

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

|                               |   |                    |
|-------------------------------|---|--------------------|
| UNITED STATES OF AMERICA,     | ) |                    |
|                               | ) |                    |
| Plaintiff,                    | ) |                    |
|                               | ) | Crim. No. 14-cr-33 |
| v.                            | ) |                    |
|                               | ) |                    |
| SHAQUIM FREDERICKS, WARKIM J. | ) |                    |
| GABRIEL, ALVIN THOMAS, and    | ) |                    |
| CHEFTON C. NEWTON             | ) |                    |
|                               | ) |                    |
| Defendants.                   | ) |                    |
| _____                         | ) |                    |

**ATTORNEYS:**

**Gretchen Shappert, United States Attorney**  
**Meredith Jean Edwards, AUSA**  
United States Attorney's Office  
St. Thomas, VI  
*For the United States of America,*

**Michael L. Sheesley**  
St Thomas, VI  
*For Shaquim Fredericks,*

**Yohana M Manning**  
Christiansted, VI  
*For Warkim J. Gabriel,*

**Richard Coughlin, FPD**  
**Gabriel Villegas, AFPD**  
Office of the Federal Public Defender  
St. Thomas, VI  
*For Alvin Thomas,*

**John-Russell Bart Pate**  
St. Thomas, VI  
*For Chefton C. Newton.*

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**ORDER**

Before the Court are the April 20, 2015, Judgment and Commitment Orders imposing joint and several restitution in this matter.

On June 12, 2014, Shaquim Fredericks, Warkim J. Gabriel, Alvin Thomas, and Chefton C. Newton (collectively the "Defendants") were indicted in connection with a robbery of First Imperial Jewelers in St. Thomas, United States Virgin Islands.

On July 23, 2014, a jury found the Defendants guilty of conspiracy to interfere with commerce by robbery, in violation of 18 U.S.C. § 1951(a); interference with commerce by robbery, in violation of 18 U.S.C. §§ 1951(a) and 2; and conspiracy to possess a firearm in furtherance of a crime of violence, in violation of 18 U.S.C. § 924(o).

On January 29, 2015, the Court held a sentencing hearing for the Defendants. At that hearing, the Court was advised that the restitution payee identified by the United States was Topa Insurance Company ("Topa"). As a consequence, the Court ordered each Defendant to pay joint and several restitution in the amount of \$678,294.44 to Topa.

The Court is currently advised that the restitution payee was incorrectly identified. As such, the United States Probation

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Office recommends that the identity of the restitution payee should be corrected at this time. The United States Probation Office also represents that the United States Attorney's Office agrees that the issuance of an amended restitution order is appropriate at this time.

The premises considered, it is hereby

**ORDERED** that, by no later than 12:00 P.M. on May 29, 2019, the United States shall submit a brief addressing the following issues: 1) the identity of the appropriate restitution payee in this matter; 2) any objective evidence supporting the identity of the appropriate payee; and 3) any authority addressing the Court's ability to issue a restitution order at this time; it is further

**ORDERED** that an evidentiary hearing is hereby **SCHEDULED** to commence promptly at 9:00 A.M. on May 30, 2019. The presence of the Criminal Chief for the United States Attorney's Office is **REQUIRED**.

S\\_\_\_\_\_  
**CURTIS V. GÓMEZ**  
**District Judge**