

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

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.</b> <u>11-_____</u>
<b>v.</b>	:	<b>DATE FILED:</b> <u>March 8, 2011</u>
<b>LEVI RIVERS</b>	:	<b>VIOLATIONS:</b>
<b>PAUL WRIGHT</b>	:	<b>18 U.S.C. § 1951 (conspiracy to commit robbery which interferes with interstate commerce - 1 count)</b>
	:	<b>18 U.S.C. § 1951 (attempted robbery which interferes with interstate commerce - 2 counts)</b>
	:	<b>18 U.S.C. § 924(c)(1) (using and carrying a firearm during and in relation to a crime of violence - 2 counts)</b>
	:	<b>18 U.S.C. § 2 (aiding &amp; abetting)</b>
	:	<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

**INTRODUCTION**

1. The illegal distribution, possession with intent to distribute, importation, manufacture, possession, and use of illegal narcotics and controlled substances affects interstate and foreign commerce as follows:

- a. It has a substantial and detrimental effect on the health and general welfare of the American people;
- b. A major portion of the traffic in illegal narcotics and controlled substances flows through interstate and foreign commerce. Incidents of the traffic which are not an integral part of the interstate or foreign flow, such as manufacture, local distribution, and

possession, nonetheless have a substantial and direct effect upon interstate commerce because many illegal narcotics and controlled substances: (i) after manufacture, these substances are transported in interstate commerce; (ii) such substances that are distributed locally usually have been transported in interstate commerce immediately before their distribution; and (iii) immediately prior to the possession of such substances, they commonly flow through interstate commerce.

c. Local distribution and possession of illegal narcotics and controlled substances contribute to swelling the interstate traffic in such substances.

d. Illegal narcotics and controlled substances manufactured and distributed intrastate cannot be differentiated from controlled substances manufactured and distributed interstate.

All as set forth in Title 21, United States Code, Section 801.

### **THE CONSPIRACY**

2. On or about September 6, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LEVI RIVERS and  
PAUL WRIGHT**

conspired and agreed to commit robbery, which robbery would unlawfully obstruct, delay, and affect commerce, and the movement of articles and commodities in commerce, in that defendants LEVI RIVERS and PAUL WRIGHT conspired to unlawfully take and obtain property, including money, from the person and presence of Person #1, a person known to the grand jury as a drug dealer, against his will, by means of actual and threatened force, violence, and fear of injury,

immediate and future, to Person #1's person and property, all in violation of Title 18, United States Code, Section 1951(a), (b)(1), and (b)(3).

### **MANNER AND MEANS**

It was part of this conspiracy that:

3. Defendants LEVI RIVERS and PAUL WRIGHT planned to rob Person #1, a drug dealer known to defendant WRIGHT, at gunpoint, in Person #1's residence.

4. The defendants chose to invade Person #1's residence while Person #1 would be sleeping.

### **OVERT ACTS**

In furtherance of the conspiracy and to accomplish its object, defendants LEVI RIVERS and PAUL WRIGHT committed the following overt acts, among others, in the Eastern District of Pennsylvania:

1. On a date unknown to the grand jury, the defendants procured a Colt .38 Special Revolver, serial number 145085.

On or about September 6, 2010:

2. Defendants LEVI RIVERS and PAUL WRIGHT went together to a residence on the 5600 block of North 18<sup>th</sup> Street, Philadelphia, Pennsylvania, where they believed Person #1 lived, and forced entry into the residence.

3. Once inside the residence, defendant PAUL WRIGHT pointed a handgun at Person #2, a person known to the grand jury and the only resident present at the time.

4. While inside the residence, defendants LEVI RIVERS and PAUL WRIGHT demanded to know the whereabouts of Person #1 from Person #2.

5. The defendants threatened Person #2 in order to force Person #2 to disclose the whereabouts of Person #1's money, drugs, and other valuables.

6. The defendants robbed Person #2, taking several items of value, including an electric guitar.

On or about September 7, 2010:

7. Defendants LEVI RIVERS and PAUL WRIGHT went together to a residence located on the 5700 block of North Lambert Street, Philadelphia, Pennsylvania, and forced entry into the residence.

8. While inside the residence, defendants LEVI RIVERS and PAUL WRIGHT demanded to know the whereabouts of Person #1 from the four residents present at the time, Person #3, Person #4, Person #5, and Person #6, all persons known to the grand jury.

9. The defendants threatened the residents in order to force them to disclose the whereabouts of Person #1's money, drugs, and other valuables.

10. The defendants robbed Persons #3, #4, #5, and #6 of items of value located inside the residence.

11. Defendant PAUL WRIGHT forced Person #3 and Person #5 to travel with him to a convenience store located at 7236 Germantown Avenue, where he used threats of violence to attempt to force Person #3 and Person #5 to withdraw funds from an Automated Teller Machine located inside the convenience store.

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

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1, 3, and 4, and Overt Acts 1 through 6 of Count One of this indictment are incorporated here.

2. On or about September 6, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LEVI RIVERS and  
PAUL WRIGHT**

obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that the defendants attempted to unlawfully take and obtain, and aided and abetted the attempted unlawful taking and obtaining of, money from Person #1, a person known to the grand jury as a drug dealer, against his will, by means of actual and threatened force, violence and fear of injury, immediate and future, to Person #1's person and property.

In violation of Title 18, United States Code, Section 1951 and 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 6, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LEVI RIVERS and  
PAUL WRIGHT**

used and carried, and aided and abetted the use and carrying of, a firearm, that is, a Colt revolver, caliber .38 Special, serial number 145085, 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 attempted robbery which interfered with interstate commerce, 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, 3, and 4, and Overt Acts 7 through 11 of Count One of this indictment are incorporated here.

2. On or about September 7, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LEVI RIVERS and  
PAUL WRIGHT**

obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that the defendants attempted to unlawfully take and obtain, and aided and abetted the attempted unlawful taking and obtaining of, money from Person #3 and Person #5 and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future to their person and property, that is, by attempting to force Person #3 and Person #5 to withdraw funds from their bank accounts by using their Automatic Teller Machine cards.

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

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

**On or about September 7, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants**

**LEVI RIVER and  
PAUL WRIGHT**

**used and carried, and aided and abetted the use and carrying of, a firearm, that is, a Colt revolver, caliber .38 Special, serial number 145085, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, attempted robbery which interfered with interstate commerce, 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**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violations of Title 18, United States Code, Section 924(c), set forth in this indictment, defendants

**LEVI RIVERS and  
PAUL WRIGHT**


shall forfeit to the United States of America, the firearm and ammunition involved in the commission of this offense, including, but not limited to:

One Colt revolver, caliber .38 Special, serial number 145085.

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

**A TRUE BILL:**

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GRAND JURY FOREPERSON**

  
**ZANE DAVID MEMEGER  
UNITED STATES ATTORNEY**