

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
 :
 v. : Crim. No.
 :
 JAMAR DARBY, : 18 U.S.C. §§ 1951(a),
 a/k/a "Rhino" : 924(c)(i)(A)(ii) & 2
 :

I N D I C T M E N T

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

COUNT ONE
(Hobbs Act Conspiracy)

1. From in or about December 2012, through in or
about May 2013, in Union, Essex, and Bergen Counties, in the
District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

did knowingly and willfully conspire and agree with B.D. and
A.Y. to obstruct, delay, and affect commerce and the movement of
articles and commodities in commerce, by robbery, as that term
is defined in Title 18, United States Code, Section 1951(b)(1),
and to commit and threaten physical violence to persons and
property in furtherance thereof.

2. It was the object of the conspiracy to obtain
money and other things of value by force from the employees of
businesses engaged in commerce, as that term is defined in Title
18, United States Code, Section 1951(b)(3).

3. It was part of the conspiracy that on or about February 1, 2013, JAMAR DARBY and B.D. used a handgun to rob the Linden Stationary located at 638 West St. Georges Avenue, Linden, New Jersey.

4. It was part of the conspiracy that on or about February 1, 2013, JAMAR DARBY and B.D. used a handgun to rob the Delta Gas Station located at 36 Nesbitt Street, Newark, New Jersey.

5. It was part of the conspiracy that on or about February 2, 2013, JAMAR DARBY and B.D. used a handgun to rob the Shoppers Express located at 304 Belleville Avenue, Belleville, New Jersey.

6. It was part of the conspiracy that on or about February 13, 2013, JAMAR DARBY and B.D. used a handgun to rob the Krauszlers located at 300 Broad Street, Bloomfield, New Jersey.

7. It was part of the conspiracy that on or about February 19, 2013, JAMAR DARBY and B.D. used a handgun to rob the Pat's Deli located at 310 Elm Street, Newark, New Jersey.

8. It was part of the conspiracy that on or about March 16, 2013, JAMAR DARBY and B.D. used handguns to rob the Smashburger located at 556 North Route 17, Paramus, New Jersey.

9. It was part of the conspiracy that on or about March 29, 2013, JAMAR DARBY and B.D. used handguns to rob the Krauszers located at 300 Broad Street, Bloomfield, New Jersey.

10. It was part of the conspiracy that on or about April 17, 2013, JAMAR DARBY and B.D. used a handgun to rob the South Wood Discount Liquor located at 928 South Wood Avenue, Linden, New Jersey.

11. It was part of the conspiracy that on or about May 20, 2013, JAMAR DARBY, B.D., and A.Y. used handguns to rob the Subway Restaurant, located at 45 Bloomfield Avenue, Verona, New Jersey.

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

COUNT TWO
(Hobbs Act Robbery)

1. At all times material to this Indictment, Linden Stationary was a commercial establishment located at 638 West St. Georges Avenue, Linden, New Jersey, engaged in the sale of magazines, cigarettes, food, and other items that moved in, were transferred in, and affected interstate and foreign commerce.

2. On or about February 1, 2013, in Union County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property consisting of United States currency and other items from the persons of and in the presence of employees of Linden Stationary, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, and property in their custody and possession.

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

COUNT THREE

(Use of a Firearm During a Crime of Violence)

On or about February 1, 2013, in Union County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violations of Title 18, United States Code, Section 1951(a) and Section 2 charged in Count Two of this Indictment, did knowingly use and carry a firearm, and possess a firearm in furtherance of such crime, which firearm was brandished, and did aid and abet the same.

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

COUNT FOUR
(Hobbs Act Robbery)

1. At all times material to this Indictment, Delta Gas Station was a commercial establishment located at 36 Nesbitt Street, Newark, New Jersey engaged in the sale of gasoline, food, and other items that moved in, were transferred in, and affected interstate and foreign commerce.

2. On or about February 1, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property consisting of United States currency from the persons of and in the presence of an employee of Delta Gas Station, against the employee's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee's person and property, and property in the employee's custody and possession.

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

COUNT FIVE

(Use of a Firearm During a Crime of Violence)

On or about February 1, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violations of Title 18, United States Code, Section 1951(a) and Section 2, as charged in Count Four of this Indictment, did knowingly use and carry a firearm, and possess a firearm in furtherance of such crime, which firearm was brandished, and did aid and abet the same.

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

COUNT SIX
(Hobbs Act Robbery)

1. At all times material to this Indictment, Shopper's Express was a commercial establishment located at 304 Belleville Avenue, Belleville, New Jersey, engaged in the sale of food and other items that moved in, were transferred in, and affected interstate and foreign commerce.

2. On or about February 2, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property consisting of United States currency and other items from the persons of and in the presence of an employee of Shopper's Express, against the employee's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee's person and property, and property in the employee's custody and possession.

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

COUNT SEVEN

(Use of a Firearm During a Crime of Violence)

On or about February 2, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violations of Title 18, United States Code, Section 1951(a) and Section 2, as charged in Count Six of this Indictment, did knowingly use and carry a firearm, and possess a firearm in furtherance of such crime, which firearm was brandished, and did aid and abet the same.

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

COUNT EIGHT
(Hobbs Act Robbery)

1. At all times material to this Indictment, Krauszers was a commercial establishment located at 300 Broad Street, Bloomfield, New Jersey engaged in the sale of food and other items that moved in, were transferred in, and affected interstate and foreign commerce.

2. On or about February 13, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property consisting of United States currency and other items from the persons of and in the presence of an employee of Krauszers, against the employee's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee's person and property, and property in the employee's custody and possession.

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

COUNT NINE

(Use of a Firearm During a Crime of Violence)

On or about February 13, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violations of Title 18, United States Code, Section 1951(a) and Section 2, as charged in Count Eight of this Indictment, did knowingly use and carry a firearm, and possess a firearm in furtherance of such crime, which firearm was brandished, and did aid and abet the same.

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

COUNT TEN
(Hobbs Act Robbery)

1. At all times material to this Indictment, Pat's Deli was a commercial establishment located at 310 Elm Street, Newark, New Jersey engaged in the sale of food and other items that moved in, were transferred in, and affected interstate and foreign commerce.

2. On or about February 19, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property consisting of United States currency from the persons of and in the presence of employees of Pat's Deli, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, and property in their custody and possession.

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

COUNT ELEVEN

(Use of a Firearm During a Crime of Violence)

On or about February 19, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violations of Title 18, United States Code, Section 1951(a) and Section 2, as charged in Count Ten of this Indictment, did knowingly use and carry a firearm, and possess a firearm in furtherance of such crime, which firearm was brandished, and did aid and abet the same.

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

COUNT TWELVE
(Hobbs Act Robbery)

1. At all times material to this Indictment, Smashburger was a commercial establishment located at 556 North Route 17, Paramus, New Jersey engaged in the sale of food that moved in, was transferred in, and affected interstate and foreign commerce.

2. On or about March 16, 2013, in Bergen County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property consisting of United States currency from the persons of and in the presence of employees of Smashburger, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, and property in their custody and possession.

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

COUNT THIRTEEN

(Use of a Firearm During a Crime of Violence)

On or about March 16, 2013, in Bergen County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violations of Title 18, United States Code, Section 1951(a) and Section 2, as charged in Count Twelve of this Indictment, did knowingly use and carry a firearm, and possess a firearm in furtherance of such crime, which firearm was brandished, and did aid and abet the same.

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

COUNT FOURTEEN
(Hobbs Act Robbery)

1. At all times material to this Indictment, Krauszers was a commercial establishment located at 300 Broad Street, Bloomfield, New Jersey engaged in the sale of food and other items that moved in, were transferred in, and affected interstate and foreign commerce.

2. On or about March 29, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property consisting of United States currency and other items from the persons of and in the presence of employees of Krauszers, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, and property in their custody and possession.

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

COUNT FIFTEEN

(Use of a Firearm During a Crime of Violence)

On or about March 29, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violations of Title 18, United States Code, Section 1951(a) and Section 2, as charged in Count Fourteen of this Indictment, did knowingly use and carry a firearm, and possess a firearm in furtherance of such crime, which firearm was brandished, and did aid and abet the same.

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

COUNT SIXTEEN
(Hobbs Act Robbery)

1. At all times material to this Indictment, South Wood Discount Liquor was a commercial establishment located at 928 South Wood Avenue, Linden, New Jersey, engaged in the sale of spirits and other items that moved in, were transferred in, and affected interstate and foreign commerce.

2. On or about April 17, 2013, in Union County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property consisting of United States currency and other items from the persons of and in the presence of employees of South Wood Discount Liquor, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, and property in their custody and possession.

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

COUNT SEVENTEEN

(Use of a Firearm During a Crime of Violence)

On or about April 17, 2013, in Union County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violations of Title 18, United States Code, Section 1951(a) and Section 2, as charged in Count Sixteen of this Indictment, did knowingly use and carry a firearm, and possess a firearm in furtherance of such crime, which firearm was brandished, and did aid and abet the same.

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

COUNT EIGHTEEN
(Hobbs Act Robbery)

1. At all times material to this Indictment, Subway Restaurant was a commercial establishment located at 45 Bloomfield Avenue, Verona, New Jersey engaged in the sale of food and other items that moved in, were transferred in, and affected interstate and foreign commerce.

2. On or about May 20, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property consisting of United States currency from the persons of and in the presence of an employee of Subway Restaurant, against the employee's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee's person and property, and property in the employee's custody and possession.

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

COUNT NINETEEN

(Use of a Firearm During a Crime of Violence)

On or about May 20, 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant

JAMAR DARBY,
a/k/a "Rhino,"

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the violations of Title 18, United States Code, Section 1951(a) and Section 2, as charged in Count Eighteen of this Indictment, did knowingly use and carry a firearm, which was brandished, and did aid and abet the same.

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

A TRUE BILL

FOREPERSON



PAUL J. FISHMAN
United States Attorney