

UNITED STATES OF AMERICA : Criminal No. 07-459 (RBK)
:
v. :
:
:
AGRON ABDULLAHU : 18 U.S.C. § 371

SUPERSEDING INFORMATION

Defendant AGRON ABDULLAHU having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

The Defendant and his Co-conspirators

1. At all times relevant to this Superseding Information:

(a) Defendant AGRON ABDULLAHU was a resident of Atlantic County, New Jersey. Defendant ABDULLAHU was lawfully residing in the United States.

(b) Co-conspirator DRITAN DUKA, a/k/a "Distan Duka," a/k/a "Anthony Duka," a/k/a "Tony Duka," was a resident of Camden County, New Jersey. DRITAN DUKA was an alien, illegally and unlawfully residing in the United States.

(c) Co-conspirator ELJVIR DUKA, a/k/a "Elvis Duka," a/k/a "Sulayman," was a resident of Camden County, New Jersey. ELJVIR DUKA was an alien, illegally and unlawfully residing in the United States.

(d) Co-conspirator SHAIN DUKA was a resident of Camden County, New Jersey. SHAIN DUKA was an alien, illegally and unlawfully residing in the United States.

(e) Co-conspirator SERDAR TATAR was a resident of

Philadelphia, Pennsylvania. SERDAR TATAR was lawfully residing in the United States.

The Conspiracy

2. From on or about January 3, 2006 to on or about May 7, 2007, in Camden and Atlantic Counties, in the District of New Jersey and elsewhere, the defendant,

AGRON ABDULLAHU,

did knowingly and willfully conspire and agree with DRITAN DUKA, a/k/a "Distan Duka," a/k/a "Anthony Duka," a/k/a "Tony Duka," ELJVIR DUKA, a/k/a "Elvis Duka," a/k/a "Sulayman," SHAIN DUKA, SERDAR TATAR, and with others, to commit an offense against the United States, namely, the possession, in and affecting commerce, of firearms and ammunition, by aliens who were illegally and unlawfully in the United States, contrary to Title 18, United States Code, Section 922(g)(5).

Object Of The Conspiracy

3. The object of the conspiracy was to provide firearms and ammunition to co-conspirators DRITAN DUKA, ELJVIR DUKA, and SHAIN DUKA (collectively referred to herein as "the DUKAs"), individuals known by defendant AGRON ABDULLAHU to be aliens, illegally and unlawfully residing in the United States.

Manner And Means Of The Conspiracy

4. It was part of the conspiracy that:

(a) Defendant AGRON ABDULLAHU and SERDAR TATAR

acquired firearms and ammunition which they, in turn, provided to the DUKAs and others.

(b) Defendant AGRON ABDULLAHU owned one Beretta, Model 92FS, 9 millimeter caliber pistol, serial number BER341463 (hereinafter referred to as the "Beretta pistol"), and one Yugoslavian Model SKS, 7.62X39 millimeter caliber, semiautomatic rifle, serial number F-151946 (hereinafter referred to as the "Yugoslavian semiautomatic rifle").

(c) Defendant AGRON ABDULLAHU kept the Beretta pistol and the Yugoslavian semiautomatic rifle at his residence in Atlantic County, New Jersey.

(d) In or about January 2006, defendant AGRON ABDULLAHU traveled with the DUKAs from Camden County, New Jersey to Gouldsboro, Pennsylvania where ABDULLAHU provided the Beretta pistol and the Yugoslavian semiautomatic rifle to the DUKAs in order for DUKAs to possess and use those weapons.

(e) In or about January 2006, after having used the Beretta pistol and the Yugoslavian semiautomatic rifle in Gouldsboro, Pennsylvania, the DUKAs returned those firearms to defendant AGRON ABDULLAHU.

(f) SERDAR TATAR acquired one Mossberg, Model 500, 12 gauge, pump action shotgun, serial number P380768 (hereinafter referred to as the "shotgun"), and one Beretta, Model CX4 Storm, 9 millimeter caliber rifle, serial number CX02876 (hereinafter referred to as the "Beretta rifle").

(g) In or about January 2006, SERDAR TATAR traveled with the DUKAs from Camden County, New Jersey to Gouldsboro, Pennsylvania where TATAR provided the shotgun and the Beretta rifle to the DUKAs in order for DUKAs to possess and use those weapons.

(h) In or about January 2006, after having used the shotgun and the Beretta rifle in Gouldsboro, Pennsylvania, the DUKAs returned those firearms to SERDAR TATAR.

(i) On or about August 1, 2006, SERDAR TATAR transferred ownership of the shotgun and the Beretta rifle to a third party, identified herein as INDIVIDUAL-1.

(j) SERDAR TATAR caused INDIVIDUAL-1 to keep the shotgun and the Beretta rifle at INDIVIDUAL-1's residence in Philadelphia, Pennsylvania.

(k) On or about January 31, 2007, defendant AGRON ABDULLAHU and SHAIN DUKA took possession of the shotgun and the Beretta rifle from INDIVIDUAL-1.

(l) On or about January 31, 2007, defendant AGRON ABDULLAHU and SHAIN DUKA provided the shotgun and the Beretta rifle to DRITAN DUKA and ELJVIR DUKA.

(m) On or about February 1, 2007, defendant AGRON ABDULLAHU provided his Beretta pistol and Yugoslavian semiautomatic rifle to the DUKAs.

(n) On or about February 1, 2007, defendant AGRON ABDULLAHU traveled with the DUKAs from Camden County, New Jersey

to Gouldsboro, Pennsylvania in possession of the Beretta pistol, the Yugoslavian semiautomatic rifle, the shotgun, and the Beretta rifle.

(o) In or about early February, the DUKAs and SERDAR TATAR possessed and used the Beretta pistol, the Yugoslavian semiautomatic rifle, the shotgun, and the Beretta rifle at a firing range in Gouldsboro, Pennsylvania.

(p) In or about early February 2007, after having used the Beretta pistol, the Yugoslavian semiautomatic rifle, the shotgun, and the Beretta rifle in Gouldsboro, Pennsylvania, the DUKAs returned those firearms to defendant AGRON ABDULLAHU.

(q) Thereafter, defendant AGRON ABDULLAHU kept the shotgun and the Beretta rifle, along with the Beretta pistol and the Yugoslavian semiautomatic rifle, at his residence in Atlantic County, New Jersey.

(r) The DUKAs, prohibited by law from possessing firearms, wanted others to store the firearms they possessed and used in order to limit their risk of being discovered by law enforcement authorities in possession of those weapons.

(s) The DUKAs, prohibited by law from owning firearms, wanted others to register the firearms they possessed and used in order to limit their risk that law enforcement authorities could trace those weapons back to the DUKAs.

(t) It was further part of the conspiracy that SERDAR TATAR and the DUKAs attempted to conceal from law enforcement authorities the unlawful possession of firearms and

ammunition by the DUKAs, knowing the DUKAs were aliens, illegally and unlawfully residing in the United States.

Overt Acts

5. In furtherance of the conspiracy and to effect its unlawful object, defendant AGRON ABDULLAHU and co-conspirators DRITAN DUKA, ELJVIR DUKA, SHAIN DUKA, and SERDAR TATAR committed and caused to be committed the following overt acts in the District of New Jersey and elsewhere:

(a) On or about January 3, 2006, defendant AGRON ABDULLAHU, the DUKAs, SERDAR TATAR, and others, traveled to Gouldsboro, Pennsylvania from Camden County, New Jersey, in possession of the Beretta pistol, the Yugoslavian semiautomatic rifle, and the Beretta rifle.

(b) In or about the week of January 3, 2006, SERDAR TATAR purchased the shotgun while in Pennsylvania.

(c) In or about the week of January 3, 2006, defendant AGRON ABDULLAHU and SERDAR TATAR provided the Beretta pistol, the Yugoslavian semiautomatic rifle, the shotgun, and the Beretta rifle to the DUKAs and others.

(d) In or about the week of January 3, 2006, defendant AGRON ABDULLAHU, SERDAR TATAR, the DUKAs, and others used the Beretta pistol, the Yugoslavian semiautomatic rifle, the shotgun, and the Beretta rifle at a firing range in Gouldsboro, Pennsylvania.

(e) On or about August 1, 2006, in Philadelphia, Pennsylvania, SERDAR TATAR transferred ownership of the shotgun

and the Beretta rifle to INDIVIDUAL-1.

(f) From in or about the end of January 2007 to in or about the beginning of February 2007, defendant AGRON ABDULLAHU purchased approximately 2,500 rounds of ammunition to be used by the DUKAs and others.

(g) On or about January 31, 2007, defendant AGRON ABDULLAHU and SHAIN DUKA traveled from New Jersey to Pennsylvania, where they took possession of the shotgun and the Beretta rifle from INDIVIDUAL-1.

(h) On or about January 31, 2007, defendant AGRON ABDULLAHU and SHAIN DUKA brought the shotgun and the Beretta rifle to DRITAN DUKA's residence in Camden County, New Jersey.

(i) On or about February 1, 2007, defendant AGRON ABDULLAHU, the DUKAs, and others, traveled from Camden County, New Jersey to Gouldsboro, Pennsylvania in possession of the Beretta pistol, the Yugoslavian semiautomatic rifle, the shotgun, and the Beretta rifle.

(j) On or about February 2, 2007, defendant AGRON ABDULLAHU, the DUKAs, and others, possessed and used the Beretta pistol, the Yugoslavian semiautomatic rifle, the shotgun, and the Beretta rifle, as well as the ammunition purchased by ABDULLAHU, at a firing range in Gouldsboro, Pennsylvania.

(k) From on or about February 8, 2007 to on or about May 7, 2007, defendant AGRON ABDULLAHU kept the Beretta pistol, the Yugoslavian semiautomatic rifle, the shotgun, and the Beretta rifle at his residence in Atlantic County, New Jersey.

In violation of Title 18, United States Code, Section 371.

CHRISTOPHER J. CHRISTIE
UNITED STATES ATTORNEY

