

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

FILED

APR 21 2016

U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

AARON PHILBERT

Defendant.

Cr. No.

In violation of 21 U.S.C. §§ 841(a)(1) and
(b)(1)(C), 18 U.S.C. §§ 922(g)(1) and
924(a)(2), and § 924(c)(1)(A).

INDICTMENT

The Grand Jury charges that:

COUNT I

On or about February 8, 2016, in the District of Rhode Island, the defendant, AARON PHILBERT, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance,

All in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

COUNT II

On or about February 8, 2016, in the District of Rhode Island, the defendant, AARON PHILBERT, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance,

All in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

COUNT III

On or about February 8, 2016, in the District of Rhode Island, the defendant, AARON PHILBERT, who was previously convicted of a crime punishable by a term of

imprisonment exceeding one year, did knowingly and intentionally possess firearms, that is, a Glock 21, .45 caliber pistol, serial number YUT268, and a Smith & Wesson .357 magnum revolver, serial number CPE8861, in and affecting interstate and foreign commerce,

All in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

COUNT IV

On or about February 8, 2016, in the District of Rhode Island, the defendant, AARON PHILBERT, did knowingly possess firearms, that is, a Glock 21, .45 caliber pistol, serial number YUT268, and a Smith & Wesson .357 magnum revolver, serial number CPE8861, in furtherance of the drug trafficking crimes of possession with intent to distribute a mixture and substance containing a detectable amount of cocaine and heroin as charged in Counts I and II of this Indictment, both crimes for which he may be prosecuted in a Court of the United States,

All in violation of 18 U.S.C. § 924(c)(1)(A).

FORFEITURE ALLEGATION

Upon conviction of the offenses alleged in Counts I and II, Defendant shall forfeit to the United States of America, pursuant to 21 U.S.C. § 853, property constituting or derived from any proceeds obtained, directly or indirectly, as the result of that offense and any property used, or intended to be used, in any manner or part, to commit that offense or to facilitate the commission of that offense. The property to be forfeited includes, but is not limited to, the following: \$3,040 in United States currency found in the kitchen drawer in the residence of the Defendant located at 3 Saunders Street, Apt. #5, Pawtucket, Rhode Island ("the residence"); \$220 in United States


currency found in a pair of jeans at the residence, and \$8,500 in United States currency found in a vest at the residence.

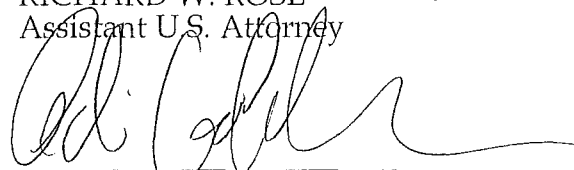
Upon conviction of the offenses alleged in Counts III and IV, Defendant shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), the firearms identified in Counts III and IV and the associated ammunition and magazines, all of which were seized on or about February 8, 2016, from the residence.

A TRUE BILL:

REDACTED

PETER F. NERONHA
United States Attorney


RICHARD W. ROSE
Assistant U.S. Attorney


ADI GOLDSTEIN
Criminal Chief,
Assistant U.S. Attorney

Date: April 21, 2016

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ INFORMATION ☒ INDICTMENT ☐ COMPLAINT

CASE NO.

Matter Sealed: ☐ Juvenile ☐ Other than Juvenile

☐ Pre-Indictment Plea ☐ Superseding ☐ Defendant Added
☐ Indictment ☐ Charges/Counts Added
☐ Information

USA vs.

Defendant: Aaron Philbert

Address:

REDACTED

☐ II

Birth
Date

lien
ilicible)

Socia

Issue: ☒ Warrant ☐ Summons

Location Status:

Arrest Date _____ or Date Transferred to Federal Custody _____

☐ Currently in Federal Custody

☒ Currently in State Custody

☒ Writ Required

☐ Currently on bond

☐ Fugitive

Defense Counsel (if any):

☐ FPD ☐ CJA ☐ RET'D

☐ Appointed on Target Letter

☐ This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 3

| Set | Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4) | Description of Offense Charged | Felony/Misd. |
|-----|---|--------------------------------|--|
| | See Attached Sheet. | See Attached Sheet. | <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
| | | | <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
| | | | <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
| | | | <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
| | | | <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |
| | | trial - 3 days. | <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor |

United States v. Aaron Philbert
INDICTMENT COVER SHEET ATTACHMENT

Count I: (PWID Cocaine, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

MAX PENALTY

- a. 20 years imprisonment;
- b. \$1,000,000 fine;
- c. Mandatory minimum 3 years to life supervised release; and
- d. \$100 special assessment.

Count II: (PWID Heroin, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

MAX PENALTY

- a. 20 years imprisonment;
- b. \$1,000,000 fine;
- c. Mandatory minimum 3 years to life supervised release; and
- d. \$100 special assessment.

Count III: (Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1))

MAX PENALTY FOR EACH COUNT

- a. 10 years imprisonment;
- b. \$250,000 fine;
- c. 3 years supervised release; and
- d. \$100 special assessment.

Count IV (Possession of Firearm in Furtherance of a Drug Trafficking Crime, 18 U.S.C. § 924 (c)(1)(A))

- a. 5 years to life (consecutive) imprisonment; and
- b. \$100 special assessment.