

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

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| UNITED STATES OF AMERICA | : | CRIMINAL NO. _____ |
| v. | : | DATE FILED: <u>March 21, 2006</u> |
| WAYNE HOGUE, a/k/a "Iman Wadir," a/k/a "Shahdeed Bay" | : | VIOLATIONS: 18 U.S.C. §§ 922(a)(1)(A) & 924(a)(1)(D) (dealing in firearms without a license - 9 counts) : |
| | : | 18 U.S.C. § 922(g)(1) (felon in possession of a firearm - 8 counts) |
| | : | Notice of forfeiture |

INDICTMENT

COUNTS ONE THROUGH NINE

THE GRAND JURY CHARGES THAT:

At times material to this indictment:

1. In accordance with the provisions of Chapter 44, Title 18, United States Code, the only persons who were and are authorized to engage in the business of dealing in firearms must have submitted an application with and received a license from the Department of the Justice, Bureau of Alcohol, Tobacco, and Firearms.

2. Defendant, **WAYNE HOGUE** was:

- a. not authorized to engage in the business of dealing in firearms;
- b. not a federally licensed dealer in firearms; and
- c. not permitted to possess firearms because he was a convicted felon.

3. On or about the dates listed in the chart below, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**WAYNE HOGUE,
a/k/a "Iman Wadir,"
a/k/a "Shahdeed Bay,"**

willfully engaged in the business of dealing in firearms, by selling to another person a firearm and ammunition, that is, the firearms and ammunition listed in the chart below, without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code.

| Count | Date | Firearms & Ammunition |
|--------------|-------------------|--|
| 1 | May 9, 2003 | one Norinko, 7.62 mm assault rifle, serial number AP496340, loaded with nineteen (19) live rounds of ammunition. |
| 2 | June 24, 2003 | one Beretta .22 caliber handgun, serial number DAA081373. |
| 3 | October 14, 2003 | one Rossi .22 caliber handgun with and obliterated serial number. |
| 4 | October 15, 2003 | one H & R .32 caliber handgun, serial number AJ23917, loaded with six (6) live rounds of ammunition. |
| 5 | January 9, 2004 | (1) one Iver Johnson .38 caliber handgun, serial number 8330; (2) one Colt .45 caliber semi-automatic handgun, which had the serial number removed, obliterated, and altered, and eight (8) loose rounds of .45 caliber ammunition. |
| 6 | January 16, 2004 | one Norinko 7.62 mm assault rifle, serial number MS01218, and thirty (30) live rounds of 7.62 caliber ammunition. |
| 7 | February 26, 2003 | one Beretta .9 mm semi-automatic handgun, which had the serial number removed, obliterated, and altered, loaded with nine (9) live rounds of ammunition. |
| 8 | March 3, 2004 | one AR-15 .223 caliber rifle with a sawed-off barrel, which had the serial number removed, obliterated, and altered. |
| 9 | March 23, 2004 | (1) one Phoenix Arms .25 caliber semi-automatic handgun, Raven model, which had the serial number removed, obliterated, and altered, with three live hollow point rounds of ammunition in the magazine; and (2) one P. Beretta model 1200, 12-gauge shotgun, disassembled with a 28 inch barrel, bearing serial numbers T07557 and T09892F. |

All in violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

COUNT TEN THROUGH SEVENTEEN

THE GRAND JURY FURTHER CHARGES THAT:

At times material to the indictment:

1. Persons who have prior convictions in any court for crimes punishable by imprisonment for more than one year are prohibited from possession firearms and ammunition.
2. Defendant WAYNE HOGUE had convictions punishable by imprisonment for more than one year and was prohibited from possessing firearms and ammunition.
3. On or about the dates listed in the chart below, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**WAYNE HOGUE,
a/k/a “Iman Wadir,”
a/k/a “Shahdeed Bay,”**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, the firearms listed in the chart below:

| Count | Date | Firearms & Ammunition |
|--------------|------------------|---|
| 10 | May 9, 2003 | one Norinko, 7.62 mm assault rifle, serial number AP496340, loaded with nineteen (19) live rounds of ammunition. |
| 11 | June 24, 2003 | one Beretta .22 caliber handgun, serial number DAA081373. |
| 12 | October 15, 2003 | one H & R .32 caliber handgun, serial number AJ23917, loaded with six (6) live rounds of ammunition. |
| 13 | January 9, 2004 | (1) one Iver Johnson .38 caliber handgun, serial number 8330; (2) one Colt .45 caliber semi-automatic handgun, which had the serial number removed, obliterated, and altered, and eight (8) loose rounds of .45 caliber ammunition. |

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|----|-------------------|--|
| 14 | January 16, 2004 | one Norinko 7.62 mm assault rifle, serial number MS01218, and thirty (30) live rounds of 7.62 caliber ammunition. |
| 15 | February 26, 2003 | one Beretta .9 mm semi-automatic handgun, which had the serial number removed, obliterated, and altered, loaded with nine (9) live rounds of ammunition. |
| 16 | March 3, 2004 | one AR-15 .223 caliber rifle with a sawed-off barrel, which had the serial number removed, obliterated, and altered. |
| 17 | March 23, 2004 | (1) one Phoenix Arms .25 caliber semi-automatic handgun, Raven model, which had the serial number removed, obliterated, and altered, with three live hollow point rounds of ammunition in the magazine; and (2) one P. Beretta model 1200, 12-gauge shotgun, disassembled with a 28 inch barrel, bearing serial numbers T07557 and T09892F. |

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

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 922(g)(1) and 922(a)(1)(A), set forth in this indictment, defendant

**WAYNE HOGUE,
a/k/a “Iman Wadir,”
a/k/a “Shahdeed Bay,”**

shall forfeit to the United States of America all firearms and ammunition involved in the commission of such offenses, including, but not limited to:

- 1) a Norinko, 7.62 mm assault rifle, serial number AP496340, loaded with nineteen (19) live rounds of ammunition;
- 2) a Beretta .22 caliber handgun, serial number DAA081373;
- 3) a Rossi .22 caliber handgun with and obliterated serial number;
- 4) an H & R .32 caliber handgun, serial number AJ23917, loaded with six (6) live rounds of ammunition;
- 5) an Iver Johnson .38 caliber handgun, serial number 8330,
- 6) a Colt .45 caliber semi-automatic handgun, which had the serial number removed, obliterated, and altered, and eight (8) loose rounds of .45 caliber ammunition;
- 7) a Norinko 7.62 mm assault rifle, serial number MS01218, and thirty (30) live rounds of 7.62 caliber ammunition;
- 8) a Beretta .9 mm semi-automatic handgun, which had the serial number removed, obliterated, and altered, loaded with nine (9) live rounds of ammunition;
- 9) an AR-15 .223 caliber rifle with a sawed-off barrel, which had the serial number removed, obliterated, and altered;

10) a Phoenix Arms .25 caliber semi-automatic handgun, Raven model, which had the serial number removed, obliterated, and altered, with three live hollow point rounds of ammunition in the magazine;

11) one P. Beretta model 1200, 12-gauge shotgun, disassembled with a 28 inch barrel, serial numbers T07557 and T09892F.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney