

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	No.
v.)	
)	Violations: Title 18, United States Code,
JAMES M. BOLIN,)	Sections 371, 1956, 1957 and Title
also known as "James Matthew")	21, United States Code, Sections 331, 333,
JAMES P. BOLIN,)	352, 841(a) and 846
also known as "Jimmy")	

COUNT ONE

The SPECIAL SEPTEMBER 2012 GRAND JURY charges:

At times material to this Indictment:

1. JAMES M. BOLIN, also known as "James Matthew," operated "Herbal City," "H City," "Shop HC," and "Show Off City" that sold drugs that were intended for human consumption through the website HerbalCity.com and distributed these drugs from the south suburbs of Chicago throughout the United States.

2. JAMES P. BOLIN, also known as "Jimmy," was the son of JAMES M. BOLIN and assisted in the operation of Herbal City.com, including filling orders for drugs and handling customer service.

3. The United States Food and Drug Administration ("FDA") was the agency of the United States responsible for, among other things, enforcing the provisions of the Federal Food, Drug, and Cosmetic Act ("FDCA"), 21 U.S.C. §§ 301 et seq. The FDA's primary purpose in enforcing the provisions of the FDCA was to protect the public health. The FDA's responsibilities included regulating the manufacturing, labeling, and distribution of drugs

shipped or received in interstate commerce. The responsibilities of the FDA included preventing drugs that were unapproved for marketing or sale, or which were improperly packaged and labeled, from reaching the marketplace.

4. Beginning no later than January 2010 and continuing to June 4, 2013, at Manhattan and New Lenox and elsewhere in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as "James Matthew," and
JAMES P. BOLIN,
also known as "Jimmy,"

defendants herein, knowingly and intentionally conspired with each other and with others, known and unknown to the Grand Jury, to commit offenses against the United States, namely, with the intent to defraud and mislead:

(1) to introduce and cause the introduction of a misbranded drug into interstate commerce, in violation of Title 21, United States Code, Sections 331(a) and 333(a)(2); and

(2) to receive and cause the receipt of a misbranded drug in interstate commerce and to deliver and proffer delivery thereof for pay or otherwise, in violation of Title 21, United States Code, Sections 331(c) and 333(a)(2);

Method and Means of the Conspiracy

5. Between approximately January 2010 to approximately June 4, 2013, JAMES M BOLIN and JAMES P. BOLIN, conspired to obtain and sell, through "Herbal City," "H City," "Shop HC," and "Show Off City" and the website HerbalCity.com, products that were subject to regulation by the FDA as "drugs," as that term is defined by Title 21, United States Code, Section 321(g)(1).

6. JAMES M BOLIN and JAMES P. BOLIN obtained and sold products that they and their suppliers falsely and misleadingly referred to as "incense," "herbal incense," "herbal potpourri," and other misleading names, when in fact such products were drugs intended to affect the structure of function of the human body, or were intended for use as a component of such a drug. Such drugs were misbranded in at least one of the following respects:

a) The drugs' labeling was false and misleading in at least one particular, including but not limited to the following, in violation of Title 21, United States Code, Section 352(a):

- i. The drugs were falsely labeled in a manner indicating that they were not for human consumption, when in fact such drugs were intended for human consumption;
- ii. The drugs were sold as incense, herbal incense, herbal potpourri, and under other false and misleading names when in fact the products were intended for human consumption and to affect the structure or any function of the body;
- iii. The drugs were packaged with labeling which failed to identify accurately the package's contents and intended use;

b) The drugs' packaging did not bear a label containing the name and place of the business of the manufacturer, packer, or distributor, in violation of Title 21, United States Code, Section 352(b)(1);

c) The drugs' labeling failed to bear the established name and quantity of each active and inactive ingredient, in violation of Title 21, United States Code, Section 352(e)(1)(A); and

d) The drugs' labeling did not include adequate directions for use and did not bear adequate warnings as required by law, in violation of Title 21, United States Code, Section 352(f).

7. JAMES M. BOLIN and JAMES P. BOLIN intended to defraud and mislead regulators regarding the products' status as drugs, with the purpose of avoiding regulation over the drugs and enabling themselves to continue selling the drugs in exchange for money.

8. JAMES M. BOLIN and JAMES P. BOLIN ordered misbranded drugs from suppliers and manufacturers located outside the State of Illinois for resale to customers through the Herbal City website.

9. JAMES M. BOLIN and JAMES P. BOLIN sold multiple misbranded drugs obtained from out-of-state suppliers, including but not limited to products marketed as the following: *G-20 Herbal Potpourri, Joker Herbal Potpourri, Caution Blitzen Herbal Potpourri, Kronik Kryponite Herbal Potpourri, AK-47 24 Karat Gold Potpourri, ZenBio Sonic Zero Cherry, ZenBio Sonic Zero Blueberry, Hip Hop, Darkness Prince, Out World, Cherry Bomb, Caution Platinum Super Strong Incense, Caution Silver Super Strong Incense, Diablo Botanical Incense, Bizarro, Smoking Santa, Mr. Happy and OMG Next Generation.*

10. JAMES M. BOLIN and JAMES P. BOLIN advertised the sale of misbranded drugs online at the Herbal City website and created videos to promote the human consumption of misbranded drugs.

11. JAMES M. BOLIN and JAMES P. BOLIN possessed misbranded drugs at a residence in Manhattan, Illinois for distribution to customers in the Northern District of Illinois and elsewhere.

12. JAMES M. BOLIN and JAMES P. BOLIN caused thousands of packages of misbranded drugs to be introduced into interstate and foreign commerce through the United States Postal Service and commercial carriers.

13. JAMES M. BOLIN leased mailboxes at UPS stores in Frankfort and New Lenox, Illinois to receive interstate shipments of drugs from suppliers and others.

14. JAMES M. BOLIN and JAMES P. BOLIN paid at least \$1,000,000 to out-of-state suppliers in exchange for misbranded drugs.

15. JAMES M. BOLIN and JAMES P. BOLIN obtained payments totaling approximately \$3,000,000 from customers in exchange for misbranded drugs.

Overt Acts

16. Defendants committed the following acts among other acts in the Northern District of Illinois and elsewhere to effect the object of the conspiracy, including but not limited to the following:

a) On or about October 7, 2010, JAMES M. BOLIN, made a video to advertise and promote the sale of misbranded drugs.

b) On or about December 22, 2011, JAMES M. BOLIN, leased a mail box at a UPS Store in New Lenox, Illinois.

c) On or about January 23, 2013, JAMES M. BOLIN and JAMES P. BOLIN caused to be delivered and delivered by the mails to a customer for pay misbranded drugs named *Joker Herbal Potpourri*, *Caution Blitzen Herbal Potpourri*, *Kronick Kryponite Herbal Potpourri*, and *G-20 Herbal Potpourri*.

d) On or about January 29, 2013, JAMES M. BOLIN and JAMES P. BOLIN caused to be delivered and delivered by the mails to a customer for pay misbranded drugs named, *AK-47 24 Karat Gold Herbal Potpourri*.

e) On or about March 1, 2013, JAMES M. BOLIN and JAMES P. BOLIN caused to be delivered and delivered by the mails to a customer for pay misbranded drugs

named *AK-47 24 Karat Gold Herbal Potpourri*.

f) On or about March 11, 2013, JAMES M. BOLIN and JAMES P. BOLIN caused to be delivered and delivered by the mails to a customer for pay misbranded drugs named *ZenBio Sonic Zero Blueberry* and *ZenBio Sonic Zero Cherry*.

g) On or about March 28, 2013, JAMES P. BOLIN, emailed a customer regarding an order for misbranded drugs.

h) On or about April 24, 2013, JAMES M. BOLIN and JAMES P. BOLIN caused to be delivered and delivered by the mails to a customer for pay misbranded drugs named *Bizzaro Herbal Potpourri*, *AK-47 24 Karat Gold Herbal Potpourri*, and *Diablo*.

i) On or about May 22, 2013, JAMES P. BOLIN, emailed a customer regarding an order for misbranded drugs.

j) On or about May 29, 2013, JAMES M. BOLIN and JAMES P. BOLIN caused to be delivered and delivered by the mails to a customer for pay misbranded drugs named *Bizzaro Herbal Potpourri*.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO -- FIVE

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 3 and 6 in Count One are incorporated herein by reference.

2. On or about the dates set forth below, at Manhattan and elsewhere in the Northern District of Illinois,

JAMES M. BOLIN,
also known as “James Matthew,” and
JAMES P. BOLIN,
also known as “Jimmy,”

defendants herein, with the intent to defraud and mislead, did cause the introduction of the following misbranded drugs into interstate commerce, each of said drugs being misbranded in at least one of the respects described in paragraph 6 in Count One of this Indictment:

Count	Date	Origin of Misbranded Drugs	Destination	Method of Delivery	Product Names of Misbranded Drugs
2	1/27/2013	Oceanside, CA	New Lenox, IL	USPS	<i>Comfortably Numb; Dr. Feel Good; Black Sabbath; and Unleashed</i>
3	2/11/2013	Orange, CA	New Lenox, IL	USPS	<i>WTF; OMG; and Joker</i>
4	5/14/2013	Oceanside, CA	New Lenox, IL	USPS	<i>Chilly Willy; Red Devil; Dr. Feel Good; Comfortably Numb; Grim Reaper; and Game Over</i>
5	6/4/2013	Clearwater FL	New Lenox, IL	FedEx	<i>WTF and Angry Birds</i>

All in violation of Title 21, United States Code, Sections 331(a), 333(a)(2), 352(a), 352(b), 352(e) and 352(f), and Title 18, United States Code, Section 2.

COUNTS SIX -- TEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 3 and 6 in Count One are incorporated herein by reference.
2. On or about the dates set forth below, at Manhattan and elsewhere in the Northern District of Illinois,

JAMES M. BOLIN,
also known as “James Matthew,” and
JAMES P. BOLIN,
also known as “Jimmy,”

defendants herein, with the intent to defraud and mislead, did receive and cause the receipt in interstate commerce of misbranded drugs and caused the delivery, delivered and proffered delivery of such misbranded products to a customer for pay, each of the drugs being misbranded in at least one of the respects described in paragraph 6 of Count One of this Indictment.

Count	Date of Delivery to Customer	Product Names of Misbranded Drugs
6	1/23/2013	<i>Joker</i> <i>Caution Blitzen</i> <i>Kronick Kryponite</i> <i>G-20</i>
7	1/29/2013	<i>AK-47 24 Karat Gold</i>
8	3/1/2013	<i>AK-47 24 Karat Gold</i>
9	3/11/2013	<i>Zen Bio Sonic Zero, Blueberry</i> <i>Zen Bio Sonic Zero, Cherry</i>
10	4/24/2013	<i>Bizzaro</i> <i>AK-47 24 Karat Gold</i> <i>Diablo</i>

All in violation of Title 21, United States Code, Sections 331(c), 333(a)(2), 352(a), 352(b), 352(e) and 352(f), and Title 18, United States Code, Section 2.

COUNT ELEVEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 3 in Count One are incorporated herein by reference.

2. Between approximately January 2010 and continuing to June 4, 2013 at Manhattan and elsewhere in the Northern District of Illinois,

JAMES M. BOLIN,
also known as “James Matthew,” and
JAMES P. BOLIN,
also known as “Jimmy,”

defendants herein, knowingly and intentionally conspired with each other and with others, known and unknown to the Grand Jury, to possess with intent to distribute and distribute a mixture and substance containing a detectable amount of a controlled substance analogue, as defined in Title 21, United States Code, Section 802(32), namely, 1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (commonly known as XLR11) and 1-pentyl-1*H*-indole-3-carboxylic acid 8-quinolinyl ester (commonly known as PB-22), knowing that such substance was intended for human consumption, as provided in Title 21, United States Code, Section 813; in violation of Title 21, United States Code, Section 841(a)(1);

All in violation of Title 21, United States Code, Section 846.

COUNTS TWELVE -- SIXTEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 3 in Count One are incorporated herein by reference.
2. On or about the dates set forth below, at Manhattan and elsewhere in the Northern District of Illinois,

JAMES M. BOLIN,
also known as “James Matthew,” and
JAMES P. BOLIN,
also known as “Jimmy,”

defendants herein, did knowingly and intentionally distribute a controlled substance, namely, a mixture and substance containing a detectable amount of each compound set forth below, each being a controlled substance analogue, as defined in Title 21, United States Code, Section 802(32), knowing that such substance was intended for human consumption as provided in Title 21, United States Code, Section 813:

Count	Date	Product Name	Controlled Substance Analogue
12	1/23/2013	<i>Joker; Caution Blitzen; Kronick Kryponite; G-20</i>	1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (XLR11)
13	1/29/2013	<i>AK-47 24 Karat Gold</i>	1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (XLR11)
14	3/1/2013	<i>AK-47 24 Karat Gold</i>	1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (XLR11)
15	3/11/2013	<i>Zen Bio Sonic Zero Blueberry; Zen Bio Sonic Zero Cherry</i>	1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (XLR11)
16	4/24/2013	<i>Bizzaro; AK-47; 24 Karat Gold; Diablo</i>	1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (XLR11)

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT SEVENTEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about May 29, 2013, at Manhattan and elsewhere, in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as “James Matthew,” and
JAMES P. BOLIN,
also known as “Jimmy,”

defendants herein, did knowingly and intentionally distribute a controlled substance, namely, a mixture and substance named *Bizzaro Herbal Potpourri*, containing a detectable amount of 1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole (XLR11), a Schedule I Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT EIGHTEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about June 4, 2013, at Manhattan, in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as “James Matthew,” and
JAMES P. BOLIN,
also known as “Jimmy,”

defendants herein, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, various synthetic cannabinoid products including: *Smoking Santa*, *Mr. Happy*, *Kronik Kryptonite*, *OMG Potpourri*, *WTF!* and *Deadman Walking*, containing a detectable amount of 1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (XLR11), a Schedule I Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT NINETEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about June 5, 2013, at New Lenox, in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as "James Matthew," and
JAMES P. BOLIN,
also known as "Jimmy,"

defendants herein, did attempt to knowingly and intentionally possess with intent to distribute a controlled substance, namely, various synthetic cannabinoid products including *WTF* and *Angry Bird Space*, containing a detectable amount of 1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole (XLR11), a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a);

In violation of Title 21, United States Code, Section 846.

COUNT TWENTY

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about May 26, 2011, in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as "James Matthew,"

defendant herein, did knowingly conduct and attempt to conduct a financial transaction affecting interstate commerce, namely, writing check #1158 on Bank of America account # xxxx4286 in the amount of \$5,005.98 payable to Supplier A in Van Nuys, California, which transaction involved the proceeds of specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues; with the intent to promote the carrying on of specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

COUNT TWENTY-ONE

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about October 26, 2011, in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as "James Matthew,"

defendant herein, did knowingly conduct and attempt to conduct a financial transaction affecting interstate commerce, namely, writing check #1720 on Bank of America account # xxxx4286 in the amount of \$1,975 payable to Supplier B in Los Angeles, California, which transaction involved the proceeds of specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, with the intent to promote the carrying on of specified unlawful activity, namely the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

COUNT TWENTY-TWO

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about August 9, 2012, in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as "James Matthew,"

defendant herein, did knowingly conduct and attempt to conduct a financial transaction affecting interstate commerce, namely, writing check #1689 on Bank of America account # xxxx4286 in the amount of \$4,292.52 payable to Supplier C in Port Orange, Florida, which transaction involved the proceeds of specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, with the intent to promote the carrying on of specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

COUNT TWENTY-THREE

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about February 8, 2013, in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as "James Matthew,"

defendant herein, did knowingly conduct and attempt to conduct a financial transaction affecting interstate commerce, namely, in that defendant caused \$2,625 to be transferred from Bank of America account # xxxx4286 to Supplier D's account in Orange, California at the J P Morgan Chase Bank, which transaction involved the proceeds of specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, with the intent to promote the carrying on of specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

COUNT TWENTY-FOUR

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about May 14, 2013, in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as "James Matthew,"

defendant herein, did knowingly conduct and attempt to conduct a financial transaction affecting interstate commerce, namely, in that defendant caused \$3,450 to be transferred from Bank of America account # xxxx4286 to Supplier E's account in Staten Island, New York at the TD Bank, N.A., which transaction involved the proceeds of specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, with the intent to promote the carrying on of specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

COUNT TWENTY-FIVE

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about May 7, 2013, in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as "James Matthew,"

defendant herein, did knowingly engage and attempt to engage in a monetary transaction affecting interstate commerce and involving criminally derived property of a value greater than \$10,000, in that defendant caused to be transferred \$15,000 from Bank of America account xxxx4626 to Bank of America account xxxx6597, which property was derived from specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, in violation of Title 21, United States Code, Sections 802(32)(A), 813 and 841(a);

In violation of Title 18, United States Code, Section 1957(a).

COUNT TWENTY-SIX

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

On or about May 14, 2013, in the Northern District of Illinois, Eastern Division,

JAMES M. BOLIN,
also known as James Matthew,

defendant herein, did knowingly engage and attempt to engage in a monetary transaction affecting interstate commerce and involving criminally derived property of a value greater than \$10,000, in that defendant caused to be transferred \$19,000 from Bank of America account xxxx4626 to Bank of America account xxxx6597, which property was derived from specified unlawful activity, namely, the felonious receiving, buying, selling or otherwise dealing in controlled substance analogues, in violation of Title 21, United States Code, Sections 802(32)(A), 813 and 841(a);

In violation of Title 18, United States Code, Section 1957(a).

FORFEITURE ALLEGATION ONE

The SPECIAL SEPTEMBER 2012 GRAND JURY alleges:

1. The allegations of Counts 11 through 19 of this Indictment are incorporated here for the purpose of alleging forfeiture to the United States, pursuant to Title 21, United States Code, Section 853.

2. As a result of their violations of Title 21, United States Code, Sections 846 and 841(a)(1), as alleged in Counts 11 through 19 of the foregoing Indictment,

JAMES M. BOLIN,
also known as "James Matthew," and
JAMES P. BOLIN,
also known as "Jimmy,"

defendants herein, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853(a)(1) and (2): (1) any and all property constituting or derived from any proceeds obtained, directly or indirectly, as a result of said violations, and (2) any and all property used, and intended to be used, in any manner or part to commit and to facilitate the commission of said violations.

3. The interests of the defendants subject to forfeiture to the United States, pursuant to Title 21, United States Code, Section 853(a)(1) and (2), include but are not limited to approximately \$2,000,000 representing proceeds of the unlawful drug trafficking activities alleged in Counts 11 through 19 of the foregoing Indictment, including approximately \$165,247 seized on or about June 4, 2013.

4. If any of the property described above subject to forfeiture pursuant to Title 21, United States Code, Section 853(a), as a result of any act or omission of the defendants:

a. Cannot be located upon the exercise of due diligence;

- b. Has been transferred or sold to, or deposited with, a third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of substitute property belonging to the defendants under the provisions of Title 21, United States Code, Section 853(p);

All pursuant to Title 21, United States Code, Section 853.

FORFEITURE ALLEGATION TWO

The SPECIAL SEPTEMBER 2012 GRAND JURY further alleges:

1. The allegations contained in Counts 20 through 26 of this Indictment are incorporated here for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(1).

2. As a result of their violation of Title 18, United States Code, Section 1956(a)(1)(A), as alleged in Counts 20 through 26 of the foregoing Indictment,

JAMES M. BOLIN,
also known as "James Matthew,"

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all right, title, and interest defendant has in any property, real and personal, involved in such offenses, and any property traceable to such property.

3. The interests of the defendants, subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(1) include, but is not limited to, funds in the amount of approximately \$51,347.

4. If any of the property described above as being subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(1), as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States of America to seek forfeiture of substitute property belonging to defendant under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1);

All pursuant to Title 18, United States Code, Section 982.

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY