

COUNT TWO

On or about June 15, 2021, and continuing to on or about July 1, 2021, in the Eastern District of North Carolina and elsewhere, the defendant, KOJO OWUSU DARTEY, also known as Killa K, did corruptly endeavor to influence, obstruct and impede the due administration of justice in United States v. Agyapong, No. 5:19-CR-423-5FL, in the U.S. District Court for the Eastern District of North Carolina by telling witness C.A. to not talk with attorneys in connection with the trial, in violation of Title 18, United States Code, Section 1503.

COUNT THREE

On or about June 29, 2021, in the Eastern District of North Carolina, the defendant, KOJO OWUSU DARTEY, also known as Killa K, while under oath as a witness in a case then being tried before the U.S. District Court for the Eastern District of North Carolina entitled United States v. Agyapong, No. 5:19-CR-423-5FL, did knowingly make a false material declaration, that is, he gave the following false testimony regarding witness C.A.:

Q: Isn't it a fact that you had sexual relations with C.A. during the course of your marriage?

A. That's not true.

Q. You did not have sexual relations of any type with C.A. during your marriage?

A. No.

All in violation of Title 18, United States Code, Section 1623(a).

COUNT FOUR

Beginning in or around June 2021, and continuing until on or about July 31, 2021, within the Eastern District of North Carolina and elsewhere, the defendants, KOJO OWUSU DARTEY, also known as Killa K, and GEORGE ARCHER, and others known and unknown to the Grand Jury, did knowingly and intentionally combine, agree, and confederate with each other to commit offenses against the United States, that is, to knowingly and willfully engage in the business of dealing in firearms without a license and in the course of such business to ship, transport, or receive firearms in interstate or foreign commerce, in violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924.

Object of the Conspiracy

The object of the conspiracy was for DARTEY to obtain firearms in North Carolina that ARCHER purchased on DARTEY's behalf in Kentucky, and for ARCHER to transport said firearms to DARTEY in North Carolina. DARTEY then shipped said firearms, and others DARTEY purchased, to Maryland in order to be shipped from the United States to Ghana, without first obtaining a license to export from the U.S. Department of Commerce.

Overt Acts

In furtherance of the conspiracy and to effect the objects of the conspiracy, the defendants, did commit, among others, the following overt acts:

1. On or about June 21, 2021, GEORGE ARCHER purchased two Glock 19 9x19mm pistols (s/n BTDD723 and BTDC771) from Army Exchange Service in Fort Campbell, Kentucky.

2. On or about July 2, 2021, GEORGE ARCHER purchased a Glock 19 9x19mm pistol (s/n BSKP643) from Army Exchange Service in Fort Campbell, Kentucky.

3. On or about July 2, 2021, KOJO OWUSU DARTEY purchased a Glock 19 9x19mm pistol (s/n BSTM196) from Guns Plus in Spring Lake, North Carolina.

4. On or about July 2, 2021, KOJO OWUSU DARTEY purchased two Glock 19 9x19mm pistols (s/n BTKB735 and BRKE061) from Money Quick Pawn in Fayetteville, North Carolina.

5. On or about July 6, 2021, KOJO OWUSU DARTEY purchased a Springfield Armory XD40 40 caliber pistol (s/n GM160284) and Springfield Armory XD9 9mm pistol (s/n US957839) from Money Quick Pawn in Fayetteville, North Carolina.

6. On or about July 6, 2021, KOJO OWUSU DARTEY purchased a Taurus 856 38 caliber pistol (s/n ACE882438) from Fort Bragg Exchange in Fort Bragg, North Carolina.

7. On or about July 9, 2021, KOJO OWUSU DARTEY purchased a Radikal Arms NK-1 shotgun (s/n 20-RB-01839) from Money Quick Pawn in Fayetteville, North Carolina.

8. On or about July 2, 2021, and continuing until on or about July 22, 2021, GEORGE ARCHER shipped the three firearms he purchased to KOJO OWUSU DARTEY via the U.S. Postal Service.

9. On or about July 22, 2021, KOJO OWUSU DARTEY asked a Confidential Source for assistance in shipping some household items from North Carolina to Ghana.

10. On or about July 22, 2021, KOJO OWUSU DARTEY delivered, or caused to be delivered, the above-mentioned firearms in a sealed blue container.

11. On or about July 22, 2021, KOJO OWUSU DARTEY sent \$300 USD to the Confidential Source.

12. At a date unknown, but between July 22, 2021, and continuing until on or about July 29, 2021, the Confidential Source delivered the sealed blue container to a shipper for shipment to Ghana.

All in violation of Title 18, United States Code, Section 371.

COUNT FIVE

Beginning in or around June 2021, and continuing until on or about July 31, 2021, within the Eastern District of North Carolina, and elsewhere, the defendants, KOJO OWUSU DARTEY, also known as Killa K, and GEORGE ARCHER, aiding and abetting each other, willfully engaged in the business of dealing in firearms without a license, in violation of Title 18, United States Code, Sections 922(a)(1)(A), 924, and 2.

COUNTS SIX AND SEVEN

On or about the dates hereinafter set forth, within the Eastern District of North Carolina and elsewhere, the defendant, GEORGE ARCHER, in connection with the acquisition of firearms from licensed dealers of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made false and fictitious statements, oral and written, to the licensed firearm dealers, which statements were intended and likely to deceive the licensed firearm dealers as to a fact material to the lawfulness of such sale of the firearms to the defendant under Chapter 44 of Title 18, in that the defendant did execute Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual transferee or buyer of the firearms indicated on the Form 4473, when in fact as the defendant then knew, he was not the actual transferee or buyer of the firearms. The allegations in this paragraph are repeated and re-alleged in each of the following Counts Six and Seven of this Indictment, as though fully set forth therein:

Count	On or About	Licensed Firearms Dealer	Firearm(s)
Six	June 21, 2021	Army Exchange Service, Ft. Campbell, KY	Two (2) Glock 19 Gen5, 9x19 pistols
Seven	July 2, 2021	Army Exchange Service, Ft. Campbell, KY	Glock 19 Gen5, 9x19 pistol

Each of the above counts constituting a separate violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNTS EIGHT THROUGH TWELVE

On or about the dates hereinafter set forth, within the Eastern District of North Carolina and elsewhere, the defendant, KOJO OWUSU DARTEY, also known as Killa K, in connection with the acquisition of firearms from licensed dealers of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made false and fictitious statements, oral and written, to the licensed firearm dealers, which statements were intended and likely to deceive the licensed firearm dealers as to a fact material to the lawfulness of such sale of the firearms to the defendant under Chapter 44 of Title 18, in that the defendant did execute Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual transferee or buyer of the firearms indicated on the Form 4473, when in fact as the defendant then knew, he was not the actual transferee or buyer of the firearms. The allegations in this paragraph are repeated and re-alleged in each of the following Counts Eight through Twelve of this Indictment, as though fully set forth therein:

Count	On or About	Licensed Firearms Dealer	Firearm(s)
Eight	July 2, 2021	Guns Plus, Spring Lake, NC	Glock 19 Gen5, 9x19 pistol
Nine	July 2, 2021	Money Quick Pawn, Fayetteville, NC	Two (2) Glock 19 Gen5, 9x19 pistols
Ten	July 6, 2021	Money Quick Pawn, Fayetteville, NC	Springfield XD40 40 caliber pistol and Springfield Armory XD9 9mm pistol
Eleven	July 6, 2021	Fort Bragg Exchange, Fort Bragg, NC	Taurus 856 38 special revolver
Twelve	July 9, 2021	Money Quick Pawn,	Radikal Arms NK-1

	Fayetteville, NC	shotgun
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Each of the above counts constituting a separate violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT THIRTEEN

On or about July 2, 2021, and continuing until on or about July 31, 2021, within the Eastern District of North Carolina, and elsewhere, the defendants, KOJO OWUSU DARTEY, also known as Killa K, and GEORGE ARCHER, aiding and abetting each another, did knowingly and willfully deliver and cause to be delivered to a common and contract carrier for transportation and shipment in interstate or foreign commerce, to persons other than licensed importers, licensed manufacturers, licensed dealers or licensed collectors, packages and containers in which there were firearms, without written notice to the carrier that such firearms were being transported and shipped, in violation of Title 18, United States Code, Sections 922(e) and 924.

COUNT FOURTEEN

Beginning in or around June 2021, and continuing until on or about July 31, 2021, within the Eastern District of North Carolina, and elsewhere, the defendant, KOJO OWUSU DARTEY, also known as Killa K, did fraudulently or knowingly export and send firearms from the United States to Ghana, and did buy, conceal, and facilitate the transportation of firearms prior to exportation, knowing the same to be intended for exportation contrary to Title 50, United States Code, Section 4819, a law

or regulation of the United States, in violation of Title 18, United States Code, Section 554.

COUNT FIFTEEN

Beginning on or about July 22, 2021, and continuing until on or about July 31, 2021, within the Eastern District of North Carolina, and elsewhere, the defendant, KOJO OWUSU DARTEY, also known as Killa K, did willfully export, and cause to be exported firearms, from the United States to Ghana, without having first obtained the required licenses from the Department of Commerce's Bureau of Industry and Security, in violation of Title 50, United States Code, Section 4819.

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FORFEITURE NOTICE

Notice is hereby given that all right, title and interest in the property described herein is subject to forfeiture.

Upon conviction of any offense charged herein constituting “specified unlawful activity” (as defined in 18 U.S.C. §§ 1956(c)(7) and 1961(1)), or a conspiracy to commit such offense, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C), as made applicable by 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the said offense.

Upon conviction of any violation of the Gun Control Act, the National Firearms Act, or any other offense charged herein that involved or was perpetrated in whole or in part by the use of firearms or ammunition, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and/or 26 U.S.C. § 5872, as made applicable by 28 U.S.C. § 2461(c), any and all firearms and ammunition that were involved in or used in a knowing or willful commission of the offense, or, pursuant to 18 U.S.C. § 3665, that were found in the possession or under the immediate control of the defendant at the time of arrest.

Upon conviction of any violation of 50 U.S.C. § 4819 charged herein, the defendant shall forfeit to the United States, pursuant to 50 U.S.C. § 4819(d)(1), any property (A) used or intended to be used, in any manner, to commit or facilitate the violation; (B) constituting or traceable to the gross proceeds taken, obtained, or retained, in connection with or as a result of the violation; or (C) constituting an item or technology that is exported or intended to be exported in violation of law.

The forfeitable property includes, but is not limited to, the following:

- a) Glock 19 Gen5, 9x19 Pistol (SN BTDD723), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana, and any and all associated magazines and ammunition;
- b) Glock 19 Gen5, 9x19 Pistol (SN BTDC771), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana, and any and all associated magazines and ammunition;
- c) Glock 19 Gen5, 9x19 Pistol (SN BSKP643), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana, and any and all associated magazines and ammunition;
- d) Glock 19 Gen5, 9x19 Pistol (SN BSTM196), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana, and any and all associated magazines and ammunition;
- e) Glock 19 Gen5, 9x19 Pistol (SN BTKB735), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana, and any and all associated magazines and ammunition;
- f) Glock 19 Gen5, 9x19 Pistol (SN BRKE061), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana, and any and all associated magazines and ammunition;
- g) Springfield Armory XD40, 40 caliber Pistol (SN GM160284), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana, and any and all associated magazines and ammunition;
- h) Springfield Armory XD9, 9mm pistol (SN US957839), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana, and any and all associated magazines and ammunition;
- i) Taurus 856, .38 Special Revolver (SN ACE882438), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana, and any and all associated magazines and ammunition;
- j) Radikal Arms NK-1 shotgun (SN 20-RB-01839), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana, and any and all associated magazines and ammunition;
- k) Tactical Machining TM-15, 223 caliber rifle (SN A0007369), seized on September 23, 2021, from a shipping container at the Port of Tema, Ghana,

and any and all associated magazines and ammunition.

If any of the above-described forfeitable property, as a result of any act or omission of a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

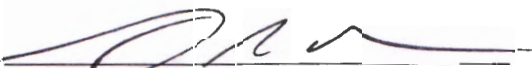
A TRUE BILL:

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

DATE: 5/23/23

MICHAEL F. EASLEY, JR.
United States Attorney



BY: GABRIEL J. DIAZ
Assistant United States Attorney