

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. 08- _____
	:	
v.	:	DATE FILED: _____
	:	
DAOCHAY KHOUNSACKNARATH,	:	VIOLATIONS:
a/k/a "Net,"	:	18 U.S.C. § 1951 (conspiracy to
	:	interfere with interstate commerce by
	:	robbery - 1 count)
	:	18 U.S.C. § 1951 (interference with
	:	interstate commerce by robbery -
	:	1 count)
	:	18 U.S.C. § 924(c)(1) (carrying and using
	:	a firearm during a crime of violence - 1
	:	count)
	:	18 U.S.C. § 922(g)(1) (felon in possession
	:	of a firearm - 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, S.K., a person known to the grand jury, was engaged in the illegal sale, distribution, and trafficking of marijuana and other controlled substances in the Eastern District of Pennsylvania, activities which affected interstate commerce. At various times, S.K. obtained marijuana and other controlled substances for distribution in drug transactions brokered by T.N., a person known to the grand jury.

THE ROBBERY CONSPIRACY

2. On or about June 16, 2008, in Upper Darby, in the Eastern District of Pennsylvania, defendant

**DAOCHAY KHOUNSACKNARATH,
a/k/a "Net,"**

conspired and agreed, together with T.N., a person known to the grand jury and charged elsewhere, to commit robbery, which robbery would obstruct, delay and affect commerce and the movement of articles and commodities in commerce, by robbery, in that defendant KHOUNSACKNARATH and T.N. conspired to unlawfully take and obtain approximately \$3,600 in cash from S.K., 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), (b)(1) and (b)(3).

MANNER AND MEANS

It was part of the conspiracy that:

3. During telephone conversations, defendant DAOCHAY KHOUNSACKNARATH and T.N. agreed to rob S.K., a drug purchaser, of drug proceeds by creating the pretext that they were interested in selling marijuana to S.K. and then robbing S.K. of the drug proceeds at gunpoint.

4. During telephone conversations, T.N. discussed with S.K. arranging the sale to S.K. of approximately one pound of "purple haze" marijuana, a type typically produced outside of Pennsylvania, for approximately \$3,600 from defendant DAOCHAY KHOUNSACKNARATH.

5. When S.K. met with defendant DAOCHAY KHOUNSACKNARATH and T.N. to purchase the marijuana, defendant KHOUNSACKNARATH robbed S.K. at gunpoint and attempted to steal \$3,600 in cash from S.K.

OVERT ACTS

In furtherance of the conspiracy, and to effect the object of the conspiracy, defendant DAOCHAY KHOUNSACKNARATH and T.N. committed the following overt acts, among others, in the Eastern District of Pennsylvania:

1. On or about June 13, 2008, in a telephone conversation between T.N. and S.K., T.N. discussed selling marijuana to S.K.

2. On or about June 14, 2008, T.N. and defendant DAOCHAY KHOUNSACKNARATH discussed and agreed to rob S.K. of \$3,600 during a marijuana transaction brokered by T.N.

On or about June 15, 2008:

3. Defendant DAOCHAY KHOUNSACKNARATH and T.N. discussed obtaining a \$20 sample of marijuana for S.K.

4. T.N. gave S.K. a telephone number and a nickname to contact defendant DAOCHAY KHOUNSACKNARATH to confirm the transaction of one pound of “purple haze” marijuana.

On or about June 16, 2008:

5. T.N. directed S.K. to bring \$3,600 in U.S. currency to the vicinity of 54 Garrett Road, Upper Darby, Pennsylvania, on the pretext of consummating a one-pound marijuana transaction between S.K. and defendant DAOCHAY KHOUNSACKNARATH.

6. Later the same day, defendant DAOCHAY KHOUNSACKNARATH got into the back seat of S.K.'s black Honda parked near Brandon and Ludlow Streets in Upper Darby, Pennsylvania, in which S.K. and T.N. were already seated.

7. After defendant DAOCHAY KHOUNSACKNARATH, T.N., and S.K. got out of the Honda, defendant KHOUNSACKNARATH pointed a loaded .38 caliber RG40 revolver at the head of S.K. As S.K. tried to escape from defendant KHOUNSACKNARATH, the gun discharged shattering the window of the Honda and causing injury to S.K.

8. Defendant KHOUNSACKNARATH attempted to flee in possession of a .38 caliber revolver, RG Industries, Model RG40, serial number RO97744.

All in violation of Title 18, United States Code, Section 1951(a), (b)(1) and (b)(3).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, and 3 through 5, and Overt Acts 1 through 8 of Count One of this indictment are incorporated here.

2. On or about June 16, 2008, in Upper Darby, in the Eastern District of Pennsylvania, defendant

**DAOCHAY KHOUNSACKNARATH,
a/k/a "Net,"**

obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that, defendant KHOUNSACKNARATH, a/k/a "Net," unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, approximately \$3,600 in U.S. currency from S.K., and against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future to his person and property, that is, by pointing a firearm at the head of S.K. and demanding money intended for the purchase of one pound of marijuana.

In violation of Title 18, United States Code, Sections 1951(a), (b)(1), (b)(3) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, and 3 through 5, and Overt Acts 1 through 8 of Count One of this indictment are incorporated here.

2. On or about May 8, 2008, in Upper Darby, in the Eastern District of Pennsylvania, defendant

**DAOCHAY KHOUNSACKNARATH,
a/k/a "Net,"**

knowingly used and carried, and aided and abetted the use and carrying of, a firearm, that is, a .38 caliber revolver, RG Industries, Model RG40, serial number RO97744, 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 commerce by robbery, and interference with commerce by robbery, as charged in Counts One and Two of this indictment.

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

COUNT FOUR

THE GRAND JURY FURTHER CHARGES:

On or about June 16, 2008, in the vicinity of 54 Garrett Road, Upper Darby, in the Eastern District of Pennsylvania, defendant

**DAOCHAY KHOUNSACKNARATH,
a/k/a "Net,"**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a .38 caliber revolver, RG Industries, Model RG40, serial number RO97744.

In violation of Title 18, United States Code, Sections 922(g)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 924(c) and 922(g)(1), set forth in Counts Three and Four of this indictment, defendant

**DAOCHAY KHOUNSACKNARATH,
a/k/a “Net,”**

shall forfeit to the United States of America, the firearm and ammunition involved in the commission of these offenses, namely, one .38 caliber revolver, RG Industries, Model RG40, serial number RO97744, and ammunition.

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

A TRUE BILL:

FOREPERSON

LAURIE MAGID
Acting United States Attorney