2015R00097/MTS

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No. 15 –
v.	:	18 U.S.C. §§ 371 and 922(g)(1)
JOSEPH RUTLING	:	INFORMATION

The defendant having waived in open Court prosecution by Indictment, 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 JOSEPH RUTLING was a resident of New Jersey and South Carolina and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.

b. Co-Conspirator 1 was a resident of New Jersey and South Carolina, and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.

c. Co-Conspirator 2 was a resident of New Jersey and South Carolina, and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.

d. Co-Conspirator 3 was a resident of New Jersey, and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.

e. Anthony Gilmore, a/k/a "Tone," was a resident of Lawnside, New Jersey and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.

THE CONSPIRACY

3. From in or about April 8, 2013, through on or about July 28, 2014, in Camden County, in the District of New Jersey, and elsewhere, the defendant,

JOSEPH RUTLING,

did knowingly and intentionally conspire and agree with Co-Conspirator 1, Co-Conspirator 2, Co-Conspirator 3, Anthony Gilmore, 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 pawn shops, gun shops, and other sources in the State of South Carolina, transport the firearms into the State of New Jersey, and resell the firearms for a profit in New Jersey.

MANNER AND MEANS OF THE CONSPIRACY

5. It was part of the conspiracy that defendant JOSEPH RUTLING, Co-Conspirator 1, and Co-Conspirator 2 obtained firearms in the State of South Carolina and elsewhere and transported the firearms to New Jersey for resale to firearms purchasers.

6. It was further part of the conspiracy that defendant JOSEPH RUTLING and Co-Conspirator 1 obtained firearms by purchasing them from individuals who had purchased the firearms from gun shops and pawn shops (as well as other places) in the State of South Carolina. Defendant JOSEPH RUTLING and Co-Conspirator 1 then transported or arranged for

the transportation of the firearms from South Carolina to New Jersey. At times, defendant JOSEPH RUTLING and Co-Conspirator 1 transported or arranged for the transportation of the firearms from South Carolina to New Jersey by train, using the railroad service, Amtrak.

7. It was further part of the conspiracy that Co-Conspirator 3 brokered the sale of the firearms obtained by defendant JOSEPH RUTLING and Co-Conspirator 1 to a firearms purchaser. As part of the conspiracy, after Co-conspirator 3 had introduced the firearms purchaser to defendant JOSEPH RUTLING and Co-Conspirator 1, defendant JOSEPH RUTLING -- at times along with Co-Conspirator 1, Co-Conspirator 3, Anthony Gilmore, and others -- sold firearms to the firearms purchaser.

8. It was further part of the conspiracy that Anthony Gilmore helped defendant JOSEPH RUTLING and Co-Conspirator 1 deliver and resell firearms to the firearms purchaser.

9 It was further part of the conspiracy that, on at least nine occasions, defendant JOSEPH RUTLING, either directly or through co-conspirators, sold firearms, including handguns, shotguns, and an assault rifle, to the firearms purchaser. At times, defendant JOSEPH RUTLING sold the firearms to the firearms purchaser along with ammunition.

10. It was further part of the conspiracy that defendant JOSEPH RUTLING, Co-Conspirator 1, Co-Conspirator 2, Co-Conspirator 3, and Anthony Gilmore communicated with the firearms purchaser by cellular telephone, text message, and private message function on the social-networking site Facebook.com.

11. It was further part of the conspiracy that once defendant JOSEPH RUTLING or his co-conspirators sold a firearm to the firearms purchaser, they divided the profits

made from the resale of the 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, defendant JOSEPH RUTLING sold or assisted Co-conspirator 1, Co-conspirator 2, Co-conspirator 3, or Anthony Gilmore in the sale of firearms (and, at times, ammunition) to the firearms purchaser:

DATE	FIREARMS
April 8, 2013	• a Hi-Point Model JCP40 .40 caliber handgun, bearing serial number X742181; and • a Lorcin Model LT-25 .25 caliber handgun, bearing serial number ALT275433
April 26, 2013	• a Smith & Wesson, model SW40VE .40 caliber pistol, bearing serial number DST5207
May 20, 2013	• a 7.62 mm caliber assault rifle bearing serial number 88662 (and 8 boxes of 12-guage shotgun ammunition and 1 box of 7.62 mm caliber ammunition)
June 27, 2013	• a Savage Arms model 67VR-Series C, 20-gauge "sawed-off" shotgun bearing serial number B334197
July 2, 2013	• a Savage Arms model 30F, 12-gauge shotgun with no serial number (and ammunition)

DATE	FIREARMS
July 19, 2013	• a Maverick Arms, model 88, 12-gauge shotgun bearing serial number MV87501E (and one round of ammunition); and • a Smith & Wesson model 22A-1 .22 caliber handgun, bearing serial number UBP6587 (and ten rounds of ammunition)
July 29, 2013	• a Raven Arms, model MP-25 .25 caliber pistol bearing serial number 1419623 (and one box of .22 caliber ammunition)
April 9, 2014	• a Mossberg, model 500A 12-gauge shotgun bearing serial number L443282; • an Izhmash, model Spartan SPR453 12-gauge shotgun bearing serial number 0815353256R; and • an FIE, model Titan Tiger, .38 caliber revolver bearing serial number N402342
July 15, 2014	• a Winchester, model 1897, 12-gauge short-barreled shotgun bearing serial number 485161; • a Cobra Enterprise, model CS32 .32 caliber pistol, bearing serial number CP060878 (and one box of Remington ammunition containing 35 rounds of .32 caliber ammunition); and • a Harrington and Richardson, .32 caliber Top Break revolver bearing serial number 1487

b. After selling or assisting in the sale of the firearms listed above, defendant JOSEPH RUTLING divided the proceeds from the sale among his co-conspirators.

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

COUNT TWO
(Felon In Possession Of A Firearm)

On or about April 9, 2014, in Camden County, in the District of New Jersey, and elsewhere, the defendant,

JOSEPH RUTLING,

having been convicted of a crime punishable by imprisonment for a term exceeding one year in a court of the State of New Jersey, did knowingly possess in and affecting commerce three firearms, namely: (a) a Mossberg, model 500A 12-gauge shotgun bearing serial number L443282; (b) an Izhmash, model Spartan SPR453 12-gauge shotgun bearing serial number 0815353256R; and (c) an FIE, model Titan Tiger, .38 caliber revolver bearing serial number N402342.

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

Paul J. Fishman

PAUL J. FISHMAN
United States Attorney

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UNITED STATES OF AMERICA

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JOSEPH RUTLING

INFORMATION FOR

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

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