

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

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_

**v.** : **DATE FILED:** \_\_\_\_\_

**GARY J. ROBINSON, JR.** : **VIOLATIONS:**  
: **18 U.S.C. § 2118(b) (pharmacy burglary – 1**  
: **count)**  
: **21 U.S.C. § 841(a)(1) (possession with**  
: **intent to distribute controlled substances – 1**  
: **count)**  
: **18 U.S.C. § 2 (aiding and abetting)**  
: **Notice of forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about August 13, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**GARY J. ROBINSON, JR.,**

without authority, entered, and aided and abetted the entry of, the business premises of a person registered with the Drug Enforcement Administration under 21 U.S.C. § 822, that is, the Rite Aid Pharmacy, located at 2327 Cottman Avenue in Philadelphia, Pennsylvania, with intent to steal materials and compounds containing any quantity of a controlled substance, including but not limited to, Amphetamine salts, Methylphenidate (Ritalin), Hydromorphone, Methadone, Morphine Sulfate, Oxymorphone, and, Oxycodone (Oxycontin, Percocet), and 20 Fentanyl Transdermal system patches, all Schedule II controlled substances, and whose replacement value was not less than \$500.

In violation of Title 18, United States Code, Sections 2118(b) and 2.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 13, 2009, in the Eastern District of Pennsylvania, defendant

**GARY J. ROBINSON, JR.**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, approximately 2,337 tablets containing controlled substances, including but not limited to, Amphetamine salts, Methylphenidate (Ritalin), Hydromorphone, Methadone, Morphine Sulfate, Oxycodone (Oxycontin, Percocet), and 20 Fentanyl Transdermal system patches, each a Schedule II controlled substance.

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

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Sections 2118(b) and 2, and Title 21, United States Code, Section 841(a)(1), set forth in this indictment, defendant

**GARY J. ROBINSON, JR.**

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses.

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

- (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 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,  
United States Code, Section 981(a)(1)(C).

**A TRUE BILL:**

**\_\_\_\_\_  
GRAND JURY FOREPERSON**

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MICHAEL L. LEVY  
United States Attorney**