

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, N. C.
APR 25 2007

U. S. DISTRICT COURT
W. DIST. OF N. C.

UNITED STATES OF AMERICA)

DOCKET NO. 3107cr94-C

v.)

BILL OF INDICTMENT

JOHN LYNN LATTAKER)
a/k/a "Edward Miller")

Violations: 18 U.S.C. § 1951
18 U.S.C. § 924
18 U.S.C. § 922(g)(1)

THE GRAND JURY CHARGES:

INTRODUCTION

At all times material to this Bill of Indictment, the InTown Suites at 540 Pressley Road, Charlotte, Mecklenburg County, North Carolina; Mid-State Petroleum (doing business as "Pop Shoppe") at 6865 Albermarle Road, Charlotte, Mecklenburg County, North Carolina; and the Family Dollar Store at 3400 Wilkinson Boulevard, Mecklenburg County, North Carolina, were businesses engaged in commercial activities within the Western District of North Carolina and elsewhere, that is, the sale of hotel/motel accommodations (InTown Suites Motel), fuel and consumer goods (Pop Shoppe), and consumer goods (Family Dollar Store) in interstate commerce and a business which affects interstate commerce.

COUNT ONE

On or about February 17, 2006, in Mecklenburg County, in the Western District of North Carolina, and elsewhere,

JOHN LYNN LATTAKER
a/k/a "Edward Miller"

did knowingly and intentionally obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, in that he did unlawfully take property of the InTown Suites Motel at 540 Pressley Road, Charlotte, Mecklenburg County, North Carolina, that is, United States currency and other items, from the person and in the presence of one or more persons, against their will and by means of actual and threatened force, violence, and fear of immediate and future injury.

All in violation of Title 18, United States Code, Section 1951.

COUNT TWO

On or about February 17, 2006, in Mecklenburg County, in the Western District of North Carolina, and elsewhere,

JOHN LYNN LATTAKER
a/k/a "Edward Miller"

during and in relation to a crime of violence, that is, interference with commerce by threats or violence, a violation of Title 18, United States Code, Section 1951, as charged in Count One, for which he may be prosecuted in a court of the United States, did knowingly and unlawfully use and carry a firearm, that is, a chrome/silver revolver, and in furtherance of such crime of violence, did possess said firearm.

Said weapon was brandished during the crime.

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

COUNT THREE

On or about February 17, 2006, in Mecklenburg County, in the Western District of North Carolina, and elsewhere,

JOHN LYNN LATTAKER
a/k/a "Edward Miller"

having previously been convicted in Baltimore, Maryland, and New York, New York, of crimes punishable by imprisonment for a term exceeding one year, felonies, did knowingly possess, in and affecting commerce, a firearm, that is, a chrome/silver revolver.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT FOUR

On or about February 22, 2006, in Mecklenburg County, in the Western District of North Carolina, and elsewhere,

JOHN LYNN LATTAKER
a/k/a "Edward Miller"

did knowingly and intentionally obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, in that he did unlawfully take property of Mid-State Petroleum (doing business as "Pop Shoppe") at 6865 Albermarle Road, Charlotte, Mecklenburg County, North Carolina, that is, United States currency and other items, from the person and in the presence of one or more persons, against their will and by means of actual and threatened force, violence, and fear of immediate and future injury.

All in violation of Title 18, United States Code, Section 1951.

COUNT FIVE

On or about February 22, 2006, in Mecklenburg County, in the Western District of North Carolina, and elsewhere,

JOHN LYNN LATTAKER
a/k/a "Edward Miller"

during and in relation to a crime of violence, that is, interference with commerce by threats or violence, a violation of Title 18, United States Code, Section 1951, as charged in Count Four, for which he may be prosecuted in a court of the United States, did knowingly and unlawfully use and carry a firearm, that is, a chrome/silver revolver, and in furtherance of such crime of violence, did possess said firearm.

Said weapon was brandished during the crime.

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

COUNT SIX

On or about February 22, 2006, in Mecklenburg County, in the Western District of North Carolina, and elsewhere,

JOHN LYNN LATTAKER
a/k/a "Edward Miller"

having previously been convicted in Baltimore, Maryland, and New York, New York, of crimes punishable by imprisonment for a term exceeding one year, felonies, did knowingly possess, in and affecting commerce, a firearm, that is, a chrome/silver revolver.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT SEVEN

On or about February 27, 2006, in Mecklenburg County, in the Western District of North Carolina, and elsewhere,

JOHN LYNN LATTAKER
a/k/a "Edward Miller"

did knowingly and intentionally obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, in that they did unlawfully take property of the Family Dollar Store at 3400 Wilkinson Boulevard, Mecklenburg County, North Carolina, that is, United States currency and other items, from the person and in the presence of one or more persons, against their will and by means of actual and threatened force, violence, and fear of immediate and future injury.

All in violation of Title 18, United States Code, Section 1951.

COUNT EIGHT

On or about February 27, 2006, in Mecklenburg County, in the Western District of North Carolina, and elsewhere,

JOHN LYNN LATTAKER
a/k/a "Edward Miller"

during and in relation to a crime of violence, that is, interference with commerce by threats or violence, a violation of Title 18, United States Code, Section 1951, as charged in Count Seven, for which he may be prosecuted in a court of the United States, did knowingly and unlawfully use and carry a firearm, that is, a chrome/silver revolver, and in furtherance of such crime of violence, did possess said firearm.

Said weapon was brandished during the crime.

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

COUNT NINE

On or about February 27, 2006, in Mecklenburg County, in the Western District of North Carolina, and elsewhere,

JOHN LYNN LATTAKER
a/k/a "Edward Miller"

having previously been convicted in Baltimore, Maryland, and New York, New York, of crimes punishable by imprisonment for a term exceeding one year, felonies, did knowingly possess, in and affecting commerce, a firearm, that is, a chrome/silver revolver.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT TEN

On or about March 2, 2006, in Mecklenburg County, in the Western District of North Carolina, and elsewhere,

JOHN LYNN LATTAKER
a/k/a "Edward Miller"

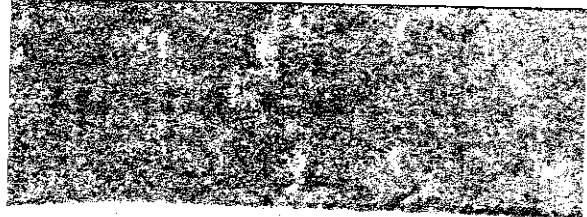
having previously been convicted in Baltimore, Maryland, and New York, New York, of crimes punishable by imprisonment for a term exceeding one year, felonies, did knowingly possess, in and affecting commerce, a firearm, that is, a .22 caliber High Standard revolver.

All in violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE AND FINDING OF PROBABLE CAUSE

Notice is hereby given of the provisions of 18 U.S.C. §924(d) and the statutes incorporated or referred to therein. The following firearm and ammunition are subject to forfeiture in accordance with §924(d) because they were involved in, used, or intended to be used in the violations alleged in this bill of indictment: a .22 caliber High Standard revolver, and any ammunition seized on or about March 2, 2006, from the defendant.

A TRUE BILL:



GRETCHEN C.F. SHAPPERT
UNITED STATES ATTORNEY

STEVEN R. KAUFMAN
ASSISTANT UNITED STATES ATTORNEY