

ATTACHMENT A

Count One (Conspiracy to Commit Carjacking)

On or about March 27, 2012, in Essex County, in the District of New Jersey and elsewhere, defendants LOUIS HOLMES and ROSENDO PEREZ did knowingly and intentionally conspire with each other and others to commit an offense against the United States, namely, to take from the person and presence of another, by force and violence and by intimidation, with intent to cause death and serious bodily harm, motor vehicles that had been transported, shipped, and received in interstate and foreign commerce, contrary to Title 18, United States Code, Section 2119.

In furtherance of the conspiracy, and to achieve the objects thereof, on or about March 27, 2012, defendants LOUIS HOLMES and ROSENDO PEREZ and others committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

- a. Defendants LOUIS HOLMES and ROSENDO PEREZ carjacked a 2009 Acura TL at gunpoint.
- b. Defendant LOUIS HOLMES carjacked a 2010 Nissan Maxima at gunpoint.
- c. Defendant LOUIS HOLMES carjacked a 2008 Nissan Altima at gunpoint.

All in violation of Title 18, United States Code, Section 371.

Count Two (Theft of a Motor Vehicle by Force, Violence, and by Intimidation)

On or about March 27, 2012, in Essex County, in the District of New Jersey and elsewhere, defendants LOUIS HOLMES and ROSENDO PEREZ, with the intent to cause death and serious bodily harm, knowingly took a motor vehicle, namely a 2009 Acura TL, that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another, namely N.H. and C.C., by force and violence and by intimidation.

In violation of Title 18, United States Code, Section 2119 and Section 2.

Count Three (Use of a Firearm in Furtherance of a Crime of Violence)

On or about March 27, 2012, in Essex County, in the District of New Jersey and elsewhere, defendants LOUIS HOLMES and ROSENDO PEREZ, during and in relation to a crime of violence for which the defendants may be prosecuted in a court of the United States, specifically the carjacking set forth in Count Two, did knowingly use, carry, and, in furtherance of such crime, possess a firearm, which was brandished.

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

Count Four (Theft of a Motor Vehicle by Force, Violence, and by Intimidation)

On or about March 27, 2012, in Hudson County, in the District of New Jersey and elsewhere, defendant LOUIS HOLMES, with the intent to cause death and serious bodily harm, knowingly took a motor vehicle, namely a 2010 Nissan Maxima, that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another, namely R.H. and G.H., by force and violence and by intimidation.

In violation of Title 18, United States Code, Section 2119 and Section 2.

Count Five (Theft of a Motor Vehicle by Force, Violence, and by Intimidation)

On or about March 27, 2012, in Essex County, in the District of New Jersey and elsewhere, defendant LOUIS HOLMES, with the intent to cause death and serious bodily harm, knowingly took a motor vehicle, namely a 2008 Nissan Altima, that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another, namely A.W., by force and violence and by intimidation.

In violation of Title 18, United States Code, Section 2119 and Section 2.

ATTACHMENT B

I, Ajit David, am a Special Agent with the Federal Bureau of Investigation. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and part. Since this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. On or about March 27, 2012, at or around 2:12 p.m., N.H. and C.C. were sitting in N.H.'s vehicle, a silver 2009 Acura TL, which was parked in the area of South 17th Street in Newark. A vehicle pulled up alongside N.H.'s vehicle, and the rear-passenger occupant of that vehicle, later identified as defendant LOUIS HOLMES, pointed a firearm at N.H. and C.C. Defendant LOUIS HOLMES and another individual, later identified as defendant ROSENDO PEREZ, exited the vehicle and approached the vehicle in which N.H. and C.C. were sitting. Both defendants LOUIS HOLMES and ROSENDO PEREZ ordered N.H. and C.C. out of the car. N.H. and C.C. complied, and defendants LOUIS HOLMES and ROSENDO PEREZ entered N.H.'s vehicle and fled the area.

2. N.H. positively identified defendants LOUIS HOLMES and ROSENDO PEREZ as the people who carjacked him/her on or about March 27, 2012. C.C. positively identified LOUIS HOLMES as one of the people who carjacked him/her on or about March 27, 2012.

3. On or about March 27, 2012, at or around 9:59 p.m., R.H. was approaching his/her vehicle, a white 2010 Nissan Maxima, which was parked in a McDonald's parking lot at 891 Communipaw Avenue in Jersey City; G.H. was sitting inside R.H.'s vehicle at the time. As R.H. was approaching his/her vehicle, an individual, later identified as defendant LOUIS HOLMES, pointed a firearm at R.H. and G.H. Defendant LOUIS HOLMES demanded the vehicle's keys from R.H., and ordered G.H. out of the car. Defendant LOUIS HOLMES then entered R.H.'s vehicle and fled the area.

4. R.H. positively identified defendant LOUIS HOLMES as the person who carjacked him/her on or about March 27, 2012.

5. On or about March 27, 2012, at or around 11:00 p.m., A.W. was standing in the vicinity of his/her vehicle, a gray 2008 Nissan Altima, which was parked in the area of Mt. Pleasant Avenue in Newark. A white Nissan pulled up alongside A.W.'s vehicle, and an individual, later identified as defendant LOUIS HOLMES, exited the vehicle and pointed a firearm at A.W. Defendant LOUIS HOLMES demanded A.W.'s keys, and A.W. complied. Defendant LOUIS HOLMES then entered A.W.'s vehicle and fled the area.

6. A.W. positively identified defendant LOUIS HOLMES as the person who carjacked him/her on or about March 27, 2012.

7. On or about March 28, 2012, at or around 11:10 p.m., a law enforcement observed N.H.'s silver 2009 Acura TL, which was carjacked from N.H. and C.C. the prior day. A motor vehicle pursuit ensued through the cities of Newark and East Orange until the driver of N.H.'s vehicle, later identified as defendant ROSENDO PEREZ, lost control of the car and crashed it. Once N.H.'s vehicle was inoperable, defendants ROSENDO PEREZ and LOUIS HOLMES exited the vehicle and attempted to flee the area. Defendant ROSENDO PEREZ exited the driver's seat of N.H.'s vehicle and was apprehended shortly thereafter. Defendant LOUIS HOLMES exited the front passenger's seat of N.H.'s vehicle and was apprehended shortly thereafter. Immediately prior to his apprehension, defendant LOUIS HOLMES threw a handgun to the ground. Law enforcement officers recovered the handgun, which was loaded with six hollow point rounds.

8. A third individual, a juvenile, was also a passenger of N.H.'s silver 2009 Acura TL at the time of its pursuit. The juvenile was found to have been in possession of a mobile "hotspot" device, which allows Wi-Fi-enabled mobile devices to access the Internet wirelessly. It was learned, pursuant to a court-authorized search warrant, that the "hotspot" device is subscribed to R.H., whose white 2010 Nissan Maxima was carjacked the prior day in Jersey City.

9. Neither N.H.'s 2009 Acura TL, nor R.H.'s 2010 Nissan Maxima, nor A.W.'s 2008 Nissan Altima was manufactured in the State of New Jersey.