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F. #2017R02213

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★ JUN 01 2018 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

EASTERN DISTRICT
OF NEW YORK

UNITED STATES OF AMERICA

INDICTMENT

- against -

CR 18 - 00279

Cr. No. (T. 18, U.S.C., §§ 371, 922(a)(6), 922(g)(1), 924(a)(2), 924(d)(1), 2 and 3551 et seq.; T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

JOSEPH JOHNSON,

██████████
BRIANNA GLEE,

██████████ and
TYSHON STEVENS,

BRODIE, J.

Defendants.

SCANLON, M.J.

----- X
THE GRAND JURY CHARGES:

COUNT ONE

(Firearms Trafficking Conspiracy)

1. In or about and between April 2017 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSEPH JOHNSON, ██████████, BRIANNA GLEE, ██████████, ██████████ and TYSHON STEVENS, together with others, did knowingly and willfully conspire to engage in the business of dealing in firearms without being a licensed dealer; and in the course of such business to ship, transport and receive one or more firearms in interstate and foreign commerce, contrary to Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

2. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendants JOSEPH JOHNSON, ██████████

██████████, BRIANNA GLEE, ██████████ and TYSHON STEVENS, together with others, did commit and cause to be committed, among others, the following:

OVERT ACTS

- a. On or about May 24, 2017, ██████████ purchased one Ruger .380 caliber firearm from a federally licensed firearms dealer (“FFL”) and falsely affirmed on a Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) Form 4473 that she was the actual buyer of the firearm when in fact she was purchasing the firearm on behalf of another person;
- b. On or about May 24, 2017, ██████████ purchased one Ruger .380 caliber firearm from a FFL and falsely affirmed on an ATF Form 4473 that she was the actual buyer of the firearm when in fact she was purchasing the firearm on behalf of another person;
- c. On or about June 16, 2017, ██████████ asked JOHNSON to send images and pricing information for firearms ██████████ was seeking to re-sell for JOHNSON, which images JOHNSON sent ██████████ over the Internet;
- d. On or about October 29, 2017, ██████████ purchased one Taurus .380 caliber firearm from a FFL and falsely affirmed on an ATF Form 4473 that she was the actual buyer of the firearm when in fact she was purchasing the firearm on behalf of another person;
- e. On or about October 29, 2017, JOHNSON sent STEVENS images over the Internet of the Taurus .380 caliber firearm purchased by ██████████ earlier that day;

f. Between October 29, 2017 and November 1, 2017, both dates being approximate and inclusive, JOHNSON travelled from Virginia to Brooklyn, New York;

g. On or about December 9, 2017, JOHNSON and [REDACTED] together visited a FFL in Virginia Beach, Virginia;

h. On or about December 9, 2017, [REDACTED] purchased one Taurus .380 caliber firearm and one Taurus .38 special caliber firearm from a FFL, which FFL JOHNSON and [REDACTED] visited that day, and [REDACTED] falsely affirmed on an ATF Form 4473 that she was the actual buyer of the firearms when in fact she was purchasing the firearms on behalf of another person;

i. On or about December 10, 2017, [REDACTED] purchased one Sig Sauer .380 caliber firearm from a FFL and falsely affirmed on an ATF Form 4473 that she was the actual buyer of the firearm when in fact she was purchasing the firearm on behalf of another person; and

j. On or about April 25, 2018, GLEE purchased one Smith & Wesson .38 caliber firearm and one Sig Sauer .22 caliber firearm from a FFL and falsely affirmed on an ATF Form 4473 that she was the actual buyer of the firearms when in fact she was purchasing the firearms on behalf of another person.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT TWO

(Conspiracy to Make False Statements to Acquire Firearms)

3. In or about and between April 2017 and May 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the

defendants JOSEPH JOHNSON, [REDACTED], BRIANNA GLEE and TYSHON STEVENS, together with others, did knowingly and willfully conspire to (a) make one or more false and fictitious oral and written statements and furnish and exhibit one or more false and fictitious and misrepresented identifications in connection with the acquisition and attempted acquisition of firearms from licensed dealers and with the intent and likelihood to deceive such dealers with respect to facts material to the lawfulness of the sales of such firearms under Chapter 44 of Title 18 of the United States Code, contrary to Title 18, United States Code, Sections 922(a)(6) and 924(a)(2); and (b) make one or more false statements and representations with respect to information required by Chapter 44 of Title 18 of the United States Code to be kept in the records of firearms dealers licensed under Chapter 44 of Title 18 of the United States Code, contrary to Title 18, United States Code, Section 924(a)(1)(A).

4. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendants JOSEPH JOHNSON, [REDACTED], [REDACTED], BRIANNA GLEE and TYSHON STEVENS, together with others, did commit and cause to be committed, among others, the overt acts set forth in paragraphs 2(a) through 2(j) of Count One of this Indictment, which are realleged and incorporated as if fully set forth in this paragraph.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT THREE
(Felon in Possession of a Firearm)

5. On or about October 29, 2017, within the Eastern District of Virginia, the defendant JOSEPH JOHNSON, having previously been convicted in a court of a crime

punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a Taurus .380 caliber pistol.

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 3551 et seq.)

COUNT FOUR

(Felon in Possession of a Firearm)

6. On or about May 23, 2018, within the Eastern District of Virginia, the defendant TYSHON STEVENS, having previously been convicted in a court of a crime punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a Ruger .380 caliber pistol.

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 3551 et seq.)

COUNTS FIVE THROUGH TEN

(Making False Statements to Acquire Firearms)

7. On or about the dates set forth below, within the Eastern District of Virginia, the defendants set forth below, together with others, did knowingly and intentionally make one or more false and fictitious oral and written statements in connection with the acquisition and attempted acquisition of one or more firearms from a licensed dealer, which statements were intended and likely to deceive such dealer with respect to one or more facts material to the lawfulness of the sales of such firearms under Chapter 44 of Title 18 of the United States Code:

<u>COUNT</u>	<u>DATE</u>	<u>DEFENDANT</u>
FIVE	May 24, 2017	[REDACTED]
SIX	May 24, 2017	[REDACTED]

<u>COUNT</u>	<u>DATE</u>	<u>DEFENDANT</u>
SEVEN	October 29, 2017	[REDACTED]
EIGHT	December 9, 2017	[REDACTED]
NINE	December 10, 2017	[REDACTED]
TEN	April 25, 2018	GLEE

(Title 18, United States Code, Sections 922(a)(6), 924(a)(2), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

8. The United States hereby gives notice to the defendants that, upon their conviction of any of the offenses charged herein, the United States will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922 or Section 924, including but not limited to: (a) one Ruger LCP, .380 caliber pistol, serial number 371924340; (b) one Taurus TCP PT738, .380 caliber pistol, serial number 1D072458; and (c) one Taurus M605, .357 magnum caliber revolver, serial number KS89095, all seized in Hampton, Virginia on or about May 21, 2018.

9. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

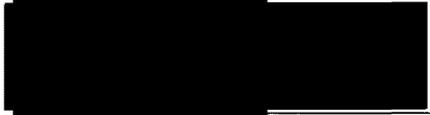
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;

- 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

divided 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 the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

 A TRUE BILL

FOREPERSON


RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK