

November 10, 2021

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury Judge

State Grand Jury
Docket Number SGJ766-21-3
Superior Court
Docket Number 21-11-165-S

STATE OF NEW JERSEY)

v.)

KHIREE A. SMITH)

KAIYIR T. GREEN)

BRIAN PEPPERS)

ALQUAN A. HARRIS)

AND)

TYHEEM A. POLLARD-RAINES)

The Grand Jurors of and for the State of New Jersey,
upon their oaths, present that:

COUNT ONE

(Conspiracy - Second Degree)

KHIREE A. SMITH

KAIYIR T. GREEN

BRIAN PEPPERS

AND

ALQUAN A. HARRIS

who are named as defendants herein, and other persons whose
identities are both known and unknown to the Grand Jurors, who

are named as co-conspirators but not as defendants herein, between on or about May 19, 2021, and on or about June 24, 2021, at the City of Englewood, in the County of Bergen, at the City of Jersey City, in the County of Hudson, at the City of Newark, in the County of Essex, at the Township of Hillside, in the County of Union, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of Receiving Stolen Property, Theft by Unlawful Taking, and Burglary, did agree together that:

A. One or more of them would knowingly engage in conduct which would constitute the aforesaid crimes; or

B. One or more of them would knowingly aid in the planning, solicitation or commission of said crimes, that is:

1. Knowingly or purposely commit theft by receiving or bringing into this State moveable property of another having a value in excess of \$75,000.00, knowing the same to be stolen or believing that it had probably been stolen, contrary to the provisions of N.J.S.A. 2C:20-7(a);

2. Unlawfully take, or exercise unlawful control over, movable property of another with purpose to deprive him thereof, contrary to the provisions of N.J.S.A. 2C:20-3A; and,

3. With purpose to commit an offense therein or thereon enter a structure, or a separately secured or occupied portion thereof, contrary to the provisions of N.J.S.A. 2C:18-2A.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Receiving Stolen Property - Second Degree)

KHIREE A. SMITH

between on or about May 19, 2021, and on or about June 24, 2021, at the City of Englewood, in the County of Bergen, at the City of Jersey City, in the County of Hudson, at the Township of Moorestown, in the County of Camden, at the City of Newark, in the County of Essex, at the Township of Hillside, in the County of Union, elsewhere, and within the jurisdiction of this Court, did commit theft by knowingly receiving or bringing into this State moveable property of others, that is, a 2018 Dodge Durango (VIN ending in 172770), a 2018 Mercedes-Benz C43 (VIN ending in 26638), a 2018 Land Rover Range Rover Velar (VIN ending in 751469), a 2017 Land Rover Range Rover (VIN ending in 338689), and a 2019 Infiniti Q50 (VIN ending in 554550), having an aggregate value in excess of \$75,000.00, knowing the same to be stolen or believing that they had probably been stolen, contrary to the provisions of N.J.S.A. 2C:20-7, N.J.S.A. 2C:20-2, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Receiving Stolen Property - Second Degree)

BRIAN PEPPERS

between on or about June 10, 2021, and on or about June 24, 2021, at the City of Jersey City, in the County of Hudson, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit theft by knowingly receiving or bringing into this State moveable property of others, that is, a 2018 Mercedes-Benz C43 (VIN ending in 26638), and a 2018 Land Rover Range Rover Velar (VIN ending in 751469), having an aggregate value in excess of \$75,000.00, knowing the same to be stolen or believing that they had probably been stolen, contrary to the provisions of N.J.S.A. 2C:20-7, N.J.S.A. 2C:20-2, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Theft by Unlawful Taking - Second Degree)

KHIREE A. SMITH

between on or about May 19, 2021, and on or about June 24, 2021, at the City of Englewood, in the County of Bergen, at the City of Jersey City, in the County of Hudson, at the Township of Moorestown, in the County of Burlington, at the City of Newark, in the County of Essex, at the Township of Hillside, in the County of Union, elsewhere, and within the jurisdiction of this Court, purposely did unlawfully take or exercise control over moveable property of another, that is a 2018 Dodge Durango (VIN ending in 172770), a 2018 Mercedes Benz C43 (VIN ending in 266638), and a 2017 Land Rover Range Rover (VIN ending in 338689), having an aggregate value in excess of \$75,000.00, with the purpose to deprive the owner(s) thereof, contrary to the provisions of N.J.S.A. 2C:20-3a, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Receiving Stolen Property - Third Degree)

KAIYIR T. GREEN

on or about June 10, 2021, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit theft by knowingly receiving or bringing into this State moveable property of others, that is, a 2015 Jeep Grand Cherokee SRT (VIN ending in 717632), having a value in excess of \$500.00, knowing the same to be stolen or believing that they had probably been stolen, contrary to the provisions of N.J.S.A. 2C:20-7, N.J.S.A. 2C:20-2, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Theft by Unlawful Taking - Third Degree)

KAIYIR T. GREEN

on or about June 10, 2021, at the City of Englewood, in the County of Bergen, elsewhere, and within the jurisdiction of this Court, purposely did unlawfully take or exercise control over moveable property of another, that is, a 2015 Jeep Grand Cherokee SRT (VIN ending in 717632), having a value in excess of \$500.00, with the purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3a, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Receiving Stolen Property - Third Degree)

ALQUAN A. HARRIS

on or about June 10, 2021, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit theft by knowingly receiving or bringing into this State moveable property of others, that is, a 2018 Land Rover Range Rover Velar (VIN ending in 751469), having a value in excess of \$500.00, knowing the same to be stolen or believing that they had probably been stolen, contrary to the provisions of N.J.S.A. 2C:20-7, N.J.S.A. 2C:20-2, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT EIGHT

(Receiving Stolen Property - Third Degree)

TYHEEM A. POLLARD-RAINES

on or about May 19, 2021, at the City of Newark, in the County of Essex, at the Township of Moorestown, in the County of Burlington, elsewhere, and within the jurisdiction of this Court, did commit theft by knowingly receiving or bringing into this State moveable property of others, that is, a 2018 Dodge Durango (VIN ending in 172770), having a value in excess of \$500.00, knowing the same to be stolen or believing that they had probably been stolen, contrary to the provisions of N.J.S.A. 2C:20-7, N.J.S.A. 2C:20-2, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT NINE

(Theft by Unlawful Taking - Third Degree)

TYHEEM A. POLLARD-RAINES

on or about May 19, 2021 at the Township of Moorestown, in the County of Burlington, elsewhere, and within the jurisdiction of this Court, purposely did unlawfully take or exercise control over moveable property of another, that is, a 2018 Dodge Durango (VIN ending in 172770), having a value in excess of \$500.00, with the purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3a, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT TEN

(Eluding - Second Degree)

KHIREE A. SMITH

on or about June 11, 2021, at the Borough of Oceanport, in the County of Monmouth, elsewhere, and within the jurisdiction of this Court, while operating a motor vehicle on a street or a highway of this State, did knowingly flee or attempt to elude Patrolman G. Mannino of the Oceanport Police Department, after having received a signal from such officer to bring the vehicle to a full stop and created a risk of death or injury to any person, contrary to the provisions of N.J.S.A. 2C:29-2b, and against the peace of this State, the government and dignity of the same.

COUNT ELEVEN

(Eluding - Second Degree)

BRIAN PEPPERS

on or about June 10, 2021, at the Township of East Brunswick, in the County of Middlesex, elsewhere, and within the jurisdiction of this Court, while operating a motor vehicle on a street or a highway of this State, did knowingly flee or attempt to elude Trooper D. Phillips of the New Jersey State Police, after having received a signal from such officer to bring the vehicle to a full stop and created a risk of death or injury to any person, contrary to the provisions of N.J.S.A. 2C:29-2b, and against the peace of this State, the government and dignity of the same.

COUNT TWELVE

(Burglary - Third Degree)

KHIREE A. SMITH

BRIAN PEPPERS

KAIYIR T. GREEN

AND

ALQUAN A. HARRIS

on or about June 14, 2021, at the City of Englewood, in the County of Bergen, elsewhere, and within the jurisdiction of this court, knowingly did enter Infiniti of Englewood at 60 Rockwood Place, Englewood, New Jersey, with the purpose to commit an offense therein, contrary to the provisions of N.J.S.A. 2C:18-2, and against the peace of this State, the government and dignity of the same.

COUNT THIRTEEN

(Burglary - Third Degree)

KHIREE A. SMITH

AND

BRIAN PEPPERS

on or about June 10, 2021, at the City of Jersey City, in the County of Hudson, elsewhere, and within the jurisdiction of this court, knowingly did enter Axis Motorcars, 682 Garfield Avenue, Jersey City, New Jersey, with the purpose to commit an offense therein, contrary to the provisions of N.J.S.A. 2C:18-2, and against the peace of this State, the government and dignity of the same.

