

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

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 24-
	:	
ONIJEE BURGESS	:	18 U.S.C. § 1951(a)
	:	18 U.S.C. § 924(o)
	:	18 U.S.C. § 924(c)(1)(A)(ii)
	:	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**

(Conspiracy to Commit Hobbs Act Robbery)

1. At all times relevant to this Indictment, the following businesses, ordered and sold goods that moved in and affected interstate commerce and engaged in an industry that affected interstate commerce.

- a. Pharmacy-1 was a pharmacy located in Paterson, New Jersey. Victim-1, Victim-2, Victim-7, and Victim-8 were employees of Pharmacy-1.
- b. Pharmacy-2 was a pharmacy located in Paterson, New Jersey. Victim-3 and Victim-4 were employees of Pharmacy-2.
- c. Pharmacy-3 was a pharmacy located in Paterson, New Jersey. Victim-5 and Victim-6 were employees of Pharmacy-3.

- d. Pharmacy-4 was a pharmacy located in Passaic, New Jersey. Victim-9 was an employee of Pharmacy-4.
- e. Pharmacy-5 was a pharmacy located in Passaic, New Jersey. Victim-10 was an employee of Pharmacy-5.

2. From on or about November 1, 2022, through on or about April 5, 2023, in the District of New Jersey, and elsewhere, the defendant,

**ONIJEE BURGESS,**

did knowingly and willfully conspire and agree with others to obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce, and the movement of articles and commodities in such commerce, by robbery, and to 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 through Victim-10.

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

**COUNT TWO**

(Conspiracy to Use and Carry a Firearm During and in Relation to a Crime of Violence)

1. The allegations of Paragraph 1 of Count One are realleged and incorporated by reference as though set forth in full herein.

2. From on or about November 1, 2022, through on or about April 5, 2023, in the District of New Jersey, and elsewhere, the defendant,

**ONIJEE BURGESS,**

did knowingly and willfully conspire to use and carry 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, namely the Hobbs Act Robberies charged in Counts Three, Five, and Seven of this Indictment.

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

**COUNT THREE**  
(Hobbs Act Robbery)

1. The allegations of Paragraph 1 of Count One are realleged and incorporated by reference as though set forth in full herein.

2. On or about December 30, 2022, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

**ONIJEE BURGESS,**

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in such commerce, by robbery, 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-5 and Victim-6, employees of Pharmacy-3, and did aid and abet the same.

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

**COUNT FOUR**

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

On or about December 30, 2022, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

**ONIJEE BURGESS,**

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 Three 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, Section 924(c)(1)(A)(ii) and Section 2.

**COUNT FIVE**

(Hobbs Act Robbery)

1. The allegations of Paragraph 1 of Count One are realleged and incorporated by reference as though set forth in full herein.

2. On or about March 10, 2023, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

**ONIJEE BURGESS,**

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in such commerce, by robbery, 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-5, an employee of Pharmacy-3, and did aid and abet the same.

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

**COUNT SIX**

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

On or about March 10, 2023, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

**ONIJEE BURGESS,**

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 Five 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, Section 924(c)(1)(A)(iii) and Section 2.

**COUNT SEVEN**

(Hobbs Act Robbery)

1. The allegations of Paragraph 1 of Count One are realleged and incorporated by reference as though set forth in full herein.

2. On or about March 16, 2023, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

**ONIJEE BURGESS,**

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in such commerce, by robbery, 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-9, an employee of Pharmacy-4, and did aid and abet the same.

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



**COUNT EIGHT**

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

On or about March 16, 2023, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

**ONIJEE BURGESS,**

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 Seven 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, Section 924(c)(1)(A)(iii) and Section 2.

**COUNT NINE**

(Attempted Hobbs Act Robbery)

1. The allegations of Paragraph 1 of Count One are realleged and incorporated by reference as though set forth in full herein.

2. On or about April 5, 2023, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

**ONIJEE BURGESS,**

did knowingly and willfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect, commerce and the movement of articles and commodities in such commerce, by robbery, 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-10, an employee of Pharmacy-5, and did aid and abet the same.

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

**FORFEITURE ALLEGATION AS TO COUNTS ONE, THREE, FIVE, SEVEN,  
AND NINE**

1. Upon conviction of the offenses in violation of 18 U.S.C. § 1951, as charged in Counts One, Three, Five, Seven, and Nine of this Indictment, the defendant,

**ONIJEE BURGESS,**

shall forfeit to the United States: (1) 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 such offenses; and (2) pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in or used in the commission of such offenses.

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

2. Upon conviction of the offenses in violation of 18 U.S.C. § 924(c) as charged in Counts Two, Four, Six, and Eight of this Indictment, the defendant,

**ONIJEE BURGESS,**

shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in or used in the commission of such offenses.

**SUBSTITUTE ASSETS PROVISION**  
**(Applicable to All Forfeiture Allegations)**

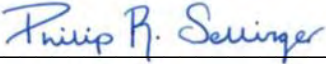
3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- 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 defendant up to the value of the above forfeitable property.

A TRUE BILL

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Foreperson

  
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PHILIP R. SELLINGER  
United States Attorney