

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA )  
 ) No. 10 CR 290  
 v. )  
 ) Violations: Title 18, United States  
 JOSEPH SCALISE, ) Code, Sections 922, 924, 1951, 1962  
 aka "Jerry," ) and 2  
 ROBERT PULLIA, )  
 aka "Bobby," and )  
 ARTHUR RACHEL, ) **SUPERSEDING INDICTMENT**  
 aka "Art" )

**COUNT ONE**

THE SPECIAL JANUARY 2009 GRAND JURY charges:

**I. THE ENTERPRISE**

At times material to this superseding indictment:

1. There existed a criminal organization, that is, a group of individuals consisting of defendants JOSEPH SCALISE, also known as, "Jerry," ROBERT PULLIA, also known as, "Bobby," ARTHUR RACHEL, also known as, "Art," and others known and unknown. This criminal organization, including its membership and associates, constituted an "enterprise" as that term is used in Title 18, United States Code, Section 1961(4) (hereinafter, the "enterprise"), that is, a group of individuals associated in fact, which enterprise was engaged in, and the activities of which affected, interstate commerce.
2. The members of the enterprise constituted an ongoing organization whose members functioned as a continuing unit for the common purpose of achieving the

objectives of the enterprise. The purposes of the enterprise included but were not limited to providing income for its members through illegal activities.

3. The illegal activities of the enterprise included, but were not limited to: (a) conspiring to commit armed robberies of banks, armored cars and private residences; and (b) using threats, violence and intimidation, when necessary, to advance the interests of the enterprise's illegal activities.

## **II. THE RACKETEERING CONSPIRACY**

4. Beginning no later than in or around February 2009, and continuing through the date of the return of this indictment, the exact dates being to the Grand Jury unknown, in the Northern District of Illinois, Eastern Division, and elsewhere,

JOSEPH SCALISE, aka "Jerry,"  
ROBERT PULLIA, aka "Bobby," and  
ARTHUR RACHEL, aka "Art,"

defendants herein, being persons employed by and associated with an enterprise, that is, the enterprise as described in paragraphs 1-3 above, which enterprise engaged in, and the activities of which affected, interstate commerce, did knowingly conspire together and with other persons known and unknown to the Grand Jury, to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity as those terms are defined in Title 18, United States Code, Sections 1961(1) and (5), in violation of Title 18, United States Code, Section 1962(c), as further specified in paragraphs 5 and 6 below.

5. The pattern of racketeering activity consisted of:
  - a. Conspiring, by robbery, to obstruct and affect commerce, in violation of Title 18, United States Code, Section 1951; and
  - b. Acts involving robbery chargeable under the law of the State of Illinois, which are punishable by imprisonment for more than one year; that is, conspiracy to commit robbery (720 Illinois Compiled Statutes Annotated 5/8-2 and 720 Illinois Compiled Statutes Annotated 5/18-1).
6. As part of the conspiracy, each defendant agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the enterprise.

### **III. MANNER AND MEANS OF THE CONSPIRACY**

7. Among the manner and means of the conspiracy agreed to by the defendants were the following:
  - a. It was part of the conspiracy that the conspirators did conspire to obstruct, delay and affect commerce by robbery, including but not limited to, the robbery of bulk cash in the possession of an armored truck company, namely, Davis Bancorp, as “robbery” and “commerce” are defined in Title 18, United States Code, Section 1951(b).
  - b. It was further part of the conspiracy that the conspirators did conspire to commit robbery, including but not limited to conspiracy to rob a residence located in the vicinity of the intersection of 30th Street and South Princeton Avenue, in Chicago, Illinois.

c. It was further part of the conspiracy that one or more of the conspirators would and did physically surveil banks and residences as part of a plan and scheme to identify suitable targets for robbery and other illegal enterprise activity.

d. It was further part of the conspiracy that one or more of the conspirators would and did obtain stolen vehicles and stolen license plates, for the purpose of using them during the course of various illegal activities.

e. It was further part of the conspiracy that a conspirator rented a garage for the purpose of having a secure location for storing stolen vehicles and other items, including firearms, that would be used in connection with illegal enterprise activity.

f. It was further part of the conspiracy that one or more of the conspirators obtained, maintained and used various tools and instrumentalities in order to assist in carrying out robberies, including: firearms, chemical spray, handcuffs, masks, goggles, locksmith and other hand tools, false identification documents, police scanners and scanner code books.

g. It was further part of the conspiracy that the conspirators would and did monitor law enforcement radio frequencies in order to detect and avoid law enforcement inquiry.

h. It was further part of the conspiracy that the conspirators misrepresented, concealed and hid, caused to be misrepresented, concealed and hidden,

and attempted to misrepresent, conceal and hide the illegal operation of the enterprise and acts done in furtherance of the enterprise.

All of the above in violation of Title 18, United State Code, Section 1962(d).

**COUNT TWO**

THE SPECIAL JANUARY 2009 GRAND JURY further charges:

Beginning in or around February 2009 and continuing until on or about April 8, 2010, in the Northern District of Illinois, Eastern Division, and elsewhere,

JOSEPH SCALISE, aka "Jerry,"  
ROBERT PULLIA, aka "Bobby," and  
ARTHUR RACHEL, aka "Art,"

defendants herein, did conspire with each other and others known and unknown to the Grand Jury, to obstruct, delay, and affect commerce by robbery, that is, the robbery of bulk cash in the possession of an armored truck company, namely, Davis Bancorp, as "robbery" and "commerce" are defined in Title 18, United States Code, Section 1951(b).

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

**COUNT THREE**

THE SPECIAL JANUARY 2009 GRAND JURY further charges:

On or about April 8, 2010, at Chicago, in the Northern District of Illinois, Eastern  
Division,

JOSEPH SCALISE, aka "Jerry,"  
ROBERT PULLIA, aka "Bobby," and  
ARTHUR RACHEL, aka "Art,"

defendants herein, knowingly possessed firearms, namely, one Browning Hi Power 9 millimeter pistol bearing serial number 73C93956, one Interarms M68 .38 caliber revolver, bearing serial number D525921, and one SWD M11/9 9 millimeter pistol, bearing serial number 89-0049284, in furtherance of a crime of violence for which each may be prosecuted in a court of the United States, namely, a violation of Title 18, United States Code, Section 1951(a), as further set forth in Count Two of this indictment;

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2.

**COUNT FOUR**

THE SPECIAL JANUARY 2009 GRAND JURY further charges:

On or about April 8, 2010, at Chicago, in the Northern District of Illinois, Eastern  
Division,

JOSEPH SCALISE, aka "Jerry,"  
ROBERT PULLIA, aka "Bobby," and  
ARTHUR RACHEL, aka "Art,"

defendants herein, having previously been convicted of a crime punishable by a term of imprisonment exceeding one year, knowingly possessed firearms, namely, one Browning Hi Power 9 millimeter pistol bearing serial number 73C93956, one Interarms M68 .38 caliber revolver, bearing serial number D525921, and one SWD M11/9 9 millimeter pistol, bearing serial number 89-0049284, which firearms were in and affecting interstate commerce, in that the firearms had traveled in interstate commerce prior to the defendants' possession of the firearms;

In violation of Title 18, United States Code, Sections 922(g)(1) and 2.



## FORFEITURE ALLEGATION

THE SPECIAL JANUARY 2009 GRAND JURY further alleges:

1. The allegations contained in Counts Three and Four of this superseding indictment are re-alleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the violations of Title 18, United States Code, Sections 922(g)(1) and 924(c)(1)(A), as alleged in the foregoing superseding indictment,

JOSEPH SCALISE, aka "Jerry,"  
ROBERT PULLIA, aka "Bobby," and  
ARTHUR RACHEL, aka "Art,"

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 924(d)(1), and Title 28, United States Code, Section 2461(c), any and all right, title, and interest they may have in any property involved in the charged offenses.

3. The interests of the defendants subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c) include: one Browning Hi Power 9 millimeter pistol bearing serial number 73C93956 and one magazine with five 9 millimeter cartridges; one Interarms M68 .38 caliber revolver, bearing serial number D525921 and five Smith and Wesson .38 special cartridges; and one SWD M11/9 9 millimeter pistol, bearing serial number 89-0049284 and three magazines containing thirty-four 9 millimeter cartridges;

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

A TRUE BILL:

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FOREPERSON

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UNITED STATES ATTORNEY