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FILED - USDC - FL MD - ORL

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 6:24-cr- 104- JA-LHP
18 U.S.C. § 1951
18 U.S.C. § 924(c)

NIJAH JAHNI MITCHELL
DANY TELFORT

INDICTMENT

The Grand Jury charges:

1. At all times material to this Indictment, each of the following were entities that operated in and affected interstate commerce:
 - a. 7-Eleven, 980 Wekiva Springs Road, Longwood, Florida ("Wekiva Springs Road 7-Eleven");
 - b. 7-Eleven, 11008 S. Orange Blossom Trail, Orlando, Florida ("Orange Blossom Trail 7-Eleven");
 - c. 7-Eleven, 6758 Conroy Road, Orlando, Florida ("Conroy Road 7-Eleven");
 - d. 7-Eleven, 2510 Maguire Road, Ocoee, Florida ("Maguire Road 7-Eleven");
 - e. Circle-K, 505 Conway Road, Orlando, Florida ("Conway Road Circle-K"); and

- f. RaceTrac, 10315 Curry Ford Road, Orlando, Florida (“Curry Ford Road RaceTrac”).

COUNT ONE

On or about March 23, 2023, in the Middle District of Florida, and elsewhere, the defendant,

NIJAH JAHNI MITCHELL,

did knowingly, in any way and degree, obstruct, delay, and affect commerce as that term is defined in 18 U.S.C. § 1951(b)(3), and the movement of any article and commodity in such commerce, by robbery, as that term is defined in 18 U.S.C. § 1951(b)(1), that is, by knowingly and unlawfully taking and obtaining personal property consisting of the U.S. currency of Wekiva Springs Road 7-Eleven, from the person and in the presence of another, that is, an employee of Wekiva Springs Road 7-Eleven, against the employee’s will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee’s person.

In violation of 18 U.S.C. § 1951(a) and (b).

COUNT TWO

On or about March 23, 2023, in the Middle District of Florida, the defendant,

NIJAH JAHNI MITCHELL,

did knowingly use and carry and brandish a firearm during and in relation to a crime of violence for which the defendant may be prosecuted in a Court of the United

States, specifically, the robbery charged in Count One of the Indictment; Count One being incorporated by reference.

In violation of 18 U.S.C. § 924(c)(1)(A)(ii).

COUNT THREE

On or about March 24, 2023, in the Middle District of Florida, and elsewhere,
the defendant,

DANY TELFORT,

did knowingly, in any way and degree, obstruct, delay, and affect commerce as that term is defined in 18 U.S.C. § 1951(b)(3), and the movement of any article and commodity in such commerce, by robbery, as that term is defined in 18 U.S.C.

§ 1951(b)(1), that is, by knowingly and unlawfully taking and obtaining personal property consisting of the U.S. currency of Orange Blossom Trail 7-Eleven, from the person and in the presence of another, that is, an employee of Orange Blossom Trail 7-Eleven, against the employee's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee's person.

In violation of 18 U.S.C. § 1951(a) and (b).

COUNT FOUR

On or about March 24, 2023, in the Middle District of Florida, the defendant,

DANY TELFORT,

did knowingly use and carry and brandish a firearm during and in relation to a crime of violence for which the defendant may be prosecuted in a Court of the United

States, specifically, the robbery charged in Count Three of the Indictment; Count Three being incorporated by reference.

In violation of 18 U.S.C. § 924(c)(1)(A)(ii).

COUNT FIVE

On or about March 24, 2023, in the Middle District of Florida, and elsewhere,
the defendant,

NIJAH JAHNI MITCHELL,

did knowingly, in any way and degree, obstruct, delay, and affect commerce as that term is defined in 18 U.S.C. § 1951(b)(3), and the movement of any article and commodity in such commerce, by robbery, as that term is defined in 18 U.S.C. § 1951(b)(1), that is, by knowingly and unlawfully taking and obtaining personal property consisting of the U.S. currency of Conroy Road 7-Eleven, from the person and in the presence of another, that is, an employee of Conroy Road 7-Eleven, against the employee's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee's person.

In violation of 18 U.S.C. § 1951(a) and (b).

COUNT SIX

On or about March 24, 2023, in the Middle District of Florida, the defendant,

NIJAH JAHNI MITCHELL,

did knowingly use and carry and brandish a firearm during and in relation to a crime of violence for which the defendant may be prosecuted in a Court of the United

States, specifically, the robbery charged in Count Five of the Indictment; Count Five being incorporated by reference.

In violation of 18 U.S.C. § 924(c)(1)(A)(ii).

COUNT SEVEN

On or about March 24, 2023, in the Middle District of Florida, and elsewhere, the defendant,

DANY TELFORT,

did knowingly, in any way and degree, obstruct, delay, and affect commerce as that term is defined in 18 U.S.C. § 1951(b)(3), and the movement of any article and commodity in such commerce, by robbery, as that term is defined in 18 U.S.C. § 1951(b)(1), that is, by knowingly and unlawfully taking and obtaining personal property consisting of the U.S. currency of Maguire Road 7-Eleven, from the person and in the presence of another, that is, an employee of Maguire Road 7-Eleven, against the employee's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee's person.

In violation of 18 U.S.C. § 1951(a) and (b).

COUNT EIGHT

On or about March 24, 2023, in the Middle District of Florida, the defendant,

DANY TELFORT,

did knowingly use and carry and brandish a firearm during and in relation to a crime of violence for which the defendant may be prosecuted in a Court of the United

States, specifically, the robbery charged in Count Seven of the Indictment; Count Seven being incorporated by reference.

In violation of 18 U.S.C. § 924(c)(1)(A)(ii).

COUNT NINE

On or about April 1, 2023, in the Middle District of Florida, and elsewhere,
the defendants,

NIJAH JAHNI MITCHELL
and
DANY TELFORT,

while aiding and abetting each other, did knowingly, in any way and degree,
obstruct, delay, and affect commerce as that term is defined in 18 U.S.C.

§ 1951(b)(3), and the movement of any article and commodity in such commerce, by robbery, as that term is defined in 18 U.S.C. § 1951(b)(1), that is, by knowingly and unlawfully taking and obtaining personal property consisting of the U.S. currency of Conway Road Circle-K, from the person and in the presence of another, that is, an employee of Conway Road Circle-K, against the employee's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee's person.

In violation of 18 U.S.C. § 1951(a) and (b), and 18 U.S.C. § 2.

COUNT TEN

On or about April 1, 2023, in the Middle District of Florida, the defendant,

NIJAH JAHNI MITCHELL,

did knowingly use and carry and brandish a firearm during and in relation to a crime of violence for which the defendant may be prosecuted in a Court of the United States, specifically, the robbery charged in Count Nine of the Indictment; Count Nine being incorporated by reference.

In violation of 18 U.S.C. § 924(c)(1)(A)(ii).

COUNT ELEVEN

On or about April 1, 2023, in the Middle District of Florida, and elsewhere, the defendants,

NIJAH JAHNI MITCHELL
and
DANY TELFORT,

while aiding and abetting each other, did knowingly, in any way and degree, obstruct, delay, and affect commerce as that term is defined in 18 U.S.C.

§ 1951(b)(3), and the movement of any article and commodity in such commerce, by robbery, as that term is defined in 18 U.S.C. § 1951(b)(1), that is, by knowingly and unlawfully taking and obtaining personal property consisting of the U.S. currency of Curry Ford Road RaceTrac, from the person and in the presence of another, that is, an employee of Curry Ford Road RaceTrac, against the employee's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee's person.

In violation of 18 U.S.C. § 1951(a) and (b), and 18 U.S.C. § 2.

COUNT TWELVE

On or about April 1, 2023, in the Middle District of Florida, the defendant,

NIJAH JAHNI MITCHELL,

did knowingly use and carry and brandish a firearm during and in relation to a crime of violence for which the defendant may be prosecuted in a Court of the United States, specifically, the robbery charged in Count Eleven of the Indictment; Count Eleven being incorporated by reference.

In violation of 18 U.S.C. § 924(c)(1)(A)(ii).

FORFEITURE

1. The allegations contained in Counts One through Twelve are incorporated by reference for the purpose of alleging forfeiture, pursuant to provisions of 18 U.S.C. §§ 924(d), 981(a)(1)(C), and 28 U.S.C. § 2461(c).
2. Upon conviction of a violation of 18 U.S.C. § 1951, the defendants shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C), and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violation.
3. Upon conviction of a violation of 18 U.S.C. §§ 924(c) and/or 1951, the defendants shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the violation.
4. The property to be forfeited includes, but is not limited to, the following: the Glock 9mm firearm, serial number BYPL894; Taurus Arms 9mm firearm, serial number ACD799603; and associated ammunition, all of which was seized on or about April 1, 2023.

5. If any of the property described above, 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;

the United States shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

A TRUE BILL

Foreperson

ROGER B. HANDBERG
United States Attorney

By: *Sarah Megan Testerman*
Sarah Megan Testerman
Assistant United States Attorney

By: *Michael P. Felicetta*
Michael P. Felicetta
Assistant United States Attorney
Chief, Orlando Division

UNITED STATES DISTRICT COURT
Middle District of Florida
Orlando Division

THE UNITED STATES OF AMERICA


vs.

NIJAH JAHNI MITCHELL
DANY TELFORT

INDICTMENT

Violation: 18 U.S.C. § 1951
18 U.S.C. § 924(c)

A true bill


Foreperson

Filed in open court this 24th day
of April, 2024.


Clerk

Bail \$ _____
