

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.
v.	:	DATE FILED: February 2, 2016
NAKIA ADAMS,	:	
a/k/a “S,”	:	
a/k/a “SHAWN”	:	
	:	VIOLATIONS:
	:	18 U.S.C. § 371 (conspiracy – 1 count)
	:	18 U.S.C. § 924(a)(1)(A)(making false statements to a federal firearms licensee – 11 counts)
	:	18 U.S.C. § 922(g)(1)(felon in possession of a firearm – 8 counts)
	:	18 U.S.C. § 2(aiding and abetting) Notice of forfeiture

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Cabela’s, located at 100 Cabela Drive, Hamburg, Pennsylvania (“Cabela’s”), possessed a federal firearms license (“FFL”) and was authorized to deal in firearms under federal laws.
2. Backwoods Outfitters, located at 2421 Ironville Pike, Columbia, Pennsylvania (“Backwoods Outfitters”), possessed an FFL and was authorized to deal in firearms under federal laws.
3. Trop Gun Shop, located at 910 N Hanover Street, Elizabethtown, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal laws.

4. Kinsey's Outdoors, located at 1658 Steel Way, Mount Joy, Pennsylvania (“Kinsey’s”), possessed an FFL and was authorized to deal in firearms under federal laws.

5. Bass Pro Shops, located at 3501 Paxton Street, Harrisburg, Pennsylvania (“Bass Pro Shop”), possessed an FFL and was authorized to deal in firearms under federal laws.

6. Jim Hake’s Sporting Goods, located at 100 Willow Street, Wrightsville, Pennsylvania (“Jim Hake’s”), possessed an FFL and was authorized to deal in firearms under federal laws.

7. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.

8. The rules and regulations governing FFL holders require that a person seeking to purchase a firearm fill out a Firearm Transaction Record, ATF Form 4473 (“Form 4473”). Part of the Form 4473 requires that the prospective purchaser certify that all his or her answers on Form 4473 are true and correct. Question 11.a. of the Form 4473 requires that the prospective purchaser certify truthfully, subject to penalties of perjury, that he or she was the actual buyer of the firearm. The Form 4473 contains the following language in bold type:

“Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.” In the certification section of the Form 4473, the actual buyer must certify that his or her answers to the questions on the form are “true, correct, and complete,” and acknowledge by his or her signature that “making any false oral or written statement . . . is a crime punishable as a felony under Federal law, and may also violate State and/or local law.”

9. FFL holders are required by law to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer's home address and date of birth.

10. A person who purchases a firearm at the behest of another person and falsely states on the Form 4473 that he or she is the actual buyer of the firearm is known as a "straw purchaser."

11. Defendant NAKIA ADAMS was barred from legally purchasing and possessing a firearm because he had previously been convicted of a felony crime for which he could be punished by more than one year of imprisonment.

12. From on or about May 6, 2015, through on or about July 29, 2015, in the Eastern District of Pennsylvania and elsewhere, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

conspired and agreed with others known and unknown to the grand jury, including Elvin Reyes, Jr., Randy Johnson, Jessica Gonzalez, Malachi Kelchner, and Sitara Rathod, persons known to the grand jury and charged elsewhere, to commit an offense against the United States, that is, to make false statements with respect to the information required to be kept in the records of a federally licensed firearms dealer, in violation of Title 18, United States Code, Section 924(a)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

13. Defendant NAKIA ADAMS directed Elvin Reyes, Jr., Randy Johnson, Jessica Gonzalez and Sitara Rathod each to purchase firearms for defendant ADAMS, requiring thereby that Elvin Reyes, Jr., Randy Johnson, Jessica Gonzalez and Sitara Rathod each falsely

represent to the FFL that each of them, rather than defendant ADAMS, was the actual buyer of the firearms.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. On or about May 6, 2015:
 - (a) At the direction of defendant NAKIA ADAMS, Elvin Reyes, Jr. was driven to Cabela's, where defendant ADAMS instructed Elvin Reyes, Jr. to purchase multiple firearms for defendant ADAMS.
 - (b) Defendant NAKIA ADAMS provided Elvin Reyes, Jr. with cash to make the firearms' purchase.
 - (c) Elvin Reyes, Jr. entered Cabela's and purchased three firearms for a total of \$943.77, as follows: (i) a Taurus, model 709 SLIM, 9 mm semiautomatic pistol with serial number TIO80940; (2) a Taurus, model 709 SLIM, 9 mm semiautomatic pistol with serial number TIO81095; and (3) a Smith & Wesson, model SW40F, .40 caliber semiautomatic pistol with serial number PAA3575, falsely representing on the Form 4473 that Elvin Reyes, Jr. was the actual buyer of the firearms.
 - (d) After purchasing the firearms for defendant NAKIA ADAMS, Elvin Reyes, Jr. gave the firearms to defendant ADAMS.
 - (e) After the purchase of the three firearms at Cabela's, defendant NAKIA ADAMS and Elvin Reyes, Jr. drove to Newark, New Jersey where defendant ADAMS transferred the three firearms to an individual or individuals unknown to the grand jury.
2. On or about May 7, 2015:

(a) At the direction of defendant NAKIA ADAMS, Elvin Reyes, Jr. was driven to Backwoods Outfitters, where defendant ADAMS instructed Elvin Reyes, Jr. to purchase multiple firearms for defendant ADAMS.

(b) Defendant NAKIA ADAMS provided Elvin Reyes, Jr. with cash to make the firearms' purchase.

(c) Elvin Reyes, Jr. entered Backwoods Outfitters and purchased three firearms for a total of \$1028.44, as follows: (i) a Taurus, model 24/7, .45 caliber semiautomatic pistol with serial number NIM20035; (ii) a Taurus, model 24/7C, .40 caliber semiautomatic pistol with serial number SHR40400; and (iii) a Taurus, model 24/7, .40 caliber semiautomatic pistol with serial number SHP34831, falsely representing on the Form 4473 that Elvin Reyes, Jr. was the actual buyer of the firearms.

(d) After purchasing the firearms for defendant NAKIA ADAMS, Elvin Reyes, Jr. gave the firearms to defendant ADAMS.

(e) After the purchase of the three firearms at Backwoods Outfitters, defendant NAKIA ADAMS and Elvin Reyes, Jr. drove to Newark, New Jersey where defendant ADAMS transferred the three firearms to an individual or individuals unknown to the grand jury. On June 30, 2015, the Taurus, model 24/7, .40 caliber semiautomatic pistol bearing serial number SHP34831, straw purchased by Elvin Reyes, Jr. for defendant ADAMS, was recovered from A.B., an individual arrested on that date by law enforcement in Newark, New Jersey.

3. On or about May 13, 2015:

(a) At the direction of defendant NAKIA ADAMS, Elvin Reyes, Jr. was driven to Backwoods Outfitters, where defendant ADAMS instructed Elvin Reyes, Jr. to purchase multiple firearms for defendant ADAMS.

(b) Defendant NAKIA ADAMS provided Elvin Reyes, Jr. with cash to make the firearms' purchase.

(c) Elvin Reyes, Jr. entered Backwoods Outfitters and purchased three firearms for a total of \$901.25, as follows: (i) a Ruger, model LC9, 9mm semiautomatic pistol with serial number 322-38598; (ii) a SCCY, model CPX2, 9mm semiautomatic pistol with serial number 219435; and (iii) an SCCY, model CPX2, 9mm semiautomatic pistol with serial number 219460, falsely representing on the Form 4473 that Elvin Reyes, Jr. was the actual buyer of the firearms.

(d) After purchasing the firearms for defendant NAKIA ADAMS, Elvin Reyes, Jr. gave the firearms to defendant ADAMS.

(e) After the purchase of the three firearms at Backwoods Outfitters, defendant NAKIA ADAMS and Elvin Reyes, Jr. drove to Newark, New Jersey where defendant ADAMS transferred the three firearms to an individual or individuals unknown to the grand jury. On September 3, 2015, the Ruger, model LC9, 9mm semiautomatic pistol with serial number 322-38598, straw purchased by Elvin Reyes, Jr. for defendant ADAMS, was recovered from R.R., an individual arrested on that date by law enforcement in Newark, New Jersey. On September 24, 2015, the SCCY, model CPX2, 9mm semiautomatic pistol with serial number 219460, straw purchased by Elvin Reyes, Jr. for defendant ADAMS, was recovered from A.J., an individual arrested on that date by law enforcement in Newark, New Jersey.

4. On or about May 19, 2015:

(a) At the direction of defendant NAKIA ADAMS, Elvin Reyes, Jr. was driven to Backwoods Outfitters, where defendant ADAMS instructed Elvin Reyes, Jr. to purchase multiple firearms for defendant ADAMS.

(b) Defendant NAKIA ADAMS provided Elvin Reyes, Jr. with cash to make the firearms' purchase.

(c) Elvin Reyes, Jr. entered Backwoods Outfitters and attempted to purchase three firearms for a total of \$880.05, as follows: (i) a Kel-Tec, model P11, 9mm semiautomatic pistol with serial number AW554; (ii) a Bersa Thunder, model Thunder, .40 caliber semiautomatic pistol with serial number F36946; and (iii) an SCCY, model CPX1, 9mm semiautomatic pistol with serial number 213200, falsely representing on the Form 4473 that Elvin Reyes, Jr. was the actual buyer of the firearms.

(d) Backwoods Outfitters denied the purchase of the firearms.

5. On or about June 19, 2015:

(a) At the direction of defendant NAKIA ADAMS, Jessica Gonzalez and Malachi Kelchner were driven to Backwoods Outfitters, where defendant ADAMS instructed Jessica Gonzalez to purchase multiple firearms for defendant ADAMS.

(b) Defendant NAKIA ADAMS provided Jessica Gonzalez with cash to make the firearms' purchase.

(c) Jessica Gonzalez and Malachi Kelchner entered Backwoods Outfitters and attempted to purchase two firearms for a total of \$505.10, as follows: (i) a Kel-Tec, Model P11, 9 mm semiautomatic pistol with serial number AW554; and (ii) a Smith & Wesson, Model SW40VE, .40 caliber semiautomatic pistol with serial number PDN1830, falsely representing on the Form 4473 that Jessica Gonzalez was the actual buyer of the firearms.

(d) Backwoods Outfitters denied the purchase of the firearms.

6. On or about June 19, 2015:

(a) Defendant NAKIA ADAMS drove Jessica Gonzalez and Malachi

Kelchner to Trop Gun Shop, and defendant ADAMS instructed Jessica Gonzalez to purchase multiple firearms for defendant ADAMS.

(b) Defendant NAKIA ADAMS provided Jessica Gonzalez with cash to make the firearms' purchase.

(c) Jessica Gonzalez and Malachi Kelchner entered Trop Gun Shop and purchased two firearms for a total of \$539.08, as follows: (i) a Taurus, Model PT140, .40 caliber semiautomatic pistol with serial number SAM92140; and (ii) a Taurus, Model PT 24/7, .45 caliber semiautomatic pistol with serial number NZI04849, falsely representing on the Form 4473 that Jessica Gonzalez was the actual buyer of the firearms.

(d) After purchasing the firearms for defendant NAKIA ADAMS, Jessica Gonzalez gave the firearms to defendant ADAMS.

(e) After the purchase of the two firearms at Trop Gun Shop, defendant NAKIA ADAMS, Jessica Gonzalez and Malachi Kelchner drove to Newark, New Jersey where defendant ADAMS sold or traded the two firearms to an individual unknown to the grand jury in exchange for cash or drugs, or both.

7. On or about June 20, 2015:

(a) Defendant NAKIA ADAMS drove Jessica Gonzalez and Malachi Kelchner to Kinsey's, and defendant ADAMS instructed Jessica Gonzalez to purchase multiple firearms for ADAMS.

(b) Defendant NAKIA ADAMS provided Jessica Gonzalez with cash to make the firearms' purchase.

(c) Jessica Gonzalez and Malachi Kelchner entered Kinsey's and purchased one firearm for approximately \$270, that is a Taurus, Model PT111, 9 mm semiautomatic pistol

with serial number TUL22702, falsely representing on the Form 4473 that Jessica Gonzalez was the actual buyer of the firearm.

(d) After purchasing the firearm for defendant NAKIA ADAMS, Jessica Gonzalez gave the firearm to defendant ADAMS.

8. On or about June 20, 2015:

(a) While in Lancaster, Pennsylvania, Malachi Kelchner recommended to defendant NAKIA ADAMS that Jessica Gonzalez straw purchase firearms for defendant ADAMS at Bass Pro Shop, an FFL in Harrisburg, Pennsylvania.

(b) Defendant NAKIA ADAMS drove Jessica Gonzalez and Malachi Kelchner from Lancaster, Pennsylvania to Bass Pro Shop, where defendant ADAMS instructed Jessica Gonzalez to purchase multiple firearms for defendant ADAMS.

(c) Defendant NAKIA ADAMS provided Jessica Gonzalez with cash to make the firearms' purchase.

(d) Jessica Gonzalez and Malachi Kelchner entered Bass Pro Shop, accompanied by defendant NAKIA ADAMS, and purchased two firearms for a total of \$598.58, as follows: (i) a Taurus, Model PT709 Slim, 9 mm semiautomatic pistol with serial number TIO58519; and (ii) a Taurus, Model 740 Slim, .40 caliber semiautomatic pistol with serial number SIR42135, falsely representing on the Form 4473 that Jessica Gonzalez was the actual buyer of the firearms.

(e) After purchasing the firearms for defendant NAKIA ADAMS, Jessica Gonzalez gave the firearms to defendant ADAMS.

(f) After the purchase of the three firearms on June 20, 2015 at Kinsey's and Bass Pro Shop, defendant NAKIA ADAMS, Jessica Gonzalez and Malachi Kelchner drove to

Newark, New Jersey, where defendant ADAMS sold or traded the three firearms to an individual unknown to the grand jury in exchange for cash or drugs, or both.

9. On or about June 21, 2015:

(a) Defendant NAKIA ADAMS instructed Jessica Gonzalez to drive Randy Johnson to Cabela's, where the two of them were instructed each to purchase multiple firearms for defendant ADAMS.

(b) Defendant NAKIA ADAMS provided Jessica Gonzalez with cash adequate for Jessica Gonzalez and Randy Johnson each to purchase multiple firearms.

(c) Jessica Gonzalez drove Malachi Kelchner and Randy Johnson in defendant NAKIA ADAMS' automobile from Lancaster to Cabela's. Once there, Jessica Gonzalez and Malachi Kelchner accompanied Randy Johnson inside Cabela's where Johnson purchased two firearms for a total of \$686.38, as follows: (i) a Smith & Wesson, Model SD9VE, 9 mm semiautomatic pistol with serial number FWN6111; and (ii) a Smith & Wesson, Model SD40VE, .40 caliber semiautomatic pistol with serial number FWU2486, falsely representing on the Form 4473 that Randy Johnson was the actual buyer of the firearms.

(d) After the purchase of firearms for defendant NAKIA ADAMS was completed, Jessica Gonzalez drove Randy Johnson and Malachi Kelchner back to Lancaster, Pennsylvania. Upon arriving in Lancaster, Jessica Gonzalez gave the firearms to defendant ADAMS. On September 21, 2015, the Smith & Wesson, model SD40VE, .40 caliber semiautomatic pistol with serial number FWU2486, straw purchased by Randy Johnson for defendant ADAMS, was recovered from D.K., an individual arrested on that date by law enforcement in Newark, New Jersey. On November 9, 2015, the Smith & Wesson, model SD9VE, 9mm semiautomatic pistol with serial number FWN6111, straw purchased by Randy

Johnson for defendant ADAMS, was recovered from I.A., an individual arrested on that date by law enforcement in Newark, New Jersey.

10. On or about June 22, 2015:

(a) Defendant NAKIA ADAMS drove Jessica Gonzalez and Malachi Kelchner to Kinsey's, and defendant ADAMS instructed Jessica Gonzalez to purchase multiple firearms for defendant ADAMS.

(b) Defendant NAKIA ADAMS provided Jessica Gonzalez with cash to make the firearms' purchase.

(c) Jessica Gonzalez and Malachi Kelchner entered Kinsey's and purchased one firearm for \$291.19, that is a Taurus, Model PT111 G2, 9 mm semiautomatic pistol with serial number TIN49752, falsely representing on the Form 4473 that Jessica Gonzalez was the actual buyer of the firearm.

(d) After purchasing the firearm for defendant NAKIA ADAMS, Jessica Gonzalez gave the firearm to defendant ADAMS.

11. On or about June 22, 2015:

(a) Defendant NAKIA ADAMS drove Jessica Gonzalez and Malachi Kelchner to Trop Gun Shop, and defendant ADAMS instructed Jessica Gonzalez to purchase multiple firearms for defendant ADAMS.

(b) Defendant NAKIA ADAMS provided Jessica Gonzalez with cash to make the firearms' purchase.

(c) Jessica Gonzalez and Malachi Kelchner entered Trop Gun Shop and purchased one firearm for \$301.79, that is a SAR Arms, Model B6PC, 9 mm semiautomatic pistol with serial number T110214G00783, falsely representing on the Form 4473 that Jessica Gonzalez

was the actual buyer of the firearm.

(d) After purchasing the firearm for defendant NAKIA ADAMS, Jessica Gonzalez gave the firearm to defendant ADAMS.

12. On or about July 9, 2015:

(a) Defendant NAKIA ADAMS drove Sitara Rathod to Backwoods Outfitters, and defendant ADAMS instructed Sitara Rathod to purchase a firearm for defendant ADAMS.

(b) Defendant NAKIA ADAMS provided Sitara Rathod with cash to make the firearm purchase.

(c) Sitara Rathod entered Backwoods Outfitters and attempted to purchase one firearm for \$286.15, that is an SCCY, Model CPX1, 9 mm semiautomatic pistol with serial number 196563, falsely representing on the Form 4473 that Sitara Rathod was the actual buyer of the firearm.

(d) Backwoods Outfitters denied the purchase of the firearm.

13. On or about July 10, 2015:

(a) While in Lancaster, Pennsylvania, defendant NAKIA ADAMS told Sitara Rathod that he and Sitara Rathod would travel outside of Lancaster to an FFL where Sitara Rathod would not be denied the purchase of firearms.

(b) Defendant NAKIA ADAMS drove Sitara Rathod from Lancaster to Jim Hake's, where defendant ADAMS instructed Sitara Rathod 2 to purchase a firearm for defendant ADAMS.

(c) Defendant NAKIA ADAMS provided Sitara Rathod with cash to make the firearm purchase and instructed Sitara Rathod on the make of firearm to purchase.

(d) Sitara Rathod entered Jim Hake's and purchased one firearm for \$344.19, that is a Smith and Wesson, Model SD40VE, .40 caliber semiautomatic pistol with serial number FWU9680, falsely representing on the Form 4473 that Sitara Rathod was the actual buyer of the firearm.

(e) After purchasing the firearm for defendant NAKIA ADAMS, Sitara Rathod gave the firearm to defendant ADAMS.

14. On or about July 29, 2015:

(a) Defendant NAKIA ADAMS was a passenger in a car with two other individuals who drove Sitara Rathod from Lancaster, Pennsylvania to Jim Hake's, where defendant ADAMS instructed Sitara Rathod to purchase a firearm for defendant ADAMS.

(b) Defendant NAKIA ADAMS provided Sitara Rathod with cash to make the firearm purchase and instructed Sitara Rathod on the make of the firearm to purchase.

(c) Sitara Rathod entered Jim Hake's and attempted to purchase one firearm for \$344.19, that is a Smith and Wesson, Model SD40VE, .40 caliber semiautomatic pistol with serial number FWW4231, falsely representing on the Form 4473 that Sitara Rathod was the actual buyer of the firearm.

(d) Jim Hake's denied the purchase of the firearm.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, 7-11, and 13, and Overt Act 1 of Count One are incorporated here.
2. On or about May 6, 2015, in Hamburg, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a “S,”
a/k/a “SHAWN,”**

in connection with the acquisition of three firearms, that is, (i) a Taurus, model 709 SLIM, 9 mm semiautomatic pistol with serial number TIO80940; (ii) a Taurus, model 709 SLIM, 9 mm semiautomatic pistol with serial number TIO81095; and (iii) a Smith & Wesson, model SW40F, .40 caliber semiautomatic pistol with serial number PAA3575, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Cabela’s, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Elvin Reyes, Jr. (the “straw purchaser”), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Elvin Reyes Jr. was the actual buyer of the firearms, when in fact, defendant ADAMS and Elvin Reyes Jr. knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2, 7-11, and 13, and Overt Act 2 of Count One are incorporated here.
2. On or about May 7, 2015, in Columbia, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a “S,”
a/k/a “SHAWN,”**

in connection with the acquisition of three firearms, that is, (i) a Taurus, model 24/7, .45 caliber semiautomatic pistol with serial number NIM20035; (ii) a Taurus, model 24/7C, .40 caliber semiautomatic pistol with serial number SHR40400; and (iii) a Taurus, model 24/7, .40 caliber semiautomatic pistol with serial number SHP34831, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Backwoods Outfitters, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Elvin Reyes, Jr. (the “straw purchaser”), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Elvin Reyes Jr. was the actual buyer of the firearms, when in fact, defendant ADAMS and Elvin Reyes Jr. knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2, 7-11, and 13, and Overt Act 3 of Count One are incorporated herein.
2. On or about May 13, 2015, in Columbia, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a “S,”
a/k/a “SHAWN,”**

in connection with the acquisition of three firearms, that is, (i) a Ruger, model LC9, 9mm semiautomatic pistol with serial number 322-38598; (ii) a SCCY, model CPX2, 9mm semiautomatic pistol with serial number 219435; and (iii) an SCCY, model CPX2, 9mm semiautomatic pistol with serial number 219460, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Backwoods Outfitters, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Elvin Reyes, Jr. (the “straw purchaser”), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Elvin Reyes Jr. was the actual buyer of the firearms, when in fact, defendant ADAMS and Elvin Reyes Jr. knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2, 7-11, and 13, and Overt Act 4 of Count One are incorporated here.
2. On or about May 19, 2015, in Columbia, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a “S,”
a/k/a “SHAWN,”**

in connection with the attempted acquisition of three firearms, that is, (i) a Kel-Tec, model P11, 9mm semiautomatic pistol with serial number AW554; (ii) a Bersa Thunder, model Thunder, .40 caliber semiautomatic pistol with serial number F36946; and (iii) an SCCY, model CPX1, 9mm semiautomatic pistol with serial number 213200, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Backwoods Outfitters, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Elvin Reyes, Jr. (the “straw purchaser”), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Elvin Reyes Jr. was the actual buyer of the firearms, when in fact, defendant ADAMS and Elvin Reyes Jr. knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2, 7-11, and 13, and Overt Act 5 of Count One are incorporated here.
2. On or about June 19, 2015, in Columbia, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

in connection with the attempted acquisition of two firearms, that is, (i) a Kel-Tec, Model P11, 9 mm semiautomatic pistol with serial number AW554; and (ii) a Smith & Wesson, Model SW40VE, .40 caliber semiautomatic pistol with serial number PDN1830, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Backwoods Outfitters, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Jessica Gonzalez (the "straw purchaser"), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Jessica Gonzalez was the actual buyer of the firearms, when in fact, defendant ADAMS and Jessica Gonzalez knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 3, 7-11, and 13, and Overt Act 6 of Count One are incorporated here.
2. On or about June 19, 2015, in Elizabethtown, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

in connection with the acquisition of two firearms, that is, (i) a Taurus, Model PT140, .40 caliber semiautomatic pistol with serial number SAM92140; and (ii) a Taurus, Model PT 24/7, .45 caliber semiautomatic pistol with serial number NZI04849, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Trop Gun Shop, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Jessica Gonzalez (the "straw purchaser"), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Jessica Gonzalez was the actual buyer of the firearms, when in fact, defendant ADAMS and Jessica Gonzalez knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 4, 7-11, and 13, and Overt Act 7 of Count One are incorporated here.
2. On or about June 20, 2015, in Mount Joy, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

in connection with the acquisition of a firearm that is, a Taurus, Model PT111, 9 mm semiautomatic pistol with serial number TUL22702, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Kinsey's, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Jessica Gonzalez (the "straw purchaser"), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Jessica Gonzalez was the actual buyer of the firearm, when in fact, defendant ADAMS and Jessica Gonzalez knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, 7-11, and 13, and Overt Act 9 of Count One are incorporated here.
2. On or about June 21, 2015, in Hamburg, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

in connection with the acquisition of two firearms that is, (i) a Smith & Wesson, Model SD9VE, 9 mm semiautomatic pistol with serial number FWN6111; and (ii) a Smith & Wesson, Model SD40VE, .40 caliber semiautomatic pistol with serial number FWU2486, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Cabela's, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Randy Johnson (the "straw purchaser"), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Randy Johnson was the actual buyer of the firearms, when in fact, defendant ADAMS and Randy Johnson knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 4, 7-11, and 13, and Overt Act 10 of Count One are incorporated here.
2. On or about June 22, 2015, in Mount Joy, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

in connection with the acquisition of a firearm that is, a Taurus, Model PT111 G2, 9 mm semiautomatic pistol with serial number TIN49752, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Kinsey's, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Jessica Gonzalez (the "straw purchaser"), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Jessica Gonzalez was the actual buyer of the firearm, when in fact, defendant ADAMS and Jessica Gonzalez knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 3, 7-11, and 13, and Overt Act 11 of Count One are incorporated here.
2. On or about June 22, 2015, in Elizabethtown, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

in connection with the acquisition of a firearm that is, a SAR Arms, Model B6PC, 9 mm semiautomatic pistol with serial number T110214G00783, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Trop Gun Shop, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Jessica Gonzalez (the "straw purchaser"), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Jessica Gonzalez was the actual buyer of the firearm, when in fact, defendant ADAMS and Jessica Gonzalez knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2, 7-11, and 13, and Overt Act 12 of Count One are incorporated here.
2. On or about July 9, 2015, in Columbia, in the Eastern District of Pennsylvania, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

in connection with the attempted acquisition of a firearm that is, an SCCY, Model CPX1, 9 mm semiautomatic pistol with serial number 196563, knowingly made, aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Backwoods Outfitters, a federally licensed firearms dealer, in that, at the direction of defendant ADAMS, Sitara Rathod (the "straw purchaser"), charged elsewhere, falsely certified on ATF Form 4473, Firearms Transaction Record, that Sitara Rathod was the actual buyer of the firearm, when in fact, defendant ADAMS and Sitara Rathod knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 6, 2015, in Hamburg, in the Eastern District of Pennsylvania, and elsewhere, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

having been convicted in a court of the State of New Jersey of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce three firearms, as follows: (i) a Taurus, model 709 SLIM, 9 mm semiautomatic pistol with serial number TIO80940; (ii) a Taurus, model 709 SLIM, 9 mm semiautomatic pistol with serial number TIO81095; and (iii) a Smith & Wesson, model SW40F, .40 caliber semiautomatic pistol with serial number PAA3575.

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

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 7, 2015, in Columbia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

having been convicted in a court of the State of New Jersey of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce three firearms, as follows: (i) a Taurus, model 24/7, .45 caliber semiautomatic pistol with serial number NIM20035; (ii) a Taurus, model 24/7C, .40 caliber semiautomatic pistol with serial number SHR40400; and (iii) a Taurus, model 24/7, .40 caliber semiautomatic pistol with serial number SHP34831, which was recovered on June 30, 2015 from A.B., an individual arrested on that date by law enforcement in Newark, New Jersey.

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

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 13, 2015, in Columbia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

having been convicted in a court of the State of New Jersey of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce three firearms, as follows: (i) a Ruger, model LC9, 9mm semiautomatic pistol with serial number 322-38598, which was recovered on September 3, 2015 from R.R., an individual arrested on that date by law enforcement in Newark, New Jersey; (ii) a SCCY, model CPX2, 9mm semiautomatic pistol with serial number 219435; and (iii) an SCCY, model CPX2, 9mm semiautomatic pistol with serial number 219460, which was recovered on September 24, 2015 from A.J., an individual arrested on that date by law enforcement in Newark, New Jersey.

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

COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 19, 2015, in Elizabethtown, in the Eastern District of Pennsylvania, and elsewhere, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

having been convicted in a court of the State of New Jersey of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, as follows: (i) a Taurus, Model PT140, .40 caliber semiautomatic pistol with serial number SAM92140; and (ii) a Taurus, Model PT 24/7, .45 caliber semiautomatic pistol with serial number NZI04849.

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

COUNT SEVENTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 20, 2015, in Mount Joy, in the Eastern District of Pennsylvania, and elsewhere, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

having been convicted in a court of the State of New Jersey of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, as follows: (i) a Taurus, Model PT111, 9 mm semiautomatic pistol with serial number TUL22702; (ii) a Taurus, Model PT709 Slim, 9 mm semiautomatic pistol with serial number TIO58519; and (iii) a Taurus, Model 740 Slim, .40 caliber semiautomatic pistol with serial number SIR42135.

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

COUNT EIGHTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 21, 2015, in Lancaster, in the Eastern District of Pennsylvania, and elsewhere, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

having been convicted in a court of the State of New Jersey of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, as follows: (i) a Smith & Wesson, Model SD9VE, 9 mm semiautomatic pistol with serial number FWN6111, which was recovered on November 9, 2015 from I.A., an individual arrested on that date by law enforcement in Newark, New Jersey; and (ii) a Smith & Wesson, Model SD40VE, .40 caliber semiautomatic pistol with serial number FWU2486, which was recovered on September 21, 2015 from D.K., an individual arrested on that date by law enforcement in Newark, New Jersey.

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

COUNT NINETEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 22, 2015, in Elizabethtown, in the Eastern District of Pennsylvania, and elsewhere, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

having been convicted in a court of the State of New Jersey of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, as follows: (i) a Taurus, Model PT111 G2, 9 mm semiautomatic pistol with serial number TIN49752; and (ii) a SAR Arms, Model B6PC, 9 mm semiautomatic pistol with serial number T110214G00783.

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

COUNT TWENTY

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 10, 2015, in Lancaster, in the Eastern District of Pennsylvania, and elsewhere, defendant

**NAKIA ADAMS,
a/k/a “S,”
a/k/a “SHAWN,”**

having been convicted in a court of the State of New Jersey of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, a Smith & Wesson, Model SD40VE, .40 caliber semiautomatic pistol with serial number FWU9680.

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

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 922 (g)(1) and 924(a)(1)(A), set forth in this indictment, defendant

**NAKIA ADAMS,
a/k/a "S,"
a/k/a "SHAWN,"**

shall forfeit to the United States of America, all firearms involved in the commission of these offenses, including

1. a Taurus, Model PT140, .40 caliber semiautomatic pistol with serial number SAM92140;
2. a Taurus, Model PT 24/7, .45 caliber semiautomatic pistol with serial number NZI04849;
3. a Taurus, Model PT111, 9 mm semiautomatic pistol with serial number TUL22702;
4. a Smith & Wesson, Model SD9VE, 9 mm semiautomatic pistol with serial number FWN6111;
5. a Smith & Wesson, Model SD40VE, .40 caliber semiautomatic pistol with serial number FWU2486;
6. a Taurus, Model PT111 G2, 9 mm semiautomatic pistol with serial number TIN49752;
7. a SAR Arms, Model B6PC, 9 mm semiautomatic pistol with serial number T110214G00783; and
8. a Taurus, model 709 SLIM, 9 mm semiautomatic pistol with serial number TIO80940;
9. a Taurus, model 709 SLIM, 9 mm semiautomatic pistol with serial number TIO81095;

10. a Smith & Wesson, model SW40F, .40 caliber semiautomatic pistol with serial number PAA3575;
11. a Taurus, model 24/7, .45 caliber semiautomatic pistol with serial number NIM20035;
12. a Taurus, model 24/7C, .40 caliber semiautomatic pistol with serial number SHR40400;
13. a Taurus, model 24/7, .40 caliber semiautomatic pistol with serial number SHP34831;
14. a Ruger, model LC9, 9mm semiautomatic pistol with serial number 322-38598;
15. an SCCY, model CPX2, 9mm semiautomatic pistol with serial number 219435;
16. an SCCY, model CPX2, 9mm semiautomatic pistol with serial number 219460;
17. a Taurus, Model PT709 Slim, 9 mm semiautomatic pistol with serial number TIO58519;
18. a Taurus, Model 740 Slim, .40 caliber semiautomatic pistol with serial number SIR42135; and

19. a Smith and Wesson, Model SD40VE, .40 caliber semiautomatic pistol with serial number FWU9680.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

ZANE DAVID MEMEGER
United States Attorney