

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

UNITED STATES OF AMERICA	:	Hon. Kevin McNulty
	:	
	:	Crim. No. 19-515
v.	:	
	:	18 U.S.C. § 1951(a)
MESHACH WHAGAR	:	18 U.S.C. § 924(c)(1)(A)(ii)
	:	18 U.S.C. § 2

SUPERSEDING INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE
(Hobbs Act Conspiracy)

1. From at least in or around November 2017 through in or around December 2017, in Bergen, Essex, Middlesex, Morris, Passaic, Hudson, and Union Counties, in the District of New Jersey, and elsewhere, the defendant,

MESHACH WHAGAR,

did knowingly and willfully conspire and agree with others 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 commerce by robbery, as that term is defined in Title 18, United States Code, Section 1951, and committed and threatened physical violence to persons and property in furtherance thereof.

2. It was the object of the conspiracy for defendant MESHACH WHAGAR and another conspirator (“Conspirator 1”) to commit robbery upon

several convenience stores and to take business proceeds belonging to those convenience stores.

3. It was part of the conspiracy that defendant MESHACH WHAGAR and Conspirator 1 would commit the robberies during the early morning hours.

4. It was further part of the conspiracy that defendant MESHACH WHAGAR and Conspirator 1 would communicate by cellular telephone before, during, and/or after the robberies while MESHACH WHAGAR acted as a lookout in the vicinity of the convenience stores.

5. It was further part of the conspiracy that defendant MESHACH WHAGAR operated a getaway vehicle while Conspirator 1 entered the convenience stores and committed the robberies using a firearm.

6. Prior to the commission of the robbery, MESHACH WHAGAR knew that Conspirator 1 intended to use and carry a firearm during and in relation to the commission of the robbery.

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

COUNT TWO

(Hobbs Act Robbery)

1. At all times relevant to this Superseding Information, the business described below sold and repurposed goods that moved in and affected interstate commerce and engaged in industries that affected interstate commerce.

2. On or about November 23, 2017, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

MESHACH WHAGAR,

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 Convenience Store-1.

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

COUNT THREE
(Hobbs Act Robbery)

1. At all times relevant to this Superseding Information, the business described below sold and repurposed goods that moved in and affected interstate commerce and engaged in industries that affected interstate commerce.

2. On or about November 23, 2017, in Middlesex County, in the District of New Jersey, and elsewhere, the defendant,

MESHACH WHAGAR,

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 Convenience Store-2.

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

COUNT FOUR
(Hobbs Act Robbery)

1. At all times relevant to this Superseding Information, the business described below sold and repurposed goods that moved in and affected interstate commerce and engaged in industries that affected interstate commerce.

2. On or about November 26, 2017, in Middlesex County, in the District of New Jersey, and elsewhere, the defendant,

MESHACH WHAGAR,

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, an employee of Convenience Store-3.

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

COUNT FIVE
(Hobbs Act Robbery)

1. At all times relevant to this Superseding Information, the business described below sold and repurposed goods that moved in and affected interstate commerce and engaged in industries that affected interstate commerce.

2. On or about December 2, 2017, in Morris County, in the District of New Jersey, and elsewhere, the defendant,

MESHACH WHAGAR,

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-4, an employee of Convenience Store-4.

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

COUNT SIX
(Hobbs Act Robbery)

1. At all times relevant to this Superseding Information, the business described below sold and repurposed goods that moved in and affected interstate commerce and engaged in industries that affected interstate commerce.

2. On or about December 6, 2017, in Middlesex County, in the District of New Jersey, and elsewhere, the defendant,

MESHACH WHAGAR,

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, an employee of Convenience Store-5.

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

COUNT SEVEN
(Hobbs Act Robbery)

1. At all times relevant to this Superseding Information, the business described below sold and repurposed goods that moved in and affected interstate commerce and engaged in industries that affected interstate commerce.

2. On or about December 7, 2017, in Bergen County, in the District of New Jersey, and elsewhere, the defendant,

MESHACH WHAGAR,

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-6, an employee of Convenience Store-6.

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

COUNT EIGHT
(Hobbs Act Robbery)

1. At all times relevant to this Superseding Information, the business described below sold and repurposed goods that moved in and affected interstate commerce and engaged in industries that affected interstate commerce.

2. On or about December 10, 2017, in Union County, in the District of New Jersey, and elsewhere, the defendant,

MESHACH WHAGAR,

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-7, an employee of Convenience Store-7.

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

COUNT NINE
(Hobbs Act Robbery)

1. At all times relevant to this Superseding Information, the business described below sold and repurposed goods that moved in and affected interstate commerce and engaged in industries that affected interstate commerce.

2. On or about December 11, 2017, in Hudson County, in the District of New Jersey, and elsewhere, the defendant,

MESHACH WHAGAR,

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 Convenience Store-8.

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

COUNT TEN
(Hobbs Act Robbery)

1. At all times relevant to this Superseding Information, the business described below sold and repurposed goods that moved in and affected interstate commerce and engaged in industries that affected interstate commerce.

2. On or about December 11, 2017, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

MESHACH WHAGAR,

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-9, an employee of Convenience Store-9.

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

COUNT ELEVEN
(Using and Carrying a Firearm During a Crime of Violence)

On or about December 10, 2017, in Union County, in the District of New Jersey and elsewhere, the defendant,

MESHACH WHAGAR,

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 robbery charged in Count Eight of this Superseding Information, 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 THROUGH TEN

As a result of committing the Hobbs Act robbery offenses alleged in Counts One through Ten of this Superseding Information, the defendant,

MESHACH WHAGAR,

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 \$2,932.00 in United States currency.

FORFEITURE ALLEGATION AS TO COUNT ELEVEN

As a result of committing the firearms offense in violation of 18 U.S.C. § 924(c), as charged in Count Eleven of this Superseding Information, the defendant,

MESHACH WHAGAR,

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 one silver .25 caliber semiautomatic handgun, bearing serial number 220844; one silver and black 9mm semiautomatic handgun, bearing serial number RAZ8621; and approximately seventeen (17) rounds of 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 defendant up to the value of the above forfeitable property.


CRAIG CARPENITO
United States Attorney

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SUPERSEDING INFORMATION FOR

18 U.S.C. § 1951(a)
18 U.S.C. § 924(c)(1)(A)(ii)
18 U.S.C. § 2

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