

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>09-</u>
v.	:	DATE FILED: <u>July 15, 2009</u>
GABRIELL PHILLIPS	:	VIOLATIONS:
FELICIA PHILLIPS	:	21 U.S.C. § 846 (conspiracy to distribute
KIESHA ROBERTS	:	50 grams or more of cocaine base
	:	(“crack cocaine”) – 1 count)
	:	21 U.S.C. § 841(a)(1), (b)(1)(B)
	:	(distribution of 5 grams or more of
	:	cocaine base (“crack cocaine”) – 7 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From at least on or about February 22, 2009, through on or about May 11, 2009, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**GABRIELL PHILLIPS,
FELICIA PHILLIPS, and
KIESHA ROBERTS**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute 50 grams or more, that is, approximately 174 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack cocaine”), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

MANNER AND MEANS

It was a part of the conspiracy that:

2. Defendant GABRIELL PHILLIPS established an illegal drug trafficking operation. As part of this drug trafficking operation, defendant GABRIELL PHILLIPS obtained powder cocaine and crack cocaine from multiple suppliers for resale to his customers.

3. To assist in the drug trafficking operation, defendant GABRIELL PHILLIPS employed other persons known and unknown to the grand jury, including defendants KIESHA ROBERTS and FELICIA PHILLIPS, defendant GABRIELL PHILLIPS wife.

4. Defendant KIESHA ROBERTS used her apartment, located in the 1800 block of Riverside Drive in Philadelphia, Pennsylvania, as a “stash house” to store powder cocaine and crack cocaine supplied by, sold by, or sold at the direction of, defendant GABRIELL PHILLIPS. Defendant ROBERTS also allowed defendant GABRIELL PHILLIPS to use her apartment to conduct the sale of crack cocaine.

5. At the direction of defendant GABRIELL PHILLIPS, defendant KIESHA ROBERTS relayed purchase orders for powder cocaine and crack cocaine from customers to defendant GABRIELL PHILLIPS, and arranged the time and place of the drug transactions by making telephone calls on behalf of defendant GABRIELL PHILLIPS.

6. Defendant GABRIELL PHILLIPS paid defendant KIESHA ROBERTS a monthly salary for her role in helping to facilitate his illegal drug operation.

7. Defendants GABRIELL PHILLIPS and FELICIA PHILLIPS agreed that defendant FELICIA PHILLIPS would take over defendant GABRIELL PHILLIPS’s illegal drug operation in April 2009 when defendant GABRIELL PHILLIPS left to serve a prison term.

8. Beginning in or about April 2009, defendant FELICIA PHILLIPS began selling powder cocaine and crack cocaine to defendant GABRIELL PHILLIPS's customers, using defendant GABRIELL PHILLIPS's suppliers and charging prices communicated to her by defendant GABRIELL PHILLIPS.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendants GABRIELL PHILLIPS, FELICIA PHILLIPS, and KIESHA ROBERTS, and others unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

The February 28, 2009 Sale of Crack Cocaine

On or about February 28, 2009:

1. Defendant KIESHA ROBERTS told a confidential informant working at the direction of law enforcement, who was posing as a customer of illegal drugs (the customer), that defendant GABRIELL PHILLIPS had left one-half ounce of crack cocaine at defendant ROBERTS's apartment for purchase by the customer.

2. Later the same day, inside defendant KIESHA ROBERTS's apartment, defendant KIESHA ROBERTS sold approximately 12.9 grams of crack cocaine supplied by defendant GABRIELL PHILLIPS to the customer in exchange for \$600 in cash.

The March 9, 2009 Sale of Crack Cocaine

On or about March 9, 2009:

3. During a telephone conversation, defendant KIESHA ROBERTS and the customer arranged the sale of one ounce of crack cocaine later that day.

4. Inside defendant KIESHA ROBERTS's apartment, defendant GABRIELL PHILLIPS sold the customer approximately 27 grams of crack cocaine, in the presence of defendant KIESHA ROBERTS, for which defendant GABRIELL PHILLIPS was paid approximately \$1,200 in cash.

The March 17, 2009 Sale of Crack Cocaine

On or about March 17, 2009:

5. During a telephone conversation, defendant KIESHA ROBERTS and the customer arranged the sale of one ounce of crack cocaine later that day.

6. Inside defendant KIESHA ROBERTS's apartment, defendant GABRIELL PHILLIPS sold the customer approximately 25.9 grams of crack cocaine, in the presence of defendant KIESHA ROBERTS, for which defendant GABRIELL PHILLIPS was paid approximately \$500 in cash and given an Apple MacBook valued at approximately \$700.

The March 24, 2009 Sale of Crack Cocaine

On or about March 24, 2009:

7. During a telephone conversation, defendant KIESHA ROBERTS and the customer arranged the sale of one ounce of crack cocaine later that day.

8. Inside defendant KIESHA ROBERTS's apartment, defendant GABRIELL PHILLIPS sold the customer approximately 26.2 grams of crack cocaine, in the presence of defendant KIESHA ROBERTS, for which defendant GABRIELL PHILLIPS was paid approximately \$1,200 in cash.

9. After defendant KIESHA ROBERTS complained that defendant GABRIELL PHILLIPS had not paid her that month for her role in participating in the drug sales,

the customer gave defendant KIESHA ROBERTS \$100 in cash.

The April 7, 2009 Sale of Crack Cocaine

On or about April 6, 2009:

10. During a telephone conversation, defendant KIESHA ROBERTS and the customer arranged the sale of one ounce of crack cocaine later that day.

11. Defendant KIESHA ROBERTS provided the customer with defendant GABRIELL PHILLIPS's telephone number.

12. During a telephone conversation, defendant GABRIELL PHILLIPS, using the telephone number provided by defendant KIESHA ROBERTS, agreed to sell the customer one ounce of crack cocaine the following day.

On or about April 7, 2009:

13. Defendant GABRIELL PHILLIPS and defendant FELICIA PHILLIPS met the customer at 1995 Franklin Mills Circle in Philadelphia, Pennsylvania.

14. Defendant GABRIELL PHILLIPS sold the customer approximately 27 grams of crack cocaine and was paid \$1,100 in cash and given an Apple iPod by the customer.

15. Defendant GABRIELLE PHILLIPS told the customer that defendant FELICIA PHILLIPS would be the new point of contact for future sales of crack cocaine.

The April 27, 2009 Sale of Crack Cocaine

On or about April 27, 2009:

16. Defendant FELICIA PHILLIPS telephoned the customer to arrange the sale of approximately one ounce of crack cocaine.

17. Defendant FELICIA PHILLIPS met the customer at 1995 Franklin Mills

Circle in Philadelphia, Pennsylvania and sold the customer approximately 27.1 grams of crack cocaine for which she was paid \$1,200 in cash.

The May 11, 2009 Sale of Crack Cocaine

18. On or about May 10, 2009, during a telephone conversation, defendant FELICIA PHILLIPS arranged to sell the customer approximately one ounce of crack cocaine the following day.

19. On or about May 11, 2009, defendant FELICIA PHILLIPS met the customer at 810 Franklin Mills in Philadelphia, Pennsylvania and sold the customer approximately 27.4 grams of crack cocaine for which she was paid \$1,200 in cash.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 28, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**GABRIELL PHILLIPS and
KIESHA ROBERTS**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 12.9 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2. _____

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 9, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**GABRIELL PHILLIPS and
KIESHA ROBERTS**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 27 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 17, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**GABRIELL PHILLIPS and
KIESHA ROBERTS**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 25.9 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 24, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**GABRIELL PHILLIPS and
KIESHA ROBERTS**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 26.2 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 7, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

GABRIELL PHILLIPS

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 27 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 27, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

FELICIA PHILLIPS

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 27.1 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 11, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

FELICIA PHILLIPS

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 27.4 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1) and 846 set forth in this indictment, defendants

**GABRIELL PHILLIPS,
FELICIA PHILLIPS, and
KIESHA ROBERTS**

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses; and

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant(s) up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

GRAND JURY FOREPERSON

MICHAEL L. LEVY
United States Attorney