UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA Cr. 18-307 (DSD/TNL)

UNITED STATES OF AMERICA,

SUPERSEDING INDICTMENT

Plaintiff,

18 U.S.C. § 1951

18 U.S.C. § 2314

18 U.S.C. § 371

18 U.S.C. § 2

1. LENNIE DWAYNE BROOKS,

2. RANDY LORENZO BROOKS,

v.

3. AUTUMN MARIE NICHOLS, and

4. ESPERANZA CARDENAS,

Defendants.

THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1

(Interference with Commerce by Robbery)

On or about October 6, 2018, in the State and District of Minnesota, the defendants,

LENNIE DWAYNE BROOKS, RANDY LORENZO BROOKS, and AUTUMN MARIE NICHOLS,

each aiding and abetting the other, unlawfully obstructed, delayed, and affected commerce, and attempted to do so, by means of robbery, in that the defendants unlawfully took approximately \$50,000 in cash belonging to the Shuang Hur Asian Markets located in Minneapolis and St. Paul, Minnesota, businesses that are engaged in interstate commerce, from the custody of N.O., against N.O.'s will, by means of actual and threatened force, violence, and fear of injury to the person of N.O. and her husband O.O., and in doing so

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caused the death of O.O., all in violation of Title 18, United States Code, Sections 1951 and 2.

COUNT 2

(Interference with Commerce by Robbery)

On or about September 23, 2018, in the State and District of Minnesota, the defendants,

LENNIE DWAYNE BROOKS, RANDY LORENZO BROOKS, and ESPERANZA CARDENAS,

each aiding and abetting the other, unlawfully obstructed, delayed, and affected commerce, and attempted to do so, by means of robbery, in that the defendants unlawfully took approximately \$40,000 in cash belonging to the Holland Auction Company located in Ellendale, Minnesota, a business that is engaged in interstate commerce, from the custody of T.H. and L.H.., against their will, by means of actual and threatened force, violence, and fear of injury to the person of T.H. and L.H.., all in violation of Title 18, United States Code, Sections 1951 and 2.

COUNT 3

(Interference with Commerce by Robbery)

On or about August 16, 2018, in the State and District of Minnesota, the defendants,

LENNIE DWAYNE BROOKS, and RANDY LORENZO BROOKS,

each aiding and abetting the other, unlawfully obstructed, delayed, and affected commerce, and attempted to do so, by means of robbery, in that the defendants unlawfully took approximately \$180,000 in jewelry belonging to Trisko Jewelry located in Waite Park,

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Minnesota, a business that is engaged in interstate commerce, from the custody of R.T. and H.T., against their will, by means of actual and threatened force, violence, and fear of injury to the person of R.T. and H.T., all in violation of Title 18, United States Code, Sections 1951 and 2.

COUNT 4

(Interstate Transportation of Stolen Property)

On or about September 18, 2018, in the State and District of Minnesota and elsewhere, the defendant,

ESPERANZA CARDENAS,

knowingly transported in interstate commerce from Minnesota to Iowa, stolen gemstones having a value of \$5,000 or more, knowing the gemstones were stolen, in violation of Title 18, United States Code, Section 2314.

COUNT 5

(Conspiracy to Interfere with Commerce by Robbery)

From on or about at least August 16, 2018, through on or about October 6, 2018, in the State and District of Minnesota, the defendants,

LENNIE DWAYNE BROOKS, RANDY LORENZO BROOKS, AUTUMN MARIE NICHOLS, and ESPERANZA CARDENAS,

knowingly and intentionally conspired with each other and with others whose names are known and unknown to the grand jury, to interfere with commerce by robbery in violation of Title 18, United States Code, Section 1951, all in violation of Title 18, United States Code, Section 371.

OVERT ACTS

During and in furtherance of the conspiracy alleged in Count 5 of this indictment, the defendants committed the following overt acts, among others:

- 1. Lennie Brooks searched for potential business victims online, focusing on jewelry stores and businesses that deal in cash.
- 2. After finding potential business victims online, Lennie Brooks searched online for the home addresses of the business owners in order to conduct home invasions targeting the assets of the businesses.
- 3. Lennie Brooks and Randy Brooks, acting as a team, broke into the victims' residences at night, held the victims at gunpoint, threatened the victims with violence, and ransacked the premises until finding and stealing the business assets.
- 4. Lennie Brooks and Randy Brooks recruited others to act as lookouts or getaway drivers during the robberies, and to help dispose of the stolen property.
- 5. Autumn Nichols served as a getaway driver during the home invasion in Eden Prairie referenced in Count 1 of this Superseding Indictment.
- 6. Esperanza Cardenas acted as a lookout or driver during the home invasion in Ellendale referenced in Count 2 of this Superseding Indictment.
- 7. Following the home invasion in Waite Parke referenced in Count 3 of this Superseding Indictment, Lennie Brooks and Esperanza Cardenas attempted to sell some of the stolen jewelry in Ames, Iowa.
- 8. During the Eden Prairie home invasion referenced in Count 1 of this Superseding Indictment, Lennie Brooks and Randy Brooks, acting as a team, held a gun

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on the victim husband and wife homeowners. When the husband, O.O., went into cardiac arrest, Lennie Brooks and Randy Brooks did nothing to help him and refused to allow the victim wife N.O. to call for help. Lennie Brooks and Randy Brooks continued to ransack the house for approximately one hour, resulting in the death of O.O.

FORFEITURE ALLEGATIONS

Counts 1 through 5 of this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

Upon conviction of any of Counts 1 through 5 of this Superseding Indictment, the defendants shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Sections 1951 and 371.

If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON