

NEWS

United States Department of Justice
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Clementon Man Sentenced to 300 Months in Federal Prison in
Connection with the Killing of 14-year-old Lindenwold Boy

(More)

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TRENTON – A Clementon man was sentenced to 300 months in federal prison today in connection with the 2005 shooting death of a 14-year-old boy in Lindenwold, U.S. Attorney Paul J. Fishman announced.

U.S. District Judge Joel A. Pisano also ordered Derrick M. Jones, 29, to pay \$6,664 in restitution to the victim's family and to serve 5 years of supervised release upon the completion of his prison term.

Jones pleaded guilty before Judge Pisano on July 13, 2009, to a one-count Superseding Information that charges him with use of a firearm in the furtherance of a drug trafficking crime which resulted in the death of Barry Robertson, 14, of Lindenwold. The defendant also pleaded guilty to a series of gun charges contained in a five-count Superseding Indictment that was returned in the U.S. District Court for the Western District of Virginia ("WDVA"). The WDVA Indictment was transferred to the District of New Jersey for plea purposes.

At his plea hearing, Jones pleaded guilty to the District of New Jersey Information, admitting that he used and discharged a Hi-Point .45 caliber semi-automatic handgun, in relation to a crack cocaine distribution conspiracy, fatally injuring Barry Robertson.

Jones admitted that, after serving five years in an N.J. Department of Corrections facility for convictions for cocaine trafficking and illegal possession of a firearm, he returned to Lindenwold in 2005 and began selling quantities of marijuana and crack cocaine at the Arborwood apartment complex. Jones further admitted he attempted to take control over all drug trafficking activities at the apartment complex, which resulted in a dispute with a rival female drug dealer in July 2005.

Jones stated that he traveled to Roanoke, Va., and arranged to purchase a firearm to be used in retaliation. Jones said that on Aug. 25, 2005, he accompanied a Virginia resident who bought him the handgun and ammunition because Jones is barred from purchasing a gun due to his prior criminal convictions.

Jones admitted that he returned to New Jersey with the firearm and then, over the next few days, displayed the gun to associates and discussed shooting up the residence of the rival drug dealer.

Jones went on to admit that, on Aug. 29, 2005, at approximately 4:25 a.m., he went to an area outside of apartment 1911 of the Arborwood apartments and shot approximately seven times at the apartment's exterior wall and entranceway. Jones agreed that four of the bullets he fired penetrated the front wall and continued into the apartment. Jones acknowledged that one of those bullets struck and killed Robertson who, unbeknown to Jones, was asleep on a pullout sofa in the living room.

In determining the actual sentence, Judge Pisano consulted the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Fishman thanked U.S. Attorney Timothy J. Heaphy in the Western District of Virginia for his office's efforts in the case.

Fishman credited Special Agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives' Philadelphia Division, under the direction of Special Agent in Charge Mark Potter; and the ATF's Roanoke Field Office, under the direction of Special Agent in Charge Edgar Domenich, Washington Field Division; and Investigators with the Camden County Prosecutor's Office, under the direction of Prosecutor Warren W. Faulk, and Police Officers with the Lindenwold Police Department, under the direction of Chief Michael McCarthy, with the investigation.

The government is represented by Assistant U.S. Attorneys Jason Richardson and James P. Lynch of the U.S. Attorney's Office Criminal Division in Camden, and Donald R. Wolhuis of the U.S. Attorney's Office for the Western District of Virginia.

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Defense Attorney: Christopher O'Malley, Esq. Assistant Federal Public Defender