

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

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED:** _____
JOSHUA MATTHEW ORTIZ : **VIOLATIONS:**
: **18 U.S.C. § 1951(a) (robbery which**
: **interferes with interstate commerce**
: **- 1 count)**
: **18 U.S.C. § 924(c)(1) (using and carrying**
: **a firearm during a crime of violence - 1**
: **count)**
: **18 U.S.C. § 922(g)(1)**
: **(convicted felon in possession of a firearm**
: **- 1 count)**
: **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Turkey Hill Minit Market, located at 410 East Chestnut Street in Lancaster, Pennsylvania, was a business and convenience store engaged in and affecting interstate commerce by providing to customers beverages, foods, tobacco products and packaged goods produced, purchased, and transported from other states to Pennsylvania.

2. On or about January 29, 2016, in Lancaster, in the Eastern District of Pennsylvania, defendant

JOSHUA MATTHEW ORTIZ

obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that, defendant ORTIZ unlawfully took and

obtained, and attempted to take and obtain, money and cigarettes, from the person or presence of an employee of Turkey Hill Minit Market located at 410 East Chestnut Street, in Lancaster, Pennsylvania, against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future to him and property in his possession, that is, by pointing a loaded firearm at the employee, and then demanding money and cigarettes, and stealing money at gunpoint.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 29, 2016, in Lancaster, in the Eastern District of Pennsylvania,
defendant

JOSHUA MATTHEW ORTIZ

used and carried a firearm, that is, a black Raven Arms .25 caliber semiautomatic pistol, serial number 596392, loaded with six rounds of ammunition, one of which was in the firing chamber, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, robbery which interferes with interstate commerce in violation of U.S.C. § 1951(a), as charged in Count One of this indictment, and brandished that firearm.

In violation of Title 18, United States Code, Section 924(c).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 29, 2016, in Lancaster, in the Eastern District of Pennsylvania,
defendant

JOSHUA MATTHEW ORTIZ,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a black Raven Arms .25 caliber semiautomatic pistol, serial number 596392, loaded with six rounds of ammunition, one of which was in the firing chamber at the time of defendant ORTIZ's arrest.

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(c)(1) as set forth in Counts Two and Three of this indictment, defendant

JOSHUA MATTHEW ORTIZ

shall forfeit to the United States of America the firearm and ammunition involved in the commission of this offense, that is,

- 1) a black Raven Arms .25 caliber semiautomatic handgun, serial number 596392; and
- 2) six rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d)(1).

A TRUE BILL:

**_____
GRAND JURY FOREPERSON**

**_____
ZANE DAVID MEMEGER
United States Attorney**