

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

UNITED STATES OF AMERICA : **CRIMINAL NO.**
v. : **DATE FILED:**
ROBERT ALTON STUKES : **VIOLATION:**
: **18 U.S.C. § 924(a)(1)(A) (false statements**
: **to federal firearms licensee – 3 counts);**
: **18 U.S.C. § 922(g)(1) (possession of a**
: **firearm by a convicted felon - 1 count)**
: **18 U.S.C. § 2 (aiding and abetting)**
: **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Delaware Valley Sports Center, Inc., located at 101 Geiger Road in Pennsylvania, Pennsylvania, possessed a federal firearms license (“FFL”) and is authorized to deal in firearms under federal laws.

2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.

3. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearm Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all his or her answers on Form 4473

are true and correct. The Form 4473 contains language warning that “. . . the making of a false oral or written statement or the exhibiting of any false or misrepresented identification with respect to this transaction is a crime punishable as a felony.”

4. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, to ensure that the person was not prohibited from purchasing a firearm. For example, convicted felons are persons prohibited by law from buying firearms.

5. On or about January 15, 2014, in the Eastern District of Pennsylvania, defendant

ROBERT ALTON STUKES,

in connection with the acquisition of a firearm, that is, a Hi Point, Model 4095, serial number H39103, rifle, .40 caliber., from Delaware Valley Sports Center, 101 Geiger Road, Philadelphia, Pennsylvania, an FFL holder, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in Delaware Valley Sports Center’s records, in that defendant STUKES certified on the Form 4473 that he was the actual purchaser of the firearm listed on the Form 4473, when in fact, as he knew, this statement was false and fictitious.

All in violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 17, 2014, in the Eastern District of Pennsylvania, defendant

ROBERT ALTON STUKES,

in connection with the acquisition of a firearm, that is, a Pioneer Arms, Model PPS43, serial number DR03460P, pistol, caliber 7.62x25, from Delaware Valley Sports Center, 101 Geiger Road, Philadelphia, Pennsylvania, an FFL holder, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in Delaware Valley Sports Center's records, in that defendant STUKES certified on the Form 4473 that he was the actual purchaser of the firearm listed on the Form 4473, when in fact, as he knew, this statement was false and fictitious.

All in violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 7, 2014, in the Eastern District of Pennsylvania, defendant

ROBERT ALTON STUKES,

in connection with the acquisition of a firearm, that is, a Glock, Model 30, serial number WFA199, pistol, caliber .45; and a Hi Point, Model JCP, serial number X7205466, pistol, caliber .40., from Delaware Valley Sports Center, 101 Geiger Road, Philadelphia, Pennsylvania, an FFL holder, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in Delaware Valley Sports Center's records, in that defendant STUKES certified on the Form 4473 that he was the actual purchaser of the firearms listed on the Form 4473, when in fact, as he knew, this statement was false and fictitious.

All in violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

Between on or about January 15, 2014, and on or about March 7, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendant

ROBERT ALTON STUKES,

and Anthony Andrews, charged elsewhere, who had been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed and aided and abetted the possession in and affecting interstate and foreign commerce four firearms, that is, a Hi Point, Model 4095, serial number H39103, rifle, .40 caliber; a Pioneer Arms, Model PPS43, serial number DR03460P, pistol, caliber 7.62x25; a Glock, Model 30, serial number WFA199, pistol, caliber .45; and a Hi Point, Model JCP, serial number X7205466, pistol, caliber .40.

In violation of Title 18, United States Code, Sections 922(g)(1) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Section 922(g)(1), set forth in this indictment, defendant

ROBERT ALTON STUKES

shall forfeit to the United States of America, the firearms and ammunition involved in the commission of this offense, including, but not limited to:

1. Hi Point, Model 4095, serial number H39103, rifle, .40 caliber;
2. Pioneer Arms, Model PPS43, serial number DR03460P, pistol, caliber 7.62x25;
3. Glock, Model 30, serial number WFA199, pistol, caliber .45;
and
4. Hi Point, Model JCP, serial number X7205466, pistol, caliber .40

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

A TRUE BILL:

**_____
FOREPERSON**

ZANE DAVID MEMEGER
United States Attorney