

SUPERIOR COURT
OF THE
DISTRICT OF COLUMBIA

THE GRAND COURT OF
THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

Holding a Criminal Term

2013 FEB 11 P 4:55

Grand Jury Sworn in on February 11, 2013

THE UNITED STATES OF AMERICA	:	Criminal. Nos.:	2012 CF3 20344 (Jefferson)
	:		2012 CF3 20345 (Maye)
v.	:		2012 CF1 19939 (Myers)
	:		2012 CF3 20346 (Swann)
DEON JEFFERSON	:		GJO (Cawthorne)
also known as "J.R."	:		GJO (Gant)
PDID: 667-147	:	Violations:	
	:	22 D.C. Code §§ 1805a(a)(1), 2801 (2001 ed.)	
GARY MAYE	:	Conspiracy to Commit Robbery	
also known as "Gator"	:		
PDID: 659-497	:	22 D.C. Code §§ 2801, 4502 (2001 ed.)	
	:	Armed Robbery	
CHAVEZ MYERS	:		
also known as "Vez"	:	22 D.C. Code § 4504(b) (2001 ed.)	
PDID: 667-143	:	Possession of a Firearm During a Crime of	
	:	Violence	
IMMANUEL SWANN	:		
also known as "Man Man"	:	The Firearms Emergency Amendment Act of	
PDID: 670-496	:	2012, to be codified at 22 D.C. Code §	
	:	4504(a)(2001 ed.)	
MUQUAN CAWTHORNE	:	Carrying a Pistol (Outside Home of Place of	
also known as "Squirrel"	:	Business)	
PDID: 667-148	:		
DCTN: U13005294	:	22 D.C. Code § 402 (2001 ed.)	
	:	Assault with a Dangerous Weapon (Shod Foot)	
ISAAH GANT	:		
PDID: 667-149	:	22 D.C. Code § 404(a)(2)	
DCTN: U13005295	:	Assault with Significant Bodily Injury	
	:		
	:	22 D.C. Code §§ 2101, 4502	
	:	First Degree Murder While Armed (Felony	
	:	Murder(Aggravating Circumstances)	
	:		
	:	22 D.C. Code Sections 2101, 4502	
	:	First Degree Murder While	
	:	Armed(Premeditated)(With Aggravating	
	:	Circumstances)	

The Grand Jury charges:

FIRST COUNT:

The Conspiracy

On or about November 16 and November 17, 2012, within the District of Columbia, Muquan Cawthorne, also known as "Squirrel" (hereinafter Muquan Cawthorne), Isaiah Gant, Deon Jefferson, also known as "J.R." (hereinafter Deon Jefferson), Gary Maye, also known as "Gator" (hereinafter Gary Maye), Chavez Myers, also known as "Vez" (hereinafter Chavez Myers), Immanuel Swann, also known as "Man Man" (hereinafter Immanuel Swann), D.T. (a juvenile), A.W. (a juvenile), and a person whose identity is known to the Grand Jury (collectively, hereinafter, the Co-Conspirators) did knowingly and willfully combine, conspire, confederate and agree together to commit robberies in Washington, D.C., in violation of Title 22, District of Columbia Code, Section 2801.

Objects of the Conspiracy

The principal goal and purpose of this conspiracy was for members of the conspiracy to commit robberies—including, but not limited to, robbing people of their iPhones and other items of value in Washington, D.C.—and to evade apprehension, arrest and prosecution for any and all criminal offenses committed during the course and in furtherance of the conspiracy.

Overt Acts

On or about November 16 and 17, 2012, during the course and in furtherance of the conspiracy and to effect the objects thereof, the Co-Conspirators did commit, directly and indirectly, alone and in combination, in the District of Columbia, overt acts including, but not limited to, the following:

1. On or about November 16, 2012, at approximately 9 p.m., while walking to the West

Hyattsville Metro station in Hyattsville, MD, or shortly after leaving that station on a Metro train bound for Washington, D.C., Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury discussed a plan to commit robberies in and around Washington, D.C.

2. On or about November 16, 2012, Muquan Cawthorne maintained possession of a firearm after he, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury discussed a plan to commit robberies in and around Washington, D.C.

3. On or about November 16, 2012, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury took the Red Line to the Gallery Place/Chinatown Metro station, where they again discussed their plan to commit robberies and agreed that it would be easier for them to find robbery targets in the Adams Morgan neighborhood of Washington, D.C.

4. On or about November 16, 2012, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury took the Red Line from the Gallery Place/Chinatown Metro station to the Woodley Park Metro station, which is located at 2700 Connecticut Avenue NW, where they exited and walked across the Duke Ellington Bridge to Adams Morgan to find robbery targets.

5. On or about November 17, 2012, shortly after midnight, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury were approached by Olijawon Griffin while standing in front of the McDonald's located at 2481 18th St. NW in Adams Morgan, and when Mr. Griffin asked if they had marijuana to sell to him, one of the Co-Conspirators said that he did.

6. On or about November 17, 2012, while Olijawon Griffin was inside the McDonald's, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury agreed to rob Mr. Griffin of his Helly Hansen coat.

7. On or about November 17, 2012, when Olijawon Griffin walked out of the McDonald's, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury walked with him towards the Exxon gas station located at 1827 Adams Mill Road NW.

8. On or about November 17, 2012, while walking with Olijawon Griffin towards the Exxon gas station located at 1827 Adams Mill Road NW, the Co-Conspirators split into two groups so as to facilitate the robbery, with the first group, consisting of Muquan Cawthorne, Gary Maye, and Deon Jefferson walking with Mr. Griffin, and a second group, consisting of Isaiah Gant, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury walking just behind.

9. On or about November 17, 2012, the members of the second group, consisting of Isaiah Gant, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury discussed among themselves the fact that they were about to rob Olijawon Griffin of his Helly Hansen coat and agreed that they should not get too close to the first group so as not to draw unwanted attention.

10. On or about November 17, 2012, during the walk towards the Exxon, Muquan Cawthorne handed to Gary Maye the firearm that Muquan Cawthorne had been carrying from the inception of the conspiracy.

11. On or about November 17, 2012, shortly after Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury arrived at a side street near the Exxon, Gary Maye pulled out the firearm that Muquan Cawthorne had given him and pointed it at Olijawon Griffin.

12. On or about November 17, 2012, while Gary Maye pointed the firearm at Olijawon Griffin and Muquan Cawthorne stood immediately next to him, Deon Jefferson took Mr. Griffin's Helly Hansen coat from him.

13. On or about November 17, 2012, Isaiah Gant, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury acted as lookouts while Muquan Cawthorne, Gary Maye, and Deon Jefferson took Olijawon Griffin's Helly Hansen coat and hat from him.

14. On or about November 17, 2012, A.W. tripped Olijawon Griffin as he attempted to run away after his Helly Hansen coat and hat were taken, causing Mr. Griffin to fall to the ground.

15. On or about November 17, 2012, a person whose identity is known to the Grand Jury hit Olijawon Griffin in the face while Mr. Griffin was on the ground.

16. On or about November 17, 2012, Immanuel Swann kicked Olijawon Griffin while Mr. Griffin was on the ground.

17. On or about November 17, 2012, A.W. took Olijawon Griffin's shoes off his feet but subsequently gave them back.

18. On or about November 17, 2012, while still in possession of property belonging to Olijawon Griffin, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury walked to the Woodley Park Metro station, intending to take the train back to West Hyattsville.

19. On or about November 17, 2012, shortly after arriving at the Woodley Park Metro station and while on the station platform, Muquan Cawthorne, Isaiah Gant, Deon Jefferson (who was wearing Olijawon Griffin's Helly Hansen coat), Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury observed Mr. Griffin and [REDACTED], one of Mr. Griffin's friends, approach them in an effort to get Mr. Griffin's Helly Hansen coat back, at which time D.T. brandished a knife at [REDACTED].

20. On or about November 17, 2012, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury repeatedly punched, kicked, and stomped [REDACTED] while he was lying prone and defenseless on the floor of the station platform.

21. On or about November 17, 2012, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and persons whose identities are known to the Grand Jury worked in concert to prevent Olijawon Griffin from coming to [REDACTED] aid as [REDACTED] was being repeatedly punched, kicked, and stomped while he was lying prone and defenseless on the floor of the station platform.

22. On or about November 17, 2012, while Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury repeatedly punched, kicked, and stomped [REDACTED] while he was lying prone and defenseless on the floor of the station platform, Muquan Cawthorne was armed with his firearm, which Gary Maye had returned to him.

23. On or about November 17, 2012, while [REDACTED] was lying prone and defenseless on the floor of the station platform, one or more of the Co-Conspirators repeatedly yelled "Get his shoes!", and D.T. attempted to take [REDACTED]'s shoes off his feet but was unable to do so.

24. On or about November 17, 2012, several of the Co-Conspirators followed [REDACTED] [REDACTED] after he rose to his feet and began walking toward the escalator to the station's mezzanine level.

25. On or about November 17, 2012, a person whose identity is known to the Grand Jury took [REDACTED] to the floor of the station platform.

26. On or about November 17, 2012, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and a person whose identity is known to the Grand Jury again repeatedly punched, kicked, and stomped [REDACTED] while he was lying prone and defenseless on the floor of the station platform.

27. On or about November 17, 2012, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and persons whose identities are known to the Grand Jury again worked in concert to prevent Olijawon Griffin from coming to [REDACTED]'s aid as he was again being repeatedly punched, kicked, and stomped while lying prone and defenseless on the floor of the station platform.

28. On or about November 17, 2012, during the second attack on [REDACTED], Muquan Cawthorne took [REDACTED]'s wallet from one of [REDACTED]'s pockets, removed \$150 in U.S. currency from it, put the \$150 in his pocket, and discarded the wallet.

29. On or about November 17, 2012, during the second attack on [REDACTED], A.W. took [REDACTED]'s shoes and later tried them on before hiding them under a bench at the far end of the station platform.

30. On or about November 17, 2012, minutes after the second attack on [REDACTED] ended but while his property was still in the process of being converted to the use of the Co-Conspirators, Immanuel Swann, Chavez Myers, D.T., and a person whose identity is known to the Grand Jury came to the station's mezzanine level to confront Olijawon Griffin, who since the

first attack on [REDACTED] began had been attempting to aid him by drawing the attackers toward himself and away from [REDACTED].

31. On or about November 17, 2012, on the station's mezzanine level, a person whose identity is known to the Grand Jury squared up against Olijawon Griffin and engaged him in a one-on-one fistfight, while Immanuel Swann and D.T. stood behind the person whose identity is known to the Grand Jury.

32. On or about November 17, 2012, after a person whose identity is known to the Grand Jury and Olijawon Griffin exchanged one punch each and were still squaring off against each other, Chavez Myers, wearing a ski mask and carrying a knife in his right hand, began to sneak up behind Mr. Griffin, who was unarmed.

33. On or about November 17, 2012, as Chavez Myers continued to sneak up behind Olijawon Griffin, he took a small step to his left to ensure that he stayed behind Mr. Griffin and out of his line of sight.

34. On or about November 17, 2012, Chavez Myers stabbed Olijawon Griffin once in the heart, causing an injury from which Mr. Griffin died later that night.

35. On or about November 17, 2012, immediately after Olijawon Griffin fell to the floor of the station's mezzanine level, D.T. yelled, "Hey, pick that knife up, cuz!", referring to the murder weapon, which had just fallen out of Mr. Griffin's chest to the floor of the station's mezzanine level.

36. On or about November 17, 2012, a person whose identity is known to the Grand Jury picked up the knife from the floor of the station's mezzanine level, took it to the platform level, and hid it on top of a pylon, from which it was later recovered by police.

37. On or about November 17, 2012, immediately after D.T. told a person whose identity is known to the Grand Jury to pick up the knife, Immanuel Swann yelled toward Olijawon Griffin, who was lying on the floor of the station's mezzanine level, and within earshot of potential witnesses in the vicinity, "Bitch, we don't play! Say a word!"

38. On or about November 17, 2012, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, Immanuel Swann, D.T., A.W., and persons whose identities are known to the Grand Jury positioned themselves along the station's platform level to wait for the next Metro train and leave the scene of the criminal offenses described above.

39. On or about November 17, 2012, a person whose identity is known to the Grand Jury gave a false name to the police and successfully evaded apprehension and arrest that night.

40. On or about November 17, 2012, Gary Maye gave a false name to the police.

(Conspiracy to Commit Robbery, in violation of 22 D.C. Code, Sections 1805a(a)(1), 2801 (2001 ed.))

SECOND COUNT:

On or about November 17, 2012, within the District of Columbia, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, and Immanuel Swann, while armed with a firearm or imitation thereof and a knife, by force and violence, against resistance and by putting in fear, stole and took from the person and from the immediate actual possession of Olijawon Griffin, property of value belonging to Olijawon Griffin, consisting of a Helly Hansen coat, a hat, and a phone. (Armed Robbery, in violation of 22 D.C. Code, Section 2801, 4502 (2001 ed.))

THIRD COUNT:

On or about November 17, 2012, within the District of Columbia, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, and Immanuel Swann did possess a firearm or imitation thereof while committing the crime of Armed Robbery as set forth in the second count of this indictment. (Possession Of a Firearm During Crime Of Violence Or Dangerous Offense, in violation of 22 D.C. Code, Section 4504(b) (2001 ed.))

FOURTH COUNT:

On or about November 17, 2012, within the District of Columbia, Muquan Cawthorne, and Gary Maye did carry, openly and concealed on or about their persons, in a place other than their dwelling place, place of business or on other land possessed by them, a pistol. (Carrying a Pistol (Outside Home or Place of Business), in violation of The Firearms Emergency Amendment Act of 2012, to be codified at 22 D.C. Code, Section § 4504(a) (2001 ed.))

FIFTH COUNT:

On or about November 17, 2012, within the District of Columbia, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, and Immanuel Swann, while armed with a firearm or imitation thereof and a knife, by force and violence, against resistance and by putting in fear, stole and took from the person and from the immediate actual possession of [REDACTED], property of value belonging to [REDACTED], consisting of a pair of shoes, a wallet, and U.S. currency. (Armed Robbery, in violation of 22 D.C. Code, Section 2801, 4502 (2001 ed.))

SIXTH COUNT:

On or about November 17, 2012, within the District of Columbia, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, and Immanuel Swann did possess a firearm or imitation thereof while committing the crime of Armed Robbery as set forth in the fifth count of this indictment. (Possession Of a Firearm During Crime Of Violence Or Dangerous Offense, in violation of 22 D.C. Code, Section 4504(b) (2001 ed.))

SEVENTH COUNT:

On or about November 17, 2012, within the District of Columbia, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, and Immanuel Swann assaulted [REDACTED] with a dangerous weapon, that is, a shod foot. (Assault with a Dangerous Weapon, in violation of 22 D.C. Code, Section 402 (2001 ed.))

EIGHTH COUNT:

On or about November 17, 2012, within the District of Columbia, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, and Immanuel Swann unlawfully assaulted [REDACTED] in a menacing manner and intentionally, knowingly, and recklessly caused significant bodily injury to [REDACTED]. (Assault with Significant Bodily Injury, in violation of 22 D.C. Code, Section 404(a)(2) (2001 ed.))

NINTH COUNT:

Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, and Immanuel Swann, within the District of Columbia, while armed with a knife, in perpetrating and attempting to perpetrate the crime of armed robbery, as set forth in the fifth count of this indictment, killed Olijawon Griffin by stabbing him with a knife on or about November 17, 2012, thereby causing injuries from which Olijawon Griffin died on or about November 17, 2012. (First Degree Murder While Armed - Felony Murder, in violation of 22 D.C. Code, Sections 2101, 4502 (2001 ed.))

The Grand Jury Further Charges that at the time such murder was committed, the following aggravating circumstance existed: the murder was committed while committing a robbery.

TENTH COUNT:

On or about November 17, 2012, within the District of Columbia, Muquan Cawthorne, Isaiah Gant, Deon Jefferson, Gary Maye, Chavez Myers, and Immanuel Swann did possess a firearm or imitation thereof while committing the crime of First Degree Murder While Armed - Felony Murder as set forth in the ninth count of this indictment. (Possession Of a Firearm During Crime Of Violence Or Dangerous Offense, in violation of 22 D.C. Code, Section 4504(b) (2001 ed.))

ELEVENTH COUNT:

Chavez Myers, within the District of Columbia, while armed with a knife, purposely and with deliberate and premeditated malice, killed Olijawon Griffin by stabbing him with a knife on or about November 17, 2012, thereby causing injuries from which Olijawon Griffin died on or about November 17, 2012. (First Degree Murder While Armed (Premeditated), in violation of 22 D.C. Code, Sections 2101, 4502 (2001 ed.))

The Grand Jury Further Charges that at the time such murder was committed, the following aggravating circumstance existed: the murder was committed while committing a robbery.



RONALD C. MACHEN JR.
United States Attorney
in and for the District of Columbia

A TRUE BILL:



Foreperson