

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>16-23</u>
v.	:	DATE FILED: <u>July 14, 2016</u>
DARIEN MONTAE THOMPSON,	:	VIOLATIONS:
a/k/a "Dirt"	:	18 U.S.C. § 371 (conspiracy – 1 count)
a/k/a "Frank White,"	:	18 U.S.C. § 922(a)(1)(A) (dealing in
a/k/a "Derrick Thomas,"	:	firearms without a license – 1 count)
OMAR TARIK DAVENPORT,	:	18 U.S.C. § 924(n) (interstate travel in
a/k/a "O,"	:	furtherance of dealing in firearms
SEKOU MALIEK DAVENPORT	:	without a license – 4 counts)
	:	26 U.S.C. § 5861(d)(possession of an
	:	unregistered short-barreled rifle –
	:	1 count)
	:	21 U.S.C. § 841(a)(1),(b)(1)(C)
	:	(distribution of phencyclidine (PCP))
	:	(1 count)
	:	18 U.S.C. § 922(j)(possession of a stolen
	:	firearm)(1 count)
	:	18 U.S.C. § 922(g)(1) (possession of a
	:	firearm by a convicted felon - 5 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. Defendant DARIEN MONTAE THOMPSON was not licensed to deal in firearms under the provisions of Chapter 44, Title 18, United States Code.
2. Defendant OMAR TARIK DAVENPORT was not licensed to deal in firearms under the provisions of Chapter 44, Title 18, United States Code.

3. Defendant SEKOU MALIEK DAVENPORT was not licensed to deal in firearms under the provisions of Chapter 44, Title 18, United States Code.

4. Defendant OMAR T. DAVENPORT and his brother, defendant SEKOU MALIEK DAVENPORT lived at a residence in the 5500 block of Webster Street, Philadelphia, Pennsylvania ("the Webster Street residence").

5. "The Buyer," known to the grand jury, was a convicted felon and prohibited by law from receiving or possessing firearms.

6. From on or about at least April 1, 2015, to on or about January 13, 2016, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**DARIEN MONTAE THOMPSON,
a/k/a/ "Dirt,"
a/k/a "Frank White,"
a/k/a "Derrick Thomas,"
OMAR TARIK DAVENPORT,
a/k/a/ "O," and
SEKOU MALIEK DAVENPORT**

conspired and agreed, together and with others known and unknown to the grand jury, to commit an offense against the United States, that is, to willfully engage in the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code, in violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

MANNER AND MEANS

It was part of the conspiracy that:

7. Defendants DARIEN MONTAE THOMPSON, OMAR TARIK DAVENPORT, and SEKOU MALIEK DAVENPORT acquired numerous firearms by various illegal means in the State of Georgia, and in the Commonwealth of Pennsylvania.

8. Defendants DARIEN MONTAE THOMPSON, OMAR TARIK DAVENPORT, and SEKOU MALIEK DAVENPORT illegally sold the firearms.

9. Defendants DARIEN MONTAE THOMPSON and OMAR TARIK DAVENPORT transported, and made arrangements to have other persons unknown to the grand jury transport, numerous firearms from the State of Georgia to Philadelphia, Pennsylvania so that the firearms could be sold illegally.

10. Defendants DARIEN MONTAE THOMPSON and OMAR TARIK DAVENPORT negotiated the sale of numerous firearms to "The Buyer," known to the grand jury, and two undercover ATF Task Force Officers (UC1 and UC2) known to the grand jury.

11. Defendants DARIEN MONTAE THOMPSON, OMAR TARIK DAVENPORT, and SEKOU MALIEK DAVENPORT used the Webster Street residence of defendants OMAR TARIK DAVENPORT and SEKOU MALIEK DAVENPORT, and the surrounding area, as the location for multiple unlawful firearm sales.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendants DARIEN MONTAE THOMPSON, OMAR TARIK DAVENPORT, and SEKOU MALIEK DAVENPORT committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

On or about April 1, 2015:

1. Defendant DARIEN MONTAE THOMPSON engaged in a text message exchange with The Buyer, during which defendant THOMPSON offered three semiautomatic pistols, that is, a 9mm, a .45 caliber, and a .380 caliber, for sale to The Buyer for \$1800. Defendant THOMPSON also sent photographs of the firearms to The Buyer via text message.
2. Defendant DARIEN MONTAE THOMPSON engaged in a recorded telephone call and text message exchange with The Buyer, during which defendant THOMPSON informed The Buyer that defendant OMAR TARIK DAVENPORT still had all four firearms at his residence, and provided The Buyer with defendant OMAR TARIK DAVENPORT'S telephone number.
3. Defendant OMAR TARIK DAVENPORT engaged in a recorded telephone call and text message exchange with The Buyer, during which defendant OMAR TARIK DAVENPORT informed The Buyer that defendant OMAR TARIK DAVENPORT was at the Webster Street residence, and that The Buyer should come to 55th and Webster Streets to conduct the firearms transaction. Defendant OMAR TARIK DAVENPORT also sent a photograph of the two .380 caliber firearms that he had for sale to The Buyer via text message. Defendant OMAR TARIK DAVENPORT later sent a text message to The Buyer informing The

Buyer that the firearms had all already been sold.

On or about May 30, 2015:

4. Defendant DARIEN MONTAE THOMPSON sent a text message to The Buyer, which included photographs of two handguns that defendant THOMPSON had for sale.

5. Defendant DARIEN MONTAE THOMPSON had a recorded telephone conversation with The Buyer, during which defendant THOMPSON offered three firearms for sale for \$1400. Defendant THOMPSON directed The Buyer to meet him at 21st and Morris Streets in Philadelphia.

6. Defendant DARIEN MONTAE THOMPSON met “The Buyer” and UC1 at 2137 Morris Street, in Philadelphia, and sold The Buyer and UC1 (1) a Glock, Model 22, .40 caliber semiautomatic pistol, serial number AAHE785; (2) a Harrington and Richardson, Model 733, .32 caliber revolver, serial number BB016378; and (3) a Phoenix Arms, Model HP22A, .22 LR caliber semiautomatic pistol, serial number 4313256 for \$1400.

On or about July 15, 2015:

7. Defendant DARIEN MONTAE THOMPSON exchanged text messages with The Buyer, during which defendant THOMPSON offered to sell The Buyer two firearms for \$2000.

8. Defendant DARIEN MONTAE THOMPSON had a recorded telephone conversation with The Buyer, during which defendant THOMPSON offered to sell The Buyer one firearm for \$900.

9. Outside of the Webster Street residence, defendant DARIEN MONTAE THOMPSON sold The Buyer and UC1 a Jimenez Arms INC., Model J.A. NINE, 9mm

semiautomatic pistol, serial number 171712, as well as six live rounds of 9mm caliber ammunition for \$900. This handgun was reported stolen from a resident of Hinesville, Georgia in July 2015. Defendant THOMPSON told The Buyer and UC1 that he planned to have more guns to sell, but his house had been “raided” and he lost a .357, a shotgun, and all of his “work.”

On or about August 10, 2015:

10. Defendant DARIEN MONTAE THOMPSON had a recorded telephone and monitored social media conversation with The Buyer, during which defendant THOMPSON offered to sell The Buyer two firearms for \$1200.

11. Outside of the Webster Street residence, defendant DARIEN MONTAE THOMPSON sold The Buyer and UC1 (1) a Taurus, Model 82, .38 Special caliber revolver, serial number RA605426 and (2) a Hopkins and Allen revolver with unknown model, caliber and serial number, an antique gun that does not qualify as a firearm within the meaning of federal law, for \$1200.

On or about August 11, 2015:

12. Outside of the Webster Street residence, defendant DARIEN MONTAE THOMPSON sold The Buyer and UC1 (1) a Jimenez Arms INC., Model J.A. NINE, 9mm semiautomatic pistol, serial number 193538, and (2) a Ruger, Model Security Six, .357 caliber revolver, serial number 157873606 for \$1400. The Jimenez handgun was reported stolen from a resident of Hinesville, Georgia in or about September 2014.

On or about August 13, 2015:

13. Defendant DARIEN MONTAE THOMPSON had a recorded telephone conversation with The Buyer, during which defendant THOMPSON offered to sell The Buyer a

9mm semiautomatic pistol and a .357 caliber revolver for \$1400.

14. Outside of the Webster Street residence, defendant DARIEN MONTAE THOMPSON sold The Buyer and UC1 (1) an SCCY, Model CPX-2, 9mm semiautomatic pistol, serial number 047066, and (2) a Taurus, Model 66, .357 caliber revolver, serial number IC124681 for \$1400. Defendant THOMPSON told The Buyer and UC1 that he and defendant OMAR TARIK DAVENPORT were partners, and that defendant OMAR TARIK DAVENPORT would hold any firearms until defendant THOMPSON returned to Philadelphia.

On or about August 24, 2015:

15. Defendant DARIEN MONTAE THOMPSON sent a photograph of four firearms offered for sale to The Buyer in a text message.

16. Defendant DARIEN MONTAE THOMPSON had a telephone conversation with The Buyer and UC1, during which defendant THOMPSON agreed to the purchase price for the firearms as \$3900.

17. Outside of the Webster Street residence, defendants DARIEN MONTAE THOMPSON and OMAR TARIK DAVENPORT sold The Buyer and UC1 (1) a Romarm/Cugir, Model WASR 10/63KR, 7.62x39mm caliber rifle, serial number RG94131, (2) a Smith & Wesson, Model SW40VE, .40 caliber semiautomatic pistol, serial number DSP3306, (3) a Ruger, Model P94DAO, 9mm semiautomatic pistol, serial number 308-22001, loaded with one live 9mm round in the chamber and four live 9mm rounds in the magazine, (4) a Glock, Model 23, .40 caliber semiautomatic pistol, serial number XKG789, and a rifle magazine loaded with nineteen live rounds of 7.62x39mm caliber ammunition, eleven live rounds of .40 caliber ammunition, five live rounds of 9mm ammunition, all for \$3900. The Ruger handgun was

reported stolen from a resident of Hinesville, Georgia in or about April 2014. The Glock handgun was reported stolen from a resident of Ludowici, Georgia in or about June 2015.

18. During the firearms transaction, defendant DARIEN MONTAE THOMPSON told UC1 that he had gone “down there” (Georgia) to get the firearms, and then brought them back up to Philadelphia to sell them.

19. On or about September 16, 2015, defendant DARIEN MONTAE THOMPSON stole a Ruger, Model: LC9, 9mm caliber pistol, serial number 325-54563 from a private residence in Hinesville, Georgia.

On or about September 22, 2015:

20. Defendant DARIEN MONTAE THOMPSON engaged in a text message exchange with UC1, during which defendant THOMPSON informed UC1 that defendant THOMPSON had five firearms for sale for \$3000. Defendant THOMPSON also sent a photograph of the five firearms to UC1 via text message.

On or about September 23, 2015:

21. Defendant DARIEN MONTAE THOMPSON had a telephone conversation with UC1, during which defendant THOMPSON informed UC1 that defendant THOMPSON had five firearms for sale, and would meet UC1 at the Webster Street residence to sell them to UC1.

22. Outside of the Webster Street residence, defendant DARIEN MONTAE THOMPSON sold UC1 and UC2 (1) a Taurus, Model: PT111, 9mm Pistol, Serial Number TVF11396, (2) a CZ, Model: CZ75 P-07 Duty, 9mm Pistol, Serial Number B115093, (3) a Smith & Wesson, Model: 442, .38 caliber special revolver, Serial Number DBZ2659, (4) a Smith &

Wesson, Model: 1905, .38 caliber special revolver, Serial Number 180927, and (5) a High Standard, Model: Double Nine W-100, .22 caliber revolver, with an obliterated serial number, all for \$3,000. The Taurus handgun was reported stolen from a resident of Philadelphia, Pennsylvania in or about June 2011. The CZ handgun was reported stolen from a resident of Swatara Township, Pennsylvania in or about June 2011.

Between on or about September 16, 2015, and on or about October 1, 2015:

23. Defendant DARIEN MONTAE THOMPSON transported a Ruger, Model: LC9, 9mm caliber pistol, serial number 325-54563 from the State of Georgia to Philadelphia, in the Eastern District of Pennsylvania.

24. Defendant DARIEN MONTAE THOMPSON possessed a Ruger, Model: LC9, 9mm caliber pistol, serial number 325-54563 in Philadelphia, in the Eastern District of Pennsylvania, which firearm defendant THOMPSON knew to have been stolen.

On or about October 1, 2015:

25. Defendant DARIEN MONTAE THOMPSON engaged in a text message exchange with UC1, during which defendant THOMPSON informed UC1 that defendant THOMPSON had one rifle and one 9mm handgun for sale for \$2300. Defendant THOMPSON sent a photograph of the two firearms to UC1 via text message.

26. Outside of the Webster Street residence, defendant DARIEN MONTAE THOMPSON sold UC1 (1) a Ruger, Model: LC9, 9mm caliber Pistol, serial number 325-54563 and (2) a 1954 Izhevsk, Model: SKS, 7.62x39 caliber rifle, serial number CCCP06418 for \$2300. The Ruger handgun was stolen by defendant DARIEN MONTAE THOMPSON from a resident of Hinesville, Georgia on or about September 16, 2015.

On or about October 19, 2015:

27. Defendant DARIEN MONTAE THOMPSON engaged in a telephone conversation and text message exchange with UC1, during which defendant THOMPSON informed UC1 that defendant THOMPSON had two firearms for sale for \$1100. Defendant THOMPSON also sent a photograph of the two firearms to UC1 via text message.

On or about October 20, 2015:

28. Defendant DARIEN MONTAE THOMPSON advised UC1 via text message that defendant SEKOU MALIEK DAVENPORT would deliver the two firearms to UC1.

29. Outside of the Webster Street residence, defendant SEKOU MALIEK DAVENPORT sold UC1 (1) a Springfield, Model XD-9, 9mm caliber semiautomatic pistol, serial number XD141550 and (2) a Beretta, Model 70, 7.65 caliber semiautomatic pistol, serial number A19945 for \$1100. Defendant SEKOU MALIEK DAVENPORT told UC1 that he and defendant DARIEN MONTAE THOMPSON were “a team” with respect to the selling of firearms. The Springfield handgun was reported stolen from a resident of Philadelphia, Pennsylvania in or about October 2015.

On or about November 6, 2015:

30. Defendant SEKOU MALIEK DAVENPORT possessed two firearms, a Taurus, Model 627 Tracker, .357 magnum caliber revolver, serial number ZF399729, and an Intratec, Model Tec-22, .22 caliber semiautomatic pistol, serial number 062563.

On or about November 10, 2015:

31. Defendant DARIEN MONTAE THOMPSON engaged in a text message

exchange with UC1, during which defendant THOMPSON informed UC1 that defendant THOMPSON had two firearms for sale for \$2000. Defendant THOMPSON also sent a photograph of the two firearms to UC1 via text message.

32. Outside of the Webster Street residence, defendant DARIEN MONTAE THOMPSON sold UC2 (1) a Taurus, Model 627 Tracker, .357 magnum caliber revolver, serial number ZF399729 and (2) an Intratec, Model Tec-22, .22 caliber semiautomatic pistol, serial number 062563 for \$2000. Defendant THOMPSON told UC2 that there are three members of his “crew,” and that they work as a “team.” Defendant THOMPSON also told UC2 that he would have more guns in about five days, after his uncle took him and his brother down to Georgia to get them. Defendant THOMPSON further told UC2 that he had seen two .50 caliber machine guns that he would be bringing back with him. The Taurus handgun was reported stolen from a resident of Beaufort County, South Carolina in or about August 2008.

On or about November 21 and 22, 2015:

33. Defendant DARIEN MONTAE THOMPSON engaged in a text message exchange and telephone conversation with UC1, during which defendant THOMPSON informed UC1 that defendant THOMPSON had two firearms for sale for \$1300. Defendant THOMPSON sent a photograph of the two firearms to UC1 via text message.

On or about November 23, 2015:

34. Outside of the Webster Street residence, defendant DARIEN MONTAE THOMPSON sold UC1 and UC2 (1) a Taurus, Model PT140, .40 caliber semiautomatic pistol, serial number STG43568, and (2) a Ruger, Model Mark II, .22 caliber semiautomatic pistol, serial number 222-94679 for \$1200. The Taurus handgun was reported stolen from a resident of

Harrisburg, Pennsylvania in or about June 2012.

On or about January 4, 2016:

35. Defendant DARIEN MONTAE THOMPSON engaged in a text message exchange with UC1, and defendants THOMPSON and OMAR TARIK DAVENPORT also engaged in a three-way telephone conversation with UC1, during which defendants THOMPSON and OMAR TARIK DAVENPORT discussed with UC1 a firearm that they had for sale. Defendant THOMPSON advised UC1 that he was presently in the State of Georgia, and that defendant DAVENPORT would handle the sale of the firearm. Defendant THOMPSON also sent photographs of the firearm to UC1 via text message, and quoted a price of \$3000 for the firearm.

On or about January 5, 2016:

36. Defendants DARIEN MONTAE THOMPSON and OMAR TARIK DAVENPORT engaged in a text message exchange with UC1, during which defendants THOMPSON and OMAR TARIK DAVENPORT discussed with UC1 the firearm that they had for sale. Defendant OMAR TARIK DAVENPORT sent to UC1 via text message the same photographs of the firearm that defendant THOMPSON had sent to UC1 the previous day, and UC1 and defendant OMAR TARIK DAVENPORT negotiated the purchase price of the firearm to \$2500.

37. Defendant OMAR TARIK DAVENPORT engaged in a recorded telephone call with UC1, during which defendant OMAR TARIK DAVENPORT advised UC1 that he was going to lower the firearm prices he was charging UC1 for future purchases, and that if UC1 was willing to “take trips” in the future with defendant OMAR TARIK DAVENPORT,

the prices would be even lower. Defendant OMAR TARIK DAVENPORT further told UC1 that he had recently fired the firearm he was selling to UC1 that day, that the firearm came with two “clips,” and that defendant OMAR TARIK DAVENPORT would show UC1 how to operate the firearm.

38. Defendant SEKOU MALIEK DAVENPORT possessed an Israel Military Industries (I.M.I.), UZI Model 45, 9mm caliber rifle, serial number 005136.

39. Outside of the Webster Street residence, defendant OMAR TARIK DAVENPORT sold UC1 an Israel Military Industries (I.M.I.), UZI Model 45, 9mm caliber rifle, serial number 005136, along with 30 and 50-round magazines for the firearm for \$2500. The firearm has a barrel that was less than 16 inches (approximately 10.5 inches) in length, making it a short-barreled rifle for federal firearms classification purposes.

On or about January 9 and 10, 2016:

40. Defendants OMAR TARIK DAVENPORT and SEKOU MALIEK DAVENPORT engaged in a text message exchange during which they discussed defendant OMAR TARIK DAVENPORT having “a SK, Mac 11, two 380s, and a 9” in his possession, and that defendant OMAR TARIK DAVENPORT was presently waiting “for another 9 and another jawn.”

41. Defendant DARIEN MONTAE THOMPSON engaged in a text message exchange with UC1, during which defendant THOMPSON informed UC1 that defendant THOMPSON presently had “a SKS with a 50 and a Mac 11” for sale. Defendant THOMPSON sent photographs of five firearms to UC1 via text message, and told UC1 that the firearms were with defendant OMAR TARIK DAVENPORT, who was on his way to Philadelphia from the State

of Georgia, where defendant THOMPSON was then located.

42. Defendants OMAR TARIK DAVENPORT and SEKOU MALIEK DAVENPORT engaged in a text message exchange during which defendant OMAR TARIK DAVENPORT requested that defendant SEKOU MALIEK DAVENPORT wire him \$200 via Western Union, to Hinesville, Georgia, which defendant SEKOU MALIEK DAVENPORT did.

43. Defendant OMAR TARIK DAVENPORT traveled from Savannah, Georgia to Philadelphia, in the Eastern District of Pennsylvania, for the purpose of illegally selling firearms.

On or about January 11, 2016:

44. Defendant OMAR TARIK DAVENPORT engaged in a text message exchange with UC1, during which defendant OMAR TARIK DAVENPORT acknowledged having just made a trip. Defendant OMAR TARIK DAVENPORT then quoted a price of \$6200 for a Mac 11, an SKS rifle, and a 9mm handgun. When UC1 asked about the other two guns offered by defendant THOMPSON, defendant OMAR TARIK DAVENPORT replied, "They staying." Defendant OMAR TARIK DAVENPORT sent UC1 a photograph via text message of all five of the firearms. Defendant OMAR TARIK DAVENPORT stated that he "took a crazy risk" because he was on state parole. Defendant OMAR TARIK DAVENPORT then told UC1 that the price would drop if UC1 took "the trip" with him, that he was "going back out there next week," and that UC1 should let him know if he wanted to go as well. Defendant OMAR TARIK DAVENPORT then agreed to hold the firearms until the morning of January 12.

45. Defendant OMAR TARIK DAVENPORT had a recorded telephone

conversation with UC1, to further discuss the firearms transaction for the next day. When UC1 asked about purchasing all five of the firearms, defendant OMAR TARIK DAVENPORT replied, "I can't sell all of them." Defendant OMAR TARIK DAVENPORT later stated, "I'll let them jaws go once we come back with some more," and he set a price of \$6400 for four firearms.

On or about January 12, 2016:

46. Outside of the Webster Street residence, defendant OMAR TARIK DAVENPORT sold UC1 and UC2 (1) a Bryco, Model 38, .380 caliber pistol, serial number 1251666, (2) a Hi-Point, Model C, 9mm pistol, serial number P031526, (3) a Cobray, Model Mac-11 (M11/NINE-type), 9x19mm caliber, obliterated serial number, and (4) a Norinco, Model SKS, 7.62x39 caliber rifle, serial number 7031064 for \$6400. The Bryco handgun was reported stolen by a resident of Ludowici, Georgia, in December 2015.

47. Defendant OMAR TARIK DAVENPORT sold UC1 and UC2 approximately 4.7 grams of a mixture and substance containing a detectable amount of phencyclidine (PCP), a Schedule II controlled substance.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5, and 7 through 11, and Overt Acts 1 through 47 of Count One are incorporated here.

2. Beginning on at least April 1, 2015, to on or about January 12, 2016, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**DARIEN MONTAE THOMPSON,
a/k/a/ "Dirt,"
a/k/a "Frank White,"
a/k/a "Derrick Thomas,"
OMAR TARIK DAVENPORT,
a/k/a/ "O," and
SEKOU MALIEK DAVENPORT**

willfully engaged in, and aided and abetted engaging in, the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code.

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 11, and Overt Acts 15-18 of Count One are incorporated here.

2. On or about August 24, 2015, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

**DARIEN MONTAE THOMPSON,
a/k/a/ "Dirt,"
a/k/a "Frank White,"
a/k/a "Derrick Thomas,"**

with the intent to engage in conduct that constitutes a violation of Title 18, United States Code, Section 922(a)(1)(A), that is, dealing in firearms without a license, traveled from the Commonwealth of Pennsylvania to the State of Georgia and back again, to acquire and attempt to acquire a firearm, that is, a Romarm/ Cugir, Model WASR 10/63 KR, 7.62x39mm caliber rifle, serial number RG9413; a Smith & Wesson, Model SW40VE, .40 caliber pistol, serial number DSP 3306; a Ruger, Model P94DAO, 9mm caliber pistol, serial number 308-22001; and a Glock, Model 23, .40 caliber pistol, serial number XKG789; in furtherance of such purpose.

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

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 11, and Overt Acts 25-26 of Count One are incorporated here.
2. On or about October 1, 2015, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

**DARIEN MONTAE THOMPSON,
a/k/a/ "Dirt,"
a/k/a "Frank White,"
a/k/a "Derrick Thomas,"**

with the intent to engage in conduct that constitutes a violation of Title 18, United States Code, Section 922(a)(1)(A), that is, dealing in firearms without a license, traveled from the Commonwealth of Pennsylvania to the State of Georgia and back again, to acquire and attempt to acquire a firearm, that is, a Ruger, Model: LC9, 9mm caliber pistol, serial number 325-54563 and (2) a 1954 Izhevsk, Model: SKS, 7.62x39 caliber rifle, serial number CCCP06418; in furtherance of such purpose.

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

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 11, and Overt Acts 30-32 of Count One are incorporated here.
2. On or about November 10, 2015, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

**DARIEN MONTAE THOMPSON,
a/k/a/ "Dirt,"
a/k/a "Frank White,"
a/k/a "Derrick Thomas,"**

with the intent to engage in conduct that constitutes a violation of Title 18, United States Code, Section 922(a)(1)(A), that is, dealing in firearms without a license, traveled from the Commonwealth of Pennsylvania to the State of Georgia and back again, to acquire and attempt to acquire a firearm, that is, a Taurus, Model 627 Tracker, .357 magnum caliber pistol, serial number ZF399729; and an Intratec, Model Tec-22, .22 caliber pistol, serial number 062563; in furtherance of such purpose.

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

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 11, and Overt Acts 40-46 of Count One are incorporated here.

2. On or about January 12, 2016, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

**OMAR TARIK DAVENPORT,
a/k/a/ "O,"**

with the intent to engage in conduct that constitutes a violation of Title 18, United States Code, Section 922(a)(1)(A), that is, dealing in firearms without a license, traveled from the Commonwealth of Pennsylvania to the State of Georgia and back again, to acquire and attempt to acquire a firearm, that is, a Bryco, Model 38, .380 caliber pistol, serial number 1251666; a Hi-Point, Model C, 9mm pistol, serial number P031526; a Cobray, Model Mac-11 (M11/NINE-type), 9x19mm caliber, obliterated serial number; and a Norinco, Model SKS, 7.62x39 caliber rifle, serial number 7031064; in furtherance of such purpose.

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

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 5, 2016, in Philadelphia, in the Eastern District of
Pennsylvania, defendants

DARIEN MONTAE THOMPSON,
a/k/a “Dirt,”
a/k/a “Frank White,”
a/k/a “Derrick Thomas,”
OMAR TARIK DAVENPORT,
a/k/a “O,” and
SEKOU MALIEK DAVENPORT,

knowingly received and possessed, and aided and abetted the receipt and possession of, a firearm, that is, an Israeli Military Industries (I.M.I.), UZI Model 45, 9mm caliber rifle, serial number 005136, with an overall length of less than 26 inches, and a barrel measuring approximately 10 ½ inches, and that firearm was not registered to any of them in the National Firearms Registration and Transfer Record.

In violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871,
and Title 18, United States Code, Section 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 12, 2016, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**OMAR TARIK DAVENPORT,
a/k/a/ "O,"**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of phencyclidine (PCP), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 1, 2015, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

**DARIEN MONTAE THOMPSON,
a/k/a/ "Dirt,"
a/k/a "Frank White,"
a/k/a "Derrick Thomas,"**

knowingly possessed a stolen firearm, that is, a Ruger, Model: LC9, 9mm caliber Pistol, serial number 325-54563, which had been shipped and transported in interstate commerce before it was stolen, knowing and having reasonable cause to believe the firearm was stolen.

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

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 24, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**OMAR TARIK DAVENPORT,
a/k/a/ "O,"**

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, (1) a Romarm/Cugir, Model: WASR 10/63KR, 7.62x39mm caliber rifle, serial number RG9413, (2) a Smith & Wesson, Model: SW40VE, .40 caliber pistol, serial number DSP3306, (3) a Ruger, Model: P94DAO, 9mm pistol, serial number 308-22001, loaded with one live 9mm round in the chamber and four live 9mm rounds in the magazine, (4) a Glock, Model: 23, .40 caliber pistol, serial number XKG789, along with a rifle magazine loaded with nineteen live rounds of 7.62x39mm caliber ammunition, eleven live rounds of .40 caliber ammunition, and five live rounds of 9mm caliber ammunition.

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

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 20, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant

SEKOU MALIEK DAVENPORT,

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, (1) a Springfield, Model XD-9, 9mm caliber semiautomatic pistol, serial number XD141550 and (2) a Beretta, Model 70, 7.65 caliber semiautomatic pistol, serial number A19945.

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

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 10, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant

SEKOU MALIEK DAVENPORT,

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, (1) a Taurus, Model 627 Tracker, .357 magnum caliber revolver, serial number ZF399729 and (2) an Intratec, Model Tec-22, .22 caliber semiautomatic pistol, serial number 062563.

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

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 5, 2016, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**OMAR TARIK DAVENPORT,
a/k/a/ "O," and
SEKOU MALIEK DAVENPORT,**

having each 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, an Israeli Military Industries (I.M.I.), UZI Model 45, 9mm caliber rifle, serial number 005163.

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

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 12, 2016, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

**OMAR TARIK DAVENPORT,
a/k/a/ "O,"**

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, (1) a Bryco, Model 38, .380 caliber pistol, serial number 1251666, (2)
a Hi-Point, Model C, 9mm pistol, serial number P031526, (3) a Cobray, Model Mac-11
(M11/NINE-type), 9x19mm caliber, obliterated serial number, and (4) a Norinco, Model SKS,
7.62x39 caliber rifle, serial number 7031064.

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 371, 922(a)(1)(A), 922(a)(3), 922(g), and 924(n) set forth in this indictment, defendants

DARIEN MONTAE THOMPSON,
a/k/a/ "Dirt,"
a/k/a "Frank White,"
a/k/a "Derrick Thomas,"
OMAR TARIK DAVENPORT,
a/k/a/ "O," and
SEKOU MALIEK DAVENPORT

shall forfeit to the United States of America the firearms and ammunition involved in the commission of these offenses, including, but not limited to:

- (1) a Glock, Model 22, .40 caliber semiautomatic pistol, serial number AAHE785;
- (2) a Harrington and Richardson, Model 733, .32 caliber revolver, serial number BB016378;
- (3) a Phoenix Arms, Model HP22A, .22 LR caliber semiautomatic pistol, serial number 4313256;
- (4) a Jimenez Arms INC., Model J.A. NINE, 9mm semiautomatic pistol, serial number 171712;
- (5) a Taurus, Model 82, .38 Special caliber revolver, serial number RA605426;
- (6) a Jimenez Arms INC., Model J.A. NINE, 9mm semiautomatic pistol, serial number 193538;
- (7) a Ruger, Model Security Six, .357 caliber revolver, serial number 157873606;
- (8) an SCCY, Model CPX-2, 9mm semiautomatic pistol, serial number 047066;
- (9) a Taurus, Model 66, .357 caliber revolver, serial number IC124681;
- (10) a Romarm/Cugir, Model WASR 10/63KR, 7.62x39mm caliber rifle, serial number RG94131;

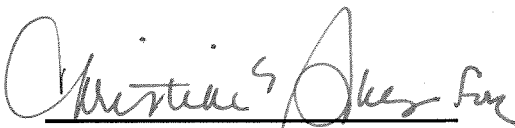
- (11) a Smith & Wesson, Model SW40VE, .40 caliber semiautomatic pistol, serial number DSP3306;
- (12) a Ruger, Model P94DAO, 9mm semiautomatic pistol, serial number 308-22001;
- (13) a Glock, Model 23, .40 caliber semiautomatic pistol, serial number XKG789;
- (14) a Taurus, Model: PT111, 9mm Pistol, Serial Number TVF11396;
- (15) a CZ, Model: CZ75 P-07 Duty, 9mm Pistol, Serial Number B115093;
- (16) a Smith & Wesson, Model: 442, .38 caliber special revolver, Serial Number DBZ2659;
- (17) a Smith & Wesson, Model: 1905, .38 caliber special revolver, Serial Number 180927;
- (18) a High Standard, Model: Double Nine W-100, .22 caliber revolver, with an obliterated serial number;
- (19) a Ruger, Model: LC9, 9mm caliber Pistol, serial number 325-54563;
- (20) a 1954 Izhevsk, Model: SKS, 7.62x39 caliber rifle, serial number CCCP06418;
- (21) a Springfield, Model XD-9, 9mm caliber semiautomatic pistol, serial number XD141550;
- (22) a Beretta, Model 70, 7.65 caliber semiautomatic pistol, serial number A19945;
- (23) a Taurus, Model 627 Tracker, .357 magnum caliber revolver, serial number ZF399729;
- (24) an Intratec, Model Tec-22, .22 caliber semiautomatic pistol, serial number 062563;
- (25) a Taurus, Model PT140, .40 caliber semiautomatic pistol, serial number STG43568;
- (26) a Ruger, Model Mark II, .22 caliber semiautomatic pistol, serial number 222-94679.
- (27) a Bryco, Model 38, .380 caliber pistol, serial number 1251666;
- (28) a Hi-Point, Model C, 9mm pistol, serial number P031526;

- (29) a Cobray, Model Mac-11 (M11/NINE-type), 9x19mm caliber, obliterated serial number;
- (30) a Norinco, Model SKS, 7.62x39 caliber rifle, serial number 7031064;
- (31) an Israeli Military Industries (I.M.I.), Model UZI 45, 9mm caliber rifle, serial number 005136;
- (32) twenty-six live rounds of 9mm caliber ammunition;
- (33) six live rounds of .357 magnum caliber ammunition;
- (34) rifle magazine loaded with 19 live rounds of 7.62x39mm caliber ammunition;
- (35) eleven live rounds of .40 caliber ammunition; and
- (36) 50-round and 30-round magazines for Uzi 9mm rifle.

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

A TRUE BILL:

FOREPERSON



ZANE DAVID MEMEGER

United States Attorney