

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

UNITED STATES OF AMERICA	:	DATE FILED: _____
v.	:	CRIMINAL NO. _____
HARRY BERROA	:	VIOLATIONS:
JESSE DAWSON	:	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) (using and carrying
	:	a firearm during a crime of violence
	:	- 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
		Notice of Forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. East Coast Appliance Recycling, doing business as the Appliance Factory (“the Appliance Factory”), located at 700 East Erie Avenue in Philadelphia, Pennsylvania, was a business engaged in interstate commerce.

2. On or about August 4, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**HARRY BERROA and
JESSE DAWSON**

conspired and agreed together, and with others unknown to the grand jury, to commit robbery, which robbery would unlawfully obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, in that defendants BERROA and DAWSON conspired to unlawfully take and obtain money from the Appliance Factory in the presence of an employee of the business, and against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person and property, all in violation of Title 18, United States Code, Section 1951(a).

MANNER AND MEANS

3. It was part of the conspiracy that defendants HARRY BERROA and JESSE DAWSON obtained cash through the commission of an armed robbery of the Appliance Factory.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects of the conspiracy, defendants HARRY BERROA and JESSE DAWSON, and others unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania:

On or about August 4, 2006:

1. Defendants HARRY BERROA and JESSE DAWSON entered the Appliance Factory located at 700 East Erie Avenue armed with a handgun and demanded money from a store employee.

2. When the employee noticed the defendants and tried to run out of the store, one of the defendants locked the door, and then defendants HARRY BERROA and JESSE DAWSON assaulted the employee causing physical injury to him.

3. Defendants HARRY BERROA and JESSE DAWSON ordered the employee to take them to the office and to give them money. Defendant BERROA discharged a firearm to force the employee to cooperate.

4. After stealing approximately \$1,075 in cash, defendants HARRY BERROA and JESSE DAWSON taped the employee's hands and legs.

5. Defendants HARRY BERROA and JESSE DAWSON fled from the store and were apprehended by the police. Defendant BERROA had approximately \$1,075 in U.S. currency on him when he was arrested.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 of Count One of this indictment is incorporated here.
2. On or about August 4, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**HARRY BERROA and
JESSE DAWSON**

obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, by robbery, in that, defendants BERROA and DAWSON unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, cash from the Appliance Factory, located at 700 East Erie Avenue, in Philadelphia, Pennsylvania, in the presence of an employee of the Appliance Factory, against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future to the employee of the Appliance Factory, by discharging a firearm and causing physical injury to, demanding money from, and otherwise threatening him.

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 4, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**HARRY BERROA and
JESSE DAWSON**

knowingly used and carried, and aided and abetted in the use and carrying of, a firearm during and in relation to a crime of violence for which the defendants may be prosecuted in a court of the United States, that is, conspiracy to interfere with commerce by robbery, and interference with commerce by robbery, in violation of Title 18, United States Code, Sections 1951(a) and 2.

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

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Section 924(c)(1), set forth in this indictment, defendants

**HARRY BERROA and
JESSE DAWSON**

shall forfeit to the United States of America the firearm involved in the commission of such offense, including, but not limited to: a Davis Industries, Model P-380, .380 caliber semi-automatic pistol, serial number AP467190.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
United States Attorney