

FILED

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

2012 MAR 14 PM 3: 56

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

UNITED STATES OF AMERICA

v.

**MARCUS DWAYNE ROBERTSON
JONATHAN PAUL JIMENEZ**

**CASE NO. 6:12-cr-63-ORL-28-MSK
18 U.S.C. § 286
18 U.S.C. § 1001(a)(2)
28 U.S.C. § 2461(c) - Forfeiture
41 U.S.C. § 119 - Forfeiture**

INDICTMENT

The Grand Jury charges:

COUNT ONE

Beginning on an unknown date to the Grand Jury, and continuing to on or about April 27, 2011, in Orange County, Florida, in the Middle District of Florida, and elsewhere,

**MARCUS DWAYNE ROBERTSON
and
JONATHAN PAUL JIMENEZ**

the defendants herein, did knowingly and willfully enter into an agreement, combination and conspiracy with each other and others known and unknown to the Grand Jury to defraud the United States and a department and agency of the United States, that is, the United States Department of the Treasury, Internal Revenue Service, by obtaining and aiding to obtain the payment and allowance of a false, fictitious, and fraudulent claim, in that the defendants agreed, combined, and conspired to submit to the United States Department of the Treasury, Internal Revenue Service, a false 2010 United States individual income tax return for JONATHAN PAUL JIMENEZ in which

JONATHAN PAUL JIMENEZ falsely claimed as his dependents three children who were falsely represented as being his children when, in truth and in fact, as the defendants then and there well knew, those children are the children of MARCUS DWAYNE ROBERTSON.

All in violation of Title 18, United States Code, Section 286.

COUNT TWO

On or about September 22, 2011, in Orange County, Florida, in the Middle District of Florida, and elsewhere,

JONATHAN PAUL JIMENEZ

the defendant herein, in a matter within the jurisdiction of the executive branch of the Government of the United States involving international terrorism (as defined in Title 18, United States Code, Section 2331), knowingly and willfully made a materially false, fictitious and fraudulent statement and representation, in that the defendant, JONATHAN PAUL JIMENEZ, falsely represented to Special Agents of the Federal Bureau of Investigation that he had never told anyone that he had been thinking about asking Allah to die as a martyr or a shaheed in jihad, that he never told anyone that he did not want to just be in the battle but that he wanted to also die on the battlefield, and that he never told anyone that Marcus Dwayne Robertson had told him that Marcus Dwayne Robertson was going to teach him how to shoot, when, in truth and in fact, as the defendant, JONATHAN PAUL JIMENEZ, then and there well knew, the defendant, JONATHAN PAUL JIMENEZ, had made those statements.

All in violation of Title 18, United States Code, Section 1001(a)(2).

FORFEITURE

1. The allegations contained in Count One of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 41, United States Code, Section 119 and Title 28, United States Code, Section 2461(c).

2. **MARCUS DWAYNE ROBERTSON and JONATHAN PAUL JIMENEZ** shall forfeit to the United States of America, pursuant to Title 41, United States Code, Section 119 and Title 28, United States Code, Section 2461(c), all of their interest in any such benefit, payment, compensation, allowance, loan, advance, and emolument received as a result of the said violation.

3. If any of the property described above as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL,



Foreperson

ROBERT E. O'NEILL
United States Attorney

By:



Roger B. Handberg
Assistant United States Attorney

By:



Carlos A. Perez-Irizarry
Assistant United States Attorney
Chief, Orlando Division

No.

UNITED STATES DISTRICT COURT

Middle District of Florida
Orlando Division

THE UNITED STATES OF AMERICA

vs.

MARCUS DWAYNE ROBERTSON
JONATHAN PAUL JIMENEZ

INDICTMENT

Violations:

18 U.S.C. § 286
18 U.S.C. § 1001(a)(2)

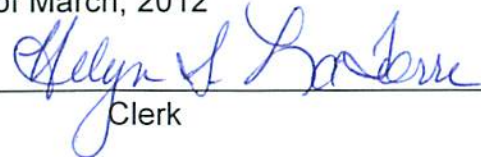
A true bill,



Foreperson

Filed in open court this 14th day

of March, 2012



Clerk

Bail \$ _____