

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED:** _____
KHALIL CARTER, : **VIOLATION:**
a/k/a “Joe Wales” : **18 U.S.C. § 1951(a) (conspiracy to**
: **interfere with interstate commerce by**
: **robbery - 1 count)**
: **18 U.S.C. § 1951(a) (interference with**
: **interstate commerce by robbery - 1 count)**
: **18 U.S.C. § 924(c) (1) (carrying a firearm**
: **during and in relation to a crime**
: **of violence - 1 count)**
: **18 U.S.C. § 1512(b)(1) (witness**
: **tampering - 1 count)**
: **18 U.S.C. § 2 (aiding and abetting)**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, the Henneberry Pharmacy, located at 838 N. 24th Street in Philadelphia, Pennsylvania (“Henneberry Pharmacy”), was engaged in the retail sale of pharmaceuticals, cigarettes, and packaged goods in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about June 28, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**KHALIL CARTER,
a/k/a “Joe Wales,”**

conspired and agreed, together with two other persons unknown to the grand jury (“Person #1” and “Person #2”), to unlawfully obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, that is, to unlawfully take property, specifically, cash and prescription drugs, from the person and presence of employees of the Henneberry Pharmacy, against their wills, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, all in violation of Title 18, United States Code, Section 1951(a), (b)(1) and (b)(3).

MANNER AND MEANS

It was part of this conspiracy that:

3. Defendant KHALIL CARTER, together with Person #1 and Person #2, planned and executed the robbery of Henneberry Pharmacy to obtain cash and prescription drugs.

4. In the commission of the robbery of Henneberry Pharmacy, defendant KHALIL CARTER, together with Person #1 and Person #2:

- a. armed themselves with firearms;
- b. drove together to an area near the Henneberry Pharmacy;
- c. attempted to conceal their identities by covering their faces;
- d. entered the Henneberry Pharmacy brandishing firearms, and then threatened to injure and kill employees to obtain money and prescription drugs; and
- e. after obtaining the cash proceeds from the victim business, fled, split the cash proceeds, and distributed the drugs.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects of the conspiracy, defendant KHALIL CARTER, together with Person #1 and Person #2 unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania on or about June 28, 2006:

1. Defendant KHALIL CARTER borrowed a 1999 Dodge Durango, Pennsylvania tag number _____ (the "Durango"), from L.P., a person who is known to the grand jury.
2. Defendant KHALIL CARTER, together with Person #1 and Person #2, drove the Durango and parked it near the intersection of Ringgold Street and Parrish Street in Philadelphia, Pennsylvania, which was approximately one block away from the Henneberry Pharmacy.
3. At gunpoint, defendant KHALIL CARTER, together with Person #1 and Person #2, entered the Henneberry Pharmacy, brandished firearms and threatened the pharmacy employees, demanded money and prescription drugs from employees, and stole approximately \$3,100 in cash and prescription drugs.
4. Defendants KHALIL CARTER, together with Person #1 and Person #2, then fled in the Durango.
5. To evade detection by law enforcement, KHALIL CARTER instructed L.P. to report to police that the Durango had been stolen.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, 3 and 4 of Count One of this indictment are incorporated here.

2. On or about June 28, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**KHALIL CARTER,
a/k/a “Joe Wales,”**

together with two other persons unknown to the grand jury (“Person #1” and “Person #2”), obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant KHALIL CARTER, together with Person #1 and Person #2, unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, cash and prescription drugs from the Henneberry Pharmacy located at 838 N. 24th Street in Philadelphia, Pennsylvania, in the presence of employees of the Henneberry Pharmacy and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employees of the Henneberry Pharmacy, that is, by brandishing a gun, demanding money and prescription drugs, and threatening employees of the Henneberry Pharmacy.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 28, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**KHALIL CARTER,
a/k/a "Joe Wales,"**

knowingly carried a firearm, that is, a handgun, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, conspiracy to interfere with interstate commerce by robbery, and interference with interstate commerce by robbery, in violation of Title 18, United States Code, Section 1951.

In violation of Title 18, United States Code, Sections 924(c)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

Introduction

1. Paragraphs 1, 3 and 4 of Count One of this indictment are incorporated here.

On or about June 28, 2006, following the armed robbery of the Henneberry Pharmacy:

2. Defendant KHALIL CARTER told L.P., a person known to the grand jury, to make a false report to police that L.P.'s Dodge Durango had been stolen.

3. At the direction of defendant KHALIL CARTER, L.P. subsequently called the police and falsely reported that her Dodge Durango had been stolen.

The Witness Tampering

4. From in or about March 2007 through in or about June 2007, a federal grand jury was investigating, among other things, federal criminal violations committed by defendant KHALIL CARTER, a/k/a "Joe Wales," and others unknown to the grand jury.

5. On or about March 30, 2007, defendant KHALIL CARTER placed a telephone call to L.P., who told defendant CARTER that L.P. had received a subpoena to testify before the federal grand jury.

6. After L.P. told defendant KHALIL CARTER that L.P. had received a subpoena to testify before the federal grand jury, defendant CARTER sought to influence and persuade L.P. to testify falsely before the federal grand jury, that is, to testify that her car had been stolen on or about June 28, 2006, knowing that L.P.'s car had not been stolen on or about

that date and that defendant CARTER had caused L.P. to file a false police report stating that her Dodge Durango had been stolen.

7. From at least on or about March 30, 2007 through on or about April 10, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**KHALIL CARTER,
a/k/a “Joe Wales,”**

knowingly attempted to intimidate, threaten and corruptly persuade L.P., with the intent to influence, delay and prevent her testimony in an official proceeding, that is, a federal grand jury sitting in the Eastern District of Pennsylvania, investigating, among other things, possible federal criminal violations, including the commission of an armed Hobbs Act robbery of Henneberry’s Pharmacy on or about June 28, 2006, by defendant KHALIL CARTER and others.

In violation of Title 18, United States Code, Section 1512(b)(1).

A TRUE BILL:

FOREPERSON

**PATRICK L. MEEHAN
United States Attorney**