

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA :

- v. - :

SUPERSEDING
INFORMATION

NICHOLAS LAHINES, :

S1 11 Cr. 469 (LBS)

Defendant. :

- - - - -X

COUNT ONE

ENGAGING IN THE BUSINESS OF MANUFACTURING AND
DEALING IN EXPLOSIVE MATERIALS WITHOUT A LICENSE

The United States Attorney charges:

1. From at least in or about January 2011 through on or about May 19, 2011, in the Southern District of New York and elsewhere, NICHOLAS LAHINES, the defendant, unlawfully, willfully, and knowingly did engage in the business of manufacturing and dealing in explosive materials without a license, to wit, LAHINES manufactured explosive devices, including but not limited to cylinders containing explosives, in Bridgeport, Connecticut, and distributed explosive devices to individuals including a confidential informant of the Federal Bureau of Investigation purporting to be a purchaser of explosives (the "CI") in Bronx County, New York.

(Title 18, United States Code, Section 842(a)(1).)

COUNT TWO

ENGAGING IN THE BUSINESS OF MANUFACTURING
AND DEALING IN FIREARMS WITHOUT A LICENSE

The United States Attorney further charges:

2. From at least in or about January 2011, through on or about May 19, 2011, in the Southern District of New York and elsewhere, NICHOLAS LAHINES, the defendant, unlawfully, willfully, and knowingly did engage in the business of manufacturing and dealing in firearms, defined in Title 18, United States Code, Section 921(a)(3) to include any destructive device, without a license, and in the course of such business, did transport destructive devices in interstate and foreign commerce, to wit, LAHINES manufactured and distributed explosive devices, including, on or about May 19, 2011, when LAHINES transported cylinders containing explosives from Bridgeport, Connecticut, to Bronx County, New York, where LAHINES sold such cylinders to the CI.

(Title 18, United States Code, Section 922(a)(1)(A).)

COUNT THREE

CONSPIRACY TO DISTRIBUTE NARCOTICS

The United States Attorney further charges:

3. In or about May 2011, in the District of Connecticut and elsewhere, NICHOLAS LAHINES, the defendant, and others known and unknown, intentionally, and knowingly did

combine, conspire, confederate, and agree together and with each other, to violate the narcotics laws of the United States.

4. It was a part and an object of the conspiracy that NICHOLAS LAHINES, the defendant, and others known and unknown, would and did distribute, and possess with intent to distribute, a controlled substance, to wit, five grams or more of methamphetamine, in violation of Title 21, United States Code Sections 812, 841(a)(1), and 841(b)(1)(B).

(Title 21, United States Code, Section 846.)

COUNT FOUR

IMMIGRATION FRAUD

The United States Attorney further charges:

5. In or about December 2008, in the Southern District of New York and elsewhere, NICHOLAS LAHINES, the defendant, knowingly made under oath and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, and knowingly subscribed as true, false statements with respect to material facts in applications, affidavits and other documents required by the immigration laws and regulations prescribed thereunder, and knowingly presented such applications, affidavits, and other documents which contained such false statements and which failed to contain any reasonable basis in law and fact, to wit, LAHINES caused to be filed with the United States Department of Homeland Security, U.S. Citizenship and

Immigration Services, materials that contained false information concerning his marriage.

(Title 18, United States Code, Section 1546.)

FORFEITURE ALLEGATION

(Count One)

6. As the result of committing the explosives offense in violation of Title 18, United States Code, Section 842(a)(1), as alleged in Count One of this Information, NICHOLAS LAHINES, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(B), any and all all property, constituting, or derived from, proceeds obtained directly or indirectly by LAHINES as a result of the commission of the explosives offense charged in Count One.

7. If any of the forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982(a)(2)(B);
Title 21, United States Code, Section 853(p).)

FORFEITURE ALLEGATION

(Count Two)

8. As the result of committing the firearms offense in violation of Title 18, United States Code, Section 922(a)(4), as alleged in Count Two of this Information, NICHOLAS LAHINES, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d), all firearms and ammunition involved in the commission of the firearms offense charged in Count Two.

(Title 18, United States Code, Section 924(d).)

FORFEITURE ALLEGATION

(Count Three)

9. As a result of committing the controlled substance offense in violation of Title 21, United States Code, Section 846, as alleged in Count Three of this Information, NICHOLAS LAHINES, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds LAHINES

obtained directly or indirectly as a result of the said narcotics violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count Three of this Information.

Substitute Asset Provision

10. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (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, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

FORFEITURE ALLEGATION

(Count Four)

11. As the result of committing the immigration fraud offense in violation of Title 18, United States Code, Sections 1546 and 2, as alleged in Count Four of this Information, NICHOLAS LAHINES, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(6), all conveyances used in the commission of the offense; all property, real and personal, that constitutes or is derived from or is traceable to proceeds obtained directly or indirectly from the commission of the offense; and all property, real and personal, that was used to facilitate, or was intended to be used to facilitate, the commission of the immigration fraud offense alleged in Count Four of this Information.

12. If any of the forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

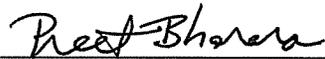
(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982(a)(6); Title 21, United States Code, Section 853(p).)



PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
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NICHOLAS LAHINES,

Defendant.

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(18 U.S.C. §§ 842(a)(1), 922(a)(1)(A), 1546, and 2;
21 U.S.C. §§ 846, 812, 841(a)(1), 841(b)(1)(B).)

PREET BHARARA
United States Attorney.
