

COUNT TWO
(Bank Robbery)

On or about March 31, 2015, in Middlesex County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

did, by force, violence, and intimidation, knowingly take and attempt to take from the person and presence of others, namely, employees of Magyar Bank, located in Edison, New Jersey, approximately \$1,607 in money belonging to, and in the care, custody, control, management, and possession of, Magyar Bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Section 2113(a) and Section 2.

COUNT THREE
(Bank Robbery)

On or about April 9, 2015, in Middlesex County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

did, by force, violence, and intimidation, knowingly take and attempt to take from the person and presence of others, namely, employees of Investors Bank, located in Dunellen, New Jersey, approximately \$2,188 in money belonging to, and in the care, custody, control, management, and possession of, Investors Bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Section 2113(a) and Section 2.

COUNT FOUR
(Bank Robbery)

On or about April 14, 2015, in Middlesex County, in the District of New Jersey and elsewhere, defendants

MARLON PEEK and
NATHANIEL BROWN

did, by force, violence, and intimidation, knowingly take and attempt to take from the person and presence of others, namely, employees of Wells Fargo Bank, located in South Plainfield, New Jersey, approximately \$79 in money belonging to, and in the care, custody, control, management, and possession of, Wells Fargo Bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Section 2113(a) and Section 2.

COUNT FIVE
(Bank Robbery)

On or about April 15, 2015, in Middlesex County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

did, by force, violence, and intimidation, knowingly take and attempt to take from the person and presence of others, namely, employees of Unity Bank, located in Middlesex Borough, New Jersey, approximately \$1,687 in money belonging to, and in the care, custody, control, management, and possession of, Unity Bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Section 2113(a) and Section 2.

COUNT SIX
(Bank Robbery)

On or about April 21, 2015, in Middlesex County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

did, by force, violence, and intimidation, knowingly take and attempt to take from the person and presence of others, namely, employees of PNC Bank, located in South Plainfield, New Jersey, approximately \$2,800 in money belonging to, and in the care, custody, control, management, and possession of, PNC Bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Section 2113(a) and Section 2.

COUNT SEVEN
(Carjacking)

On or about April 21, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

with the intent to cause death and serious bodily harm, did knowingly take and attempt to take a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce, namely, a 2003 Ford Focus, from the person and presence of others, namely, Victim One and Victim Two, by force, violence, and intimidation.

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

COUNT EIGHT
(Bank Robbery)

On or about April 21, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

did, by force, violence, and intimidation, knowingly take and attempt to take from the person and presence of others, namely, employees of TD Bank, located in Springfield, New Jersey, approximately \$7,160 in money belonging to, and in the care, custody, control, management, and possession of, TD Bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Section 2113(a) and Section 2.

COUNT NINE
(Attempted Bank Robbery With a Dangerous Weapon)

On or about May 6, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

did, by force, violence, and intimidation, knowingly take and attempt to take from the person and presence of others, namely, employees of Bank of America, located in Linden, New Jersey, money belonging to, and in the care, custody, control, management, and possession of, Bank of America, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and, in committing and attempting to commit such offense, did assault and put in jeopardy the life of another person, namely, Victim Three, by the use of a dangerous weapon and device, namely, a firearm.

In violation of Title 18, United States Code, Section 2113(a), Section 2113(d), and Section 2.

COUNT TEN
**(Use and Carrying of a Firearm During and in Relation To a
Crime of Violence)**

On or about May 6, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

did knowingly use and carry a firearm during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, specifically, the attempted bank robbery charged in Count Nine of this Indictment, which firearm was brandished.

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

COUNT ELEVEN
(Attempted Carjacking)

On or about May 6, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

with the intent to cause death and serious bodily harm, did knowingly attempt to take a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce, namely, a 2002 Ford Explorer, from the person and presence of another, namely, Victim Four, by force, violence, and intimidation.

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

COUNT TWELVE
**(Use and Carrying of a Firearm During and in Relation To a
Crime of Violence)**

On or about May 6, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

did knowingly use and carry a firearm during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, specifically, the attempted carjacking charged in Count Eleven of this Indictment, which firearm was brandished.

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

COUNT THIRTEEN
(Attempted Carjacking)

On or about May 6, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

with the intent to cause death and serious bodily harm, did knowingly attempt to take a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce, namely, a 2003 Nissan Murano, from the person and presence of another, namely, Victim Five, by force, violence, and intimidation.

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

COUNT FOURTEEN
**(Use and Carrying of a Firearm During and in Relation To a
Crime of Violence)**

On or about May 6, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

did knowingly use and carry a firearm during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, specifically, the attempted carjacking charged in Count Thirteen of this Indictment, which firearm was brandished.

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

COUNT FIFTEEN
(Attempted Carjacking)

On or about May 6, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

with the intent to cause death and serious bodily harm, did knowingly attempt to take a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce, namely, a 2015 Honda Pilot, from the person and presence of another, namely, Victim Six, by force, violence, and intimidation.

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

COUNT SIXTEEN
**(Use and Carrying of a Firearm During and in Relation To a
Crime of Violence)**

On or about May 6, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

did knowingly use and carry a firearm during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, specifically, the attempted carjacking charged in Count Fifteen of this Indictment, which firearm was brandished.

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

COUNT SEVENTEEN
**(Forced Accompaniment in Attempting to Avoid Apprehension for
Attempted Bank Robbery)**

On or about May 6, 2015, in Union County, in the District of New Jersey and elsewhere, defendant

MARLON PEEK

in committing the attempted bank robbery charged in Count Nine of this Indictment, and in avoiding and attempting to avoid apprehension for the commission of such offense, and in freeing himself and attempting to free himself from arrest and confinement for such offense, did knowingly force a person, namely, Victim Seven, to accompany him without the consent of Victim Seven.

In violation of Title 18, United States Code, Section 2113(e) and Section 2.

FORFEITURE ALLEGATION

1. The allegations contained in all paragraphs of this Indictment are hereby realleged and incorporated by reference for the purpose of noticing forfeitures.

2. As the result of committing the offense of bank robbery in violation of 18 U.S.C. § 2113(a), as charged in Counts One through Six, and Count Eight of this Indictment, defendant MARLON PEEK shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said offense, and all property traceable thereto, including, but not limited to, a sum of money equal to \$21,598 representing the proceeds of the offense charged in Counts One through Six, and Count Eight of this Indictment.

3. As the result of committing the offense of bank robbery in violation of 18 U.S.C. § 2113(a), as charged in Count Four of this Indictment, defendant NATHANIEL BROWN shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said offense, and all property traceable thereto, including, but not limited to, a sum of money equal to \$79 representing the proceeds of the offense charged in Count Four of this Indictment.

4. As a result of committing the offense of use of a firearm during a crime of violence in violation of 18 U.S.C. § 924(c)(1)(A)(ii) set forth in Counts Ten, Twelve, Fourteen, and Sixteen of the Indictment, defendant MARLON

PEEK 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 the commission of such offenses, including, but not limited to, (1) a Llama .32 caliber pistol, bearing serial number 21456; and (2) 54 rounds of ammunition.

Substitute Assets Provision

5. If any of the above-described forfeitable property, 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;

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

/FOREPERSON



PAUL J. FISHMAN
United States Attorney

CASE NUMBER: _____

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

UNITED STATES OF AMERICA

v.

**MARLON PEEK and
NATHANIEL BROWN**

INDICTMENT FOR

18 U.S.C. §§ 2113(a), (d), (e)
18 U.S.C. § 2119(1)
18 U.S.C. § 924(c)(1)(A)(ii)
18 U.S.C. § 2

A True Bill,

Foreperson ✓

PAUL J. FISHMAN
UNITED STATES ATTORNEY
NEWARK, NEW JERSEY

ELISA T. WIYGUL
ASSISTANT U.S. ATTORNEY
(609) 656-2504
