

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.
v.	:	DATE FILED:
CLIFTON MCLEAN,	:	VIOLATIONS:
 a/k/a "Little Cliff,"		
LEROY WINSTON	:	18 U.S.C. § 1951 (conspiracy to commit
	:	robbery which interferes with interstate
	:	commerce - 1 count)
	:	18 U.S.C. § 1951 (attempted robbery
	:	which interferes with interstate commerce
	:	- 1 count)
	:	18 U.S.C. § 846 (conspiracy to possess
	:	with the intent to distribute 5
	:	kilograms or more of cocaine - 1 count)
	:	18 U.S.C. § 846 (attempted possession
	:	with intent to distribute 5 kilograms or
	:	more of cocaine - 1 count)
	:	18 U.S.C § 924(c)(1)(A) (carrying a
	:	firearm during and in relation
	:	to a crime of violence and to a drug
	:	trafficking crime - 1 count)
	:	18 U.S.C. § 922(g)(1) (convicted felon in
	:	possession of a firearm - 2 counts)
	:	18 U.S.C § 2 (aiding and abetting)
		Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. The illegal sale, distribution, possession with intent to distribute, and trafficking, of controlled substances, that is, cocaine, are activities which affect interstate commerce.

2. From at least on or about June 10, 2013, through on or about August 14, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CLIFTON MCLEAN,
a/k/a "Little Cliff," and
LEROY WINSTON**

conspired and agreed to commit robbery, which robbery would unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, in that defendants CLIFTON MCLEAN and LEROY WINSTON conspired to unlawfully take and obtain illegal controlled substances, that is, cocaine, from the person and in the presence of other persons against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property in their possession, all in violation of Title 18, United States Code, Section 1951(a), (b)(1), and (b)(3) .

MANNER AND MEANS

It was part of the conspiracy that:

3. Defendant CLIFTON MCLEAN expressed interest in participating in home invasion robberies of drug dealers.

4. Defendant CLIFTON MCLEAN was introduced by Person # 1, a person known to the grand jury, to Person #2, also known to the grand jury, and Person #2 claimed to defendant MCLEAN that Person # 2 was seeking help to arrange a robbery of at least eight to nine kilograms of cocaine.

5. Defendant CLIFTON MCLEAN undertook to make a plan for and recruit the robbers to carry out a home invasion robbery, to steal cocaine which would be divided equally among defendant MCLEAN, Person # 1, Person #2, and, the additional robbers recruited

by defendant MCLEAN.

6. Defendant CLIFTON MCLEAN planned that the robbers would steal cocaine from the victim drug dealers by invading their stash house, and using firearms to control the victims.

7. Defendant CLIFTON MCLEAN recruited defendant LEROY WINSTON, who agreed to carry out the planned home invasion robbery to steal cocaine which would be divided among the conspirators for each to sell.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendants CLIFTON MCLEAN and LEROY WINSTON committed the following overt acts, among others, in Philadelphia, in the Eastern District of Pennsylvania:

The June 19, 2013 Meeting

1. On or about June 19, 2013, defendant CLIFTON MCLEAN met Person #1 in a pre-arranged meeting location in the Eastern District of Pennsylvania.

2. Defendant CLIFTON MCLEAN assured Person #1 he and an associate would be equipped with firearms to carry out the proposed robbery of drug dealers.

The August 1, 2013 Planning Meeting

3. On or about August 1, 2013, defendant CLIFTON MCLEAN was introduced to Person #2 by Person #1 in a pre-arranged meeting place in the Eastern District of Pennsylvania. Person #2 claimed to be seeking help in arranging a robbery of a stash house which would contain approximately 8 to 9 kilograms of cocaine.

4. Defendant CLIFTON MCLEAN brought a second individual with him to

the meeting, but this person remained seated in the car defendant MCLEAN had used to arrive at the meeting. Defendant MCLEAN advised Person #2 that he and the person in the car were ready to carry out the robbery.

5. Defendant CLIFTON MCLEAN stated that Person #2 should enter the stash house to be robbed prior to the robbery, then provide defendant MCLEAN with information regarding the number of occupants inside the house to be robbed, via text message.

6. Defendant CLIFTON MCLEAN told Person #2 that once inside the stash house to be robbed, defendant MCLEAN and his accomplice would restrain Person #2 and the other people present.

The August 8, 2013 Planning Meeting

7. On or about August 8, 2013, defendant CLIFTON MCLEAN met with Persons # 1 and #2 at a pre-arranged meeting place in the Eastern District of Pennsylvania. Person #2 told defendant MCLEAN that the cocaine would be at a location that would be determined sometime during the following week of August 12 to August 16, 2013.

8. Defendant CLIFTON MCLEAN confirmed that he and his associates were ready to commit the robbery.

The August 9, 2013 Meeting

9. On or about August 9, 2013, defendants CLIFTON MCLEAN and LEROY WINSTON met with Persons #1 and #2 at a pre-arranged meeting place in the Eastern District of Pennsylvania to further plan the robbery.

10. Defendant LEROY WINSTON asked Person #2 questions about the location of the robbery, apparently believing it to be in New York. Person #2 advised defendants

CLIFTON MCLEAN and WINSTON that the cocaine stash house, which would contain approximately eight or nine kilograms of cocaine was in Philadelphia and not New York.

11. Defendants CLIFTON MCLEAN stated that he would shoot the individuals inside the stash house during the robbery if it became necessary.

12. Defendants CLIFTON MCLEAN and LEROY WINSTON stated that they would use zip ties to restrain the victims during the robbery.

August 14, 2013 Attempted Armed Home Invasion Robbery

13. On or about August 14, 2013, defendants CLIFTON MCLEAN and LEROY WINSTON met Persons #1 and #2 at a pre-arranged location in the Eastern District of Pennsylvania for the purpose of learning the location of the stash house, and to carry out the robbery.

14. Defendant CLIFTON MCLEAN brought an AMT .380, Back Up II, serial number R10561, loaded with four live rounds of ammunition, with him, to use during the robbery.

15. Defendant LEROY WINSTON brought a Taurus, .40, PT-140 Millennium Pro, serial number SBU29931, loaded with six live rounds of ammunition, with him, to use during the robbery.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 through 7 and Overt Acts 1 through 15 of Count One of this indictment are incorporated here.

2. On or about August 14, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CLIFTON MCLEAN,
a/k/a "Little Cliff," and
LEROY WINSTON**

attempted to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery, in that defendants CLIFTON MCLEAN and LEROY WINSTON unlawfully attempted to take and obtain, and aided and abetted the unlawful attempted taking and obtaining of, property, that is, cocaine, from other persons against their will by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, that is, by using a loaded firearm to threaten and control the victims and steal cocaine from them.

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 3 through 7 and Overt Acts 1 through 15 of Count One of this indictment are incorporated here.

2. From at least on or about June 10, 2013, through on or about August 14, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CLIFTON MCLEAN,
a/k/a "Little Cliff," and
LEROY WINSTON**

conspired and agreed to knowingly and intentionally possess with intent to distribute five kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

In violation of Title 21, United States Code, Section 846.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 14, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CLIFTON MCLEAN,
a/k/a "Little Cliff," and
LEROY WINSTON**

knowingly and intentionally attempted to possess with the intent to distribute, and aided and abetted the attempted possession with intent to distribute of, five kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

In violation of Title 21, United States Code, Section 846, and Title 18, United States Code, Section 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 through 7 and Overt Acts 1 through 15 of Count One of this indictment are incorporated here.

2. On or about August 14, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CLIFTON MCLEAN,
a/k/a "Little Cliff," and
LEROY WINSTON**

knowingly carried, and aided and abetted the carrying of, a firearm, that is, an AMT .380, Back Up II, serial number R10561, loaded with four live rounds of ammunition; and, a Taurus, .40, PT-140 Millennium Pro, serial number SBU29931, loaded with six live rounds of ammunition, during and in relation to a crime of violence and to a drug trafficking crime for which they may be prosecuted in a court of the United States, that is, conspiracy to commit and attempted robbery which interferes with interstate commerce in violation of Title 18, United States Code, Section 1951(a), and conspiracy and attempted possession with intent to distribute a controlled substance in violation of Title 21, United States Code, Section 846.

In violation of Title 18, United States Code, Sections 924(c) and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 14, 2013, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

**CLIFTON MCLEAN,
a/k/a "Little Cliff,"**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, an AMT .380, Back Up II, serial number R10561, loaded with four live rounds of ammunition; and, a Taurus, .40, PT-140 Millennium Pro, serial number SBU29931, loaded with six live rounds of ammunition.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 14, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendant

LEROY WINSTON

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, an AMT .380, Back Up II, serial number R10561, loaded with four live rounds of ammunition; and, a Taurus, .40, PT-140 Millennium Pro, serial number SBU29931, loaded with six live rounds of ammunition.

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

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 924(c)(1) and 922(g)(1), as set forth in this indictment, defendants

**CLIFTON MCLEAN,
a/k/a "Little Cliff," and
LEROY WINSTON**

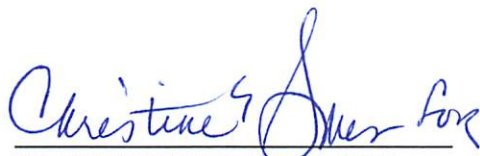
shall forfeit to the United States of America the firearms involved in the commission of these offenses, that is,

1. AMT .380, Back Up II, serial number R105618423, loaded with four live rounds of ammunition.
2. Taurus, .40, PT-140 Millennium Pro, serial number SBU29931, loaded with six live rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d)(1).

A TRUE BILL:

FOREPERSON



**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**