

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED:** _____
CLARENCE MILTON : **VIOLATIONS:**
: **21 U.S.C. § 841 (possession with intent to**
: **distribute controlled substances - 1 count)**
: **21 U.S.C. § 841(a)(1) (distribution of**
: **cocaine base ("crack") - 1 count)**
: **18 U.S.C. § 924(c)(1) (possession of**
: **firearms in furtherance of drug**
: **trafficking - 1 count)**
: **18 U.S.C. § 922(g)(1) (convicted felon in**
: **possession of a firearm - 1 count)**
: **18 U.S.C. § 2 (aid & abet)**
: **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about July 30, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CLARENCE MILTON

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 30, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CLARENCE MILTON

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 30, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CLARENCE MILTON

knowingly possessed, and aided and abetted the possession of, a firearm, that is, a loaded Mossberg 12 gauge shotgun, serial number J409909; a loaded Lorcin 9mm semi-automatic handgun, with an obliterated serial number, a H&R .32 caliber, 6 shot revolver, serial number AJ46334; a loaded .25 caliber handgun, serial number 239533, and a loaded Intra Tec, Model Tech-DC9, 9mm handgun, serial number DO21549, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute and distribution of a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), as charged in this indictment.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 30, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CLARENCE MILTON,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a loaded Mossberg 12 gauge shotgun, serial number J409909; a loaded Lorcin 9mm semi-automatic handgun, with an obliterated serial number, a H&R .32 caliber, 6 shot revolver, serial number AJ46334; a loaded .25 caliber handgun, serial number 239533, and a loaded Intra Tec, Model Tech-DC9, 9mm handgun, serial number DO21549.

In violation of Title 18, United States Code, Section 922(g)(1)

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

FORFEITURE - 21 U.S.C. § 853

1. As a result of the violations of Title 21, United States Code, Section 841(a)(1), set forth in this indictment, defendant

CLARENCE MILTON

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses, including, but not limited to:

- (1) a loaded Mossberg 12 gauge shotgun, serial number J409909;
- (2) a loaded Lorcin 9mm semi-automatic handgun, with an obliterated serial number;
- (3) a H&R .32 caliber, 6 shot revolver, serial number AJ46334;
- (4) a loaded .25 caliber handgun, serial number 239533; and
- (5) a loaded Intra Tec, Model Tech-DC9, 9mm handgun, serial number DO21549.

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to, the sum of \$223.

2. If any of the property subject to forfeiture, 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 party;
- (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 divided 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 the defendant up to the value of the property subject to forfeiture.

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

FORFEITURE - 18 U.S.C. § 924(d)

3. As a result of the violations of Title 18, United States Code, Sections 924(c)(1) and 922(g)(1), set forth in this indictment, defendant

CLARENCE MILTON

shall forfeit to the United States of America, the firearms and ammunition involved in the commission of these offenses, including, but not limited to:

- (1) a loaded Mossberg 12 gauge shotgun, serial number J409909;
- (2) a loaded Lorcin 9mm semi-automatic handgun, with an obliterated serial number;
- (3) a H&R .32 caliber, 6 shot revolver, serial number AJ46334;
- (4) a loaded .25 caliber handgun, serial number 239533; and
- (5) a loaded Intra Tec, Model Tech-DC9, 9mm handgun, serial number DO21549.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**