



combine, conspire, confederate, and agree with each other and other persons known and unknown to the Grand Jury, to knowingly use and carry firearms, to wit, handguns, during and in relation to crimes of violence for which defendant may be prosecuted in a court of the United States, to wit, two carjackings; in violation of Title 18, United States Code, Section 924(c).

Overt Acts to Further the Conspiracy

2. In furtherance of the conspiracy and to accomplish the unlawful objects thereof, the defendant **TY PAYTON**, along with Juveniles J.S. and D.W., committed the following overt acts, among others, in the Eastern District of Louisiana:
  - a. Threatened an eighty-seven-year-old woman (Victim 1) in Jefferson, Louisiana, with a handgun, and demanded her vehicle, a 2001 Nissan Sentra, which had been transported, shipped, and received in interstate or foreign commerce;
  - b. Took the vehicle from Victim 1 after pointing a handgun at her and threatening her with force, violence, and intimidation;
  - c. After crashing the carjacked Nissan Sentra, threatened a second twenty-five-year-old woman (Victim 2) in New Orleans, Louisiana, with a handgun, and demanded her vehicle, a 1997 Chevrolet Malibu, which had been transported, shipped, and received in interstate and foreign commerce;
  - d. Took the vehicle from Victim 2 after pointing a handgun at her and threatening her with force, violence, and intimidation;

All in violation of Title 18, United States Code, Section 924(o).

**COUNT TWO**

(Carjacking)

The Violation

1. On or about July 21, 2006, in Jefferson Parish, Louisiana, within the Eastern District of Louisiana, **TY PAYTON**, defendant herein, along with juveniles J.S. and D.W., aiding and abetting each other, with the intent to cause death or serious bodily harm, and by force, violence and intimidation, did take from the person and presence of a person known to the Grand Jury (Victim 1), a motor vehicle, to wit, a 2001 Nissan Sentra, which had been transported, shipped, and received in interstate or foreign commerce; all in violation of Title 18, United States Code, Sections 2119 and 2.

**COUNT THREE**

(Carjacking)

The Violation

1. On or about July 21, 2006, in Orleans Parish, Louisiana, within the Eastern District of Louisiana, **TY PAYTON**, defendant herein, along with juveniles J.S. and D.W., aiding and abetting each other, with the intent to cause death or serious bodily harm, and by force, violence and intimidation, did take from the person and presence of a person known to the Grand Jury (Victim 2), a motor vehicle, to wit, a 1997 Chevrolet Malibu, which had been transported, shipped, and received in interstate or foreign commerce; all in violation of Title 18, United States Code, Sections 2119 and 2.

## COUNT FOUR

(Conspiracy to use and carry a firearm during crime of violence)

### The Violation

1. On or about March 17, 2007, within the Eastern District of Louisiana, **JAMES DAVIS**, defendant herein, along with juvenile D.W., did knowingly and intentionally combine, conspire, confederate, and agree with each other and other persons known and unknown to the Grand Jury, to knowingly use and carry a firearm, that is, a handgun, during and in relation to a crime of violence for which defendant may be prosecuted in a court of the United States, to wit, carjacking; in violation of in violation of Title 18, United States Code, Section 924(c).

### Overt Acts to Further the Conspiracy

2. In furtherance of the conspiracy and to accomplish the unlawful objects thereof, defendant **JAMES DAVIS**, committed the following overt acts, among others, in the Eastern District of Louisiana:
  - a. Threatened two victims, one a sixteen-year-old male and the other a seventeen-year-old female (Victims 3 and 4, respectively), in Jefferson, Louisiana, with a handgun, and demanded the vehicle in which they were sitting, a 2002 Honda Civic, which had been transported, shipped, and received in interstate or foreign commerce;
  - b. Took the vehicle from Victims 3 and 4 after pointing a handgun at them and threatening them with force, violence, and intimidation.

All in violation of Title 18, United States Code, Section 924(o).

**COUNT FIVE**

(Carjacking)

The Violation

1. On or about March 17, 2007, in Jefferson Parish, Louisiana, within the Eastern District of Louisiana, **JAMES DAVIS**, defendant herein, along with juvenile D.W., aiding and abetting each other, with the intent to cause death or serious bodily harm, and by force, violence and intimidation, did take from the person and presence of two separate persons (Victims 3 and 4, respectively) known to the Grand Jury, a motor vehicle, to wit, a 2002 Honda Civic, which had been transported, shipped, and received in interstate or foreign commerce; all in violation of Title 18, United States Code, Sections 2119 and 2.

A TRUE BILL:

FOREPERSON

---

---

JIM LETTEN  
United States Attorney  
Bar. Roll No. 8517

---

JAN MASELLI MANN  
First Assistant United States Attorney  
Chief, Criminal Division  
Bar Roll No. 9020

---

MICHAEL E. MCMAHON  
Assistant United States Attorney  
Bar Roll No. 10095

New Orleans, Louisiana  
January 18, 2008