



**ATTACHMENT A**

**Count One (Theft of a Motor Vehicle by Force, Violence and by Intimidation)**

On or about December 28, 2012, in Essex County, in the District of New Jersey and elsewhere, defendant

COREY THERMITUS,

with the intent to cause death and serious bodily harm, knowingly took a motor vehicle, namely a grey, 2011, four-door Honda Accord, that had been transported, shipped and received in interstate and foreign commerce from the person and presence of another, namely A.L., by force and violence and by intimidation.

In violation of Title 18, United States Code, Section 2119 and Section 2.

**Count Two (Attempted Theft of a Motor Vehicle by Force, Violence and by Intimidation)**

On or about December 28, 2012, in Essex County, in the District of New Jersey and elsewhere, defendant

COREY THERMITUS,

with the intent to cause death and serious bodily harm, intentionally attempted to take a motor vehicle, namely a red, 2006, four-door Nissan Pathfinder, that had been transported, shipped and received in interstate and foreign commerce from the person and presence of another, namely T.M., by force and violence and by intimidation.

In violation of Title 18, United States Code, Section 2119 and Section 2.

**Count Three (Discharge of a Firearm in Furtherance of a Crime of Violence)**

On or about December 28, 2012, in Essex County, in the District of New Jersey and elsewhere, defendant

COREY THERMITUS,

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, specifically the attempted carjacking set forth in Count Two, did knowingly use, carry, and, in furtherance of such crime, possess a firearm, which firearm was discharged.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(iii) and Section 2.

## ATTACHMENT B

I, Mary Anne Flippo, am a Special Agent with the Federal Bureau of Investigation. I have knowledge of the following facts based upon my investigation and discussions with other law enforcement personnel and others, and my review of reports, documents and items of evidence. Where statements of others are set forth herein, these statements are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. At approximately 10:40 p.m. on or about December 28, 2012, A.L. was sitting in his/her dark grey, 2011, four-door Honda Accord (the "Grey Accord"), in the driveway of a home in Newark. At the time, A.L. had the keys in the ignition of the Grey Accord and the vehicle's doors were unlocked. Shortly thereafter, a man, later identified as defendant COREY THERMITUS, approached the Grey Accord, opened the door and put a gun to A.L.'s head, ordered him/her out of the car, and threatened to shoot him/her if he/she did not comply with his demands. Defendant COREY THERMITUS further ordered A.L. to drop his/her cellular telephone and to sit on the ground beside the Grey Accord.

2. A.L. dropped his/her cellular telephone, exited the Grey Accord and sat down on the ground next to the Grey Accord as ordered. At that time, defendant COREY THERMITUS got into the driver's seat of the Grey Accord and two other men got into the Grey Accord on the passenger's side. The men drove away in the Grey Accord.

3. Later that night, at or around 11:50 p.m., T.M. traveled in a red, 2006, four-door Nissan Pathfinder (the "Red Pathfinder") to a residence in Newark. At or around the same time, defendant COREY THERMITUS and two other men parked the Grey Accord and exited the vehicle. After T.M. backed into the driveway of the residence, defendant COREY THERMITUS approached the driver's side of the Red Pathfinder and opened the front door while pointing a firearm at T.M. The second man walked to the rear passenger's side of the Red Pathfinder where T.M.'s young child was seated. The third man stood at the end of the driveway and served as a "lookout."

4. Once defendant COREY THERMITUS and the second man approached the Red Pathfinder, the third man ran back to the Grey Accord and drove it in front of the driveway of the residence. T.M. began to beep the horn of the Red Pathfinder, screamed, closed the driver's side door and began to drive out of the driveway. Because the Grey Accord was partially blocking the driveway, T.M. drove the Red Pathfinder across the front lawn of the residence. The third man drove away in the Grey Accord, leaving defendant COREY THERMITUS and the second man in the driveway.

5. Moments later, the third man drove the Grey Accord back to the residence. Defendant COREY THERMITUS and the second man then got into the Grey Accord. At that time, an individual, C.M., came out of the residence to look for T.M. By then, T.M. had returned to the area of the residence in the Red Pathfinder, and attempted to block the Grey Accord as it was making a U-turn. Defendant COREY THERMITUS, who was seated in the rear driver's

seat of the Grey Accord, reached out of the vehicle and discharged his firearm in the direction of C.M. The three men then fled the area in the Grey Accord.

6. The attempted carjacking was captured on surveillance videos.

7. At or around 12:51 a.m. on December 29, 2013, Newark police officers encountered the Grey Accord on the corner of Morris and Springfield Avenues in Newark. Upon seeing the police officers, the driver of the Grey Accord rammed into a marked police vehicle and then reversed the Grey Accord and rammed it into the vehicle behind it. Once the Grey Accord came to a stop, defendant COREY THERMITUS, who was seated in the rear driver's seat, ran out of the vehicle; the other two men ran, as well. After a brief foot chase, Newark police officers apprehended defendant COREY THERMITUS. Defendant COREY THERMITUS was holding a black handgun at the time officers apprehended him. The firearm in defendant COREY THERMITUS' possession at the time of his arrest was a black Kel-Tec 9 millimeter handgun loaded with five rounds of ammunition.

8. T.M. positively identified defendant COREY THERMITUS as the individual who attempted to carjack him/her and who he/she witnessed shoot at C.M. on December 28, 2012.

9. Both A.L.'s Grey Accord and T.M.'s Red Pathfinder were manufactured outside of the state of New Jersey.