

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

UNITED STATES OF AMERICA : Hon.
: :
: Crim. No. 21-
v. : :
: 18 U.S.C. § 1951(a)
KENNETH GRAHAM : 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 ONE
(Hobbs Act Robbery)

On or about January 18, 2021, in Essex County, in the District of New
Jersey and elsewhere, the defendant,

KENNETH GRAHAM,

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 or future, to the person and property of
another.

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

COUNT TWO

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

On or about January 18, 2021, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

KENNETH GRAHAM,

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 One of this Indictment, did knowingly use and carry a firearm, which was brandished.

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

FORFEITURE ALLEGATION AS TO COUNT ONE

As a result of committing the Hobbs Act Robbery offense in violation of 18 U.S.C. § 1951(a), as charged in Count One this Indictment, the defendant, KENNETH GRAHAM, shall forfeit to the United States, 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 offense.

FORFEITURE ALLEGATION AS TO COUNT TWO

As a result of committing the firearm offense in violation of 18 U.S.C. § 924(c), as charged in Count Two of this Indictment, the defendant, KENNETH GRAHAM, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearm and ammunition involved in or used in the commission of such offense.

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

FOREPERSON



RACHAEL A. HONIG
Acting United States Attorney