

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

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED:** _____
DONALD JONES : **VIOLATIONS:**
JACOB MITCHELL : **21 U.S.C. § 846 (conspiracy to distribute**
ERNEST BEASLEY : **and possess with intent to distribute 5**
: **grams or more of cocaine base (“crack”)**
: **- 1 count)**
: **21 U.S.C. § 841(a)(1), (b)(1)(C)**
: **(distribution of cocaine base (“crack”) - 4**
: **counts)**
: **21 U.S.C. § 841(a)(1), (b)(1)(A) (possession**
: **with intent to distribute 5 grams or more**
: **of cocaine base (“crack”) -1 count)**
: **18 U.S.C. § 2 (aiding and abetting)**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about April 9, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**DONALD JONES,
JACOB MITCHELL, and
ERNEST BEASLEY**

knowingly and intentionally conspired and agreed, together and with other persons known and unknown to the grand jury, to distribute and possess with intent to distribute 5 grams or more, that is, approximately 36.98 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack,”), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 846.

MANNER AND MEANS

1. It was part of the conspiracy that defendants DONALD JONES, JACOB MITCHELL, and ERNEST BEASLEY participated in the distribution of cocaine base (“crack”) (hereafter “crack cocaine”) in the vicinity of 2417 West Oakdale Street in Philadelphia, Pennsylvania, and kept approximately 33.36 grams of crack cocaine inside that residence for later distribution.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish its object, defendants DONALD JONES, JACOB MITCHELL, and ERNEST BEASLEY, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania, and elsewhere:

On or about April 9, 2007:

1. Defendant ERNEST BEASLEY went to the corner of Oakdale and 25th Streets to sell crack cocaine and there met R.G., a person known to the grand jury, for that purpose.

2. Shortly after this, defendant JACOB MITCHELL drove a gray Buick onto the 2400 block of Oakdale Street, parked near 2417 Oakdale Street, whistled to defendant ERNEST BEASLEY, yelled to defendant BEASLEY that he would be out soon, and went into that address.

3. Defendant JACOB MITCHELL came out of 2417 Oakdale Street with defendant DONALD JONES, who handed MITCHELL a clear baggie with jars with green caps, containing crack cocaine.

4. Defendant JACOB MITCHEL whistled toward defendant ERNEST BEASLEY, who came to defendants MITCHELL and DONALD JONES at 2417 Oakdale Street with R.G., who handed defendant MITCHELL cash in exchange for approximately two jars with green caps, each containing crack cocaine.

5. While R.G. left the area, defendant JACOB MITCHELL handed the baggie containing jars of crack cocaine to defendant ERNEST BEASLEY, who went back to the corner of 25th and Oakdale Streets to sell the crack cocaine.

6. Defendant ERNEST BEASLEY sold approximately two jars of crack cocaine to H.P., a person known to the grand jury, for cash.

7. Defendant ERNEST BEASLEY sold approximately one jar of crack cocaine to N.N., a person known to the grand jury, for cash.

8. Defendant ERNEST BEASLEY sold approximately one jar of crack cocaine to E.R., a person known to the grand jury, for cash.

9. Shortly after his crack cocaine sale to E.R., defendant ERNEST BEASLEY heard from a person unknown to the grand jury that it was “hot, police are all over,” and defendant BEASLEY walked to where defendants DONALD JONES and JACOB MITCHELL were standing in front of 2417 Oakdale Street, handed the clear plastic baggie containing jars of crack cocaine to defendant MITCHELL, told defendants JONES and MITCHELL that the area was hot and he would check it, and then walked back toward the corner of Oakdale and 25th Street. Defendant BEASLEY then had in his possession \$114 cash and keys to 2417 Oakdale Street.

10. As Philadelphia Police officers, known to the grand jury, arrested

defendant ERNEST BEASLEY, defendants DONALD JONES and JACOB MITCHELL attempted to escape into 2417 Oakdale Street.

11. Defendant JACOB MITCHELL threw approximately two clear baggies, containing a total of approximately 33 jars with green caps, each containing crack cocaine, and cash onto a sofa inside 2417 Oakdale Street. These 33 jars contained a total of approximately 3.233 grams of crack cocaine. In defendant DONALD JONES' bedroom inside 2417 Oakdale Street were drug packaging paraphernalia and approximately 349 additional jars with green caps, containing a total of approximately 33.36 grams of crack cocaine. Defendant MITCHELL had in his possession a total of approximately \$174 in cash, and defendant JONES had in his possession approximately \$377 in cash.

All in violation of Title 21, United States Code, Sections 846 and 841(a)(1),
(b)(1)(B).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 9, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**DONALD JONES,
JACOB MITCHELL, and
ERNEST BEASLEY**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 9, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**DONALD JONES,
JACOB MITCHELL, and
ERNEST BEASLEY**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

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

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 9, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**DONALD JONES,
JACOB MITCHELL, and
ERNEST BEASLEY**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

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

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 9, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**DONALD JONES,
JACOB MITCHELL, and
ERNEST BEASLEY**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

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

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 9, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**DONALD JONES,
JACOB MITCHELL, and
ERNEST BEASLEY**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, 5 or more grams, that is, approximately 36.59 grams of, a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

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

A TRUE BILL:

GRAND JURY FOREPERSON

**PATRICK L. MEEHAN
United States Attorney**