

FILED

DEC 6 2022

U.S. DISTRICT COURT-WVND
WHEELING, WV 26003

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

v.

FOTIOS GEAS, aka "FREDDY,"
PAUL J. DECOLOGERO, aka "PAULY,"
and
SEAN MCKINNON,

Defendants.

Criminal No. 1:22-CR-00051

Violations: 18 U.S.C. § 7(3)
18 U.S.C. § 113(a)(6)
18 U.S.C. § 1001(a)(2)
18 U.S.C. § 1111(a) & (b)
18 U.S.C. § 1117
18 U.S.C. § 1118(a)

SUPERSEDING INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Conspiracy to Commit First Degree Murder)

On or about October 30, 2018, in Preston County in the Northern District of West Virginia, the defendants, **FOTIOS GEAS, aka "FREDDY," PAUL J. DECOLOGERO, aka "PAULY," and SEAN MCKINNON**, did knowingly and willfully conspire, confederate and agree and have a tacit understanding with each other and with other persons, to commit an offense against the United States, to wit: to violate Title 18, United States Code, Sections 7(3) and 1111(a) & (b). It was a purpose and object of the conspiracy knowingly and intentionally for **FOTIOS GEAS, aka "FREDDY," PAUL J. DECOLOGERO, aka "PAULY," and SEAN MCKINNON** to murder inmate James "Whitey" Bulger, in violation of Title 18, United States Code, Sections 7(3) and 1111(a) & (b) as charged in Count Two of the Indictment. To effect a purpose and object of the conspiracy, the defendants, **FOTIOS GEAS, aka "FREDDY," and PAUL J. DECOLOGERO, aka "PAULY,"** did complete and cause to be completed, in the Northern District of West Virginia, any overt act, including: (A) striking inmate James "Whitey" Bulger in the head, and (B) other overt acts, and **SEAN MCKINNON** did complete and cause to be completed, in the Northern

District of West Virginia, any overt act, including: (A) acting as a lookout for **FOTIOS GEAS, aka "FREDDY," and PAUL J. DECOLOGERO, aka "PAULY,"** when they committed the assault and murder of James "Whitey" Bulger, and (B) other overt acts; in violation of Title 18, United States Code, Section 1117.

COUNT TWO

(First Degree Murder)

On or about October 30, 2018, in Preston County in the Northern District of West Virginia, defendants **FOTIOS GEAS, aka “FREDDY,” and PAUL J. DECOLOGERO, aka “PAULY,”** at United States Penitentiary Hazelton, within the special maritime and territorial jurisdiction of the United States, on land acquired for the use of the United States and under its jurisdiction, did willfully, deliberately, maliciously, and with premeditation and malice aforethought, kill James “Whitey” Bulger, by striking him in the head, in violation of Title 18, United States Code, Sections 7(3) and 1111(a) & (b).

COUNT THREE

(First Degree Murder by Federal Prisoner Serving a Life Sentence)

On or about October 30, 2018, in Preston County in the Northern District of West Virginia, defendant **FOTIOS GEAS**, aka "**FREDDY**," while confined in a federal correctional institution, namely United States Penitentiary Hazelton, while under a sentence for a term of life imprisonment, did willfully, deliberately, maliciously, and with premeditation and malice aforethought kill James "Whitey" Bulger, which killing is a murder as defined in Title 18, United States Code, Section 1111(a), in violation of Title 18, United States Code, Section 1118(a).

COUNT FOUR

(Assault Resulting in Serious Bodily Injury)

On or about October 30, 2018, in Preston County in the Northern District of West Virginia, at United States Penitentiary Hazelton, within the special maritime and territorial jurisdiction of the United States, on land acquired for the use of the United States and under its jurisdiction, defendants **FOTIOS GEAS, aka “FREDDY,”** and **PAUL J. DECOLOGERO, aka “PAULY,”** did knowingly and intentionally assault James “Whitey” Bulger resulting in serious bodily injury to James “Whitey” Bulger, in violation of Title 18, United States Code, Sections 7(3) and 113(a)(6).

COUNT FIVE

(False Statement to Federal Agent)

On or about October 30, 2018, in Preston County, in the Northern District of West Virginia, in a matter within the jurisdiction of the Federal Bureau of Investigations [“FBI”], an agency within the executive branch of the Government of the United States, defendant **SEAN MCKINNON** did knowingly and willfully make materially false, fictitious, fraudulent statements and representations to FBI Special Agent Fred Aldridge and FBI SA Peter Olinits, that is the defendant stated:

- a. He was not aware what happened to inmate James “Whitey” Bulger on October 30, 2018, in the F-1 Unit at United States Penitentiary Hazelton;
- b. He spoke with inmates Fotios Geas and Paul J. DeCologero on the morning of October 30, 2018, but did not discuss inmate James “Whitey” Bulger;
- c. He knew nothing about an incident involving inmate James “Whitey” Bulger on October 30, 2018;

when the defendant then and there knew that Fotios Geas and Paul J. DeCologero assaulted and murdered inmate James “Whitey” Bulger in the F-1 Unit at United States Penitentiary Hazelton on October 30, 2018, the defendant met with and discussed the assault and murder of inmate James “Whitey” Bulger with Fotios Geas and Paul J. DeCologero, and the defendant acted as the lookout during the assault and murder; in violation of Title 18, United States Code, Section 1001(a)(2).

A true bill,

/s/ _____
Foreperson

/s/ _____
WILLIAM IHLENFELD
United States Attorney

Randolph J. Bernard
First Assistant United States Attorney

Brandon S. Flower
Assistant United States Attorney