

**FILED**

JUL 12 2017

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
URBANA DIVISION**

**CLERK OF THE COURT  
U.S. DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,	)	
	)	Criminal No. 17-20022
Plaintiff,	)	Vio: 18 U.S.C. § 1951
	)	18 U.S.C. § 922(g)
v.	)	18 U.S.C. § 924(c) and (j)(1)
	)	18 U.S.C. § 2
MATTHEW HIGGINS-VOGT,	)	18 U.S.C. § 1512(a)(1)
	)	18 U.S.C. § 1111
Defendant.	)	18 U.S.C. § 3591

**SUPERSEDING INDICTMENT**

**THE GRAND JURY CHARGES:**

**COUNT ONE**

(Interference with Commerce by Violence)

On or about April 3, 2015, in Macon County, in the Central District of Illinois, the defendant,

**MATTHEW HIGGINS-VOGT,**

did obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery, in that the defendant took and obtained property consisting of money, including the contents of the cash register, and alcohol from an employee of the Circle K, 1685 South Baltimore, Decatur, Illinois, a business engaged in and that affected interstate commerce. The defendant, with Kelton Snyder, took the property from an employee of the Circle K against his will, by actual and threatened force, violence and fear of injury, immediate and future, to his person and to property in his custody.

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

**COUNT TWO**

(Brandishing a Firearm During a Crime of Violence)

On or about April 3, 2015, in Macon County, in the Central District of Illinois, the defendant,

**MATTHEW HIGGINS-VOGT,**

did knowingly brandish, carry, and use a firearm, that is, a 12-gauge shotgun with serial number H738645, during and in relation to a crime of violence, that is, the interference of commerce by violence as charged in Count 1 of this Indictment.

All in violation of Title 18, United States Code, Section 924(c), Section 2 (aiding and abetting), and *Pinkerton v. United States*, 328 U.S. 640 (1946) (co-conspirator liability).

**COUNT THREE**

(Possession of a Firearm by a Felon)

On or about April 3, 2015, through April 5, 2015, in Macon County, in the Central District of Illinois, the defendant,

**MATTHEW HIGGINS-VOGT,**

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, namely, a 12-gauge shotgun with serial number H738645, which had travelled in interstate commerce.

All in violation of Title 18, United States Code, Section 922(g).

**COUNT FOUR**  
(Killing a Witness)

On or about April 5, 2015, in Macon County, in the Central District of Illinois, the  
defendant,

**MATTHEW HIGGINS-VOGT,**

did knowingly and intentionally kill Paige Mars, to prevent the communication by  
Paige Mars to a law enforcement officer or judge of the United States of information  
relating to the commission of the crimes as charged in Counts 1 and 2.

All in violation of Title 18, United States Code, Section 1512(a)(1).

**COUNT FIVE**

(Use of a Firearm Resulting in Death)

On or about April 5, 2015, in Macon County, in the Central District of Illinois, the defendant,

**MATTHEW HIGGINS-VOGT,**

did knowingly carry and use a firearm during and in relation to a crime of violence, that is, the crime of killing a witness as charged in Count 4, and in the course of this violation of Title 18, United States Code, Section 924(c), caused the death of Paige Mars, though the use and discharge of a firearm, and the killing was murder, that is, the unlawful killing of a human being with malice aforethought.

In violation of Title 18, United States Code, Sections 924(j)(1), 924(c), 1111.

### Notice of Forfeiture

1. The Grand Jury re-alleges and incorporates by reference the allegations of Counts One through Five of this Indictment as though fully set forth herein. This is done for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses set forth in this Indictment, the defendant,

**MATTHEW HIGGINS-VOGT,**

shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to a Mossberg 12-gauge shotgun with serial number H738645.

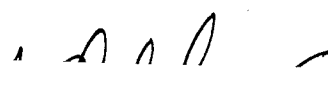
3. If any of the property described above, as a result of any act or omission of the defendant cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty, the United States shall be

entitled to forfeiture of substitute property pursuant to Title 21, United States Code,  
Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

A TRUE BILL,

  
\_\_\_\_\_  
FOREPERSON

  
\_\_\_\_\_  
PATRICK D. HANSEN  
ACTING UNITED STATES ATTORNEY

JMB