

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

UNITED STATES OF AMERICA	:	Hon.
	:	
	:	Crim. No. 20-
v.	:	
	:	
	:	18 U.S.C. § 1951(a)
MALIK CONLEY	:	18 U.S.C. § 922(g)(1)
	:	18 U.S.C. § 924(c)(1)(A)(ii)
	:	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 Robbery)**

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

2. On or about October 21, 2019, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**MALIK CONLEY,**

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 and Victim-2, employees of Pharmacy-1.

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

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

On or about October 21, 2019, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**MALIK CONLEY,**

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 One 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 THREE**  
**(Hobbs Act Robbery)**

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

2. On or about December 3, 2019, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**MALIK CONLEY,**

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-3 and Victim-4, employees of Pharmacy-2.

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

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

On or about December 3, 2019, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**MALIK CONLEY,**

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**

**(Possession of a Firearm and Ammunition by a Convicted Felon)**

On or about December 3, 2019, in Essex County, in the District of New Jersey and elsewhere, the defendant,

**MALIK CONLEY,**

knowing that he had previously been convicted in a court of at least one crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting interstate commerce a firearm, namely a Smith & Wesson Model 4053-TSW, .40 caliber pistol, with an obliterated serial number, and nine (9) rounds of .40 caliber ammunition.

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

**COUNT SIX**  
**(Hobbs Act Robbery)**

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

2. On or about January 13, 2020, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**MALIK CONLEY,**

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-5, Victim-6, and Victim-7, employees of Pharmacy-3.

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

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

On or about January 13, 2020, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

**MALIK CONLEY,**

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



**FORFEITURE ALLEGATION AS TO COUNTS ONE, THREE AND SIX**

1. The allegations contained in Counts One, Three and Six of this Indictment are incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Section 1951(a) and Section 2, set forth in Counts One, Three, and Six of this Indictment, the defendant,

**MALIK CONLEY,**

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, but is not limited to 1) a Smith & Wesson Model 4053-TSW .40 caliber pistol, with an obliterated serial number; and 2) nine (9) rounds of .40 caliber ammunition.

**FORFEITURE ALLEGATION AS TO COUNTS TWO, FOUR, FIVE, AND SEVEN**

1. The allegations contained in Counts Two, Four, Five, and Seven of this Indictment are incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Sections 922(g)(1) and 924(c)(1)(A)(ii), set forth in Counts Two, Four, Five, and Seven of this Indictment, the defendant,

**MALIK CONLEY,**

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 Smith & Wesson Model 4053-TSW .40 caliber pistol, with an obliterated serial number; and 2) nine (9) rounds of .40 caliber ammunition.

### **SUBSTITUTE ASSETS PROVISION**

If any of the property described above, 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 defendants up to the value of the above forfeitable property.

A TRUE BILL

\_\_\_\_\_  
Foreperson

  
CRAIG CARPENITO  
United States Attorney

CASE NUMBER: 20-

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

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**UNITED STATES OF AMERICA**

**v.**

**MALIK CONLEY**

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**INDICTMENT FOR**

**18 U.S.C. § 1951(a)**

**18 U.S.C. § 922(g)(1)**

**18 U.S.C. § 924(c)(1)(A)(ii)**

**18 U.S.C. § 2**

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**CRAIG CARPENITO**

*UNITED STATES ATTORNEY*

*NEWARK, NEW JERSEY*

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EMMA SPIRO

*ASSISTANT U.S. ATTORNEY*

*973-645-2746*

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