

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Claire C. Cecchi
	:	
	:	Crim. No. 23-336
v.	:	
	:	
	:	18 U.S.C. § 1951(a)
EDWARD PORTER,	:	18 U.S.C. § 924(c)(1)(A)(ii)
CARLOS DIAZ, and	:	18 U.S.C. § 2
KAREEM POWELL	:	

**SUPERSEDING INDICTMENT**

The Grand Jury in and for the District of New Jersey, sitting at Newark,  
charges:

**COUNT ONE**  
**(Hobbs Act Robbery)**

1. At all times relevant to this Indictment, the business described below, Business-1, ordered and sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

2. On or about August 22, 2022, in Passaic County, in the District of New Jersey, and elsewhere, the defendants,

**EDWARD PORTER,  
CARLOS DIAZ, and  
KAREEM POWELL,**

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, in that the defendants did unlawfully take and obtain

property of Business-1 by means of actual and threatened force, and violence, and fear of injury, immediate and future, to the person and property of another, namely, Victim-1, an employee of Business-1, and did aid and abet the same.

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

**COUNT TWO**  
**(Hobbs Act Robbery)**

1. At all times relevant to this Indictment, the business described below, Business-2, ordered and sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

2. On or about August 22, 2022, in Passaic County, in the District of New Jersey, and elsewhere, the defendants,

**EDWARD PORTER,  
CARLOS DIAZ, and  
KAREEM POWELL,**

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, in that the defendants did unlawfully take and obtain property of Business-2 by means of actual and threatened force, and violence, and fear of injury, immediate and future, to the person and property of another, namely, Victim-2, an employee of Business-2, and did aid and abet the same.

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

**COUNT THREE**  
**(Hobbs Act Robbery)**

1. At all times relevant to this Indictment, the business described below, Business-3, ordered and sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

2. On or about August 23, 2022, in Passaic County, in the District of New Jersey, and elsewhere, the defendants,

**EDWARD PORTER and**  
**CARLOS DIAZ,**

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, in that the defendants did unlawfully take and obtain property of Business-3 by means of actual and threatened force, and violence, and fear of injury, immediate and future, to the person and property of another, namely, Victim-3, an employee of Business-3, and did aid and abet the same.

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

**COUNT FOUR**  
**(Hobbs Act Robbery)**

1. At all times relevant to this Indictment, the business described below, Business-4, ordered and sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

2. On or about August 23, 2022, in Passaic County, in the District of New Jersey, and elsewhere, the defendants,

**EDWARD PORTER and CARLOS DIAZ,**

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, in that the defendants did unlawfully take and obtain property of Business-4 by means of actual and threatened force, and violence, and fear of injury, immediate and future, to the person and property of another, namely, Victim-4, an employee of Business-4, and did aid and abet the same.

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

**COUNT FIVE**

**(Brandishing a Firearm During and in Relation to a Crime of Violence)**

On or about August 22, 2022, in Passaic County, in the District of New Jersey, and elsewhere, the defendants,

**EDWARD PORTER,  
CARLOS DIAZ, and  
KAREEM POWELL,**

during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the Hobbs Act Robbery charged in Count One of this Indictment, did knowingly use and carry a firearm, which firearm was brandished, and did aid and abet the same.

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

**COUNT SIX**  
**(Brandishing a Firearm During and in Relation to a Crime of Violence)**

On or about August 22, 2022, in Passaic County, in the District of New Jersey, and elsewhere, the defendants,

**EDWARD PORTER,  
CARLOS DIAZ, and  
KAREEM POWELL,**

during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the Hobbs Act Robbery charged in Count Two of this Indictment, did knowingly use and carry a firearm, which firearm was brandished, and did aid and abet the same.

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

**COUNT SEVEN**

**(Brandishing a Firearm During and in Relation to a Crime of Violence)**

On or about August 23, 2022, in Passaic County, in the District of New Jersey, and elsewhere, the defendants,

**EDWARD PORTER and  
CARLOS DIAZ,**

during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the Hobbs Act Robbery charged in Count Three of this Indictment, did knowingly use and carry a firearm, which firearm was brandished, and did aid and abet the same.

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



**COUNT EIGHT**  
**(Brandishing a Firearm During and in Relation to a Crime of Violence)**

On or about August 23, 2022, in Passaic County, in the District of New Jersey, and elsewhere, the defendants,

**EDWARD PORTER and  
CARLOS DIAZ,**

during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the Hobbs Act Robbery charged in Count Four of this Indictment, did knowingly use and carry a firearm, which firearm was brandished, and did aid and abet the same.

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

**FORFEITURE ALLEGATION AS TO COUNTS ONE AND TWO**

As a result of committing the Hobbs Act robbery offenses alleged in Counts One and Two of this Superseding Indictment, the defendants,

**EDWARD PORTER,  
CARLOS DIAZ, and  
KAREEM POWELL,**

shall forfeit to the United States, (i) pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the commission of such offenses, and (ii) pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in or used in the commission of such offenses.

**FORFEITURE ALLEGATION AS TO COUNTS THREE AND FOUR**

As a result of committing the Hobbs Act robbery offenses alleged in Counts Three and Four of this Superseding Indictment, the defendants,

**EDWARD PORTER and  
CARLOS DIAZ,**

shall forfeit to the United States, (i) pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the commission of such offenses, and (ii) pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in or used in the commission of such offenses.

**FORFEITURE ALLEGATION AS TO COUNTS FIVE AND SIX**

As a result of committing the firearms offenses in violation of 18 U.S.C. § 924(c), as charged in Counts Five and Six of this Superseding Indictment, the defendants,

**EDWARD PORTER,  
CARLOS DIAZ, and  
KAREEM POWELL,**

shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in or used in the commission of such offenses.

**FORFEITURE ALLEGATION AS TO COUNTS SEVEN AND EIGHT**

As a result of committing the firearms offenses in violation of 18 U.S.C. § 924(c), as charged in Counts Seven and Eight of this Superseding Indictment, the defendants,

**EDWARD PORTER and  
CARLOS DIAZ,**

shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in or used in the commission of such offenses.

**Substitute Assets Provision**  
**(Applicable to All Counts)**

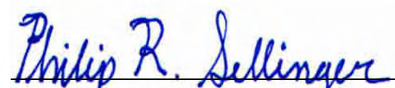
If any of the property described above, as a result of any act or omission of the defendants:

- 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 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

A TRUE BILL

\_\_\_\_\_  
Foreperson

  
PHILIP R. SELLINGER  
United States Attorney