

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

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.</b> _____
<b>v.</b>	:	<b>DATE FILED:</b> _____
<b>EMILY JOY GROSS</b>	:	<b>VIOLATIONS:</b>
	:	<b>18 U.S.C. § 924(a)(1)(false statement in connection with purchase of firearm - 1 count)</b>
	:	<b>18 U.S.C. § 922(g)(8) (aiding and abetting a prohibited person to possess a firearm - 1 count)</b>
	:	<b>18 U.S.C. § 2 (aiding and abetting)</b>
	:	<b>Notice of forfeiture</b>

**INFORMATION**

**COUNT ONE**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times relevant to this information:

1. Cabela's, located at 100 Cabela Drive in Hamburg, Pennsylvania, in the Eastern District of Pennsylvania, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal laws.
2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.
3. The rules and regulations governing FFL holders require that a person seeking to purchase a firearm fill out a Firearm Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all his or her answers on Form

4473 are true and correct. The Form 4473 contains language warning that “I also understand that making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony under Federal law, and may also violate State and/or local law.”

4. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer’s home address and date of birth.

5. On or about May 29, 2009, in Hamburg, Pennsylvania, in the Eastern District of Pennsylvania, defendant

**EMILY JOY GROSS,**

in connection with the acquisition of a firearm and ammunition, that is, a Taurus 9mm pistol, Model Millennium Pro, serial # TBW92058, and one box of 9mm, 115gr FMJ ammunition, from an FFL holder, Cabela’s, located at 100 Cabela Drive in Hamburg, Pennsylvania, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holder’s records, in that, defendant GROSS, certified on the Form 4473 that her current residence was located at 24 Olde Penn Drive in Easton, Pennsylvania, when in fact, as defendant knew, this statement was false and fictitious since her current residence was actually in Westfield, New Jersey.

All in violation of Title 18, United States Code, Section 924(a)(1)(A).

**COUNT TWO**

**THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:**

1. Beginning on or about May 4, 2009, and continuing up to May 18, 2009, D.A., a person known to the United States Attorney, was subject to a temporary Protection from Abuse order, issued on May 4, 2009 by the Northampton Court of Common Pleas, which prevented him from abusing, harassing, stalking, or threatening his wife and children. Beginning on or about May 18, 2009, a Final Protection from Abuse Order, dated May 18, 2009, was issued by the Northampton County Court of Common Pleas which stated that D.A. was “prohibited from possessing, transferring, or acquiring any firearms for the duration of this order,” from May 18, 2009 through May 18, 2012.

2. Beginning on or about May 4, 2009, defendant **EMILY GROSS** knew that D.A. was prohibited from possessing a firearm based on the Protection from Abuse Order.

3. On or about May 29, 2009, defendant **EMILY GROSS** purchased a firearm, that is, a Taurus 9mm pistol, Model Millenium Pro, serial # TBW92058, and one box of 9mm, 115gr FMJ ammunition. Defendant **GROSS** subsequently left the firearm and ammunition inside D.A.’s house knowing that D.A. had access to it and he possessed and used the firearm.

4. On or about May 29, 2009, in the Eastern District of Pennsylvania, defendant

**EMILY GROSS,**

knowing that D.A. was prohibited from possessing a firearm, aided and abetted D.A.’s possession of a firearm, that is, a Taurus 9mm pistol, Model Millenium Pro, serial # TBW92058,

and one box of 9mm, 115gr FMJ ammunition, which had been shipped and transported in interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 922(g)(8) and 2.

**NOTICE OF FORFEITURE**

**THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:**

As a result of the violations of Title 18, United States Code, Sections 924(a)(1)(A), 922(g)(8), and 2, set forth in this indictment, defendant

**EMILY JOY GROSS**

shall forfeit to the United States of America the firearm and ammunition involved in the commission of these offenses, including but not limited to, a Taurus 9mm pistol, Model Millenium Pro, serial # TBW92058, and one box of 9mm, 115gr FMJ ammunition.

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

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**MICHAEL L. LEVY**  
**United States Attorney**