with others, known and unknown, to engage in or cause the performance of such conduct as would constitute the above-mentioned Class A Felonies.

PREAMBLE

It was the purpose of this conspiracy to obtain, possess, control, and sell quantities of fentanyl and heroin in amounts greater than one-half ounce or more, in the County of Rockland,

County of New York, and elsewhere within the State of New York. It was also part of the conspiracy for members of the conspiracy to communicate with each other and others over cellular telephones using codes and speaking in a guarded, cryptic manner.

It was part of this conspiracy for RAFAEL FIGUEROA to sell fentanyl to an individual whose identity is known to the Grand Jury.

It was part of this conspiracy for RAFAEL FIGUEROA to sell heroin to an individual whose identity is known to the Grand Jury.

OVERT ACTS

In the furtherance of the conspiracy and to affect the objects thereof, from on or about and between 11th day of August 2022, and the 17th day of January 2023, the following overt acts, among others, were committed:

1. On or about August 15, 2022, RAFAEL FIGUEROA sold in excess of 100 grams of fentanyl to an individual whose identity is known to the Grand Jury.

2. On or about September 7, 2022, RAFAEL FIGUEROA sold in excess of 145 grams of fentanyl to an individual whose identity is known to the Grand Jury.

3. On or about September 20, 2022, RAFAEL FIGUEROA sold in excess of 170 grams of controlled substances including fentanyl and heroin to an individual whose identity is known to the Grand Jury.

4. On or about September 27, 2022, RAFAEL FIGUEROA sold in excess of 100 grams of fentanyl to an individual whose identity is known to the Grand Jury.

5. On or about October 12, 2022, RAFAEL FIGUEROA sold in excess of 198 grams of fentanyl to an individual whose identity is known to the Grand Jury.

6. On or about October 25, 2022, RAFAEL FIGUEROA sold in excess of 100 grams of fentanyl to an individual whose identity is known to the Grand Jury.

7. On or about November 15, 2022, RAFAEL FIGUEROA sold in excess of 150 grams of fentanyl to an individual whose identity is known to the Grand Jury.

8. On or about November 15, 2022, RAFAEL FIGUEROA sold in excess of 50 grams of heroin to an individual whose identity is known to the Grand Jury.

9. On or about November 21, 2022, RAFAEL FIGUEROA sold in excess of 100 grams of fentanyl to an individual whose identity is known to the Grand Jury.

10. On or about November 21, 2022, RAFAEL FIGUEROA sold in excess of 24 grams of heroin to an individual whose identity is known to the Grand Jury.

11. On or about December 14, 2022, RAFAEL FIGUEROA sold in excess of 199 grams of fentanyl to an individual whose identity is known to the Grand Jury.

12. On or about December 29, 2022, RAFAEL FIGUEROA sold in excess of 100 grams of fentanyl to an individual whose identity is known to the Grand Jury.

13. On or about January 17, 2023, RAFAEL FIGUEROA was in possession of 199 grams of narcotics.

COUNT 2

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of the crime of CONSPIRACY IN THE FOURTH DEGREE, in violation of § 105.10 of the Penal Law of the State of New York, committed as follows:

The defendant, acting in concert with an individual whose identity is known to the members of the Grand Jury, in the County of Rockland, County of New York, and elsewhere within the State of New York, from on or about and between the 19th day of September 2022, and the 29th

day of December 2022, with intent that conduct constituting the crimes of CRIMINAL SALE OF A FIREARM IN THE FIRST DEGREE, CRIMINAL SALE OF A FIREARM IN THE SECOND DEGREE and CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE, said crimes being Class B or Class C Felonies, be performed, the defendant agreed with others, known and unknown, to engage in or cause the performance of such conduct as would constitute the above-mentioned Class B or Class C Felonies.

PREAMBLE

It was also the purpose of this conspiracy to obtain, possess, control, and sell two or more firearms in a period of not more than one year, and to obtain, possess, control, and sell loaded firearms, in the County of Rockland, County of New York, and elsewhere within the State of New York. It was also part of the conspiracy for members of the conspiracy to communicate with each other and others over cellular telephones using codes and speaking in a guarded, cryptic manner.

It was part of this conspiracy for RAFAEL FIGUEROA to obtain, possess and sell firearms to an individual whose identity is known to the Grand Jury, and collect proceeds from the sale of those firearms.

OVERT ACTS

In the furtherance of the conspiracy and to affect the objects thereof, from on or about and between 19th day of September 2022, and the 29th day of December 2022, the following overt acts, among others, were committed:

1. On or about September 27, 2022, RAFAEL FIGUEROA sold a loaded SCCY .380 semiautomatic pistol to an individual whose identity is known to the Grand Jury.
2. On or about October 25, 2022, RAFAEL FIGUEROA sold a loaded Smith & Wesson 9mm semiautomatic pistol to an individual whose identity is known to the Grand Jury.

3. On or about November 21, 2022, RAFAEL FIGUEROA sold a Ruger-5.7 semiautomatic pistol, with a loaded Ruger twenty (20) round magazine, to an individual whose identity is known to the Grand Jury.

4. On or about December 29, 2022, RAFAEL FIGUEROA sold a Diamondback 5.56mm NATO caliber rifle, with two (2) loaded Mission First Tactical (MFT) thirty (30) round magazines, to an individual whose identity is known to the Grand Jury.

COUNT 3

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about August 15, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 4

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about August 15, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a

narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 5

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about August 15, 2022, in the County of New York, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 6

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about August 15, 2022, in the County of New York, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl, with intent to sell it.

COUNT 7

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about August 15, 2022, in the County of New York, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 8

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 7, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 9

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 7, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 10

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.18(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 7, 2022, in the County of New York, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of four ounces or more.

COUNT 11

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 7, 2022, in the County of New York, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 12

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 7, 2022, in the County of New York, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl, with intent to sell it.

COUNT 13

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 7, 2022, in the County of New York, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 14

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 20, 2022, in the County of Rockland, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 15

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 20, 2022, in the County of Rockland, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 16

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.18(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 20, 2022, in the County of Rockland, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of four ounces or more.

COUNT 17

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 20, 2022, in the County of Rockland, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 18

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 20, 2022, in the County of Rockland, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl, with intent to sell it.

COUNT 19

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 20, 2022, in the County of Rockland, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 20

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 27, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 21

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 27, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 22

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 27, 2022, in the County of New York, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 23

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 27, 2022, in the County of New York, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl, with intent to sell it.

COUNT 24

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 27, 2022, in the County of New York, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 25

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE in violation of § 265.03(3) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 27, 2022, in the County of New York, did possess a loaded firearm, to wit, a loaded SCCY .380cal semiautomatic pistol, serial number A009572 and said possession did not take place in the defendant's home or place of business.

The subject matter of this count is an Armed Felony as that term is defined in Section 1.20 of the Criminal Procedure Law of the State of New York.

COUNT 26

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 27, 2022, in the County of New York, did sell, exchange, give or dispose of a firearm to another person, to wit a SCCY .380cal semiautomatic pistol, serial number A009572.

COUNT 27

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(2) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 27, 2022, in the County of New York, did possess a firearm, to wit a SCCY .380cal semiautomatic pistol, serial number A009572, with the intent to sell it.

COUNT 28

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A FIREARM in violation of § 265.01-b(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about September 27, 2022, in the County of New York, did possess any firearm, to wit, a SCCY .380cal semiautomatic pistol, serial number A009572.

COUNT 29

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 12, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a

narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 30

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 12, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 31

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.18(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 12, 2022, in the County of New York, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of four ounces or more.

COUNT 32

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 12, 2022, in the County of New York, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 33

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 12, 2022, in the County of New York, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl, with intent to sell it.

COUNT 34

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 12, 2022, in the County of New York, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 35

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 25, 2022, in the County of Rockland, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 36

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 25, 2022, in the County of Rockland, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 37

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 25, 2022, in the County of Rockland, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 38

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 25, 2022, in the County of Rockland, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 39

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 25, 2022, in the County of Rockland, did knowingly and unlawfully sell a narcotic drug.

COUNT 40

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 25, 2022, in the County of Rockland, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl and heroin, with intent to sell it.

COUNT 41

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE in violation of § 265.03(3) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 25, 2022, in the County of Rockland, did possess a loaded firearm, to wit, a loaded Smith & Wesson 9mm semiautomatic pistol, serial number JEP9624 and said possession did not take place in the defendant's home or place of business.

The subject matter of this count is an Armed Felony as that term is defined in Section 1.20 of the Criminal Procedure Law of the State of New York.

COUNT 42

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 25, 2022, in the County of Rockland, did sell, exchange, give or dispose of a firearm to another person, to wit a Smith & Wesson 9mm semiautomatic pistol, serial number JEP9624.

COUNT 43

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(2) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 25, 2022, in the County of Rockland, did possess a firearm, to wit a Smith & Wesson 9mm semiautomatic pistol, serial number JEP9624, with the intent to sell it.

COUNT 44

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A FIREARM in violation of § 265.01-b(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about October 25, 2022, in the County of Rockland, did possess any firearm, to wit, a Smith & Wesson 9mm semiautomatic pistol, serial number JEP9624.

COUNT 45

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 15, 2022, in the County of Rockland, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 46

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 15, 2022, in the County of Rockland, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 47

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.18(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 15, 2022, in the County of Rockland, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of four ounces or more.

COUNT 48

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 15, 2022, in the County of Rockland, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 49

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 15, 2022, in the County of Rockland, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, heroin, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 50

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 15, 2022, in the County of Rockland, did knowingly and unlawfully sell a narcotic drug, to wit, heroin.

COUNT 51

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 15, 2022, in the County of Rockland, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl and heroin.

COUNT 52

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 15, 2022, in the County of Rockland, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl and heroin, with intent to sell it.

COUNT 53

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 15, 2022, in the County of Rockland, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl and heroin, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 54

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 55

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 56

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 57

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, heroin, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 58

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did knowingly and unlawfully sell a narcotic drug, to wit, heroin.

COUNT 59

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl and heroin, with intent to sell it.

COUNT 60

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances

containing a narcotic drug, to wit, fentanyl and heroin, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 61

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE in violation of § 265.03(3) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did possess a loaded firearm, to wit, a loaded Ruger-5.7 semiautomatic pistol, serial number 643-28139 and said possession did not take place in the defendant's home or place of business.

The subject matter of this count is an Armed Felony as that term is defined in Section 1.20 of the Criminal Procedure Law of the State of New York.

COUNT 62

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did sell, exchange, give or dispose of a firearm to another person, to wit, a Ruger-5.7 semiautomatic pistol, serial number 643-28139.

COUNT 63

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(2) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did possess a firearm, to wit, a Ruger-5.7 semiautomatic pistol, serial number 643-28139, with the intent to sell it.

COUNT 64

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did sell, exchange, give or dispose of a large capacity ammunition feeding device to another person, to wit, Ruger a twenty (20) round 5.7x28 ammunition magazine.

COUNT 65

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A WEAPON IN THE THIRD DEGREE in violation of § 265.02(8) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did possess a large capacity ammunition feeding device, to wit, a Ruger twenty (20) round 5.7x28 ammunition magazine.

COUNT 66

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A FIREARM in violation of § 265.01-b(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about November 21, 2022, in the County of New York, did possess any firearm, to wit, a Ruger-5.7 semiautomatic pistol, serial number 643-28139.

COUNT 67

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 14, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 68

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 14, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 69

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.18(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 14, 2022, in the County of New York, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of four ounces or more.

COUNT 70

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 14, 2022, in the County of New York, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 71

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 14, 2022, in the County of New York, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl, with intent to sell it.

COUNT 72

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 14, 2022, in the County of New York, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 73

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 74

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 75

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 76

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl, with intent to sell it.

COUNT 77

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 78

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE in violation of § 265.03(3) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did possess a loaded firearm, to wit, a loaded Diamondback 5.56mm NATO caliber rifle, serial number DB2161865, said possession did not take place in the defendant's home or place of business.

The subject matter of this count is an Armed Felony as that term is defined in Section 1.20 of the Criminal Procedure Law of the State of New York.

COUNT 79

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A WEAPON IN THE THIRD DEGREE in violation of § 265.02(7) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did possess an assault weapon, to wit, a Diamondback 5.56mm NATO caliber rifle, serial number DB2161865, which had a telescoping stock, a pistol grip and a flash suppressor.

COUNT 80

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did sell exchange, give or dispose of a firearm to another person, to wit, a Diamondback 5.56mm NATO caliber rifle, serial number DB2161865.

COUNT 81

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(2) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did possess a firearm, to wit, a Diamondback 5.56mm NATO caliber rifle, serial number DB2161865, with the intent to sell it.

COUNT 82

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did sell, exchange, give or dispose of a large capacity ammunition feeding device to another person, to wit, a Mission First Tactical (MFT) thirty (30) round 5.56 ammunition magazine.

COUNT 83

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A WEAPON IN THE THIRD DEGREE in violation of § 265.02(8) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did possess a large capacity ammunition feeding device, to wit a Mission First Tactical (MFT) thirty (30) round 5.56 ammunition magazine.

COUNT 84

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE THIRD DEGREE in violation of § 265.11(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did sell, exchange, give or dispose of a large capacity ammunition feeding device to another person, to wit a Mission First Tactical (MFT) thirty (30) round 5.56 ammunition magazine.

COUNT 85

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A WEAPON IN THE THIRD DEGREE in violation of § 265.02(8) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did possess a large capacity ammunition feeding device, to wit a Mission First Tactical (MFT) thirty (30) round 5.56 ammunition magazine.

COUNT 86

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A FIREARM in violation of § 265.01-b(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about December 29, 2022, in the County of New York, did possess any firearm, to wit, a Diamondback 5.56mm NATO caliber rifle, serial number DB2161865.

COUNT 87

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIRST DEGREE in violation of § 220.43(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about January 17, 2023, in the County of Bronx, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic

drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of two ounces or more.

COUNT 88

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.41(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about January 17, 2023, in the County of Bronx, did knowingly and unlawfully sell one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 89

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE SECOND DEGREE in violation of § 220.18(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about January 17, 2023, in the County of Bronx, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of four ounces or more.

COUNT 90

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.39(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about January 17, 2023, in the County of Bronx, did knowingly and unlawfully sell a narcotic drug, to wit, fentanyl.

COUNT 91

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(1) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about January 17, 2023, in the County of Bronx, did knowingly and unlawfully possess a narcotic drug, to wit, fentanyl, with intent to sell it.

COUNT 92

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL POSSESSION OF A CONTROLLED SUBSTANCE IN THE THIRD DEGREE in violation of § 220.16(12) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about January 17, 2023, in the County of Bronx, did knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing a narcotic drug, to wit, fentanyl, and said preparations, compounds, mixtures or substances were of an aggregate weight of one-half ounce or more.

COUNT 93

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE FIRST DEGREE in violation of § 265.13(2) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about and between September 19, 2022, and December 29, 2022, in the County of Rockland, and the County of New York, did unlawfully sell, exchange, give or dispose of to another person or persons a total of three or more firearms in a period of not more than one year, to wit: a SCCY .380 semiautomatic pistol, serial number A009572; a Smith & Wesson 9mm semiautomatic pistol, serial number JEP9624; a Ruger-5.7 semiautomatic pistol, serial number 643-28139; and a Diamondback 5.56mm NATO caliber rifle, serial number DB2161865.

COUNT 94

THE GRAND JURY OF ROCKLAND COUNTY, by this indictment, accuses the defendant, RAFAEL FIGUEROA, of committing the crime of CRIMINAL SALE OF A FIREARM IN THE SECOND DEGREE in violation of § 265.12(2) of the Penal Law of the State of New York, committed as follows:

Said defendant, on or about and between September 19, 2022, and December 29, 2022, in the County of Rockland, and the County of New York, did unlawfully sell, exchange, give or dispose of to another person or persons a total of two or more firearms in a period of not more than one year, to wit: a SCCY .380 semiautomatic pistol, serial number A009572; a Smith & Wesson 9mm semiautomatic pistol, serial number JEP9624; a Ruger-5.7 semiautomatic pistol, serial number 643-28139; and a Diamondback 5.56mm NATO caliber rifle, serial number DB2161865.

Dated: December 1, 2023
New City, New York

NICOLE KEARY
Deputy Attorney General
Organized Crime Task Force

By _____
JAMES P. CUDDEN
Assistant Deputy Attorney General

A TRUE BILL
