

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA.
2018 OCT 25 P 1:19
WILLIAM W. BLEVINS
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

INDICTMENT FOR
VIOLATIONS OF THE FEDERAL GUN CONTROL ACT

UNITED STATES OF AMERICA

*

CRIMINAL NO.

18 - 219

v.

*

SECTION:

SECT.M MAG.4

CHARLES BROWN

*

VIOLATIONS:

18 U.S.C. § 922(a)(6)
18 U.S.C. § 924(a)(2)
18 U.S.C. § 922(g)(1)
18 U.S.C. § 371

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The Grand Jury charges that:

COUNT 1

A. THE CONSPIRACY

Beginning at a time unknown and continuing thereafter until on or about July 27, 2018, in the Eastern District of Louisiana, the defendant, **CHARLES BROWN** did knowingly combine, conspire, confederate, and agree with R.J. to make a false statement and representation with respect to the acquisition of a firearm, to wit: a FN Model FNX45, .45 caliber pistol, Serial Number FX3U106691, from Jefferson Gun Outlet, 6719 Airline Drive, Metairie, Louisiana, a federally licensed firearm dealer, where R.J. knowingly made a false and fictitious written statement to

Fee _____
Process _____
 Dktd _____
CiRmDep _____
Doc. No. _____

Jefferson Gun Outlet, which statement was likely to deceive Jefferson Gun Outlet, as to a fact material to the lawfulness of such acquisition of the said firearm by R.J., under Chapter 44 of Title 18, in that R.J. answered "yes" to the question that asked if she was the actual buyer of the above listed firearm, when in fact, as she and **CHARLES BROWN** well knew, that she was purchasing the firearm for **CHARLES BROWN**, who is a convicted felon, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

B. OVERT ACTS

In furtherance of the conspiracy and to accomplish the objectives thereof, the conspirators committed the following overt acts among others in the Eastern District of Louisiana:

1. On or about July 26, 2018, **CHARLES BROWN** visited Jefferson Gun Outlet with another male and handled one or more firearms;
2. On or about July 26, 2018, **CHARLES BROWN** returned to Jefferson Gun Outlet with R.J. **CHARLES BROWN** asked a store employee to see a FN Model FNX45, .45 caliber pistol, and **CHARLES BROWN** discussed the price with the store employee. **CHARLES BROWN** told the employee that the pistol was for R.J.'s employment as a security guard. After the employee confronted **CHARLES BROWN** and R.J. regarding the true purchaser of the pistol, **CHARLES BROWN** and R.J. left the store without purchasing anything;
3. On or about July 27, 2018, **CHARLES BROWN** sent a text message to R.J. containing an image of a FN Model FNX45, .45 caliber pistol;
4. That same day, **CHARLES BROWN** and R.J. returned to the Jefferson Gun Outlet in separate vehicles. **CHARLES BROWN** waited in a Chevrolet Traverse in the parking lot while R.J. went into the Jefferson Gun Outlet. While in the Jefferson

Gun Outlet, R.J. told an employee that she was purchasing the firearm because her home had been burglarized the previous night;

5. While in Jefferson Gun Outlet on or about July 27, 2018, R.J. executed a Department of Justice, Bureau of Alcohol, Tobacco, and Firearms Form 4473, a Firearms Transaction Record, which represented that R.J. was the purchaser of a FN Model FNX45, .45 caliber pistol, Serial Number FX3U106691, that was, in fact, purchased by and for **CHARLES BROWN**;
6. That same day, R.J. answered question number 11 of a Department of Justice, Bureau of Alcohol, Tobacco, and Firearms Form 4473, a Firearms Transaction Record, falsely by representing that she was the actual buyer of the firearm when in fact, **CHARLES BROWN**, a convicted felon and prohibited person, was the actual purchaser;
7. On that same date, R.J. exited the Jefferson Gun Outlet and got into the Chevrolet Traverse. **CHARLES BROWN** then exited the Chevrolet Traverse and got into an Infiniti vehicle;
8. On that same date, R.J. and **CHARLES BROWN** met briefly in a parking lot located at or near 6400 Airline Drive in Metairie, Louisiana;
9. On that same date, Jefferson Parish Sheriff's Office Deputies stopped **CHARLES BROWN**, who was driving the aforementioned Infiniti. **CHARLES BROWN** was in possession of the FN Model FNX45, .45 caliber pistol, Serial Number FX3U106691.

All in violation of Title 18, United States Code, Section 371.

COUNT 2

On or about July 27, 2018, in the Eastern District of Louisiana and elsewhere, the defendant, **CHARLES BROWN**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: a conviction on or about August 31, 2010, in Orleans Parish Criminal District Court, State of Louisiana, in case number 485-754 "F," for Possession with the Intent to Distribute Marijuana, in violation of La. R.S. § 40:966(A)(2); did knowingly possess in and affecting interstate or foreign commerce, a firearm, to wit: FN Model FNX45, .45 caliber pistol, Serial Number FX3U106691, all in violation of Title 18, United States Code, Sections 922(g)(1), and 924(a)(2).

NOTICE OF GUN FORFEITURE

1. The allegations in Counts 1 and 2 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 1 and 2 of this Indictment, the defendant, **CHARLES BROWN**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28 United States Code, Section 2461, any firearm or ammunition, which was involved in or used in a knowing violation of Title 18, United States Code, Sections 922(a)(6), and 922(g)(1), as alleged in Counts and 2 of the Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

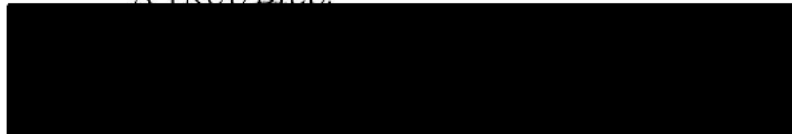
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;

- 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 Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 922(a)(6), 922(g)(1), and 924(d)(1).

A TRUE BILL:



FOREPERSON

PETER G. STRASSER
UNITED STATES ATTORNEY

A handwritten signature in cursive script, appearing to read 'M. Carboni', written over a horizontal line.

MARIA M. CARBONI
Assistant United States Attorney

New Orleans, Louisiana
October 25, 2018