

---

GENERAL BILL OF INDICTMENT

---

GRAND JURY WITNESSES:

Inv. J. Gosart, Office of Attorney  
General Chris Carr

INDICTMENT NO. 25CR0326

CHEROKEE SUPERIOR COURT

JANUARY TERM, 2025

THE STATE OF GEORGIA

VS.

RICKEY MCKINNEY

NAKEYTA MCKINNEY

ZACHARY GAINES

ANTONIO PEARSON

JAVON DORSEY

&

TRAVIOUS JOHNSON

True BILL

April 14<sup>th</sup>

2025

Foreperson



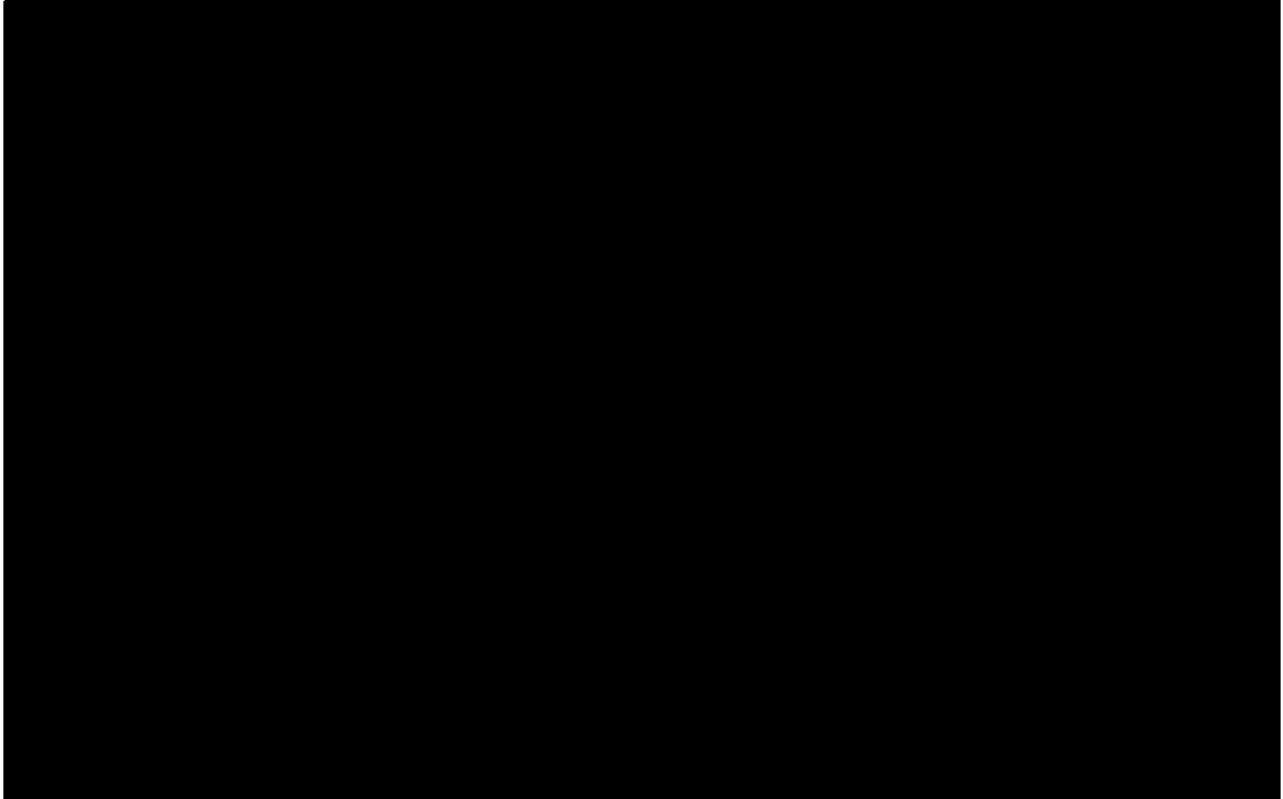
Grand Jury Bailiff

Filed In Office

STATE OF GEORGIA, COUNTY OF CHEROKEE

IN THE SUPERIOR COURT OF CHEROKEE COUNTY

THE GRAND JURORS selected, chosen and sworn for the County of  
Cherokee, to wit:



This 14 Day of April, 2025

Alexandra Keene, Chief Deputy

PATTY BAKER, Clerk Superior Court

SUSAN TREADAWAY, District Attorney

SPECIAL PRESENTMENT

The defendant \_\_\_\_\_  
waives formal arraignment, a copy  
of the indictment, a list of witnesses  
and pleads \_\_\_\_\_ guilty.  
This \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant District Attorney

The defendant \_\_\_\_\_  
waives formal arraignment, a copy  
of the indictment, a list of witnesses  
and pleads \_\_\_\_\_ guilty.  
This \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant District Attorney

The defendant \_\_\_\_\_  
waives formal arraignment, a copy  
of the indictment, a list of witnesses  
and pleads \_\_\_\_\_ guilty.  
This \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant District Attorney

The defendant \_\_\_\_\_  
waives formal arraignment, a copy  
of the indictment, a list of witnesses  
and pleads \_\_\_\_\_ guilty.  
This \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant District Attorney

The defendant \_\_\_\_\_  
waives formal arraignment, a copy  
of the indictment, a list of witnesses  
and pleads \_\_\_\_\_ guilty.  
This \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant District Attorney

The defendant \_\_\_\_\_  
waives formal arraignment, a copy  
of the indictment, a list of witnesses  
and pleads \_\_\_\_\_ guilty.  
This \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant District Attorney

**COUNT 1**

The Grand Jurors aforesaid, in the name of and on behalf of the citizens of Georgia, do charge and accuse:

**RICKEY MCKINNEY**

**NAKEYTA MCKINNEY**

**ZACHARY GAINES**

**ANTONIO PEARSON**

**JAVON DORSEY**

**TRAVIOUS JOHNSON**

with the offense of **CONSPIRACY TO VIOLATE THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT (O.C.G.A. § 16-14-4 (c))**, for the said accused, individually and as persons concerned in the commission of a crime, and together with unindicted co-conspirators known and unknown to the grand jury, in the State of Georgia, County of Cherokee, and elsewhere in the State of Georgia, on and between the 14<sup>th</sup> day of June, 2024 and the 5<sup>th</sup> day of January, 2025, did knowingly and willingly unlawfully conspire to acquire and maintain, directly and indirectly, an interest in and control of United States currency and other retail property belonging to The TJX Companies, Inc., including T.J. Maxx and HomeGoods stores, through a pattern of Racketeering Activity, in violation of O.C.G.A. § 16-14-4(a), and while associated with an enterprise, did knowingly and willingly unlawfully conspire to conduct and participate in, directly and indirectly, such enterprise through a pattern of Racketeering Activity in violation of O.C.G.A. § 16-14-4(b), as described below and incorporated by reference as if fully set forth herein, contrary to the law of said State, the good order, peace, and dignity thereof;



## Introduction

Defendants Rickey McKinney, Nakeyta McKinney, Zachary Gaines, Antonio Pearson, Javon Dorsey, Travious Johnson, and other unindicted conspirators known and unknown to the Grand Jury, constituted a criminal organization whose associates engaged in various related criminal activities including, but not limited to: Shoplifting, Theft by Deception, Refund Fraud, and Money Laundering. The organization developed a manner and means to convert the stolen merchandise into a full cash refund, thereby bypassing the more traditional means of selling the stolen merchandise for deeply discounted prices. This new manner and means allowed the organization to convert 100% of the value of the stolen merchandise into United States currency.

### Brief History of Associations Between Conspirators

In addition to their association in furtherance of the criminal enterprise, the associates also have relationships including familial relationship, friendship and shared addresses.

### Manner and Means of the Enterprise

The enterprise consists of the above listed defendants, and others known and unknown to the grand jury, who associate in fact to obtain United States currency through theft and deceit. The enterprise operates a multistep scheme targeting The TJX Companies, Inc., specifically T.J. Maxx and HomeGoods stores, in Georgia, Tennessee, Florida and Mississippi. The enterprise operates as follows:

Step One: Members of the enterprise “pushout” [i.e. shoplift] several high value items such as small kitchen appliances and bedsheets from a T.J. Maxx or HomeGoods store [Store A].

Step Two: Next, members of the enterprise return the shoplifted items, said items often being stolen from various TJX locations on differing dates, to a second T.J. Maxx or HomeGoods location [Store B] for merchant store credit [i.e. a gift card]. This is referred to as a no receipt return. The enterprise will generally complete this return using another person’s driver’s license.

Step Three: Next, members of the enterprise travel to a third T.J. Maxx or HomeGoods location [Store C] and utilize the merchant store credit obtained in Step Two to purchase multiple items [often purses and perfumes]. They will intentionally purchase an amount totaling just above the value of the merchant store credit. A debit card is used to pay the difference. This process provides a receipt showing a debit card purchase, which is used in Step Four.

Step Four: Next, members of the enterprise return the items purchased in Step Three to several different T.J. Maxx or HomeGoods locations. They will utilize the receipt gained in Step Three, which again shows a partial debit card purchase, to return the merchandise and have the entire refund processed back to the debit card account.

Step Five: Lastly, when enough returns have been processed, a member of the enterprise, usually Rickey McKinney, travels to an ATM and uses the same debit card used in Step 3 and Step 4 to withdraw United States currency.

The enterprise seeks to obtain money through Shoplifting, Theft by Deception, Refund Fraud, and Money Laundering. The Defendants in this indictment associated in fact to affect a common plan and purpose pursuant to which one or more conspirators would commit two or more acts of Racketeering Activity in Georgia.

The Defendants constituted an enterprise as that term is defined in O.C.G.A. § 16-14-3(3), that is, a group of individuals associated in fact, although not a legal entity. The Defendants and other associates of the enterprise had connections and relationships with one another and with the enterprise. The enterprise constituted an ongoing organization whose associates functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise. The enterprise operated in Cherokee County, Georgia and elsewhere in the State of Georgia. The enterprise operated for a period of time sufficient to permit its associates to pursue its objectives.

### The Conspiracy

Defendants knowing and willingly unlawfully conspired to associate together and with others for the common purposes of illegally acquiring United States currency, and other personal property through a pattern of Racketeering Activity and conducting and participating in the enterprise through a pattern of Racketeering Activity. To affect the objectives of the conspiracy, the defendants engaged in the activities enumerated herein.

### Acts in Furtherance of the Conspiracy

In furtherance of the conspiracy and to affect its objectives, Defendants and other unindicted co-conspirators known and unknown to the Grand Jury, committed overt acts, certain of which constitute Racketeering Activity. These acts include, but are not limited to, the following:

#### **A. The Scheme by Cycle.**

The following four cycles outline no less than the first four-steps of the five-step scheme described above:

##### **i. Cycle One - October 15, 2024, through October 18, 2024**

1. On or about October 15, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did take merchandise [as detailed in Step 1 of the Manner and Means section above], the property of HomeGoods, said store being located at 3788 Roswell Rd, Atlanta, Georgia, with the intent of appropriating merchandise to their own use without paying for the merchandise, by placing said merchandise into a cart and pushing the merchandise past all points of sale and out of the store without paying, this theft being caught on store camera, which is an overt act in furtherance of the conspiracy;

2. On or about October 15, 2024, **Zachary Gaines**, while associated with the enterprise, did commit the offense of Refund Fraud while at HomeGoods, said store being located at 2243 Cumming Highway, Canton, Georgia, when he obtained a refund of \$741.98 in the form of a merchant gift card [as detailed in Step 2 of the Manner and Means section above], said merchant gift card ending in #4133, by use of a driver's license not issued to him and the property which was the subject of the refund fraud exceeded \$500.00 in value, in violation of O.C.G.A. § 16-8-14.1(a)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;
3. On or about October 16, 2024, **Zachary Gaines, Antonio Pearson, and Rickey McKinney**, while associated with the enterprise, did travel to T. J. Maxx, said store being located at 1801 Howell Mill Rd, Atlanta, Georgia, and did "purchase" merchandise from T.J. Maxx [as detailed in Step 3 of the Manner and Means section above] in the amount of \$740.44 using the ill-gotten merchant gift card ending in #4133, thereby illegitimately taking property of T.J. Maxx with the intention of depriving T.J. Maxx of said property, an overt act in furtherance of the conspiracy;

4. On or about October 16, 2024, **Zachary Gaines**, while associated with the enterprise, did travel to T.J. Maxx, said store being located at 425 Ernest Barrett Parkway, Kennesaw, Georgia, and return the merchandise previously discussed in number three [3] above. Said return being performed because **Zachary Gaines, Antonio Pearson, and Rickey McKinney** mistakenly “purchased” \$740.44 worth of merchandise, and the merchant gift card was in the amount of \$741.98. Accordingly, there was no “overage” to put on a debit card and get a “split-tender receipt” so a member of the enterprise could process the fraudulent returns. Therefore, **Zachary Gaines** returned the stolen merchandise to said TJX Store for a new merchant gift card [as detailed in Step 2 of the Manner and Means section above], which now ended in #4464 and was again in the same amount of \$740.44, an overt act in furtherance of the conspiracy;
5. On or about October 17, 2024, **Zachary Gaines**, while associated with the enterprise, did at T.J. Maxx, said store being located at 5488 Peachtree Blvd, Chamblee, Georgia, complete a “split-tender purchase” [as detailed in Step 3 of the Manner and Means section above] of merchandise in the total amount of \$755.95. **Zachary Gaines** used the ill-gotten merchant gift card ending in #4464 to “purchase” \$740.44 worth of merchandise and then completed the remaining \$15.51 of the purchase using Varo Bank debit card ending in #7106, said card belonging to **Travious Johnson**, an overt act in furtherance of the conspiracy;



6. On or about October 17, 2024, an **Unknown Individual**, while associated with the enterprise, did complete two returns [as detailed in Step 4 of the Manner and Means section above] at T.J. Maxx, said store being located at 11720 Medlock Bridge Rd, Johns Creek, Georgia, said returns resulting in a total of \$302.38 being credited to **Travious Johnson's** Varo Bank debit card ending in #7106. Both returned items having been bought during the "split-tender" purchase involving ill-gotten merchant gift card ending in #4464, an overt act in furtherance of the conspiracy;
7. On or about October 17, 2024, **Zachary Gaines**, while associated with the enterprise, did at T.J. Maxx, said store being located at 1 Buckhead Loop NE, Atlanta, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$129.59 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Zachary Gaines** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

8. On or about October 17, 2024, **Antonio Pearson**, while associated with the enterprise, did at T.J. Maxx, said store being located at 1 Buckhead Loop NE, Atlanta, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$215.99 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx workers that the merchandise was legally in the possession of **Antonio Pearson** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;
9. On or about October 17, 2024, **Rickey McKinney**, while associated with the enterprise, did commit the offense of Money Laundering when he conducted a currency transaction, to wit: **Rickey McKinney** did complete an ATM withdrawal [as detailed in Step 5 of the Manner and Means section above] from **Travious Johnson's** account using **Travious Johnson's** Varo Bank debit card ending in #7106, said ATM being located at 5425 Fairington Rd, Lithonia, Georgia, in the amount of \$278.75, said currency having been credited to the account through the TJX return scheme detailed herein, and knowing that the monies involved in the currency transaction represent the proceeds of the unlawful activity of the enterprise, said transaction involving the proceeds of the unlawful activity and knowing that the transaction is designed, in whole or in part, to conceal or disguise the location, the ownership and the control of the proceeds of specified unlawful activity, in violation of O.C.G.A. § 7-1-915(c)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(ii), and an overt act in furtherance of the conspiracy;

10. On or about October 17, 2024, **Rickey McKinney**, while associated with the enterprise, did commit the offense of Money Laundering when he conducted a currency transaction, to wit: **Rickey McKinney** did complete an ATM withdrawal [as detailed in Step 5 of the Manner and Means section above] from Travious Johnson's account using to **Travious Johnson's** Varo Bank debit card ending in #7106, said ATM being located at 8805 Tara Blvd, Jonesboro, Georgia, in the amount of \$202.75, said currency having been credited to the account through the TJX return scheme detailed herein, and knowing that the monies involved in the currency transaction represent the proceeds of the unlawful activity, said transaction involving the proceeds of the unlawful activity and knowing that the transaction is designed in whole or in part to conceal or disguise the location, the ownership and the control of the proceeds of specified unlawful activity, in violation of O.C.G.A. § 7-1-915(c)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(ii), and an overt act in furtherance of the conspiracy;
11. On or about October 18, 2024, **Antonio Pearson**, while associated with the enterprise, at T.J. Maxx, said store being located at 1905 Scenic Highway, Snellville, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$107.99 to T.J. Maxx and receiving said money to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx workers that the merchandise was legally in the possession of **Antonio Pearson** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

12. On or about October 18, 2024, an **Unknown Individual**, while associated with the enterprise, did complete an ATM withdrawal [as detailed in Step 5 of the Manner and Means section above] from **Travious Johnson's** account using **Travious Johnson's** Varo Bank debit card ending in #7106, said ATM being located at 1585 Southlake Pkwy, Morrow, Georgia, in the amount of \$383.75<sup>1</sup>, said currency having been credited to the account through the TJX return scheme detailed herein, an overt act in furtherance of the conspiracy;

ii. Cycle Two - October 22, 2024, through October 25, 2024

13. On or about October 22, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did take merchandise [as detailed in Step 1 of the Manner and Means section above], the property of HomeGoods, said store being located at 2625 Piedmont Rd NE, Atlanta, Georgia, with the intent of appropriating said merchandise to their own use without paying, by placing said merchandise into a cart and pushing the cart past all points of sale without paying, this theft being caught on store camera, an overt act in furtherance of the conspiracy;

14. On or about October 24, 2024, **Erika Ward**, an unindicted co-conspirator and associate of the enterprise, at HomeGoods, said store being located at 425 Ernest Barret Pkwy, Kennesaw, Georgia, did complete a no receipt return [as detailed in Step 2 of the Manner and Means section above] of merchandise previously stolen from a TJX Companies, Inc. store and received a merchant gift card in the amount of \$879.76 to gift card ending in #5790, an overt act in furtherance of the conspiracy;

---

<sup>1</sup> The total amount of returns from T.J. Maxx in this cycle is \$740.44, as alleged in paragraphs 14 and 15. However, the total amount withdrawn from debit card ending in #7106 during this cycle is \$865.25. The overage in withdrawal amounts is accounted for by previous and concurrent TJX thefts outside of this cycle.

15. On or about October 24, 2024, **Rickey McKinney, Erika Ward, and Carmen Middleton**, the last two being an unindicted co-conspirators, while associated with the enterprise, did at T.J. Maxx, said store being located at 1536 Southlake Pkwy, Morrow, Georgia, complete a “split-tender purchase” [as detailed in Step 3 of the Manner and Means section above] of merchandise in the total amount of \$890.89. The associates used the ill-gotten merchant gift card ending in #5790 to purchase \$879.76 worth of merchandise and then completed the remaining \$11.13 of the purchase using Varo Bank debit card ending in #7106, said card belonging to **Travious Johnson**, an overt act in furtherance of the conspiracy;
16. On or about October 24, 2024, **Rickey McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 213 South Point Blvd, McDonough Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$96.86 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson’s** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

17. On or about October 24, 2024, **Rickey McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 3602 Marketplace Blvd, Atlanta, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$161.98 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);
18. On or about October 24, 2024, **Rickey McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 650 Ponce De Leon, Atlanta, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning the ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$161.98, to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

19. On or about October 24, 2024, **Zachary Gaines**, while associated with the enterprise, did at T.J. Maxx, said store being located at 650 Ponce De Leon, Atlanta, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning the ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$161.99, to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Zachary Gaines** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

20. On or about October 25, 2024, **Zachary Gaines**, while associated with the enterprise, did at T.J. Maxx, said store being located at 213 South Point Blvd, McDonough Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$129.58 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Zachary Gaines** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

21. On or about October 22, 2024, **Rickey McKinney**, while associated with the enterprise, did commit the offense of Money Laundering when he conducted a currency transaction, to wit: **Rickey McKinney** did complete an ATM withdrawal [as detailed in Step 5 of the Manner and Means section above] from Travious Johnson's account using **Travious Johnson's** Varo Bank debit card ending in #7106, said ATM being located at 5425 Fairington Rd, Lithonia, Georgia, in the amount of \$278.75, said currency having been credited to the account through the TJX return scheme detailed herein, and knowing that the monies involved in the currency transaction represent the proceeds of the unlawful activity, said transaction involving the proceeds of the unlawful activity and knowing that the transaction is designed in whole or in part to conceal or disguise the location, the ownership and the control of the proceeds of specified unlawful activity, in violation of O.C.G.A. § 7-1-915(c)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(ii), and an overt act in furtherance of the conspiracy;



22. On or about October 23, 2024, **Rickey McKinney**, while associated with the enterprise, did commit the offense of Money Laundering when he conducted a currency transaction, to wit: **Rickey McKinney** did complete an ATM withdrawal [as detailed in Step 5 of the Manner and Means section above] from **Travious Johnson's** account using **Travious Johnson's** Varo Bank debit card ending in #7106, said ATM being located at 5425 Fairington Rd, Lithonia, Georgia, in the amount of \$123.75, said currency having been credited to the account through the TJX return scheme detailed herein, and knowing that the monies involved in the currency transaction represent the proceeds of the unlawful activity, said transaction involving the proceeds of the unlawful activity and knowing that the transaction is designed in whole or in part to conceal or disguise the location, the ownership and the control of the proceeds of specified unlawful activity, in violation of O.C.G.A. § 7-1-915(c)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(ii), and an overt act in furtherance of the conspiracy;

23. On or about October 24, 2024, **Rickey McKinney**, while associated with the enterprise, did commit the offense of Money Laundering when he conducted a currency transaction, to wit: **Rickey McKinney** did complete two ATM withdrawals [as detailed in Step 5 of the Manner and Means section above] from Travious Johnson's account using **Travious Johnson's** Varo Bank debit card ending in #7106, said ATM being located at 5425 Fairington Rd, Lithonia, Georgia, in the amount of \$403.75 and \$323.75<sup>2</sup>, said currency having been credited to the account through the TJX return scheme detailed herein, and knowing that the monies involved in the currency transaction represent the proceeds of the unlawful activity, said transaction involving the proceeds of the unlawful activity and knowing that the transaction is designed in whole or in part to conceal or disguise the location, the ownership and the control of the proceeds of specified unlawful activity, in violation of O.C.G.A. § 7-1-915(c)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(ii), and an overt act in furtherance of the conspiracy;

**iii. Cycle Three - November 8, 2024, through January 5, 2025**

24. On or about November 8, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did take merchandise [as detailed in Step 1 of the Manner and Means section above], the property of HomeGoods, said store being located at 2597 North Decatur Rd, Decatur, Georgia, with the intent of appropriating merchandise to their own use without paying for the merchandise, by concealing the merchandise, passing all points of sale and exiting out of the store without paying, this act being caught on store video, an overt act in furtherance of the conspiracy;

---

<sup>2</sup> The total amount of returns from T.J. Maxx in this cycle is \$879.76, as alleged in paragraphs 14 and 15. However, the total amount withdrawn from debit card ending in #7106 during this cycle is \$1,130.00. The overage in withdrawal amounts is accounted for by previous and concurrent TJX thefts outside of this particular cycle.

25. On or about November 11, 2024, **Shakira Hardeman**, an unindicted co-conspirator and associate of the enterprise, did at HomeGoods, said store being located at 534 Market Place Pkwy, Dawsonville, Georgia, complete a no receipt return [as detailed in Step 2 of the Manner and Means section above] of merchandise previously stolen from a TJX Companies, Inc. store and received a merchant gift card in the amount of \$863.96 to gift card ending in #4413, which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

26. On or about December 31, 2024, **Nakeyta McKinney and Antonio Pearson**, while associated with the enterprise, did at T.J. Maxx, said store being located at 134 Perimeter Center West, Dunwoody, Georgia, complete a “split-tender purchase” [as detailed in Step 3 of the Manner and Means section above] of merchandise in the total amount of \$842.31. The associates used the ill-gotten merchant gift card ending in #4413 to “purchase” \$767.59 worth of merchandise and then completed the remaining \$74.72 of the purchase using debit card ending in #8174, belonging to **Nakeyta McKinney**, an overt act in furtherance of the conspiracy;

27. On or about January 1, 2025, **Javon Dorsey**, an associate of the enterprise, did at T.J. Maxx, said store being located at 650 Ponce De Leon, Atlanta, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$194.38 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Javon Dorsey** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

28. On or about January 1, 2025, **Javon Dorsey**, while associated with the enterprise, did at T.J. Maxx, said store being located at 5488 Peachtree Blvd, Chamblee, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$183.58 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Javon Dorsey** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

29. On or about January 1, 2025, **Antonio Pearson**, while associated with the enterprise, at T.J. Maxx, said store being located at 1536 Southlake Pkwy, Morrow, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$172.79 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Antonio Pearson** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;
30. On or about January 5, 2025, **Nakeyta McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 1801 Howell Mill Rd, Atlanta, Georgia, commit the offense of Theft by Deception when she obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$129.58 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

31. On or about January 5, 2025, **Nakeyta McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 1801 Howell Mill Rd, Atlanta, Georgia, commit the offense of Theft by Deception when she obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$161.99 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

**iv. Cycle Four - December 22, 2024, and December 31, 2024**

32. On or about December 22, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did take merchandise [as detailed in Step 1 of the Manner and Means section above], the property of HomeGoods, said store located at 3630 Peachtree Pkwy, Suwanee, Georgia, with the intent of appropriating merchandise to their own use without paying for the merchandise, by placing said merchandise into a cart and pushing the merchandise past all points of sale and out of the store without paying, this act being caught on store camera, an overt act in furtherance of the conspiracy;

33. On or about December 22, 2024, **Monicha Bailey**, an unindicted co-conspirator and associate of the enterprise, as well as two **Unknown Individuals**, at HomeGoods, said store being located at 534 Market Place Pkwy, Dawsonville, Georgia, did complete a no receipt return [as detailed in Step 2 of the Manner and Means section above] of merchandise previously stolen from a TJX Companies, Inc. store and received two merchant gift cards totaling an amount of \$853.15, \$499.99 to gift card ending in #9321 and \$353.16 to gift card ending in #9339, an overt act in furtherance of the conspiracy;

34. On or about December 22, 2024, **Nakeyta McKinney**, an associate of the enterprise, and **Monicha Bailey** an unindicted co-conspirator and associate of the enterprise, as well as **Two Unknown individuals**, while associated with the enterprise, did at T.J. Maxx, said store being located at 2195 Market Place Blvd, Cumming, Georgia, complete a "split-tender purchase" [as detailed in Step 3 of the Manner and Means section above] of merchandise in the total amount of \$866.59. The associates used the ill-gotten merchant gift cards ending in #9321 and #9339 to "purchase" \$853.15 worth of merchandise and then completed the remaining \$13.44 of the "purchase" using a combination of \$5 in United States currency and \$8.44 being paid by using debit card ending in #7487, said card belonging to **Nakeyta McKinney**, an overt act in furtherance of the conspiracy;

35. On or about December 30, 2024, **Nakeyta McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 213 South Point Blvd, McDonough, Georgia, did commit the offense of Theft by Deception when she obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$171.18 to T.J. Maxx and receiving in return United States currency in a like amount, the original \$8.44 purchased on debit card ending in #7487 going back to said card but the balance of \$162.74 being refunded to a new debit card ending in #8174, both debit cards belonging to **Nakeyta McKinney**, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;



36. On or about December 30, 2024, **Nakeyta McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 213 South Point Blvd, McDonough, Georgia, commit the offense of Theft by Deception when she obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$128.39 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

37. On or about December 30, 2024, **Rickey McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 2146 Henderson Mill Rd, Atlanta, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$139.09 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

38. On or about December 30, 2024, **Rickey McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 5488 Peachtree Blvd, Chamblee, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$181.88 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

39. On or about December 31, 2024, **Nakeyta McKinney and Antonio Pearson**, while associated with the enterprise, did at T.J. Maxx, said store being located at 134 Perimeter Center West, Dunwoody, Georgia, commit the offense of Theft by Deception when they obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$106.99 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney and Antonio Pearson** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

**B. Additional Act Within Cherokee County**

40. On or about October 15, 2024, **Antonio Pearson**, while associated with the enterprise, at T.J. Maxx, said store being located at 1810 Cumming Hwy, Canton, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning merchandise in the amount of \$129.59 to T.J. Maxx and receiving said money to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx workers that the merchandise was legally in the possession of **Antonio Pearson** but instead having been fraudulently obtained by returning stolen merchandise for store credit and then using T.J. Maxx's own money to purchase the item that is being refunded, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

### **C. Non-Full Cycle Incidents**

The following incidents are known acts of Racketeering Activity by associates of the enterprise, but only certain steps of the conspiracy are known and not a full completed cycle as demonstrated above:

41. On or about June 14, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 5220 Jimmy Lee Pkwy, Hiram, Georgia, into a reusable bag and walked the merchandise past all points of sale and out of the store without paying, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;
42. On or about July 1, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 916 Loganville Hwy, Bethlehem, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

43. On or about July 2, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

44. On or about July 13, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

45. On or about July 15, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 1990 Jonesboro Rd, McDonough, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

46. On or about July 15, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 200 Line Creek Dr, Peachtree City, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

47. On or about July 16, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 5468 Peachtree Blvd, Chamblee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

48. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, and an Unknown Individual**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a reusable bag and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

49. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, Rickey McKinney, and an Unknown Individual**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 5171 Peachtree Pkwy, Peachtree Corners, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

50. On or about July 21, 2024, **Rickey McKinney**, while associated with the enterprise, at T.J. Maxx, said store being located at 5171 Peachtree Parkway, Peachtree Corners, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$216.98 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Lorenta Gober's** Navy Federal Credit Union debit card ending in #4158, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;



51. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, Rickey McKinney, and an Unknown Individual**, while associated with the enterprise, did attempt to commit the offense of Shoplifting, in violation of O.C.G.A. § 16-4-1, when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding, sheets, and pillow sets owned by HomeGoods, said store being located at 7491 N. Point Pkwy, Alpharetta, Georgia, into a cart, a substantial step towards the commission of the crime of Shoplifting, as specified in O.C.G.A. § 16-8-14(a)(1), but abandoned said merchandise before passing all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-4-1, said offense being an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

52. On or about July 31, 2024, **Antonio Pearson, Zachary Gaines, and an Unknown Individual**, while associated with the enterprise, did attempt to commit the offense of Shoplifting, in violation of O.C.G.A. § 16-4-1, when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed sets of sheets owned by HomeGoods, said store being located at 1625 Bass Rd, Macon, Georgia, into a cart, a substantial step towards the commission of the crime of Shoplifting, as specified in O.C.G.A. § 16-8-14(a)(1), but abandoned said merchandise before passing all points of sale and exiting out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-4-1, said offense being an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

53. On or about August 7, 2024, **Antonio Pearson, Zachary Gaines**, and an **Unknown Individual**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed small kitchen appliances owned by HomeGoods, said store being located at 1990 Jonesboro Rd, McDonough, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

54. On or about August 9, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed a Breville appliance and an espresso machine owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value less than \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

55. On or about August 21, 2024, **Rickey McKinney**, while associated with the enterprise, at HomeGoods, said store being located at 7491 North Point Pkwy, Alpharetta, Georgia, did commit the felony offense of Financial Identity Fraud, when he without authorization and consent, willfully and fraudulently used the identify information of Dra'kel Bailey to complete a no receipt return of merchandise previously stolen from a TJX Companies, Inc. store and received a merchant gift card in the amount of \$107.74, the merchant gift card ending in #5142, in violation of O.C.G.A. § 16-9-121(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

56. On or about September 1, 2024, **Antonio Pearson and an Unknown Individual**, while associated with the enterprise, did attempt to commit the offense of Shoplifting, in violation of O.C.G.A. § 16-4-1, when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed several sheets owned by HomeGoods, said store being located at 1990 Jonesboro Rd, McDonough, Georgia, into a cart but abandoned said merchandise before passing all points of sale and exiting out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

**D. Acts Committed in States Other Than Georgia**

57. On or about January 14, 2025, **Rickey McKinney and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when he, with the intent of appropriating merchandise to his own use without paying for the merchandise, placed dinner ware and a small kitchen appliance and throw blankets owned by HomeGoods, said store being located at 18061 Highwoods Preserve Pkwy, Tampa, Florida, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value greater than \$500.00, an overt act in furtherance of the conspiracy;
58. On or about January 23, 2025, **Zachary Gaines and Antonio Pearson**, while associated with the enterprise, did commit the offense of Shoplifting when he, with the intent of appropriating merchandise to his own use without paying for the merchandise, placed bedding and sheets and small appliances owned by HomeGoods, said store being located at 5020 Goodman Road, Olive Branch, Mississippi, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value greater than \$500.00, an overt act in furtherance of the conspiracy;
59. On or about January 23, 2025, **Antonio Pearson, Rickey McKinney, and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed a Breville toaster oven, an Infizz Aqua appliance and a Smeg knife set, all merchandise being owned by HomeGoods, said store being located at 3635 S Houston Levee Rd, Collierville, Tennessee, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value greater than \$500.00, an overt act in furtherance of the conspiracy;

#### **E. Acts Committed in Furtherance of Money Laundering**

60. On and between the 6th day of October, 2024 and the 20th day of November, 2024, **Travious Johnson**, while associated with the enterprise, did knowingly and willingly allow his Varo Bank account ending in #7106 to be utilized by members of the enterprise so they could further their scheme, as detailed herein, and more specifically did allow the following number of transactions to be processed on said card:

- a. During the month of October 2024, sixty-nine [69] refunds were processed by The TJX Companies, Inc. on said card for a total amount of \$9,782.24 in United States currency being returned to the account;
- b. During the month of November 2024, thirty-one [31] refunds were processed by The TJX Companies, Inc. on said card for a total amount of \$4,459.10 in United States currency being returned to the account;

and furthermore, **Travious Johnson** was compensated in the form of United States currency, which was left in said Varo Bank account for his use, this action being an overt act in furtherance of the conspiracy;

The Acts set forth above were committed in furtherance of the conspiracy alleged above and had the same and similar intents, results, accomplices, victims, and methods of commission and otherwise were interrelated by distinguishing characteristics and were not isolated acts.

## COUNT 2

The Grand Jurors aforesaid, in the name of and on behalf of the citizens of Georgia, do charge and accuse:

### **RICKEY MCKINNEY**

with the offense of **VIOLATION OF THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT (O.C.G.A. § 16-14-4(b))**, for the said accused, in the State of Georgia and County of Cherokee, on and between the 14<sup>th</sup> day of June, 2024 and the 5<sup>th</sup> day of January, 2025, while associated with an enterprise, as alleged in Count 1 and incorporated by reference herein, did unlawfully conduct and participate, directly and indirectly, in such enterprise through a pattern of Racketeering Activity as described below and incorporated by reference as if fully set forth herein, and further, the State of Georgia incorporates by reference, as if fully set forth herein, the following specific paragraphs in Count 1, which allege acts of racketeering activity committed by other persons associated with the enterprise: 2, 7, 8, 11, 19, 20, 25, 27, 28, 29, 30, 31, 35, 36, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 52, 53, 54 and 56; contrary to the laws of said State, the good order, peace and dignity thereof;

### **PATTERN OF RACKETEERING ACTIVITY**

**RICKEY MCKINNEY**, committed the acts of Racketeering Activity enumerated below, which are chargeable by indictment under the laws of this State:<sup>3</sup>

9. On or about October 17, 2024, **Rickey McKinney**, while associated with the enterprise, did commit the offense of Money Laundering when he conducted a currency transaction, to wit: **Rickey McKinney** did complete an ATM withdrawal [as detailed in Step 5 of the Manner and Means section above] from **Travious Johnson's** account using **Travious Johnson's** Varo Bank

---

<sup>3</sup> The numbered paragraphs in Counts 2 through 6 coincide with the numbered overt acts as alleged in Count 1.

debit card ending in #7106, said ATM being located at 5425 Fairington Rd, Lithonia, Georgia, in the amount of \$278.75, said currency having been credited to the account through the TJX return scheme detailed herein, and knowing that the monies involved in the currency transaction represent the proceeds of the unlawful activity of the enterprise, said transaction involving the proceeds of the unlawful activity and knowing that the transaction is designed, in whole or in part, to conceal or disguise the location, the ownership and the control of the proceeds of specified unlawful activity, in violation of O.C.G.A. § 7-1-915(c)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(ii);

10. On or about October 17, 2024, **Rickey McKinney**, while associated with the enterprise, did commit the offense of Money Laundering when he conducted a currency transaction, to wit: **Rickey McKinney** did complete an ATM withdrawal [as detailed in Step 5 of the Manner and Means section above] from Travious Johnson's account using to **Travious Johnson's** Varo Bank debit card ending in #7106, said ATM being located at 8805 Tara Blvd, Jonesboro, Georgia, in the amount of \$202.75, said currency having been credited to the account through the TJX return scheme detailed herein, and knowing that the monies involved in the currency transaction represent the proceeds of the unlawful activity, said transaction involving the proceeds of the unlawful activity and knowing that the transaction is designed in whole or in part to conceal or disguise the location, the ownership and the control of the proceeds of specified unlawful activity, in violation of O.C.G.A. § 7-1-915(c)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(ii);

16. On or about October 24, 2024, **Rickey McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 213 South Point Blvd, McDonough Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$96.86 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

17. On or about October 24, 2024, **Rickey McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 3602 Marketplace Blvd, Atlanta, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$161.98 to T.J. Maxx Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);



18. On or about October 24, 2024, **Rickey McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 650 Ponce De Leon, Atlanta, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning the ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$161.98, to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

21. On or about October 22, 2024, **Rickey McKinney**, while associated with the enterprise, did commit the offense of Money Laundering when he conducted a currency transaction, to wit: **Rickey McKinney** did complete an ATM withdrawal [as detailed in Step 5 of the Manner and Means section above] from Travious Johnson's account using **Travious Johnson's** Varo Bank debit card ending in #7106, said ATM being located at 5425 Fairington Rd, Lithonia, Georgia, in the amount of \$278.75, said currency having been credited to the account through the TJX return scheme detailed herein, and knowing that the monies involved in the currency transaction represent the proceeds of the unlawful activity, said transaction involving the proceeds of the unlawful activity and knowing that the transaction is designed in whole or in part to conceal or disguise the location, the ownership and the control of the proceeds of specified unlawful activity, in violation of O.C.G.A. § 7-1-915(c)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(ii);

22. On or about October 23, 2024, **Rickey McKinney**, while associated with the enterprise, did commit the offense of Money Laundering when he conducted a currency transaction, to wit: **Rickey McKinney** did complete an ATM withdrawal [as detailed in Step 5 of the Manner and Means section above] from Travious Johnson's account using **Travious Johnson's** Varo Bank debit card ending in #7106, said ATM being located at 5425 Fairington Rd, Lithonia, Georgia, in the amount of \$123.75, said currency having been credited to the account through the TJX return scheme detailed herein, and knowing that the monies involved in the currency transaction represent the proceeds of the unlawful activity, said transaction involving the proceeds of the unlawful activity and knowing that the transaction is designed in whole or in part to conceal or disguise the location, the ownership and the control of the proceeds of specified unlawful activity, in violation of O.C.G.A. § 7-1-915(c)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(ii);

23. On or about October 24, 2024, **Rickey McKinney**, while associated with the enterprise, did commit the offense of Money Laundering when he conducted a currency transaction, to wit: **Rickey McKinney** did complete two ATM withdrawals [as detailed in Step 5 of the Manner and Means section above] from Travious Johnson's account using **Travious Johnson's** Varo Bank debit card ending in #7106, said ATM being located at 5425 Fairington Rd, Lithonia, Georgia, in the amount of \$403.75 and \$323.75, said currency having been credited to the account through the TJX return scheme detailed herein, and knowing that the monies involved in the currency transaction represent the proceeds of the unlawful activity, said transaction involving the proceeds of the unlawful activity and knowing that the transaction is designed in whole or in part to conceal or disguise the location, the ownership and the control of the proceeds of specified unlawful activity, in violation of O.C.G.A. § 7-1-915(c)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(ii);

37. On or about December 30, 2024, **Rickey McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 2146 Henderson Mill Rd, Atlanta, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$139.09 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);
38. On or about December 30, 2024, **Rickey McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 5488 Peachtree Blvd, Chamblee, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$181.88 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

49. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, Rickey McKinney, and an Unknown Individual**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 5171 Peachtree Pkwy, Peachtree Corners, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

50. On or about July 21, 2024, **Rickey McKinney**, while associated with the enterprise, at T.J. Maxx, said store being located at 5171 Peachtree Parkway, Peachtree Corners, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$216.98 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Lorenta Gober's** Navy Federal Credit Union debit card ending in #4158, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Rickey McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

51. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, Rickey McKinney, and an Unknown Individual**, while associated with the enterprise, did attempt to commit the offense of Shoplifting, in violation of O.C.G.A. § 16-4-1, when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding, sheets, and pillow sets owned by HomeGoods, said store being located at 7491 N. Point Pkwy, Alpharetta, Georgia, into a cart, a substantial step towards the commission of the crime of Shoplifting, as specified in O.C.G.A. § 16-8-14(a)(1), but abandoned said merchandise before passing all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-4-1, said offense being an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

55. On or about August 21, 2024, **Rickey McKinney**, while associated with the enterprise, at HomeGoods, said store being located at 7491 North Point Pkwy, Alpharetta, Georgia, did commit the felony offense of Financial Identity Fraud, when he without authorization and consent, willfully and fraudulently used the identify information of Dra'kel Bailey to complete a no receipt return of merchandise previously stolen from a TJX Companies, Inc. store and received a merchant gift card in the amount of \$107.74, the merchant gift card ending in #5142, in violation of O.C.G.A. § 16-9-121(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

### COUNT 3

The Grand Jurors aforesaid, in the name of and on behalf of the citizens of Georgia, do charge and accuse:

#### NAKEYTA MCKINNEY

with the offense of **VIOLATION OF THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT (O.C.G.A. § 16-14-4(b))**, for the said accused, in the State of Georgia and County of Cherokee, on and between the 14<sup>th</sup> day of June, 2024 and the 5<sup>th</sup> day of January, 2025, while associated with an enterprise, as alleged in Count 1 and incorporated by reference herein, did unlawfully conduct and participate, directly and indirectly, in such enterprise through a pattern of Racketeering Activity as described below and incorporated by reference as if fully set forth herein, and further, the State of Georgia incorporates by reference, as if fully set forth herein, the following specific paragraphs in Count 1, which allege acts of racketeering activity committed by other persons associated with the enterprise: 2, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 28, 29, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56; contrary to the laws of said State, the good order, peace and dignity thereof;

#### PATTERN OF RACKETEERING ACTIVITY

NAKEYTA MCKINNEY, committed the acts of Racketeering Activity enumerated below, which are chargeable by indictment under the laws of this State:

30. On or about January 5, 2025, **Nakeyta McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 1801 Howell Mill Rd, Atlanta, Georgia, commit the offense of Theft by Deception when she obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and

Means section above] in the amount of \$129.58 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

31. On or about January 5, 2025, **Nakeyta McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 1801 Howell Mill Rd, Atlanta, Georgia, commit the offense of Theft by Deception when she obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$161.99 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

35. On or about December 30, 2024, **Nakeyta McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 213 South Point Blvd, McDonough, Georgia, did commit the offense of Theft by Deception when she obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$171.18 to T.J. Maxx and receiving in return United States currency in a like amount, the original \$8.44 purchased on debit card ending in #7487 going back to said card but the balance of \$162.74 being refunded to a new debit card ending in #8174, both debit cards belonging to **Nakeyta McKinney**, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);
36. On or about December 30, 2024, **Nakeyta McKinney**, while associated with the enterprise, did at T.J. Maxx, said store being located at 213 South Point Blvd, McDonough, Georgia, commit the offense of Theft by Deception when she obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$128.39 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);



39. On or about December 31, 2024, **Nakeyta McKinney and Antonio**

**Pearson**, while associated with the enterprise, did at T.J. Maxx, said store being located at 134 Perimeter Center West, Dunwoody, Georgia, commit the offense of Theft by Deception when they obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$106.99 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney and Antonio Pearson** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

#### COUNT 4

The Grand Jurors aforesaid, in the name of and on behalf of the citizens of Georgia, do charge and accuse:

#### ZACHARY GAINES

with the offense of **VIOLATION OF THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT (O.C.G.A. § 16-14-4(b))**, for the said accused, in the State of Georgia and County of Cherokee, on and between the 14<sup>th</sup> day of June, 2024 and the 5<sup>th</sup> day of January, 2025, while associated with an enterprise, as alleged in Count 1 and incorporated by reference herein, did unlawfully conduct and participate, directly and indirectly, in such enterprise through a pattern of Racketeering Activity as described below and incorporated by reference as if fully set forth herein, and further, the State of Georgia incorporates by reference, as if fully set forth herein, the following specific paragraphs in Count 1, which allege acts of racketeering activity committed by other persons associated with the enterprise: 8, 9, 10, 11, 16, 17, 18, 21, 22, 23, 25, 27, 28, 29, 30, 31, 35, 36, 37, 38, 39, 40, 50, 55 and 56; contrary to the laws of said State, the good order, peace and dignity thereof;

#### PATTERN OF RACKETEERING ACTIVITY

ZACHARY GAINES, committed the acts of Racketeering Activity enumerated below, which are chargeable by indictment under the laws of this State:

2. On or about October 15, 2024, **Zachary Gaines**, while associated with the enterprise, did commit the offense of Refund Fraud while at HomeGoods, said store being located at 2243 Cumming Highway, Canton, Georgia, when he obtained a refund of \$741.98 in the form of a merchant gift card [as detailed in Step 2 of the Manner and Means section above], said merchant gift card ending in #4133, by use of a driver's license not issued to him and the property which was the subject of the refund fraud exceeded \$500.00 in value, in

violation of O.C.G.A. § 16-8-14.1(a)(2), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

7. On or about October 17, 2024, **Zachary Gaines**, while associated with the enterprise, did at T.J. Maxx, said store being located at 1 Buckhead Loop NE, Atlanta, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$129.59 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Zachary Gaines** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

19. On or about October 24, 2024, **Zachary Gaines**, while associated with the enterprise, did at T.J. Maxx, said store being located at 650 Ponce De Leon, Atlanta, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning the ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$161.99, to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Zachary Gaines** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

20. On or about October 25, 2024, **Zachary Gaines**, while associated with the enterprise, did at T.J. Maxx, said store being located at 213 South Point Blvd, McDonough Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$129.58 to T.J. Maxx and receiving in return United States currency in a like amounts, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Zachary Gaines** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

41. On or about June 14, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 5220 Jimmy Lee Pkwy, Hiram, Georgia, into a reusable bag and walked the merchandise past all points of sale and out of the store without paying, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

42. On or about July 1, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 916 Loganville Hwy, Bethlehem, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

43. On or about July 2, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

44. On or about July 13, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

45. On or about July 15, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 1990 Jonesboro Rd, McDonough, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

46. On or about July 15, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 200 Line Creek Dr, Peachtree City, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);
47. On or about July 16, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 5468 Peachtree Blvd, Chamblee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);
48. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, and an Unknown Individual**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a reusable bag and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

49. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, Rickey McKinney, and an Unknown Individual**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 5171 Peachtree Pkwy, Peachtree Corners, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

51. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, Rickey McKinney, and an Unknown Individual**, while associated with the enterprise, did attempt to commit the offense of Shoplifting, in violation of O.C.G.A. § 16-4-1, when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding, sheets, and pillow sets owned by HomeGoods, said store being located at 7491 N. Point Pkwy, Alpharetta, Georgia, into a cart, a substantial step towards the commission of the crime of Shoplifting, as specified in O.C.G.A. § 16-8-14(a)(1), but abandoned said merchandise before passing all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-4-1, said offense being an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;



52. On or about July 31, 2024, **Antonio Pearson, Zachary Gaines, and an Unknown Individual**, while associated with the enterprise, did attempt to commit the offense of Shoplifting, in violation of O.C.G.A. § 16-4-1, when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed sets of sheets owned by HomeGoods, said store being located at 1625 Bass Rd, Macon, Georgia, into a cart, a substantial step towards the commission of the crime of Shoplifting, as specified in O.C.G.A. § 16-8-14(a)(1), but abandoned said merchandise before passing all points of sale and exiting out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-4-1, said offense being an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

53. On or about August 7, 2024, **Antonio Pearson, Zachary Gaines, and an Unknown Individual**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed small kitchen appliances owned by HomeGoods, said store being located at 1990 Jonesboro Rd, McDonough, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

54. On or about August 9, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed a Breville appliance and an espresso machine owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value less than \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

## COUNT 5

The Grand Jurors aforesaid, in the name of and on behalf of the citizens of Georgia, do charge and accuse:

### ANTONIO PEARSON

with the offense of **VIOLATION OF THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT (O.C.G.A. § 16-14-4(b))**, for the said accused, in the State of Georgia and County of Cherokee, on and between the 14<sup>th</sup> day of June, 2024 and the 5<sup>th</sup> day of January, 2025, while associated with an enterprise, as alleged in Count 1 and incorporated by reference herein, did unlawfully conduct and participate, directly and indirectly, in such enterprise through a pattern of Racketeering Activity as described below and incorporated by reference as if fully set forth herein, and further, the State of Georgia incorporates by reference, as if fully set forth herein, the following specific paragraphs in Count 1, which allege acts of racketeering activity committed by other persons associated with the enterprise: 2, 7, 9, 10, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 28, 30, 31, 35, 36, 37, 38, 50 and 55; contrary to the laws of said State, the good order, peace and dignity thereof;

### PATTERN OF RACKETEERING ACTIVITY

ANTONIO PEARSON, committed the acts of Racketeering Activity enumerated below, which are chargeable by indictment under the laws of this State:

8. On or about October 17, 2024, **Antonio Pearson**, while associated with the enterprise, did at T.J. Maxx, said store being located at 1 Buckhead Loop NE, Atlanta, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$215.99 to T.J. Maxx and receiving in return United

States currency in a like amount, which was credited to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx workers that the merchandise was legally in the possession of **Antonio Pearson** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

11. On or about October 18, 2024, **Antonio Pearson**, while associated with the enterprise, at T.J. Maxx, said store being located at 1905 Scenic Highway, Snellville, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$107.99 to T.J. Maxx and receiving said money to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx workers that the merchandise was legally in the possession of **Antonio Pearson** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

29. On or about January 1, 2025, **Antonio Pearson**, while associated with the enterprise, at T.J. Maxx, said store being located at 1536 Southlake Pkwy, Morrow, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$172.79 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Antonio Pearson** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a);
39. On or about December 31, 2024, **Nakeyta McKinney and Antonio Pearson**, while associated with the enterprise, did at T.J. Maxx, said store being located at 134 Perimeter Center West, Dunwoody, Georgia, commit the offense of Theft by Deception when they obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$106.99 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Nakeyta McKinney and Antonio Pearson** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

40. On or about October 15, 2024, **Antonio Pearson**, while associated with the enterprise, at T.J. Maxx, said store being located at 1810 Cumming Hwy, Canton, Georgia, did commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning merchandise in the amount of \$129.59 to T.J. Maxx and receiving said money to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx workers that the merchandise was legally in the possession of **Antonio Pearson** but instead having been fraudulently obtained by returning stolen merchandise for store credit and then using T.J. Maxx's own money to purchase the item that is being refunded, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

41. On or about June 14, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 5220 Jimmy Lee Pkwy, Hiram, Georgia, into a reusable bag and walked the merchandise past all points of sale and out of the store without paying, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

42. On or about July 1, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 916 Loganville Hwy, Bethlehem, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

43. On or about July 2, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

44. On or about July 13, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

45. On or about July 15, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 1990 Jonesboro Rd, McDonough, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);
46. On or about July 15, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 200 Line Creek Dr, Peachtree City, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);
47. On or about July 16, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 5468 Peachtree Blvd, Chamblee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);



48. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, and an Unknown Individual**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a reusable bag and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

49. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, Rickey McKinney, and an Unknown Individual**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding and sheets owned by HomeGoods, said store being located at 5171 Peachtree Pkwy, Peachtree Corners, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

51. On or about July 21, 2024, **Antonio Pearson, Zachary Gaines, Rickey McKinney, and an Unknown Individual**, while associated with the enterprise, did attempt to commit the offense of Shoplifting, in violation of O.C.G.A. § 16-4-1, when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed bedding, sheets, and pillow sets owned by HomeGoods, said store being located at 7491 N. Point Pkwy, Alpharetta, Georgia, into a cart, a substantial step towards the commission of the crime of Shoplifting, as specified in O.C.G.A. § 16-8-14(a)(1), but abandoned said merchandise before passing all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-4-1, said offense being an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii) and an overt act in furtherance of the conspiracy;

52. On or about July 31, 2024, **Antonio Pearson, Zachary Gaines, and an Unknown Individual**, while associated with the enterprise, did attempt to commit the offense of Shoplifting, in violation of O.C.G.A. § 16-4-1, when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed sets of sheets owned by HomeGoods, said store being located at 1625 Bass Rd, Macon, Georgia, into a cart, a substantial step towards the commission of the crime of Shoplifting, as specified in O.C.G.A. § 16-8-14(a)(1), but abandoned said merchandise before passing all points of sale and exiting out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-4-1, said offense being an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

53. On or about August 7, 2024, **Antonio Pearson, Zachary Gaines**, and an **Unknown Individual**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed small kitchen appliances owned by HomeGoods, said store being located at 1990 Jonesboro Rd, McDonough, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

54. On or about August 9, 2024, **Antonio Pearson and Zachary Gaines**, while associated with the enterprise, did commit the offense of Shoplifting when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed a Breville appliance and an espresso machine owned by HomeGoods, said store being located at 3630 Peachtree Pkwy, Suwanee, Georgia, into a cart and pushed the merchandise past all points of sale and out of the store without paying, said merchandise having a value less than \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

56. On or about September 1, 2024, **Antonio Pearson and an Unknown Individual**, while associated with the enterprise, did attempt to commit the offense of Shoplifting, in violation of O.C.G.A. § 16-4-1, when they, with the intent of appropriating merchandise to their own use without paying for the merchandise, placed several sheets owned by HomeGoods, said store being located at 1990 Jonesboro Rd, McDonough, Georgia, into a cart but abandoned said merchandise before passing all points of sale and exiting out of the store without paying, said merchandise having a value in excess of \$500.00, in violation of O.C.G.A. § 16-8-14(a)(1), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

## COUNT 6

The Grand Jurors aforesaid, in the name of and on behalf of the citizens of Georgia, do charge and accuse:

### JAVON DORSEY

with the offense of **VIOLATION OF THE RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT (O.C.G.A. § 16-14-4(b))**, for the said accused, in the State of Georgia and County of Cherokee, on and between the 14<sup>th</sup> day of June, 2024 and the 5<sup>th</sup> day of January, 2025, while associated with an enterprise, as alleged in Count 1 and incorporated by reference herein, did unlawfully conduct and participate, directly and indirectly, in such enterprise through a pattern of Racketeering Activity as described below and incorporated by reference as if fully set forth herein, and further, the State of Georgia incorporates by reference, as if fully set forth herein, the following specific paragraphs in Count 1, which allege acts of racketeering activity committed by other persons associated with the enterprise: 2, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 22, 23, 25, 29, 30, 31, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56; contrary to the laws of said State, the good order, peace and dignity thereof;

### PATTERN OF RACKETEERING ACTIVITY

JAVON DORSEY, committed the acts of Racketeering Activity enumerated below, which are chargeable by indictment under the laws of this State:

27. On or about January 1, 2025, **Javon Dorsey**, an associate of the enterprise, did at T.J. Maxx, said store being located at 650 Ponce De Leon, Atlanta, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section

above] in the amount of \$194.38 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Javon Dorsey** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

28. On or about January 1, 2025, **Javon Dorsey**, while associated with the enterprise, did at T.J. Maxx, said store being located at 5488 Peachtree Blvd, Chamblee, Georgia, commit the offense of Theft by Deception when he obtained United States currency, the property of T.J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning ill-gotten merchandise [as detailed in Step 4 of the Manner and Means section above] in the amount of \$183.58 to T.J. Maxx and receiving in return United States currency in a like amount, which was credited to **Nakeyta McKinney's** debit card ending in #8174, said scheme creating the impression to T.J. Maxx employees that the merchandise was legally in the possession of **Javon Dorsey** when in fact it had been illegally gained through the scheme described herein, in violation of O.C.G.A. § 16-8-3(a), which is an act of Racketeering Activity under O.C.G.A. § 16-14-3(5)(A)(xii);

## COUNT 7

the Grand Jurors aforesaid, in the name of and on behalf of the citizens of Georgia, do charge and accuse:

### ZACHARY GAINES

with the offense of Refund Fraud (O.C.G.A. § 16-8-14.1(a)(2)), for that said accused, in the county of Cherokee and the State of Georgia, on the 15th day of October, 2024, obtained a refund of \$741.98 in the form of a merchant gift card, the property of TJX Companies, Inc., said gift card ending in #4133, by use of a driver's license not issued to him and the property which was the subject of the refund fraud exceeded \$500.00 in value, contrary to the laws of said State, the good order, peace, and dignity thereof.

## COUNT 8

the Grand Jurors aforesaid, in the name of and on behalf of the citizens of Georgia, do charge and accuse:

### ANTONIO PEARSON

with the offense of Theft by Deception (O.C.G.A. § 16-8-3(a)), for that said accused, in the county of Cherokee and the State of Georgia, on the 15<sup>th</sup> day of October, 2024, when he obtained United States currency, the property of T. J. Maxx, by deceitful means and artful practice, and with the intent to deprive the owner of the property, by returning merchandise in the amount of \$129.59 to T.J. Maxx and receiving said money to **Travious Johnson's** Varo Bank debit card ending in #7106, said scheme creating the impression to T.J. Maxx workers that the merchandise was legally in the possession of **Antonio Pearson** but instead having been fraudulently obtained by returning stolen merchandise for store credit and then using T.J. Maxx's own money to purchase the item that is being refunded, contrary to the law of said State, the good order, peace, and dignity thereof.

SUSAN K. TREADAWAY, DISTRICT ATTORNEY

SPECIAL PRESENTMENT



TIMOTHY RUFFINI, SPECIAL ASSISTANT DISTRICT ATTORNEY

BLUE RIDGE JUDICIAL CIRCUIT  
GEORGIA STATE BAR #557865

CHEROKEE JUSTICE CENTER  
90 NORTH STREET, SUITE 390  
CANTON, GA 30114  
PHONE: 770-479-1488; FAX: 770-479-3105

EMAIL: TRUFFINI@LAW.GA.GOV