

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No.
 :
 v. : 18 U.S.C. § 371
 : 18 U.S.C. § 922(g)
 DARNEL JOHNS :
 : I N F O R M A T I O N

The defendant having waived in open Court prosecution by Indictment, the Acting United States Attorney for the District of New Jersey charges:

COUNT 1

DEFENDANT AND CONSPIRATORS

1. At all times relevant to this Information:
 - a. Defendant DARNEL JOHNS was a resident of Albrightsville, Pennsylvania and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.
 - b. David T. Potts, who is named as a co-conspirator but not a defendant herein, was a resident of Camden, New Jersey, and was not a licensed dealer, licensed manufacturer, or licensed importer of firearms.

CONSPIRACY

2. From on or about September 11, 2014 to on or about December 23, 2014, in Camden County, in the District of New Jersey, and elsewhere, defendant

DARNEL JOHNS

did knowingly and intentionally conspire and agree with David T. Potts and others to engage in the business of importing, manufacturing, and dealing in firearms, and in the course of such business to ship, transport, and receive firearms in interstate and foreign commerce, without being licensed to do so under federal firearms law, contrary to Title 18, United States Code, Section 922(a)(1)(A).

3. It was the object of the conspiracy to sell firearms, magazines and ammunition to individuals in New Jersey after the firearms already had moved in interstate commerce.

4. It was a further part of the conspiracy that defendant DARNEL JOHNS met co-conspirator David T. Potts in New Jersey for the purpose of selling firearms, magazines and ammunition to a confidential informant ("CI") in New Jersey.

5. It was a further part of the conspiracy that defendant DARNEL JOHNS and co-conspirator David T. Potts caused the following firearms, magazines and ammunition, on each of the

dates set forth below, to be sold to the CI in exchange for cash payments:

Date of Sale	Manufacturer	Model	Caliber	Serial no.
9/11/14	Ruger	SR-9	9mm pistol	335-45483
9/19/14	Kel-Tec	P11	9mm pistol	
9/19/14	Hi-Point	C9	9mm pistol	P1840868
9/19/14	SCCY	CPX-1	9mm pistol	
9/24/14	Century Arms International	GP 1975	7.62mm rifle	GP-C506056
9/24/14	Browning	BPS	12-gauge shotgun	
9/24/14	Pro Mag Industries	73-round capacity 7.62 drum magazine containing 51 rounds of 7.62mm ammunition		
9/24/14	Black Bear	164 rounds of 7.62mm ammunition		
9/24/14		four rounds of assorted 12-gauge shotgun ammunition		
9/30/14	Israel Weapon IND-IWI	Baby Eagle	9mm pistol	43357177
9/30/14	Beretta	96D	.40 caliber pistol	BER010680 M
9/30/14	Weihrach Hermann	EA/R	.38 caliber revolver	
9/30/14	Smith & Wesson	10 rounds of .40 caliber ammunition		
9/30/14	Federal	22 rounds of .357 caliber ammunition		
9/30/14	Tula Cartridge Works	11 rounds of 9mm ammunition		
10/3/14	DPMS	A15	.223 caliber rifle	F222198
10/3/14	Kimber	Custom II	.45 caliber pistol	K455074
10/3/14		One .45 caliber high capacity magazine		
10/3/14		Five 30-round capacity .223 caliber magazines		
10/3/14		84 rounds of assorted .223 caliber ammunition		

Date of Sale	Manufacturer	Model	Caliber	Serial no.
10/3/14	Federal	21 rounds of .45 caliber ammunition		
10/27/14	Romarm/Cugir	WASR-10	7.62mm caliber rifle	UF-0709-07RO
10/27/14	Springfield Armory	1911A1	.45 caliber pistol	WW51756
10/27/14	Sig-Sauer	P6	9mm pistol	M10721
11/10/14	Arsenal Company Bulgaria	Marakov	9mm Makarov pistol	1275
11/10/14	Century Arms	M72	7.62mm caliber rifle	M7200300
11/10/14	Barnaul	12 rounds of 7.62 caliber ammunition		
11/10/14	Sellier & Bellot	24 rounds of 9mm ammunition		
11/10/14		Two 7.62mm caliber magazines		
11/10/14		Two 9mm magazines		
11/10/14	Ruger	SR-40	.40 caliber pistol	342-59277
11/10/14	Ruger	SR-9	9mm caliber pistol	335-54730
11/10/14	Sig Sauer	P239	.40 caliber pistol	SBU-020698
11/24/14	Masterpiece Arms	MPA30SST	9mm caliber pistol	B0020
11/24/14		Two 30-round 9mm magazines		
11/24/14		23 rounds of assorted 9mm ammunition		
12/3/14	FNH	FNP9-M	9mm caliber pistol	71BMV01919
12/3/14	Winchester-Western	Box containing 25 rounds of 9mm ammunition		
12/23/14	Ruger	GP100	.357 caliber revolver	175-39762
12/23/14	Brazilian Cartridge Company	Six rounds of .357 caliber ammunition		

OVERT ACTS

6. In furtherance of the conspiracy and to effect the objects thereof, the following overt acts were committed in the District of New Jersey and elsewhere:

a. From on or about September 11, 2014 to on or about December 23, 2014, defendant DARNEL JOHNS met with co-conspirator David T. Potts and the CI at various locations in and around Camden, New Jersey for the purpose of selling firearms that already had moved in interstate commerce.

b. From on or about September 11, 2014 to on or about December 23, 2014, co-conspirator David T. Potts contacted the CI on multiple occasions to set up firearm purchase transactions, including by telephone on September 11, 2014, September 24, 2014, and October 3, 2014.

c. From on or about September 11, 2014 to on or about December 23, 2014, defendant DARNEL JOHNS and co-conspirator David T. Potts sold firearms, magazines, and ammunition or caused firearms, magazines, and ammunition to be sold to the CI in exchange for cash payments as set forth in Paragraph five of this Count.

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

COUNT 2

1. Paragraph 1, and paragraphs 3 through 6 of Count One of this Information are hereby realleged and incorporated as though set forth in full herein.

2. From on or about September 11, 2014 to on or about December 23, 2014, in Camden County, in the District of New Jersey, and elsewhere, defendant

DARNEL JOHNS,

having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Camden County, did knowingly possess in and affecting commerce the following firearms, magazines, and ammunition:

Manufacturer	Model	Caliber	Serial no.
Ruger	SR-9	9mm pistol	335-45483
Kel-Tec	P11	9mm pistol	
Hi-Point	C9	9mm pistol	P1840868
SCCY	CPX-1	9mm pistol	
Century Arms International	GP 1975	7.62mm rifle	GP-C506056
Browning	BPS	12-gauge shotgun	
Pro Mag Industries	73-round capacity 7.62 drum magazine containing 51 rounds of 7.62mm ammunition		
Black Bear	164 rounds of 7.62mm ammunition		
	four rounds of assorted 12-gauge shotgun ammunition		
Israel Weapon IND-IWI	Baby Eagle	9mm pistol	43357177
Beretta	96D	.40 caliber pistol	BER010680M
Weihrauch Hermann	EA/R	.38 caliber revolver	
Smith & Wesson	10 rounds of .40 caliber ammunition		
Federal	22 rounds of .357 caliber ammunition		
Tula Cartridge Works	11 rounds of 9mm ammunition		

Manufacturer	Model	Caliber	Serial no.
DPMS	A15	.223 caliber rifle	F222198
Kimber	Custom II	.45 caliber pistol	K455074
	One .45 caliber high capacity magazine		
	Five 30-round capacity .223 caliber magazines		
	84 rounds of assorted .223 caliber ammunition		
Federal	21 rounds of .45 caliber ammunition		
Romarm/Cugir	WASR-10	7.62mm caliber rifle	UF-0709-07RO
Springfield Armory	1911A1	.45 caliber pistol	WW51756
Sig-Sauer	P6	9mm pistol	M10721
Arsenal Company Bulgaria	Marakov	9mm Makarov pistol	1275
Century Arms	M72	7.62mm caliber rifle	M7200300
Barnaul	12 rounds of 7.62 caliber ammunition		
Sellier & Bellot	24 rounds of 9mm ammunition		
	Two 7.62mm caliber magazines		
	Two 9mm magazines		
Ruger	SR-40	.40 caliber pistol	342-59277
Ruger	SR-9	9mm caliber pistol	335-54730
Sig Sauer	P239	.40 caliber pistol	SBU-020698
Masterpiece Arms	MPA30SST	9mm caliber pistol	B0020
	Two 30-round 9mm magazines		
	23 rounds of assorted 9mm ammunition		
FNH	FNP9-M	9mm caliber pistol	71BMV01919
Winchester-Western	Box containing 25 rounds of 9mm ammunition		
Ruger	GP100	.357 caliber revolver	175-39762
Brazilian Cartridge Company	Six rounds of .357 caliber ammunition		

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

FORFEITURE ALLEGATIONS

1. The allegations contained in Counts One and Two of this Information are hereby realleged and incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses contrary to and in violation of Title 18, United States Code, Section 922, set forth in Counts One and Two of the Information, defendant

DARNELL JOHNS


shall forfeit to the United States any firearms, magazines and ammunition involved in or used in the commission of such offenses, including, but not limited to, the firearms, magazines and ammunition listed in this table:

Manufacturer	Model	Caliber
Ruger	SR-9	9mm pistol
Kel-Tec	P11	9mm pistol
Hi-Point	C9	9mm pistol
SCCY	CPX-1	9mm pistol
Century Arms International	GP 1975	7.62mm rifle
Browning	BPS	12-gauge shotgun
Pro Mag Industries	73-round capacity 7.62 drum magazine containing 51 rounds of 7.62mm ammunition	
Black Bear	164 rounds of 7.62mm ammunition	
	four rounds of assorted 12-gauge shotgun ammunition	

Manufacturer	Model	Caliber
Israel Weapon IND-IWI	Baby Eagle	9mm pistol
Beretta	96D	.40 caliber pistol
Weihrauch Hermann	EA/R	.38 caliber revolver
Smith & Wesson	10 rounds of .40 caliber ammunition	
Federal	22 rounds of .357 caliber ammunition	
Tula Cartridge Works	11 rounds of 9mm ammunition	
DPMS	A15	.223 caliber rifle
Kimber	Custom II	.45 caliber pistol
	One .45 caliber high capacity magazine	
	Five 30-round capacity .223 caliber magazines	
	84 rounds of assorted .223 caliber ammunition	
Federal	21 rounds of .45 caliber ammunition	
Romarm/Cugir	WASR-10	7.62mm caliber rifle
Springfield Armory	1911A1	.45 caliber pistol
Sig-Sauer	P6	9mm pistol
Arsenal Company Bulgaria	Marakov	9mm Makarov pistol
Century Arms	M72	7.62mm caliber rifle
Barnaul	12 rounds of 7.62 caliber ammunition	
Sellier & Bellot	24 rounds of 9mm ammunition	
	Two 7.62mm caliber magazines	
	Two 9mm magazines	
Ruger	SR-40	.40 caliber pistol
Ruger	SR-9	9mm caliber pistol
Sig Sauer	P239	.40 caliber pistol
Masterpiece Arms	MPA30SST	9mm caliber pistol
	Two 30-round 9mm magazines	
	23 rounds of assorted 9mm ammunition	
FNH	FNP9-M	9mm caliber pistol
Winchester- Western	Box containing 25 rounds of 9mm ammunition	
Ruger	GPI00	.357 caliber revolver
Brazilian Cartridge Company	Six rounds of .357 caliber ammunition	
Maverick Arms	88	12-gauge shotgun
	3 shotgun rounds	

Manufacturer	Model	Caliber
Two .40 caliber magazines		
23 PMC rounds of .40 caliber ammunition		
Springfield	Bolt-Action rifle with magazine	240793
3 RP 30/30 rounds of ammunition		
Colt	Derringer	pistol
Colt	Derringer	pistol
Charo Star Box of Ammunition		
Smith & Wesson	.38 caliber revolver	CWE0900
5 rounds of Federal .38 special ammunition		
Taurus	Millennium PT145	.45 caliber firearm
8 rounds of .45 caliber ammunition		
Weatherby	Mark V	rifle
7 AK magazines and assorted gun parts		
20 rounds of 7.62 x 39 ammunition		
1 box (50 rounds) of wolfe 9mm ammunition		
1 Smith & Wesson magazine		
10 rounds of federal .45 caliber ammunition		
5 rounds of .380 caliber ammunition		
1 bag of 7 assorted magazines		
557 rounds of assorted ammunition		
4 assorted magazines		
Romarm	WASAR-10	rifle
20 rounds of assorted 7.62 rounds of ammunition		
Smith & Wesson	Model SW40VA	RBK6691

Pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).


WILLIAM E. FITZPATRICK
Acting United States Attorney