

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

UNITED STATES OF AMERICA : CRIMINAL NO. _____

v. : DATE FILED: _____

THOMAS JACKSON LEONARD GUESS	: VIOLATIONS:	18 U.S.C. § 1951 (a) (conspiracy to commit robbery which interferes with commerce - 1 count)
	:	18 U.S.C. § 924(c) (use of a firearm during a crime of violence - 1 count)
	:	18 U.S.C. § 922(g)(1), 924(e) (possession of a firearm by a convicted felon - 1 count Notice of forfeiture

I N D I C T M E N T

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Individuals operating within the Eastern District of Pennsylvania, including Bristol Township, Bucks County, were engaged in the sale of illegal controlled substances, including cocaine, and, as such, were engaged in an enterprise which affected interstate commerce.
2. On or about May 27, 2009, at Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**THOMAS JACKSON and
LEONARD GUESS**

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 THOMAS JACKSON and LEONARD GUESS conspired to unlawfully take and obtain personal property, that is, cocaine, money, other items of value, from the person or 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 a person known to the grand jury (Person 1) would identify drug dealers, who could be successfully targeted for a robbery, to defendant THOMAS JACKSON.

It was a further part of the conspiracy that:

4. Defendant THOMAS JACKSON would enlist defendant LEONARD GUESS to participate in the robbery.

5. Defendant LEONARD GUESS would provide a handgun for the purpose of threatening and pistol whipping the victims.

6. Person 1 would pose as a customer of the victims and would be made to appear to be a victim of the robbery.

7. The victims would be securely bound during the course of the robbery and Person 1 would be made to appear to have been securely bound during the course of the robbery.

8. After defendants THOMAS JACKSON and LEONARD GUESS would take cocaine and money from the victims and their apartment and flee the scene, Person 1 would then leave the apartment and rejoin defendants JACKSON and GUESS.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendants THOMAS JACKSON and LEONARD GUESS committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

On or before May 27, 2009:

1. Defendant THOMAS JACKSON enlisted Person 1 to identify drug dealers from whom JACKSON could rob and steal drugs and money, and to help facilitate such robberies, in exchange for defendant JACKSON selling firearms to Person 1, including an AK-47 for approximately \$400 to \$500.

2. Defendant LEONARD GUESS obtained a 9mm Ruger, P95DC, Serial Number 314-65030 handgun (the Ruger) and 7 live rounds of 9mm ammunition.

On or about May 27, 2009:

3. Defendant THOMAS JACKSON told Person 1 that he would obtain a firearm, which he alternatively referred to as “joint” or “slammer.”

4. Defendant LEONARD GUESS provided the Ruger, loaded with 7 live rounds of ammunition, to defendant THOMAS JACKSON.

5. Defendants THOMAS JACKSON and LEONARD GUESS met Person 1 in the vicinity of 52nd Street and Girard Avenue in Philadelphia, and entered the car Person 1 was driving (the car).

6. Defendant THOMAS JACKSON, after entering the car, handed the Ruger to defendant LEONARD GUESS.

7. While en route to the intended location of the robbery, in Bucks County, Pennsylvania, defendants THOMAS JACKSON and LEONARD GUESS discussed the plans for the robbery, including plans to bind, threaten and pistol whip the victims, create the illusion that Person 1 was also a victim of the robbery and had been similarly bound, and to leave some cocaine behind to discourage the victims from reporting the robbery to the police.

8. While en route to the intended location of the robbery, defendant LEONARD GUESS ensured Person 1 of his credentials to participate in the robbery by stating that this was not his first time putting in "work," meaning to commit a crime, and that he had recently been burglarizing "cribs," meaning homes, in Bucks County.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 27, 2009, at Philadelphia , in the Eastern District of
Pennsylvania, defendants

**THOMAS JACKSON and
LEONARD GUESS**

knowingly used and carried a firearm, that is, a 9mm Ruger, P95DC, Serial Number 314-65030,
handgun, loaded with 7 live rounds, during and in relation to a crime of violence for which he
may be prosecuted in a court of the United States, that is, interference with commerce by robbery
in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

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

THOMAS JACKSON,

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 9mm Ruger, Model P95DC, Serial Number 314-65030, handgun loaded with 7 live rounds of ammunition.

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

NOTICE OF FORFEITURE

1. As a result of the violation of Title 18, United States Code, Sections 924(c), 922(g)(1), and 922(e) set forth in this indictment, the defendants

**THOMAS JACKSON and
LEONARD GUESS**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of such offense(s), including, but not limited to:

- (1) one 9mm Ruger, Model P95DC, Serial Number 314-65030, hand gun; and
- (2) seven live rounds of 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

MICHAEL L. LEVY
United States Attorney

