

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES	: CRIMINAL NO.: 02-
	:
v.	: VIOLATIONS:
	:
JASON ROSE,	: 21 U.S.C. § 846 (Conspiracy to possess
a/k/a "Mike"	: with intent to distribute more than 500
"Simon Henry"	: grams of cocaine - 1 count)
RAPHAEL ALBERT HENRY,	:
a/k/a "James Moore"	: 21 U.S.C. § 841(a)(1) (Possession with
"Nicholas Batchelor"	: intent to distribute more than 500
TYRONE SAWYER	: grams of cocaine - 1 count)
PHILLIP MACK	:
	: 8 U.S.C. § 1326(a) (Reentry
	: after exclusion - 1 count)
	:
	: Notice of Forfeiture

**INDICTMENT**

**COUNT ONE**

THE GRAND JURY CHARGES THAT:

1. From at least in or about June 2000 through in or about October 2002, in the Eastern District of Pennsylvania, and elsewhere, defendants

JASON ROSE,  
a/k/a "Mike" and "Simon Henry"  
RAPHAEL ALBERT HENRY,  
a/k/a "James Moore" and "Nicholas Batchelor"  
TYRONE SAWYER  
PHILLIP MACK

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally possess with intent to distribute more than 500 grams that is, approximately 4.9 kilograms, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections

841(a)(1) and 841(b)(1)(B).

#### MANNER AND MEANS

2. It was part of the conspiracy that the defendants were members of a drug organization which transported cocaine from Los Angeles, CA to Philadelphia, PA.

It was further a part of the conspiracy that:

3. Defendant JASON ROSE instructed defendants TYRONE SAWYER and PHILLIP MACK to pick up cocaine in Los Angeles to be delivered to Philadelphia.

4. Defendants TYRONE SAWYER and PHILLIP MACK would travel to Los Angeles, CA and receive luggage containing cocaine. They would return to Philadelphia by airplane or train.

5. Defendants JASON ROSE and RAPHAEL ALBERT HENRY received the cocaine from defendants SAWYER and MACK once the drugs arrived in Philadelphia.

#### OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. On or about September 9, 2002, defendant PHILLIP MACK was traveling on Amtrak train No. 4 in Kansas City, MO. He was traveling from Los Angeles to Philadelphia with two suitcases containing approximately 4.9 kilograms of cocaine at the direction of defendant JASON ROSE.

2. On or about September 10, 2002, defendant PHILLIP MACK contacted defendant JASON ROSE to advise him that he had the drugs and would be at MACK's house located at 5135 N. Fairhill Street in Philadelphia.

3. On or about September 10, 2002, defendant TYRONE SAWYER told

defendant PHILLIP MACK that he had spoken to defendant JASON ROSE and that ROSE would be around to receive the drugs. SAWYER also talked about his previous trips to Los Angeles to pick up drugs for ROSE.

4. On or about September 10, 2002, at about 5:10 p.m., a green Mazda, PA tag ELV-6294, registered to defendant JASON ROSE, driven by defendant RAPHAEL ALBERT HENRY, stopped in front of 5135 N. Fairhill Street in Philadelphia.

5. On or about September 10, 2002, at about 5:10 p.m., defendant PHILLIP MACK placed suitcases that were to contain the cocaine in the trunk of the vehicle. Defendant RAPHAEL ALBERT HENRY gave MACK approximately \$2000 in payment for the cocaine.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 10, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendants

JASON ROSE,  
a/k/a "Mike" and "Simon Henry," and  
RAPHAEL ALBERT HENRY,  
a/k/a "James Moore" and "Nicholas Batchelor"

knowingly and intentionally possessed with intent to distribute and aided and abetted and wilfully caused the possession with intent to distribute of more than 500 grams, that is approximately 4.9 kilograms, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 10, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendant

RAPHAEL ALBERT HENRY,  
a/k/a “James Moore” and “Nicholas Batchelor”

an alien and a subject of Jamaica, who had previously been excluded from the United States on or about April 18, 2001, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the United States Attorney General for permission to reapply for admission, and without receiving in response the express consent of the Attorney General to reapply for admission.

In violation of Title 8, United States Code, Section 1326(a).

NOTICE OF FORFEITURE

As a result of the violations of Title 21, United States Code, Sections 846 and 841(a)(1) set forth in Counts One and Two of this Indictment, defendants

JASON ROSE,  
a/k/a “Mike” and “Simon Henry”  
RAPHAEL ALBERT HENRY,  
a/k/a “James Moore” and “Nicholas Batchelor”  
TYRONE SAWYER  
PHILLIP MACK

shall forfeit to the United States:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violations of Title 21, United States Code, as charged in this Indictment, including but not limited to \$2,000 in United States currency, and

(b) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of the violations of Title 21, United States Code, as charged in this Indictment.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

\_\_\_\_\_  
FOREPERSON

\_\_\_\_\_  
PATRICK L. MEEHAN  
United States Attorney