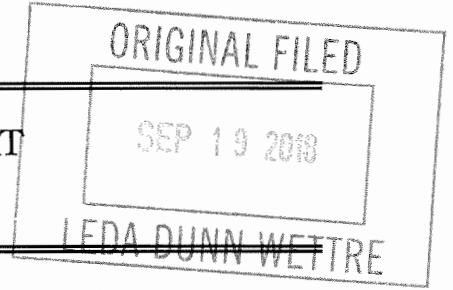


UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY



UNITED STATES OF AMERICA : Hon. Leda Dunn Wettre
v. : Mag. No. 18-8179
PHILIP K. HEDGESPETH : **CRIMINAL COMPLAINT**

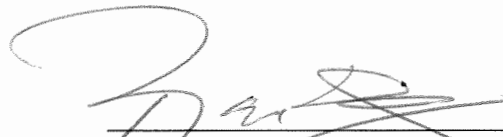
I, Raul Diaz, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

SEE ATTACHMENT A

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives and that this complaint is based on the following facts:

SEE ATTACHMENT B


Continued on the attached page and made a part hereof.



Raul Diaz, Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to before me and subscribed in my presence,
September 19, 2018 at Newark, New Jersey

HONORABLE LEDA DUNN WETTRE
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

COUNT ONE
(Hobbs Act Robbery)

On or about May 1, 2018, in Essex County, in the District of New Jersey, and elsewhere, defendant,

Philip K. Hedgespeth

did knowingly and willfully obstruct, delay, or affect, or attempt or conspire to obstruct, delay, or affect, commerce and the movement of articles and commodities in such commerce, by robbery, by means of actual and threatened force, or violence, or fear of injury, immediate or future, to the person and property of another.

In violation of Title 18, United States Code, Section 1951(a) and Section 2.

COUNT TWO

(Using a Firearm during a Crime of Violence)

On or about May 1, 2018 in Essex County, in the District of New Jersey and elsewhere, the defendant,

Philip K. Hedgespeth

did knowingly brandish and use a firearm, that is, a .38 Special/.357 Magnum Taurus Model 1899 bearing serial number SG45512, loaded with one unfired .38 special cartridge, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, a Hobbs Act Robbery, a violation of Title 18, United States Code, Section 1951(a) and Section 2.

In violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii).

COUNT THREE

(Possession of a Firearm by a Convicted Felon)

On or about May 1, 2018 in Essex County, in the District of New Jersey and elsewhere, the defendant,

Philip K. Hedgespeth

having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of Essex County, New Jersey, did knowingly possess in and affecting commerce a loaded firearm, namely a .38 Special/.357 Magnum Taurus Model 1899 bearing serial number SG45512.

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

ATTACHMENT B

I, Raul Diaz, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with witnesses and other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and in part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. On or about May 1, 2018, at approximately 8:59 pm, Philip K. Hedgespeth "Hedgespeth", entered Cache Barbershop located at 480 Orange Street in Newark, New Jersey, armed with a .38 Special/.357 Magnum Taurus Model 1899 bearing serial number SG45512. Hedgespeth—dressed in a dark colored hoodie and wearing a mask that covered his face—brandished the handgun and pointed it at Victim-1 ("Victim-1"), a barber who was cutting the hair of Victim-2, an off-duty Newark Police officer. Hedgespeth then attempted to discharge his firearm in Victim-1's direction, but was unsuccessful because his firearm malfunctioned.

2. After Hedgespeth's weapon malfunctioned, Victim-1 and Victim-2 charged at Hedgespeth and attempted to disarm him. During the struggle to disarm Hedgespeth, Victim-2 drew his own firearm on Hedgespeth before Hedgespeth was able to exit the barbershop. After Hedgespeth exited the barbershop he pointed his weapon at Victim-2 while standing in front of the barbershop. Victim-2 shot Hedgespeth in face before Hedgespeth ran to a nearby Dodge Challenger (the "Challenger").

3. Hedgespeth fled the scene in the Challenger was but was apprehended after he exited the vehicle and led police on a brief foot pursuit. At the scene of the arrest, police recovered a .38 Special/.357 Magnum Taurus Model 1899 bearing serial number SG45512, loaded with one unfired .38 special cartridge.

4. Following his arrest Hedgespeth gave a formal statement to law enforcement and admitted that he attempted to rob the barbershop at gunpoint. Hedgespeth stated in substance and in part that while pointing the gun in the barber's direction, he attempted to fire a warning shot before his weapon malfunctioned.

5. On or about October 8, 2004, Hedgespeth was convicted in the Superior Court of New Jersey, Essex County, for possession of a controlled dangerous substance, in violation of N.J.S.A. 2C:35-10, an offense punishable by a term of imprisonment of more than one year.