

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

UNITED STATES OF AMERICA	:	DATE FILED:	<u>1/11/11</u>
v.	:	CRIMINAL NO.	<u>11-020</u>
JERMAINE GRAHAM, a/k/a "Hood," TYRONE GREEN, a/k/a "Torch"	:	VIOLATIONS:	
	:	18 U.S.C. § 1951(a) (conspiracy to commit robbery which interfered with interstate commerce - 1 count)	
	:	18 U.S.C. § 1951(a) (robbery which interfered with interstate commerce - 3 counts)	
	:	18 U.S.C. § 924(c)(1) (using and carrying a firearm during a crime of violence - 3 counts)	
	:	18 U.S.C. § 2 (aiding and abetting)	

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. Ray Funeral Home, located at 1525 West Dauphin Street in Philadelphia, Pennsylvania ("Ray Funeral Home"), was a business engaged in interstate commerce, providing services including the embalming of bodies using embalming fluid produced in and transported from other states to Pennsylvania.
2. Cricket, located at 6302 Woodland Avenue in Philadelphia, Pennsylvania, ("the Cricket store") was a business engaged in interstate commerce, providing cellular telephones produced in and transported from other states to Pennsylvania, and sold to residents of the Commonwealth of Pennsylvania and out of state residents.
3. On or about December 10, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JERMAINE GRAHAM,
a/k/a “Hood,” and
TYRONE GREEN,
a/k/a “Torch,”**

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 GRAHAM and GREEN conspired to unlawfully take and obtain money and other items of value from the persons, and in the presence, of employees of Ray Funeral Home, located at 1525 West Dauphin Street, and the Cricket store, located at 6302 Woodland Avenue, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property in their possession, all in violation of Title 18, United States Code, Section 1951(a), (b)(1), and (b)(3).

MANNER AND MEANS

4. It was part of the conspiracy that defendants JERMAINE GRAHAM and TYRONE GREEN robbed Ray Funeral Home at gunpoint and stole embalming fluid, a 9 mm Beretta handgun with serial number ES9608, approximately \$162 in United States currency and coin, approximately two wristwatches, and approximately two cellular telephones.

5. It was further part of the conspiracy that defendants JERMAINE GRAHAM and TYRONE GREEN robbed the Cricket store at gunpoint and stole approximately \$3,024 in United States currency and coin, as well as two cellular telephones.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects of the conspiracy, defendants JERMAINE GRAHAM and TYRONE GREEN committed the following overt acts, among others, in the Eastern District of Pennsylvania:

On or about December 10, 2009, defendants JERMAINE GRAHAM and TYRONE GREEN:

1. Went together to Ray Funeral Home;
2. Entered the funeral home armed with firearms, and robbed the funeral home employees at gunpoint;
3. Stole embalming fluid and a 9 mm Beretta handgun with serial number ES9608 from the funeral home, and took from the persons of the funeral home employees approximately \$162 in United States currency and coin, approximately two wristwatches, and approximately two cellular telephones, before fleeing the funeral home;
4. Traveled together to the Cricket store;
5. While defendant JERMAINE GRAHAM entered the Cricket store and pointed a firearm at store employees, defendant TYRONE GREEN entered the store and emptied approximately \$1,932 in United States currency and coin from the store's cash registers;
6. Took approximately \$1,092 in United States currency and coin, as well as approximately two cellular telephones, from the persons of store employees, and fled the store.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 4, and Overt Acts 1 through 3 of Count One of this indictment are incorporated here.
2. On or about December 10, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JERMAINE GRAHAM,
a/k/a “Hood,” and
TYRONE GREEN,
a/k/a “Torch,”**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendants GRAHAM and GREEN unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, United States currency and coin, valued at approximately \$162, embalming fluid, a 9 mm Beretta handgun with serial number ES9608, approximately two wristwatches and approximately two cellular telephones from Ray Funeral Home, located at 1525 West Dauphin Street, in the presence of employees of Ray Funeral Home and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employees of Ray Funeral Home, that is, by brandishing firearms at three employees and by repeatedly punching one of the employees, demanding United States currency and coin from the employees, and otherwise threatening the employees of Ray Funeral Home.

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 10, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JERMAINE GRAHAM,
a/k/a “Hood,” and
TYRONE GREEN,
a/k/a “Torch,”**

knowingly used and carried, and aided and abetted the use and carrying of, firearms, 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 commit robbery which interfered with interstate commerce, and robbery which interfered with interstate commerce, of Ray Funeral Home, located at 1525 West Dauphin Street, in violation of Title 18, United States Code, Section 1951(a).

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

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 and 5, and Overt Acts 4 through 6 of Count One of this indictment are incorporated here.
2. On or about December 10, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JERMAINE GRAHAM,
a/k/a “Hood,” and
TYRONE GREEN,
a/k/a “Torch,”**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendants GRAHAM and GREEN unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, United States currency and coin, valued at approximately \$3,024, as well as approximately two cellular telephones, from the Cricket store, located at 6302 Woodland Avenue, in the presence of employees of the Cricket store and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employees of the Cricket store, that is, by brandishing a firearm at three employees, demanding United States currency and coin from the employees, and otherwise threatening the employees of the Cricket store.

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

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 10, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**JERMAINE GRAHAM,
a/k/a “Hood,” and
TYRONE GREEN,
a/k/a “Torch,”**

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 commit robbery which interfered with interstate commerce, and robbery which interfered with interstate commerce, of the Cricket store, located at 6302 Woodland Avenue, in violation of Title 18, United States Code, Section 1951(a).

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

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. At all times relevant to this indictment, Cricket, a telephone retail sales store, located 5508 Chester Avenue in Philadelphia, Pennsylvania, was a business engaged in interstate commerce, providing cellular telephones produced in and transported from other states to Pennsylvania, and sold to residents of the Commonwealth of Pennsylvania and out of state residents.

2. On or about December 11, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JERMAINE GRAHAM,
a/k/a “Hood,”**

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant GRAHAM unlawfully took and obtained United States currency and coin, valued at approximately \$1,500, as well as one i-pod electronic device, from the Cricket store located at 5508 Chester Avenue, in the presence of an employee of the Cricket store and against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee of the Cricket store, that is, by brandishing a firearm at an employee, demanding United States currency and coin from the employee, and otherwise threatening the employee of the Cricket store.

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

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 11, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JERMAINE GRAHAM,
a/k/a "Hood,"**

knowingly used and carried a firearm, 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 interfered with interstate commerce of the Cricket store, located at 5508 Chester Avenue, in violation of Title 18, United States Code, Section 1951(a).

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

A TRUE BILL:

GRAND JURY FOREPERSON

**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**