

FILED

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

AT 8:30 ^{2:27} *JB* P.M.
WILLIAM T. WALSH
CLERK

UNITED STATES OF AMERICA : Hon. Madeline Cox Arleo
:
: Crim. No. 22- 382 (MCA)
v. :
: 18 U.S.C. § 371
QUADIR WHITEHEAD and : 18 U.S.C. §§ 2119(1) and (2)
ELIJAH LOTT : 18 U.S.C. § 924(o)
: 18 U.S.C. §§ 924(c)(1)(A)(ii) and (2)
: 18 U.S.C. § 922(g)(1)
: 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)
: 18 U.S.C. §§ 924(c)(1)(A)(ii)

INDICTMENT

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

COUNT 1

(Conspiracy to Commit Carjacking)

1. On or about August 6, 2020, in Essex County, in the District of
New Jersey, and elsewhere, the defendants,

**QUADIR WHITEHEAD and
ELIJAH LOTT,**

did knowingly and intentionally conspire and agree with each other and others,
known and unknown, to commit an offense against the United States, that is,
carjacking, contrary to Title 18, United States Code, Section 2119.

Goal of the Conspiracy

2. It was the goal of the conspiracy for WHITEHEAD, LOTT, and Co-
Conspirator-1 to knowingly steal a motor vehicle from an individual using force,
violence, and intimidation.

Overt Acts

3. In furtherance of the conspiracy and to effect its object, WHITEHEAD, LOTT, and Co-Conspirator-1 committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

a. On or about August 6, 2020, in Irvington, New Jersey, WHITEHEAD, LOTT, and Co-Conspirator-1, who were together in a vehicle, parked near a 2018 Honda Civic for the purpose of stealing the Civic at gunpoint.

b. LOTT remained in the vehicle, while WHITEHEAD and Co-Conspirator-1 exited their vehicle, approached the Civic, pointed firearms at the Civic's occupants (Victims 1 and 2), and ordered them to exit the Civic and leave their belongings inside.

c. After removing Victims 1 and 2 from the Civic at gunpoint, WHITEHEAD drove the stolen Civic away, while LOTT and Co-Conspirator-1 drove away in the other vehicle.

In violation of Title 18, United States Code, Section 371.

COUNT 2
(Carjacking)

On or about August 6, 2020, in Essex County, in the District of New Jersey, and elsewhere, the defendants,

**QUADIR WHITEHEAD and
ELIJAH LOTT,**

with the intent to cause death and serious bodily harm, did knowingly take a motor vehicle, namely, a 2018 Honda Civic, that had been transported, shipped, and received in interstate and foreign commerce, from the person and presence of another by force and violence, and by intimidation.

In violation of Title 18, United States Code, Section 2119(1) and Section 2.

COUNT 3

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

On or about August 6, 2020, in Essex County, in the District of New Jersey, and elsewhere, the defendants,

**QUADIR WHITEHEAD and
ELIJAH LOTT,**

did knowingly and intentionally conspire and agree with each other and others, known and unknown, during and in relation to a crime of violence for which each may be prosecuted in a court of the United States, specifically, the carjacking charged in Count 2 of this Indictment, to use and carry firearms, which firearms were brandished, contrary to Title 18, United States Code, Section 924(c)(1)(A)(ii).

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

COUNT 4

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

On or about August 6, 2020, in Essex County, in the District of New Jersey
and elsewhere, the defendants,

**QUADIR WHITEHEAD and
ELIJAH LOTT,**

during and in relation to a crime of violence for which the defendants may be
prosecuted in a court of the United States, that is, the carjacking charged in
Count 2 of this Indictment, did knowingly use and carry firearms, which firearms
were brandished.

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

COUNT 5

(Possession of Firearms and Ammunition by a Convicted Felon)

On or about September 5, 2020, in Essex County, in the District of New Jersey and elsewhere, the defendant,

QUADIR WHITEHEAD,

knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Essex County, did knowingly possess in and affecting commerce, two firearms and ammunition—namely, one rifle, bearing serial number K3022506, and nineteen (19) rounds of .223 millimeter ammunition; and one .357 revolver, bearing serial number 82803, and six (6) rounds of .357 millimeter ammunition.

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

COUNT 6

(Possession with Intent to Distribute Controlled Substances)

On or about September 5, 2020, in Essex County, in the District of New Jersey and elsewhere, the defendant,

QUADIR WHITEHEAD,

did knowingly and intentionally possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, a quantity of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

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

COUNT 7

(Possession of Firearms in Furtherance of a Drug Trafficking Crime)

On or about September 5, 2020, in Essex County, in the District of New Jersey and elsewhere, the defendant,

QUADIR WHITEHEAD,

in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, the possession with intent to distribute controlled substances charged in Count 6 of this Indictment, did knowingly possess two firearms—namely, one rifle, bearing serial number K3022506, and nineteen (19) rounds of .223 millimeter ammunition; and one .357 revolver, bearing serial number 82803, and six (6) rounds of .357 millimeter ammunition.

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

FORFEITURE ALLEGATION AS TO COUNTS 1 AND 2

As a result of committing the carjacking offenses charged in Counts 1 and 2 of this Indictment, defendants QUADIR WHITEHEAD and ELIJAH LOTT, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(5), any property, real or personal, which represents or is traceable to the gross proceeds obtained, directly or indirectly, as a result of such violations.

FORFEITURE ALLEGATION AS TO COUNTS 3 AND 4

As a result of committing the firearm offenses charged in Counts 3 and 4 of this Indictment, defendants QUADIR WHITEHEAD and ELIJAH LOTT, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in or used in the commission of such offenses.

FORFEITURE ALLEGATION AS TO COUNTS 5 AND 7

As a result of committing the firearms and ammunition offenses alleged in Counts 5 and 7 of this Indictment, defendant QUADIR WHITEHEAD, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearm and ammunition involved in or used in the commission of such offenses, including but not limited to:

- (1) One rifle, bearing serial number K3022506;
- (2) Nineteen (19) rounds of .223 millimeter ammunition;
- (3) One .357 revolver, bearing serial number 82803; and
- (4) Six (6) rounds of .357 millimeter ammunition.

FORFEITURE ALLEGATION AS TO COUNT 6

As a result of committing the controlled substance offense alleged in Count 6 of this Indictment, defendant QUADIR WHITEHEAD, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the said offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense alleged in Count 6 of this Indictment.

SUBSTITUTE ASSETS PROVISION
(Applicable to All Forfeiture Allegations)

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 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,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above described forfeitable property.

A TRUE BILL

A handwritten signature in black ink, reading "Philip R. Sellinger" with a stylized flourish at the end.

PHILIP R. SELLINGER
United States Attorney

CASE NUMBER: 22- 382 (MCA)

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

**QUADIR WHITEHEAD, and
ELIJAH LOTT**

INDICTMENT FOR

**18 U.S.C. § 371
18 U.S.C. § 2119(1)
18 U.S.C. § 924(o)
18 U.S.C. § 924(c)(1)(A)(ii)
18 U.S.C. § 922(g)(1)
21. U.S.C. § 841(a)(1) and (b)(1)(C)
18 U.S.C. § 924(c)(1)(A)(i)**

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