

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

UNITED STATES OF AMERICA : **CRIMINAL NO. 10-**
v. : **DATE FILED: January 5, 2010**
ANDERSON JOSE COUTINHO-SILVA : **VIOLATION:**
: **18 U.S.C. § 1951(a) (robbery which**
: **interferes with interstate commerce -**
: **1 count)**
: **18 U.S.C. § 924(c)(1) (using a firearm**
: **during and in relation to a crime**
: **of violence - 1 count)**
: **18 U.S.C. § 922(g)(5)(A) (alien in**
: **possession of firearm - 1 count)**
: **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, Supreme Pizza & Bakery, located at 2018 Cottman Avenue in Philadelphia, Pennsylvania (“Supreme Pizza”), was engaged in the retail sale of pizza and other food items in interstate commerce and was an enterprise which affected interstate commerce.

2. On or about October 8, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

ANDERSON JOSE COUTINHO-SILVA

obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant COUTINHO-SILVA unlawfully took and obtained cash from Supreme Pizza in the presence of employees of Supreme Pizza and against their will, by means

of actual and threatened force, violence, and fear of injury, immediate and future, to the employees of Supreme Pizza, that is, by demanding money while brandishing and discharging a handgun to threaten employees and customers of Supreme Pizza.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 8, 2009, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

ANDERSON JOSE COUTINHO-SILVA

knowingly used and carried a firearm, that is, a RG Industries .22 caliber handgun, serial number Z095367, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, robbery which interferes with interstate commerce, in violation of Title 18, United States Code, Section 1951.

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 8, 2009, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

ANDERSON JOSE COUTINHO-SILVA,

while being an alien illegally and unlawfully in the United States, knowingly possessed in and affecting interstate commerce a firearm and ammunition, that is, a RG Industries .22 caliber handgun, serial number Z095367, loaded with four live rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(5)(A).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Sections 1951(a), set forth in this indictment, defendant

ANDERSON JOSE COUTINHO-SILVA

shall forfeit to the United States of America

(a) any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses, including, but not limited to the sum of at least \$190 in cash seized by officers of the Philadelphia Police Department on or about October 8, 2009; and

(b) the firearm and ammunition involved in the commission of such offenses, including, but not limited to, the RG Industries .22 caliber handgun, serial number Z095367, loaded with four live rounds of ammunition, seized by officers of the Philadelphia Police Department on or about October 8, 2009.

All pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2).

2. As a result of the violations of Title 18, United States Code, Sections 924(c) and 922(g)(5)(A), set forth in this indictment, defendant

ANDERSON JOSE COUTINHO-SILVA

shall forfeit to the United States of America the firearms involved in the commission of such offense, including, but not limited to, RG Industries .22 caliber handgun, serial number Z095367, loaded with four live rounds of ammunition.

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

A TRUE BILL:

FOREPERSON


MICHAEL L. LEVY
United States Attorney