

FILED

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

AUG 29 2014

State Grand Jury Judge

State Grand Jury,
Number SGJ655-14-6
Superior Court
Docket Number 14-08-00123-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

ALVIN HORACE)

CHRISTOPHER DAVIS)

FRAZIER GIBSON)

LAMAR DALTON)

and)

ALTARIK WALKER)

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Conspiracy - Second Degree)

ALVIN HORACE

and

CHRISTOPHER DAVIS

who are named as defendants herein, and other persons whose identities are both known and unknown to the Grand Jurors, who are named as co-conspirators but not as defendants herein, between on or about July 29, 2013, and on or about August 5, 2013, at the City of Newark, in the County of Essex, elsewhere,

and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of unlawful possession and disposition of weapons, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crimes, or

B. One or more of them knowingly would aid in the planning, solicitation or commission of said crimes, that is:

1. Knowingly possess a firearm, that is, a Mosin-Nagant PW Arms Bolt Action Rifle, bearing serial # BT4180, without having first obtained a firearms purchaser identification card in accordance with the provisions of N.J.S.A. 2C:58-3, contrary to the provisions of N.J.S.A. 2C:39-5(c).

2. Knowingly possess certain weapons, that is, a .38 caliber Smith & Wesson revolver, bearing serial # C898769, and/or a .38 caliber Smith & Wesson revolver, bearing serial # 106802, and/or a .38 caliber semi-automatic Cobra Enterprises handgun, bearing serial # CP081076, without having first obtained a permit to carry same as provided in N.J.S.A. 2C:58-4, contrary to the provisions of N.J.S.A. 2C:39-5(b).

3. Knowingly transport, ship, sell or dispose of firearms, that is, a Mosin-Nagant PW Arms Bolt Action Rifle, bearing serial # BT4180, and/or a .38 caliber Smith & Wesson revolver, bearing serial # C898769, and/or a .38 caliber Smith & Wesson revolver, bearing serial # 106802, and/or a .38 caliber

semi-automatic Cobra Enterprises handgun, bearing serial # CP081076, without being licensed or registered to do so as provided in Chapter 58, contrary to the provisions of N.J.S.A. 2C:39-9(d).

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Unlawful Possession of a Weapon - Third Degree)

ALVIN HORACE

and

CHRISTOPHER DAVIS

on or about July 29, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did knowingly possess a firearm, that is, a Mosin-Nagant PW Arms Bolt Action Rifle, bearing serial # BT4180, without having first obtained a firearms purchaser identification card in accordance with the provisions of N.J.S.A. 2C:58-3, contrary to the provisions of N.J.S.A. 2C:39-5(c) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THREE

(Unlawful Possession of a Weapon - Second Degree)

ALVIN HORACE

and

CHRISTOPHER DAVIS

on or about August 5, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did knowingly possess certain weapons, that is, a .38 caliber Smith & Wesson revolver, bearing serial # C898769, and/or a .38 caliber Smith & Wesson revolver, bearing serial # 106802, and/or a .38 caliber semi-automatic Cobra Enterprises handgun, bearing serial # CP081076, without having first obtained a permit to carry same as provided in N.J.S.A. 2C:58-4, contrary to the provisions of N.J.S.A. 2C:39-5(b) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FOUR

(Unlawful Disposition of a Weapon - Fourth Degree)

ALVIN HORACE

and

CHRISTOPHER DAVIS

between on or about July 29, 2013, and on or about August 5, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did manufacture, transport, ship, sell or dispose of certain firearms, that is, a Mosin-Nagant PW Arms Bolt Action Rifle, bearing serial # BT4180, and/or a .38 caliber Smith & Wesson revolver, bearing serial # C898769, and/or a .38 caliber Smith & Wesson revolver, bearing serial # 106802, and/or a .38 caliber semi-automatic Cobra Enterprises handgun, bearing serial # CP081076, without being registered or licensed to do so as provided in Chapter 58, contrary to the provisions of N.J.S.A. 2C:39-9d and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Conspiracy - Third Degree)

ALVIN HORACE

and

FRAZIER GIBSON

who are named as defendants herein, and other persons whose identities are both known and unknown to the Grand Jurors, who are named as co-conspirators but not as defendants herein, on or about August 18, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of unlawful possession and disposition of weapons, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crimes, or

B. One or more of them knowingly would aid in the planning, solicitation or commission of said crimes, that is:

1. Knowingly possess a certain weapon, that is, a Russian SKS -45 7.62 x 39 rifle, bearing serial # RH218505, without having first obtained a firearms purchaser identification card in accordance with the provisions of N.J.S.A. 2C:58-3, contrary to the provisions of N.J.S.A. 2C:39-5(c).

2. Knowingly transport, ship, sell or dispose of a firearm, that is, a Russian SKS -45 7.62 x 39, bearing serial #

RH218505, without being licensed or registered to do so as provided in Chapter 58, contrary to the provisions of N.J.S.A. 2C:39-9(d).

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Unlawful Possession of a Weapon - Third Degree)

ALVIN HORACE

and

FRAZIER GIBSON

on or about August 18, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did knowingly possess a firearm, that is, a Russian SKS -45 7.62 x 39 rifle, bearing serial # RH218505, without having first obtained a firearms purchaser identification card in accordance with the provisions of N.J.S.A. 2C:58-3, contrary to the provisions of N.J.S.A. 2C:39-5(c) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT SEVEN

(Unlawful Disposition of a Weapon - Fourth Degree)

ALVIN HORACE

and

FRAZIER GIBSON

on or about August 18, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did manufacture, transport, ship, sell or dispose of a firearm, that is, a Russian SKS -45 7.62 x 39 rifle, bearing serial # RH218505, without being licensed or registered to do so as provided in Chapter 58, contrary to the provisions of N.J.S.A. 2C:39-9(d) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT EIGHT

(Unlawful Possession of a Weapon - Second Degree)

ALVIN HORACE

on or about August 21, 2013, at the City of Irvington, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did knowingly possess an assault firearm, that is, an Intratec 9mm Luger model Tec-DC9, bearing serial # D027311, contrary to the provisions of N.J.S.A. 2C:39-5(f) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT NINE

(Unlawful Disposition of a Weapon - Third Degree)

ALVIN HORACE

on or about August 21, 2013, at the City of Irvington, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did knowingly manufacture, transport, ship, sell, or dispose of an assault firearm, that is, an Intratec 9mm Luger model Tec-DC9, bearing serial # D027311, without being registered or licensed to do so as provided in Chapter 58, contrary to the provisions of N.J.S.A. 2C:39-9g, and against the peace of this State, the government and dignity of same.

COUNT TEN

(Conspiracy - Second Degree)

ALVIN HORACE

LAMAR DALTON

and

ALTARIK WALKER

who are named as defendants herein, and other persons whose identities are both known and unknown to the Grand Jurors, who are named as co-conspirators but not as defendants herein, on or about October 21, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of unlawful possession and disposition of weapons, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crimes, or

B. One or more of them knowingly would aid in the planning, solicitation or commission of said crimes, that is:

1. Knowingly possess a firearm, that is, a Mossberg International 715T .22 caliber rifle, bearing serial # EMA3630590, without having first obtained a firearms purchaser identification card in accordance with the provisions of N.J.S.A. 2C:58-3, contrary to the provisions of N.J.S.A. 2C:39-5(c).

2. Knowingly possess a certain weapon, that is, a .38

caliber semiautomatic pistol, bearing serial # 02988, without having first obtained a permit to carry same as provided in N.J.S.A. 2C:58-4, contrary to the provisions of N.J.S.A. 2C:39-5(b).

3. Knowingly manufacture, transport, ship, sell or dispose of firearms, that is, a Mossberg International 715T .22 caliber rifle, bearing serial # EMA3630590, and/or a .38 caliber semiautomatic pistol, bearing serial # 02988, without being licensed or registered to do so as provided in Chapter 58, contrary to the provisions of N.J.S.A. 2C:39-9(d).

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT ELEVEN

(Unlawful Possession of a Weapon - Second Degree)

ALVIN HORACE

LAMAR DALTON

and

ALTARIK WALKER

on or about October 21, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did possess a certain weapon, that is, a .38 caliber semi-automatic pistol, bearing serial # 02988, without having first obtained a permit to carry same as provided in N.J.S.A. 2C:58-4, contrary to the provisions of N.J.S.A. 2C:39-5(b) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT TWELVE

(Unlawful Possession of a Weapon - Third Degree)

ALVIN HORACE

LAMAR DALTON

and

ALTARIK WALKER

on or about October 21, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did possess a firearm, that is, a Mossberg International 715T .22 caliber rifle, bearing serial # EMA3630590, without having first obtained a firearms purchaser identification card in accordance with the provisions of N.J.S.A. 2C:58-3, contrary to the provisions of N.J.S.A. 2C:39-5(c) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THIRTEEN

(Unlawful Possession of a Large Capacity Magazine - Fourth Degree)

ALVIN HORACE

LAMAR DALTON

and

ALTARIK WALKER

on or about October 21, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, contrary to the provisions of N.J.S.A. 2C:39-3j and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOURTEEN

(Unlawful Disposition of a Large Capacity Ammunition Magazine -
Fourth Degree)

ALVIN HORACE

LAMAR DALTON

and

ALTARIK WALKER

on or about October 21, 2013, at the City of Newark, in the
County of Essex, elsewhere, and within the jurisdiction of this
Court, knowingly did manufacture, transport, ship, sell or
dispose of a large capacity ammunition magazine, contrary to the
provisions of N.J.S.A. 2C:39-9h and N.J.S.A. 2C:2-6, and against
the peace of this State, the government and dignity of the same.

COUNT FIFTEEN

(Possession of Dum Dum Bullets - Fourth Degree)

ALVIN HORACE

LAMAR DALTON

and

ALTARIK WALKER

on or about October 21, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did possess a certain weapon or device, that is, hollow point bullets, contrary to the provisions of N.J.S.A. 2C:39-3f and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SIXTEEN

(Unlawful Disposition of a Weapon - Fourth Degree)

ALVIN HORACE

LAMAR DALTON

and

ALTARIK WALKER

on or about October 21, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did manufacture, transport, ship, sell or dispose of certain firearms, that is, a Mossberg International 715T .22 caliber rifle, bearing serial # EMA3630590, and a .38 caliber semiautomatic pistol, bearing serial # 02988, without being registered or licensed to do so as provided in Chapter 58, contrary to the provisions of N.J.S.A. 2C:39-9d and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SEVENTEEN

(Unlawful Possession of a Weapon - Second Degree)

ALTARIK WALKER

on or about November 4, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did possess certain weapons, that is, a .410 caliber model Judge, bearing serial # ET452552, and/or a .40 caliber Heckler and Koch, bearing serial # 22-072994, without having first obtained a permit to carry same as provided in N.J.S.A. 2C:58-4, contrary to the provisions of N.J.S.A. 2C:39-5(b), and against the peace of this State, the government and dignity of same.

COUNT EIGHTEEN

(Unlawful Disposition of a Weapon - Fourth Degree)

ALTARIK WALKER

on or about November 4, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did manufacture, transport, ship, sell or dispose of certain firearms, that is, a .410 caliber model Judge, bearing serial # ET452552, and/or a .40 caliber Heckler and Koch, bearing serial # 22-072994, without being registered or licensed to do so as provided in Chapter 58, contrary to the provisions of N.J.S.A. 2C:39-9d, and against the peace of this State, the government and dignity of the same.

COUNT NINETEEN

(Possession of Dum Dum Bullets - Fourth Degree)

ALTARIK WALKER

on or about November 4, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did possess a certain weapon or device, that is, hollow point bullets, contrary to the provisions of N.J.S.A. 2C:39-3f, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY

(Receiving Stolen Property - Third Degree)

ALTARIK WALKER

on or about November 4, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit theft by knowingly receiving or bringing into this State movable property of another, namely firearms, that is, a .410 caliber model Judge, bearing serial # ET452552, and/or a .40 caliber Heckler and Koch, bearing serial # 22-072994, knowing the same to be stolen or believing that they had probably been stolen, contrary to the provisions of N.J.S.A. 2C:20-7, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-ONE

(Unlawful Possession of a Weapon - Third Degree)

ALVIN HORACE

on or about November 13, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did possess a certain weapon, that is, a Mossberg, Model #195 bolt action 12 gauge sawed-off shotgun, without having first obtained a firearms purchaser identification card in accordance with the provisions of N.J.S.A. 2C:58-3, contrary to the provisions of N.J.S.A. 2C:39-3(b), and against the peace of this State, the government and dignity of same.

COUNT TWENTY-TWO

(Unlawful Disposition of a Weapon - Fourth Degree)

ALVIN HORACE

on or about November 13, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did manufacture, transport, ship, sell or dispose of a certain firearm, that is, a Mossberg, Model #195 bolt action 12 gauge sawed-off shotgun, without being registered or licensed to do so as provided in Chapter 58, contrary to the provisions of N.J.S.A. 2C:39-9d, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-THREE

(Unlawful Possession of a Weapon - First Degree)

ALTARIK WALKER

on or about October 21, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this court, knowingly did possess a certain weapon, that is, a Mossberg International 715T .22 caliber rifle, bearing serial # EMA3630590, and a .38 caliber semi-automatic pistol, bearing serial # 02988, without having first obtained a permit to carry same as provided in N.J.S.A. 2C:58-4, and having previously been convicted of a crime enumerated in N.J.S.A. 2C:43-7.2d, specifically, having been convicted of the crime of Robbery on Indictment number 01-02-00816-I in Essex County, contrary to the provisions of N.J.S.A. 2C:39-5b, N.J.S.A. 2C:39-5j, and N.J.S.A. 2C:2-6, and against the peace of this State, the government, and dignity of the same.

COUNT TWENTY-FOUR

(Unlawful Possession of a Weapon - First Degree)

ALTARIK WALKER

on or about November 4, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this court, knowingly did possess certain weapons, that is, a .410 caliber model Judge, bearing serial # ET452552, and/or a .40 caliber Heckler and Koch, bearing serial # 22-072994, without having first obtained a permit to carry same as provided in N.J.S.A. 2C:58-4, and having previously been convicted of a crime enumerated in N.J.S.A. 2C:43-7.2d, specifically, having been convicted of the crime of Robbery on Indictment number 01-02-00816-I in Essex County, contrary to the provisions of N.J.S.A. 2C:39-5b, N.J.S.A. 2C:39-5j, and N.J.S.A. 2C:2-6, and against the peace of this State, the government, and dignity of the same.

COUNT TWENTY-FIVE

(Possession of a Weapon by a Convicted Person - Second Degree)

ALTARIK WALKER

between on or about October 21, 2013, and on or about November 4, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, having been convicted of the crime of Robbery, on Indictment number 01-02-00816-I in Essex County, and Possession of a Controlled Dangerous Substance on School Property, on Indictment number 00-10-02641-I in Essex County, did purchase, own, possess or control a Mossberg International 715T .22 caliber rifle, bearing serial # EMA3630590, and/or a .38 caliber semi-automatic pistol, bearing serial # 02988, and/or a .410 caliber model Judge, bearing serial # ET452552, and/or a .40 caliber Heckler and Koch, bearing serial # 22-072994, contrary to the provisions of N.J.S.A. 2C:39-7b, and against the peace of this State, the government and dignity of the same.

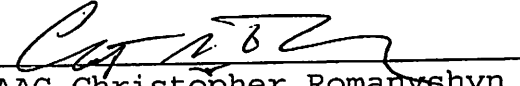
COUNT TWENTY-SIX

(Possession of a Weapon by a Convicted Person - Second Degree)

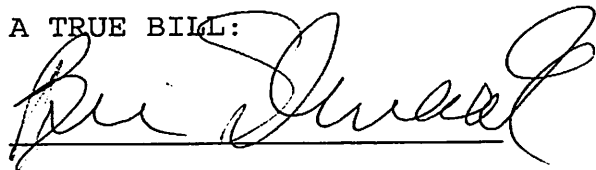
FRAZIER GIBSON

on or about October 21, 2013, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, having been convicted of the crime of Aggravated Assault, on Accusation number 07-05-00784-A in Essex County, did purchase, own, possess or control a Russian SKS -45 7.62 x 39 rifle, bearing serial # RH218505, contrary to the provisions of N.J.S.A. 2C:39-7b, and against the peace of this State, the government and dignity of the same.

AAG ELIE HONIG
DIRECTOR DIVISION OF CRIMINAL JUSTICE

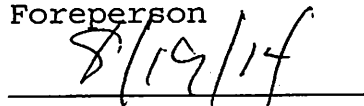

AAG Christopher Romanyshyn
Deputy Director
NJ Division of Criminal Justice

A TRUE BILL:



Foreperson

Date:



FILED

AUG 29 2014

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ655-14-6

Superior Court

Docket Number 14-08-00123-S

STATE OF NEW JERSEY)

v.)

ORDER OF VENUE

ALVIN HORACE)

CHRISTOPHER DAVIS)

FRAZIER GIBSON)

LAMAR DALTON)


and)

ALTARIK WALKER)

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this 29th day of August, 2014, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Essex be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Essex for filing.


Pedro J. Jimenez., Jr., J.S.C.