

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

UNITED STATES OF AMERICA	:	Criminal No. 14 –
	:	
v.	:	18 U.S.C. §§ 371 and 922(g)(1)
	:	
MICHAEL WAYNE LEE	:	<u>INFORMATION</u>
a/k/a “Mike”	:	

The defendant having waived in open Court prosecution by Indictment and the defendant having waived in open court prosecution of certain of these matters in the venue where the crime occurred, the United States Attorney for the District of New Jersey charges:

**COUNT ONE
(Conspiracy To Deal In Firearms Without A License)**

DEFENDANT AND CO-CONSPIRATORS

1. At all times relevant to this Information:
 - a. Defendant MICHAEL WAYNE LEE was a resident of Philadelphia, Pennsylvania and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.
 - b. R.M.D., who is named as a co-conspirator but not as a defendant herein, was a resident of Philadelphia, Pennsylvania and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.
 - c. Co-Conspirator 2 was a resident of Camden, New Jersey and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.

d. Ammie Steward, who is named as a co-conspirator but not as a defendant herein, was a resident of Pennsauken, New Jersey and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.

2. At all times relevant to this Information, under the laws of the Commonwealth of Pennsylvania, a Pennsylvania resident could purchase a firearm, including a handgun, by presenting proof of residency to a licensed firearms dealer.

THE CONSPIRACY

3. From in or about June 30, 2012, through on or about July 19, 2012, in Camden County, in the District of New Jersey, and elsewhere, defendant

MICHAEL WAYNE LEE
a/k/a "Mike"

did knowingly and intentionally conspire and agree with R.M.D., Co-Conspirator 2, co-conspirator Ammie Steward, and others to engage in the business of dealing in firearms, while not being a federally licensed dealer, importer, or manufacturer of firearms, contrary to Title 18, United States Code, Section 922(a)(1)(A).

OBJECT OF THE CONSPIRACY

4. It was the object of the conspiracy to obtain firearms from Philadelphia-area federally-licensed firearms dealers and gun shops and resell the firearms for a profit in Pennsylvania and New Jersey.

MANNER AND MEANS OF THE CONSPIRACY

5. It was part of the conspiracy that, on behalf of, and after a request from, defendant MICHAEL WAYNE LEE, that R.M.D. purchased firearms from federally- licensed firearms dealers and gun shops in Philadelphia, Pennsylvania. To purchase the firearms, defendant R.M.D. used her own name, presented her Pennsylvania Identification Card, and signed an ATF Form 4473 (“Firearms Transaction Record Part I – Over the Counter”) in which she falsely indicated that she was the “actual transferee/buyer” of the firearms and not “acquiring the firearm[] on behalf of another person.”

6. It was further part of the conspiracy that R.M.D. purchased these firearms with funds provided to her by defendant MICHAEL WAYNE LEE. In fact, R.M.D. purchased the specific make and model firearms that MICHAEL WAYNE LEE had requested that R.M.D. purchase for him.

7. It was further part of the conspiracy that defendant MICHAEL WAYNE LEE, after R.M.D. purchased the firearms on behalf of defendant MICHAEL WAYNE LEE, took possession of the firearms from R.M.D. and then sold the firearms to others, including Co-Conspirator 2. In fact, defendant MICHAEL WAYNE LEE sometimes resold a firearm to Co-Conspirator 2 on the same day that R.M.D. had purchased the firearm from a federally-licensed firearms dealer or gun shop. After purchasing the firearms, Co-Conspirator 2 transported the firearms to the Camden, New Jersey area.

8. It was further part of the conspiracy that, in order to avoid detection as the actual purchaser of the firearms, defendant MICHAEL WAYNE LEE and R.M.D. travelled in a rental car to the gun shops where R.M.D. purchased the firearms. Rather than enter the gun shop

with R.M.D. , defendant MICHAEL WAYNE LEE remained in the rental car – often parked around the corner from the gun shop – while R.M.D. entered the gun shop and purchased the firearm requested by defendant MICHAEL WAYNE LEE. Defendant MICHAEL WAYNE LEE took these actions in order to avoid having his image captured on the gun shops' security cameras.

9. It was further part of the conspiracy that defendant MICHAEL WAYNE LEE solicited and paid for R.M.D. to purchase the following firearms in Philadelphia-area gun shops:

1. a Glock Model 27, .40 caliber handgun bearing serial number RUB545 (purchased on or about June 30, 2012);
2. a Kel-Tec Model PF-9, 9 millimeter handgun bearing serial number S9M59 (purchased on or about July 3, 2012);
3. a Kel-Tec Model P-11, 9 millimeter handgun bearing serial number AGS46 (purchased on or about July 3, 2012);
4. a Kahr Model CW-9, 9 millimeter handgun bearing serial number EH2045 (purchased on or about July 18, 2012); and
5. a Glock Model 27, .40 caliber handgun bearing serial number PNR076 (purchased on or about July 19, 2012).

10. It was further part of the conspiracy that once R.M.D. transferred the firearms to defendant MICHAEL WAYNE LEE, he and Co-Conspirator 2 arranged for the firearms to be resold and delivered to other co-conspirators, including co-conspirator Ammie Steward, in New Jersey and elsewhere.

11. It was further part of the conspiracy that defendant MICHAEL WAYNE LEE and R.M.D. and others divided the profits made from the resale of these firearms, which represented a portion of the proceeds of the conspiracy.

OVERT ACTS

12. In furtherance of the conspiracy and to effect its unlawful object, the following overt acts were committed in the District of New Jersey and elsewhere:

a. On or about the following dates and at the following federally-licensed dealers and gun shops, defendant MICHAEL WAYNE LEE solicited and paid for R.M.D.'s purchases of the following handguns:

<u>DATE</u>	<u>GUN</u>	<u>GUN SHOP</u>
June 30, 2012	Glock Model 27, .40 caliber handgun bearing serial number RUB545	Frank's Gun Shop & Shooting Range
July 3, 2012	Kel-Tec Model PF-9, 9 millimeter handgun bearing serial number S9M59	Delia's Gun Shop
July 3, 2012	Kel-Tec Model P-11, 9 millimeter handgun bearing serial number AGS46	Frank's Gun Shop & Shooting Range
July 18, 2012	Kahr Model CW-9, 9 millimeter handgun bearing serial number EH2045	Frank's Gun Shop & Shooting Range
July 19, 2012	Glock Model 27, .40 caliber handgun bearing serial number PNR076	Delia's Gun Shop

b. After purchasing the five handguns on the dates listed above in Philadelphia, Pennsylvania, R.M.D. transferred those firearms to defendant MICHAEL WAYNE LEE, who in turn resold the firearms to Co-Conspirator 2 (often on the same day R.M.D. purchased the firearms), who transported the firearms into the State of New Jersey.

c. Between on or about July 3, 2012 and July 8, 2012, Co-Conspirator 2 resold two of the firearms (the Kel-Tec Model PF-9, 9 millimeter handgun bearing serial number S9M59 and the Kel-Tec Model P-11, 9 millimeter handgun bearing serial number AGS46) to co-conspirator Ammie Steward in Camden, New Jersey.

d. On or about July 8, 2012, co-conspirator Ammie Steward resold two of the firearms (the Kel-Tec Model PF-9, 9 millimeter handgun bearing serial number S9M59 and the Kel-Tec Model P-11, 9 millimeter handgun bearing serial number AGS46) to a confidential informant working with law enforcement in Pennsauken, New Jersey.

In violation of Title 18, United States Code, Section 371.

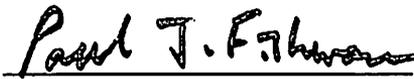
COUNT TWO
(Felon-in-possession Of A Firearm)

On or about July 3, 2012, in Philadelphia County in the Eastern District of
Pennsylvania, and elsewhere, the defendant,

MICHAEL WAYNE LEE
a/k/a "Mike"

having been convicted of a crime punishable by imprisonment for a term exceeding one year in
United States District Court for the Eastern District of Texas, did knowingly possess in and
affecting commerce a firearm, namely a Kel-Tec Model PF-9, 9 millimeter handgun bearing
serial number S9M59.

In violation of Title 18, United States Code, Section 922(g)(1).



PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 2014R00096

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

MICHAEL WAYNE LEE
a/k/a/ "MIKE"

INFORMATION FOR

Title 18 United States Code
Sections 371 and 922(g)

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