

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
	:	
v.	:	DATE FILED: _____
	:	
LUKNER RENE	:	VIOLATIONS:
JONATHAN MOMAN	:	18 U.S.C. § 1951 (conspiracy to interfere
GREGORY PITT	:	with interstate commerce by robbery - 1
	:	count)
	:	18 U.S.C. § 1951 (interference with
	:	interstate commerce by robbery - 7
	:	counts)
	:	18 U.S.C. § 924(c)(1) (carrying and using
	:	a firearm during and in relation to a
	:	crime of violence - 6 counts)
	:	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 in the Eastern District of Pennsylvania:

1. The following businesses were engaged in interstate commerce:
 - a. Dunkin Donuts, located at 416 N. 63rd Street in Philadelphia;
 - b. McDonalds Restaurant, located at 516 W. Lancaster Avenue in Radnor;
 - c. Pizza Hut Restaurant, located at 240 S. 69th Street in Upper Darby;
 - d. Dunkin Donuts, located at 8910 West Chester Pike in Upper Darby;
 - e. Dunkin Donuts, located at 5506 Chestnut Street in Philadelphia;

- f. Dunkin Donuts, located at 6401 Roosevelt Boulevard in Philadelphia; and
- g. Dunkin Donuts, located at 891 Lancaster Avenue in Devon.

THE ROBBERY CONSPIRACY

2. From on or about October 10, 2008, through on or about October 18, 2008, in the Eastern District of Pennsylvania, defendants

**LUKNER RENE,
JONATHAN MOMAN, and
GREGORY PITT**

conspired and agreed, together and with others known and 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 RENE, MOMAN, and PITT, and others known and unknown to the grand jury conspired to unlawfully take and obtain personal property, including money and other items of value, from the person and in the presence of others and against their will, 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

3. It was part of this conspiracy that defendants LUKNER RENE, JONATHAN MOMAN, and GREGORY PITT, and others known and unknown to the grand jury:
- a. having planned the armed robberies, drove together in a vehicle to the businesses listed in paragraph 1 (the businesses) armed with weapons, including

semiautomatic pistols, a revolver, a shotgun, and BB guns;

- b. entered the businesses and pointed guns at the employees and customers;
- c. threatened and intimidated the employees and customers inside the businesses; stole cellular telephones to prevent their victims from calling the police or otherwise calling for help, and to otherwise avoid detection by law enforcement;
- d. stole merchandise, cash, and personal property from the employees and customers; and
- e. fled from the businesses in a vehicle and divided the stolen merchandise, cash, and other property among themselves.

OVERT ACTS

In furtherance of this conspiracy, in Philadelphia, in the Eastern District of Pennsylvania, defendants LUKNER RENE, JONATHAN MOMAN, and GREGORY PITT, and others known and unknown to the grand jury, committed the following overt acts:

Dunkin Donuts - October 10, 2008

- 1. On or about October 10, 2008, defendant GREGORY PITT, and others known and unknown to the grand jury:
 - a. drove together to the Dunkin Donuts, located at 416 N. 63rd Street in Philadelphia;
 - b. entered the business armed with firearms;
 - c. brandished weapons to the employees, forced the employees to lie on the floor and forced another employee into a back room of the store, where he was then forced

at gunpoint to open a safe; and,

- d. stole cash from the store's safe, and fled.

McDonalds Restaurant - October 14, 2008

2. On or about October 14, 2008, defendants JONATHAN MOMAN, and others known and unknown to the grand jury:

- a. drove together to the McDonalds restaurant located at 5146 Lancaster Avenue in Radnor;

- b. entered the store carrying a BB gun and a .40 caliber semiautomatic pistol, brandished weapons at the employees, forced them onto the floor, and demanded money;

- c. forced an employee to open the safe; and

- d. stole cash from the store's safe, and fled.

Pizza Hut - October 16, 2008

3. On or about October 16, 2008, defendants LUKNER RENE and JONATHAN MOMAN, and others known to the grand jury:

- a. drove together to the Pizza Hut restaurant located at 236 S. 69th Street in Upper Darby;

- b. entered the restaurant carrying a BB gun and a semiautomatic pistol, brandished weapons at the employees, and demanded money; and

- c. attempted to steal cash from the store's cash register, but fled without stealing any cash.

Dunkin Donuts - October 17, 2008

4. On or about October 17, 2008, defendant JONATHAN MOMAN, and others known and unknown to the grand jury:

a. drove together to Dunkin Donuts, located at 8910 West Chester Pike in Upper Darby;

b. entered the store carrying a BB gun, brandished the weapon at the patrons and employees, struck an employee in the head with the weapon, and demanded money; and

c. stole cash from the store's cash register and safe; and cash and credit cards from an employee, and fled.

Dunkin Donuts - October 18, 2008

5. On or about October 18, 2008, defendant JONATHAN MOMAN, and others known and unknown to the grand jury:

a. drove together to Dunkin Donuts, located at 5506 Chestnut Street in Philadelphia;

b. entered the store carrying semiautomatic pistols, brandished weapons at the employees, struck an employee in the head, and demanded money; and

c. stole cash from the store's cash registers, and fled.

Dunkin Donuts - October 18, 2008

6. On or about October 18, 2008, defendants LUKNER RENE and GREGORY PITT, and a person unknown to the grand jury:

a. drove together to Dunkin Donuts, located at 6401 Roosevelt

Boulevard in Philadelphia;

b. entered the store carrying semiautomatic pistols, brandished weapons at the employees, and demanded money; and

c. stole cash from the store's cash registers and money from an employee's wallet, and fled.

Dunkin Donuts - October 18, 2008

7. On or about October 18, 2008, defendant GREGORY PITT and others known and unknown to the grand jury:

a. drove together to Dunkin Donuts, located at 891 Lancaster Avenue in Devon;

b. entered the store carrying semiautomatic pistols, brandished weapons at the employees, and demanded money; and

c. stole cash from the store's cash registers and a box of cigars, and fled.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1.a and 3 of Count One are incorporated here.
2. On or about October 10, 2008, in Philadelphia, in the Eastern District of

Pennsylvania, defendant

GREGORY PITT,

and others known and unknown to the grand jury, obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendant PITT and others known and unknown to the grand jury unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, personal property, that is, cash, from the person or in the presence of employees of the Dunkin Donuts, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, by brandishing firearms, pointing firearms at the employees, forcing the employees into a back room, and demanding money.

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 10, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

GREGORY PITT,

and others known and unknown to the grand jury, knowingly carried and used, and aided and abetted the use and carrying of, 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) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1.b and 3 of Count One are incorporated here.
2. On or about October 14, 2008, in Radnor, in the Eastern District of

Pennsylvania, defendant

JONATHAN MOMAN,

and others known and unknown to the grand jury, obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendants MOMAN and others known and unknown to the grand jury unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, personal property, that is, cash, in the presence of employees and a patron of the McDonalds restaurant, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, by brandishing firearms, pointing the firearms at the employees, ordering the employees onto the floor, and demanding money.

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

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 14, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendants

JONATHAN MOMAN,

and others known and unknown to the grand jury, knowingly carried and used, and aided and abetted the carrying and use of, a firearm, that is, a semiautomatic pistol, 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) and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1.c and 3 of Count One are incorporated here.
2. On or about October 16, 2008, in Upper Darby, in the Eastern District of

Pennsylvania, defendants

**LUKNER RENE and
JONATHAN MOMAN,**

and others known and unknown to the grand jury, obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendants RENE and MOMAN and others known and unknown to the grand jury, unlawfully attempted to take, and aided and abetted the unlawful attempted taking and obtaining of, personal property, that is, cash, from the person of and in the presence of an employee of Pizza Hut, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, by brandishing a firearm and a BB gun, pointing firearm and BB gun at the employees, and demanding money.

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

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 16, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUKNER RENE and
JONATHAN MOMAN,**

and others known and unknown to the grand jury, knowingly carried and used, and aided and abetted the carrying and use of, a firearm, that is, a semiautomatic pistol, during and in relation to a crime of violence for which they 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) and 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1.d and 3 of Count One are incorporated here.
2. On or about October 17, 2008, in Upper Darby, in the Eastern District of

Pennsylvania, defendant

JONATHAN MOMAN,

and others known and unknown to the grand jury, obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendant MOMAN, and others known and unknown to the grand jury, unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, personal property, that is, cash and credit cards, from the person of and in the presence of employees and patrons of Dunkin Donuts, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, by brandishing a BB gun, pointing the BB gun at the employees and patrons, striking an employee in the head, and demanding money.

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

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1.e and 3 of Count One are incorporated here.
2. On or about October 18, 2008, in Philadelphia, in the Eastern District of

Pennsylvania, defendant

JONATHAN MOMAN,

and others known and unknown to the grand jury, obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendant MOMAN and others known and unknown to the grand jury unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, personal property, that is, cash, from the person of and in the presence of employees of Dunkin Donuts, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, by brandishing firearms, pointing the firearms at the employees, striking an employee in the head, and demanding money.

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

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 18, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

JONATHAN MOMAN,

and others known and unknown to the grand jury, knowingly carried and used, and aided and abetted the carrying and use of, a firearm, that is, a semiautomatic pistol and a revolver, 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) and 2.

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1.f and 3 of Count One are incorporated here.
2. On or about October 18, 2008, in Philadelphia, in the Eastern District of

Pennsylvania, defendants

**LUKNER RENE and
GREGORY PITT,**

and others known and unknown to the grand jury obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendants RENE and PITT, and others known and unknown to the grand jury, unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, personal property, that is, cash, from the person of and in the presence of employees of Dunkin Donuts, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, by brandishing a firearm, pointing the firearm at the employees, and demanding money.

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

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 18, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUKNER RENE and
GREGORY PITT,**

and others known and unknown to the grand jury, knowingly carried and used, and aided and abetted the carrying and use of, a firearm, that is, a semiautomatic pistol, during and in relation to a crime of violence for which they 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) and 2.

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1.g and 3 of Count One are incorporated here.
2. On or about October 18, 2008, in Devon, in the Eastern District of

Pennsylvania, defendant

GREGORY PITT,

and others known and unknown to the grand jury, obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendant PITT, and others known and unknown to the grand jury, unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, personal property, that is, cash, from the person of and in the presence of employees of Dunkin Donuts, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, by brandishing firearms, pointing the firearms at the employees, and demanding money.

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

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 18, 2008, in Devon, in the Eastern District of Pennsylvania,
defendant

GREGORY PITT,

and others known and unknown to the grand jury, knowingly carried and used, and aided and abetted the carrying and use of, a firearm, that is, semiautomatic pistols, 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) and 2.

NOTICE OF FORFEITURE

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

**LUKNER RENE,
JONATHAN MOMAN, and
GREGORY PITT**

shall forfeit to the United States of America, the firearm and ammunition involved in the commission of this offense, including, but not limited to:

-an H & R model 732, .32 caliber revolver, serial number AE31676.

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

A TRUE BILL:

GRAND JURY FOREPERSON



**LAURIE MAGID
ACTING UNITED STATES ATTORNEY**