

**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 commit
GREGORY PITT	:	robbery which interferes with interstate
DEVON BRINKLEY	:	commerce - 1 count)
KEBRUM TEKLU	:	18 U.S.C. § 1951 (robbery which
DIVONNE PITT	:	interferes with interstate commerce - 8
	:	counts)
	:	18 U.S.C. § 924(c)(1) (carrying and using
	:	a firearm during and in relation to a
	:	crime of violence - 8 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times relevant to this superseding 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;
- g. Dunkin Donuts, located at 891 Lancaster Avenue in Devon; and
- h. Delancy Street Bagels, located at 50 E. Wynnewood Road in Wynnewood.

THE ROBBERY CONSPIRACY

2. From on or about October 10, 2008, through on or about October 19, 2008, in the Eastern District of Pennsylvania, defendants

**LUKNER RENE,
JONATHAN MOMAN,
GREGORY PITT,
DEVON BRINKLEY,
KEBRUM TEKLU, and
DIVONNE PITT**

conspired and agreed, together and with others known and unknown to the grand jury, to commit armed robberies, which robberies would unlawfully obstruct, delay, and affect commerce, and the movement of articles and commodities in commerce, in that defendants RENE, MOMAN, GREGORY PITT, BRINKLEY, TEKLU, and DIVONNE 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, GREGORY PITT, DEVON BRINKLEY, KEBRUM TEKLU, and DIVONNE 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 weapons at the employees and customers;

c. threatened and intimidated the employees and customers inside the businesses; stole the victims' cellular telephones to prevent their victims from calling the police or otherwise calling for help, and to evade 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, defendants LUKNER RENE, JONATHAN MOMAN, GREGORY PITT, DEVON BRINKLEY, KEBRUM TEKLU, and DIVONNE PITT, and others known and unknown to the grand jury, committed the following overt acts, among others, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere:

Dunkin Donuts - October 10, 2008

1. On or about October 10, 2008, defendants GREGORY PITT and DEVON BRINKLEY, and Person #1, known to the grand jury (Person #1):

a. drove together to the Dunkin Donuts, located at 416 N. 63rd Street in Philadelphia;

b. entered the business carrying firearms;

c. brandished weapons at the employees, forced some of 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 LUKNER RENE, JONATHAN MOMAN, DEVON BRINKLEY, KEBRUM TEKLU, and DIVONNE PITT:

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

b. entered the business carrying firearms;

c. brandished weapons at the employees, forced them onto the floor,

and demanded money;

- d. forced an employee to open the safe; and
- e. stole cash from the store's safe, and fled.

Pizza Hut - October 16, 2008

3. On or about October 16, 2008, defendants LUKNER RENE, JONATHAN MOMAN, DEVON BRINKLEY, and DIVONNE PITT, and Person #1:

- a. drove together to the Pizza Hut restaurant located at 236 S. 69th Street in Upper Darby;
- b. entered the business carrying firearms;
- c. brandished weapons at the employees, and demanded money; and
- d. 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, defendants LUKNER RENE, JONATHAN MOMAN, DEVON BRINKLEY, and DIVONNE PITT, and Person #1:

- a. drove together to Dunkin Donuts, located at 8910 West Chester Pike in Upper Darby;
- b. entered the business carrying firearms;
- c. brandished the weapons at the patrons and employees, struck an employee in the head with the weapon, and demanded money; and
- d. 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, defendants JONATHAN MOMAN, DEVON BRINKLEY, and DIVONNE PITT, and Person #1, and a person unknown to the grand jury:

- a. drove together to Dunkin Donuts, located at 5506 Chestnut Street in Philadelphia;
- b. entered the business carrying firearms;
- c. brandished weapons at the employees, struck an employee in the head, and demanded money; and
- d. 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 known to the grand jury as DP, a/k/a "Black" (DP):

- a. drove together to Dunkin Donuts, located at 6401 Roosevelt Boulevard in Philadelphia;
- b. entered the business carrying firearms;
- c. brandished weapons at the employees and demanded money; and
- d. 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, defendants LUKNER RENE, GREGORY PITT, and KEBRUM TEKLU, and DP:

- a. drove together to Dunkin Donuts, located at 891 Lancaster Avenue in Devon;
- b. entered the store carrying firearms;
- c. brandished weapons at the employees and demanded money; and
- d. stole cash from the store's cash registers and a box of cigars, and fled.

Delancy Street Bagels - October 19, 2008

8. On or about October 19, 2008, defendants LUKNER RENE, GREGORY PITT, and KEBRUM TEKLU, and a person known to the grand jury as RP, a/k/a "Heem":

- a. drove together to Delancy Street Bagels, located at 50 E. Wynnewood Road in Wynnewood;
- b. entered the business carrying firearms;
- c. brandished weapons at the employee and demanded money; and
- d. attempted to steal cash from the store's safe, stole a set of keys, 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 of this superseding indictment are incorporated here.

2. On or about October 10, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**GREGORY PITT and
DEVON BRINKLEY,**

and Person #1, known to the grand jury (Person #1), obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that defendants GREGORY PITT and BRINKLEY, and Person #1, 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(a) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

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

**GREGORY PITT and
DEVON BRINKLEY,**

and Person #1, a person known to the grand jury, knowingly used and carried, and aided and abetted the use and carrying of, a firearm 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, Sections 1951 and 2.

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 of this superseding indictment are incorporated here.

2. On or about October 14, 2008, in Radnor, in the Eastern District of Pennsylvania, defendants

**LUKNER RENE,
JONATHAN MOMAN,
DEVON BRINKLEY,
KEBRUM TEKLU, and
DIVONNE PITT**

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, MOMAN, BRINKLEY, TEKLU, and DIVONNE PITT 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 customer 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 and a customer, ordering them onto the floor, and demanding money.

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

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

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

**LUKNER RENE,
JONATHAN MOMAN,
DEVON BRINKLEY,
KEBRUM TEKLU, and
DIVONNE PITT**

knowingly used and carried, and aided and abetted the use and carrying of, a firearm 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, Sections 1951 and 2.

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 of this superseding indictment are incorporated here.

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

**LUKNER RENE,
JONATHAN MOMAN,
DEVON BRINKLEY, and
DIVONNE PITT,**

and Person #1, known to the grand jury (Person #1), 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, MOMAN, BRINKLEY, and DIVONNE PITT, and Person #1, 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 employees 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 firearms, pointing firearms at the employees, and demanding money.

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

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,
JONATHAN MOMAN,
DEVON BRINKLEY, and
DIVONNE PITT,**

and Person #1, known to the grand jury (Person #1), knowingly used and carried, and aided and abetted the use and carrying of, a firearm 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, Sections 1951 and 2.

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 of this superseding indictment are incorporated here.

2. On or about October 17, 2008, in Upper Darby, in the Eastern District of Pennsylvania, defendants

**LUKNER RENE,
JONATHAN MOMAN,
DEVON BRINKLEY, and
DIVONNE PITT,**

and Person #1, known to the grand jury (Person #1), 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, MOMAN, BRINKLEY, and DIVONNE PITT, and Person #1, 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 firearms, pointing the firearms at the employees and patrons, striking an employee in the head, and demanding money.

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

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 17, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUKNER RENE,
JONATHAN MOMAN,
DEVON BRINKLEY, and
DIVONNE PITT,**

and Person #1, known to the grand jury (Person #1), knowingly used and carried, and aided and abetted the use and carrying of, a firearm 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, Sections 1951 and 2.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1.e and 3 of Count One of this superseding indictment are incorporated here.

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

**JONATHAN MOMAN,
DEVON BRINKLEY, and
DIVONNE PITT,**

and Person #1, known 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, BRINKLEY, and DIVONNE PITT, and Person #1, 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(a) and 2.

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

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

**JONATHAN MOMAN,
DEVON BRINKLEY, and
DIVONNE PITT,**

and Person #1, known to the grand jury, knowingly used and carried, and aided and abetted the use and carrying of, a firearm 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, Sections 1951 and 2.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1.f and 3 of Count One of this superseding indictment 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 a person known to the grand jury as DP, a/k/a “Black,” 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 GREGORY PITT, and DP, a/k/a “Black,” 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(a) and 2.

COUNT THIRTEEN

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 a person known to the grand jury as DP, a/k/a “Black,” knowingly used and carried, and aided and abetted the use and carrying of, a firearm 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, Sections 1951 and 2.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT FOURTEEN

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, defendants

**LUKNER RENE,
GREGORY PITT, and
KEBRUM TEKLU,**

and a person known to the grand jury as DP, a/k/a “Black,” 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, GREGORY PITT, and TEKLU, and DP, a/k/a “Black,” 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(a) and 2.

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

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

**LUKNER RENE,
GREGORY PITT, and
KEBRUM TEKLU,**

and a person known to the grand jury as DP, a/k/a “Black,” knowingly used and carried, and aided and abetted the use and carrying of, a firearm 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, Sections 1951 and 2.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1.h and 3 of Count One are incorporated here.
2. On or about October 19, 2008, in Wynnewood, in the Eastern District of

Pennsylvania, defendants

**LUKNER RENE,
GREGORY PITT, and
KEBRUM TEKLU,**

and a person known to the grand jury as RP, a/k/a “Heem,” 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, GREGORY PITT, and TEKLU, 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 an employee of Delancy Street Bagels, and against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person and property, by brandishing firearms at the employee, and demanding money.

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

COUNT SEVENTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 19, 2008, in Wynnewood, in the Eastern District of Pennsylvania, defendants

**LUKNER RENE,
GREGORY PITT, and
KEBRUM TEKLU,**

and a person known to the grand jury as RP, a/k/a “Heem,” knowingly used and carried, and aided and abetted the use and carrying of, a firearm 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, Sections 1951 and 2.

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 superseding indictment, defendants

**LUKNER RENE,
JONATHAN MOMAN,
GREGORY PITT,
DEVON BRINKLEY,
KEBRUM TEKLU, and
DIVONNE PITT**

shall forfeit to the United States of America, and firearms and ammunition involved in the
commission of these offenses, 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

MICHAEL L. LEVY
United States Attorney