

2018R01267/TA&SB

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Stanley R. Chesler
	:	
	:	Crim. No. 20- 689 (SRC)
v.	:	
	:	
	:	18 U.S.C. § 1951(a)
JAIME FONTANEZ and	:	18 U.S.C. § 924(c)(1)(A)(ii)
VINCENT CHAN-GUILLEN	:	18 U.S.C. § 924(c)(1)(A)(iii)
	:	18 U.S.C. § 2
	:	

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Newark, charges:

COUNT ONE
(Hobbs Act Conspiracy)

1. From at least in or around August 2018 through in or around February 2019, in Bronx and New York Counties in the Southern District of New York, in Union, Middlesex and Essex Counties in the District of New Jersey, and elsewhere, the defendants,

**JAIME FONTANEZ and
VINCENT CHAN-GUILLEN,**

did knowingly and willfully conspire and agree with each other and Co-Conspirator 1 (“CC-1”) to obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce by robbery, as that term is defined in Title 18, United States Code,

Section 1951, and did commit and threaten force and physical violence to persons and property of another, namely, employees and customers of convenience stores in the Southern District of New York and liquor stores in the District of New Jersey in furtherance thereof.

2. It was the object of the conspiracy for defendants JAIME FONTANEZ, VINCENT CHAN-GUILLEN and CC-1 to rob convenience stores in the Southern District of New York and liquor stores in the District of New Jersey, all businesses engaged in commerce, and to take the businesses' proceeds.

3. It was part of the conspiracy that at least two individuals would enter the commercial business with a firearm to commit the robbery.

4. It was further part of the conspiracy that, to carry out the robberies on numerous occasions, a third individual operated the getaway vehicle awaiting outside.

5. It was further part of the conspiracy that once inside the commercial business, the individual with the firearm would point the firearm at the store clerk(s) and customer(s) therein, while the second individual would proceed to the cash register and remove the business' proceeds from therein.

6. It was further part of the conspiracy that the proceeds from the robberies were shared amongst those who participated in its commission, including JAIME FONTANEZ, VINCENT CHAN-GUILLEN and CC-1.

7. Prior to the commission of each robbery, JAIME FONTANEZ, VINCENT CHAN-GUILLEN, and CC-1 agreed to use and carry a firearm during and in relation to the commission of each robbery.

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

COUNT TWO
(Hobbs Act Robbery)

1. At all times relevant to this Indictment, the business described below, Liquor Store-1, sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

2. On or about November 4, 2018, in Union County, in the District of New Jersey, and elsewhere, the defendant,

VINCENT CHAN-GUILLEN,

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, in that the defendant did unlawfully take and obtain property by means of actual and threatened force, and violence, and fear of injury, immediate and future, to the person and property of another, namely, Victim-1, an employee of Liquor Store-1.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THREE
(Brandishing a Firearm During and in Relation to a Crime of Violence)

On or about November 4, 2018, in Union County, in the District of New Jersey, and elsewhere, the defendant,

VINCENT CHAN-GUILLEN,

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the Hobbs Act Robbery charged in Count Two of this Indictment, did knowingly use and carry a firearm, which firearm was brandished, and did aid and abet the same.

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

COUNT FOUR
(Hobbs Act Robbery)

1. At all times relevant to this Indictment, the business described below, Liquor Store-2, sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

2. On or about November 9, 2018, in Union County, in the District of New Jersey, and elsewhere, the defendant,

JAIME FONTANEZ,

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, in that the defendant did unlawfully take and obtain property by means of actual and threatened force, and violence, and fear of injury, immediate and future, to the person and property of another, namely, Victim-2, an employee of Liquor Store-2.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT FIVE
(Brandishing a Firearm During and in Relation to a Crime of Violence)

On or about November 9, 2018, in Union County, in the District of New Jersey, and elsewhere, the defendant,

JAIME FONTANEZ,

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the Hobbs Act Robbery charged in Count Four of this Indictment, did knowingly use and carry a firearm, which firearm was brandished, and did aid and abet the same.

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

COUNT SIX
(Hobbs Act Robbery)

1. At all times relevant to this Indictment, the business described below, Liquor Store-3, sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

2. On or about November 13, 2018, in Middlesex County, in the District of New Jersey, and elsewhere, the defendants,

JAIME FONTANEZ and
VINCENT CHAN-GUILLEN,

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, in that the defendants did unlawfully take and obtain property by means of actual and threatened force, and violence, and fear of injury, immediate and future, to the person and property of another, namely, Victim-3, an employee of Liquor Store-3.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT SEVEN

(Brandishing a Firearm During and in Relation to a Crime of Violence)

On or about November 13, 2018, in Middlesex County, in the District of New Jersey, and elsewhere, the defendants,

**JAIME FONTANEZ and
VINCENT CHAN-GUILLEN,**

during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely the Hobbs Act Robbery charged in Count Six of this Indictment, did knowingly use and carry a firearm, which firearm was brandished, and did aid and abet the same.

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

COUNT EIGHT
(Attempted Hobbs Act Robbery)

1. At all times relevant to this Indictment, the business described below, Liquor Store-4, sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

2. On or about November 13, 2018, in Essex County, in the District of New Jersey, and elsewhere, the defendants,

JAIME FONTANEZ and
VINCENT CHAN-GUILLEN,

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, in that the defendants did unlawfully attempt to take and obtain property by means of actual and threatened force, and violence, and fear of injury, immediate and future, to the person and property of another, namely, Victim-4 and Victim-5, employees of Liquor Store-4.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT NINE

(Discharging a Firearm During and in Relation to a Crime of Violence)

On or about November 13, 2018, in Essex County, in the District of New Jersey, and elsewhere, the defendants,

**JAIME FONTANEZ and
VINCENT CHAN-GUILLEN,**

during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely the Attempted Hobbs Act Robbery charged in Count Eight of this Indictment, did knowingly use and carry a firearm, which firearm was discharged, and did aid and abet the same.

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

COUNT TEN
(Hobbs Act Robbery)

1. At all times relevant to this Indictment, the business described below, Liquor Store-5, sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

2. On or about November 27, 2018, in Union County, in the District of New Jersey, and elsewhere, the defendants,

JAIME FONTANEZ and
VINCENT CHAN-GUILLEN,

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, in that the defendants did unlawfully take and obtain property by means of actual and threatened force, and violence, and fear of injury, immediate and future, to the person and property of another, namely, Victim-6 and Victim-7, employees of Liquor Store-5.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT ELEVEN

(Brandishing a Firearm During and in Relation to a Crime of Violence)

On or about November 27, 2018, in Union County, in the District of New Jersey, and elsewhere, the defendants,

**JAIME FONTANEZ and
VINCENT CHAN-GUILLEN,**

during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the Hobbs Act Robbery charged in Count Ten of this Indictment, did knowingly use and carry a firearm, which firearm was brandished, and did aid and abet the same.

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

COUNT TWELVE
(Hobbs Act Robbery)

3. At all times relevant to this Indictment, the business described below, Liquor Store-6, sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

4. On or about February 19, 2019, in Union County, in the District of New Jersey, and elsewhere, the defendant,

JAIME FONTANEZ,

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, in that the defendant did unlawfully take and obtain property by means of actual and threatened force, and violence, and fear of injury, immediate and future, to the person and property of another, namely, Victim-8, an employee of Liquor Store-6.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THIRTEEN

(Brandishing a Firearm During and in Relation to a Crime of Violence)

On or about February 19, 2019, in Union County, in the District of New Jersey, and elsewhere, the defendant,

JAIME FONTANEZ,

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the Hobbs Act Robbery charged in Count Twelve of this Indictment, did knowingly use and carry a firearm, which firearm was brandished, and did aid and abet the same.

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

**FORFEITURE ALLEGATION AS TO COUNTS ONE, TWO, FOUR, SIX,
EIGHT, TEN, AND TWELVE**

As a result of committing the Hobbs Act robbery offenses alleged in Counts One, Two, Four, Six, Eight, Ten, and Twelve of this Indictment, the defendants,

**JAIME FONTANEZ and
VINCENT CHAN-GUILLEN,**

shall forfeit to the United States, (i) pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the commission of such offenses, and (ii) pursuant to 18 U.S.C. § 924 and 28 U.S.C. § 2461, any firearms and ammunition involved in or used in the commission of such offenses. Such property includes, includes, but is not limited to, 1) a black Charles Daly .45 caliber handgun, serial number CD022892; 2) a .38 caliber revolver, serial number V41208; 3) eight (8) rounds of .45 caliber ammunition; 4) six (6) rounds of .38 caliber ammunition; and 5) \$20,830 in United States currency.

FORFEITURE ALLEGATION AS TO COUNTS THREE, FIVE, SEVEN, NINE, ELEVEN, AND THIRTEEN

As a result of committing the firearms offenses in violation of 18 U.S.C. § 924(c), as charged in Counts Three, Five, Seven, Nine, Eleven, and Thirteen of this Indictment, the defendants,

**JAIME FONTANEZ and
VINCENT CHAN-GUILLEN,**

shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in or used in the commission of such offenses, including but not limited to, 1) a black Charles Daly .45 caliber handgun, serial number CD022892; 2) a .38 caliber revolver, serial number V41208; 3) eight (8) rounds of .45 caliber ammunition; and 4) six (6) rounds of .38 caliber ammunition.

Substitute Assets Provision

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 party;
- 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 divided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

A TRUE BILL




CRAIG CARPENITO
United States Attorney

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**United States District Court
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UNITED STATES OF AMERICA

v.

**JAIME FONTANEZ and
VINCENT CHAN-GUILLEN**

INDICTMENT FOR

**18 U.S.C. § 1951(a)
18 U.S.C. § 924(c)(1)(A)(ii)
18 U.S.C. § 924(c)(1)(A)(iii)**

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