

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA.

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WILLIAM W. BLEVINS
CLERK 6

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

SEALED

**INDICTMENT FOR CONSPIRACY TO TRAFFIC IN CONTRABAND
CIGARETTES AND EVADE THE FEDERAL EXCISE TAX IMPOSED
ON TOBACCO, TRAFFICKING IN CONTRABAND CIGARETTES, AND
INTERSTATE TRANSPORTATION IN AID OF RACKETEERING ENTERPRISES**

UNITED STATES OF AMERICA

* CRIMINAL NO.

16-171
SECT. N MAG 5

v.

* SECTION:

JADALLAH SAED
ANWAR ABDELMAJID-AHMAD
a/k/a Tony
ATALLA ATALLA
a/k/a Tommy
JUSTIN BROWN
JOSHUA CARTHON
GARRETT PARTMAN

* VIOLATIONS: 18 U.S.C. § 371
18 U.S.C. § 2342(a)
18 U.S.C. § 2344(a)
26 U.S.C. § 5762(a)(3)
18 U.S.C. § 1952(a)(3)
18 U.S.C. § 2

* * *

The Grand Jury charges that:

COUNT 1

A. THE CONSPIRACY:

From a date unknown, but prior to September 2015, until on or about the return of this Indictment, in the Eastern District of Louisiana and elsewhere, the defendants, **JADALLAH SAED, ANWAR ABDELMAJID-AHMAD, a/k/a Tony, ATALLA ATALLA, a/k/a Tommy, JUSTIN BROWN, JOSHUA CARTHON, and GARRETT PARTMAN**, did knowingly and

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willfully combine, conspire, confederate and agree with each other and others known and unknown to commit the following offenses against the United States:

1. knowingly transport, receive, possess, sell, distribute and purchase contraband cigarettes, as that term is defined in Title 18, United States Code, Section 2341, to wit: a quantity of more than 10,000 cigarettes which bore no evidence of the payment of applicable state cigarette taxes in the State of Louisiana or elsewhere, in violation of Title 18, United States Code, Section 2342(a); and

2. with intent to defraud the United States, refuse to pay the applicable federal tax on tobacco products and attempt in any manner to evade and defeat such tax and the payment thereof, in violation of Title 26, United States Code, Section 5762(a)(3).

B. MANNER AND MEANS:

It was a part of the conspiracy that the defendants would illegally receive, possess, and purchase contraband cigarettes and cigars in order to evade applicable taxes and receive higher profits for the retail sale of the tobacco products.

It was further part of the conspiracy that the defendants would transport the contraband cigarettes across state lines to North Carolina and other states where the cigarette taxes are higher than Louisiana.

It was further part of the conspiracy that law enforcement officers, **JUSTIN BROWN, JOSHUA CARTHON, and GARRETT PARTMAN**, were utilized to protect and transport the shipment of contraband cigarettes across state lines.

It was further part of the conspiracy that the defendants would distribute and sell the contraband cigarettes in North Carolina and other states where the cigarette taxes are higher than Louisiana.

C. OVERT ACTS:

In furtherance of the conspiracy and to effect the objects of the conspiracy, the defendants, committed the following overt acts, among others, in the Eastern District of Louisiana and elsewhere:

1. On or about October 16, 2015, **JADALLAH SAED and ANWAR ABDELMAJID-AHMAD, a/k/a Tony**, received and possessed 1,800 cartons of cigarettes, that is approximately 360,000 cigarettes, with no state tax stamps on the packages. They also received and possessed 350 cases of cigars.

2. From on or about January 14, 2016 through January 15, 2016, **JADALLAH SAED and ANWAR ABDELMAJID-AHMAD, a/k/a Tony** received and possessed 5,760 cartons of cigarettes, that is approximately 1,152,000 cigarettes, with no state tax stamps on the packages. They also received and possessed 30 cases of cigars.

3. From on or about January 14, 2016 through January 15, 2016, **ANWAR ABDELMAJID- AHMAD, a/k/a Tony, JUSTIN BROWN, and JOSHUA CARTHON**, transported the contraband cigarettes from Louisiana to North Carolina which were purchased and received by **ATALLA ATALLA, a/k/a Tommy**.

4. From on or about March 16, 2016 through March 17, 2016, **JADALLAH SAED and ANWAR ABDELMAJID-AHMAD, a/k/a Tony**,

received and possessed 2430 cartons of cigarettes, that is approximately 486,000 cigarettes, with no state tax stamps on the packages. They also received and possessed 260 cases of cigars.

5. From on or about March 16, 2016 through March 17, 2016, **ANWAR ABDELMAJID-AHMAD, a/k/a Tony, JUSTIN BROWN, JOSHUA CARTHON, and GARRETT PARTMAN** transported the contraband cigarettes from Louisiana to North Carolina which were purchased and received by **ATALLA ATALLA, a/k/a Tommy**.

6. On or about July 12, 2016, **JADALLAH SAED and ANWAR ABDELMAJID-AHMAD, a/k/a Tony**, purchased 2700 cartons of contraband cigarettes, that is approximately 540,000 cigarettes, with no state tax stamps on the packages.

7. On or about July 12, 2016, **JADALLAH SAED and ANWAR ABDELMAJID-AHMAD, a/k/a Tony** arranged for the transportation of the contraband cigarettes from Louisiana to North Carolina where they were sold to and received by **ATALLA ATALLA, a/k/a Tommy**.

8. On or about September 14, 2016, **JADALLAH SAED** purchased 2700 cartons of contraband cigarettes, that is approximately 540,000 cigarettes, with no state tax stamps on the packages. He also purchased 300 cases of cigars.

9. On or about September 14, 2016, **JADALLAH SAED** arranged for the transportation of the contraband cigarettes from Louisiana to North Carolina where they were sold to and received by **ATALLA ATALLA, a/k/a Tommy**.

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

COUNT 2

From on or about January 14, 2016 through January 15, 2016, in the Eastern District of Louisiana and elsewhere, the defendants, **JADALLAH SAED, ANWAR ABDELMAJID-AHMAD, a/k/a Tony, ATALLA ATALLA, a/k/a Tommy, JUSTIN BROWN, and JOSHUA CARTHON**, did knowingly transport, receive, possess, sell, distribute and purchase contraband cigarettes, as that term is defined in Title 18, United States Code, Section 2341, to wit: a quantity of more than 10,000 cigarettes which bore no evidence of the payment of applicable state cigarette taxes in the State of Louisiana or elsewhere, in violation of Title 18, United States Code, Sections 2342(a), 2344(a), and 2.

COUNT 3

From on or about January 14, 2016 through January 15, 2016, in the Eastern District of Louisiana and elsewhere, defendants **JUSTIN BROWN and JOSHUA CARTHON**, traveled in interstate commerce from the State of Louisiana to the State of North Carolina, with the intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, that is, bribery, in violation of Louisiana Revised Statute 14:118, and thereafter performed and attempted to perform an act to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment and carrying on of such unlawful activity, in violation of Title 18, United States Code, Sections 1952(a)(3) and 2.

COUNT 4

From on or about March 16, 2016 through March 17, 2016, in the Eastern District of Louisiana and elsewhere, the defendants, **JADALLAH SAED, ANWAR ABDELMAJID-AHMAD, a/k/a Tony, ATALLA ATALLA, a/k/a Tommy, JUSTIN BROWN JOSHUA CARTHON, and GARRETT PARTMAN**, did knowingly transport,

receive, possess, sell, distribute and purchase contraband cigarettes, as that term is defined in Title 18, United States Code, Section 2341, to wit: a quantity of more than 10,000 cigarettes which bore no evidence of the payment of applicable state cigarette taxes in the State of Louisiana or elsewhere, in violation of Title 18, United States Code, Sections 2342(a), 2344(a), and 2.

COUNT 5

From on or about March 16, 2016 through March 17, 2016, in the Eastern District of Louisiana and elsewhere, defendants, **JUSTIN BROWN, JOSHUA CARTHON, and GARRETT PARTMAN**, traveled in interstate commerce from the State of Louisiana to the State of North Carolina, with the intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, that is, bribery in violation of Louisiana Revised Statute 14:118, and thereafter performed and attempted to perform an act to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment and carrying on of such unlawful activity, in violation of Title 18, United States Code, Sections 1952(a)(3) and 2.

COUNT 6

On or about July 12, 2016, in the Eastern District of Louisiana and elsewhere, the defendants, **JADALLAH SAED, ANWAR ABDELMAJID-AHMAD a/k/a Tony, and ATALLA ATALLA, a/k/a Tommy**, did knowingly transport, receive, possess, sell, distribute and purchase contraband cigarettes, as that term is defined in Title 18, United States Code, Section 2341, to wit: a quantity of more than 10,000 cigarettes which bore no evidence of the payment of applicable state cigarette taxes in the State of Louisiana or elsewhere, in violation of Title 18, United States Code, Sections 2342(a), 2344(a), and 2.

COUNT 7

On or about September 14, 2016, in the Eastern District of Louisiana and elsewhere, the defendants, **JADALLAH SAED and ATALLA ATALLA, a/k/a Tommy**, did knowingly transport, receive, possess, sell, distribute and purchase contraband cigarettes, as that term is defined in Title 18, United States Code, Section 2341, to wit: a quantity of more than 10,000 cigarettes which bore no evidence of the payment of applicable state cigarette taxes in the State of Louisiana or elsewhere, in violation of Title 18, United States Code, Sections 2342(a), 2344(a), and 2.

NOTICE OF TRAFFICKING IN CONTRABAND CIGARETTES FORFEITURE

1. The allegations of Counts 1, 2, 4, 6 and 7 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 2342 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 1, 2, 4, 6 and 7, defendants, **JADALLAH SAED, ANWAR ABDELMAJID-AHMAD a/k/a Tony, ATALLA ATALLA a/k/a Tommy, JUSTIN BROWN, JOSHUA CARTHON, and GARRETT PARTMAN**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Section 2342. The government specifically provides notice of its intent to seek a personal money judgment against the defendants in the amount of the fraudulently-obtained proceeds.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 2342 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

**NOTICE OF INTERSTATE TRANSPORTATION
IN AID OF A RACKETEERING ENTERPRISE FORFEITURE**

1. The allegations of Counts 3 and 5 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1952 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 3 and 5 the defendants, **JUSTIN BROWN, JOSHUA CARTHON, and GARRETT PARTMAN**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code,

Section 1952. The government specifically provides notice of its intent to seek a personal money judgment against the defendants in the amount of the fraudulently-obtained proceeds.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.


All in violation of Title 18, United States Code, Sections 1952 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

A TRUE BILL:


FOREPERSON

KENNETH ALLEN POLITE, JR.
UNITED STATES ATTORNEY


TRACEY N. KNIGHT
Assistant United States Attorney
Louisiana Bar Roll Number 23165


IRENE GONZALEZ
Assistant United States Attorney
Louisiana Bar Roll Number 18915

New Orleans, Louisiana
September 22, 2016

No. _____

UNITED STATES DISTRICT COURT

____ Eastern District of Louisiana

____ Criminal Division

THE UNITED STATES OF AMERICA

vs.

JADALLAH SAED
ANWAR ABDELMAJID-AHMAD, a/k/a Tony
ATALLA ATALLA, a/k/a Tommy
JUSTIN BROWN
JOSHUA CARTHON
GARRETT PARTMAN

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VIOLATIONS:

18 U.S.C. § 371	26 U.S.C. § 5762(a)(3)
18 U.S.C. § 2342(a)	18 U.S.C. § 1952(a)(3)
18 U.S.C. § 2344(a)	18 U.S.C. § 2

____ Foreperson

Filed in open court this _____ day of _____ A.D. 2016.

____ Clerk

Bail, \$ _____

TRACEY N. KNIGHT
Assistant United States Attorney