

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

UNITED STATES OF AMERICA)
) No. 18 CR 50005
vs.) Violations: Title 18, United
) States Code, Sections 924(c),
DAVID M. BANEY) 1951(a), and 2113(a) and (d)

COUNT ONE

The FEBRUARY 2017 GRAND JURY charges:

1. At times material to this indictment, the Kelley's Market/Mobil gas station located on North Second Street, Machesney Park, Illinois, was engaged in the purchase and sale of products in interstate commerce and was in an industry that affects interstate commerce.

2. On or about January 11, 2018, at Machesney Park, in the Northern District of Illinois, Western Division,

DAVID M. BANEY,

defendant herein, did commit a robbery which obstructed, delayed, and affected commerce, as "robbery" and "commerce" are defined in Title 18, United States Code, Section 1951, in that the defendant, by use of actual and threatened force, violence, and fear of injury to an employee of the Kelley's Market/Mobil gas station, and against the employee's will, unlawfully took

personal property, namely approximately \$170 in United States currency and approximately 2 cartons of cigarettes from the person and in the presence of said employee;

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

COUNT TWO

The FEBRUARY 2017 GRAND JURY further charges:

On or about January 11, 2018, at Machesney Park, in the Northern District of Illinois, Western Division,

DAVID M. BANEY,

defendant herein, during and in relation to a crime of violence, namely the offense described in Count One of this indictment, did knowingly use and carry and did brandish a firearm, namely a black semi-automatic pistol;

In violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

COUNT THREE

The FEBRUARY 2017 GRAND JURY further charges:

On or about January 11, 2018, at Loves Park, in the Northern District of Illinois, Western Division,

DAVID M. BANEY,

defendant herein, by force and violence, and by intimidation, did take from the person and presence of a bank employee known to the grand jury, approximately \$24,402 belonging to and in the care, custody, control, management, and possession of Chase Bank, located on North Alpine Road, Loves Park, Illinois, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and in committing this offense,

DAVID M. BANEY,

defendant herein, did assault and put in jeopardy the life of a bank employee known to the Grand Jury by the use of a dangerous weapon, namely a revolver;

In violation of Title 18, United States Code, Sections 2113(a) and 2113(d).

COUNT FOUR

The FEBRUARY 2017 GRAND JURY further charges:

On or about January 11, 2018, at Loves Park, in the Northern District of Illinois, Western Division,

DAVID M. BANEY,

defendant herein, during and in relation to a crime of violence, namely the offense described in Count Three of this indictment, did knowingly use and carry and did brandish a firearm, namely a revolver;

In violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY