

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
V.	:	DATE FILED _____
GARY SMITH	:	VIOLATIONS:
		21 U.S.C. § 841(a),841(b)(1)(A) (possession with the intent to distribute cocaine base (“crack”) - 1 count)
	:	18 U.S.C. § 924(c)(1) (possessing a firearm in furtherance of a drug trafficking crime - 1 count)
	:	Notice of Forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about October 11, 2006, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

GARY SMITH

knowingly and intentionally possessed with intent to distribute approximately 161 grams of a
mixture or 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)(A).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 11, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendant

GARY SMITH

knowingly possessed a firearm, that is, a Smith & Wesson .40 caliber semiautomatic handgun, serial number PBT611O, loaded with 12 live rounds of ammunition, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, that is, possession with intent to distribute cocaine base (“crack”), in violation of Title 21, United States Code, Section 841(a)(1), as charged in Count One of this indictment.

In violation of Title 18, United States Code, Section 924(c)(1).

NOTICE OF FORFEITURE

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

GARY SMITH

shall forfeit to the United States of America, the firearm and ammunition involved in the commission of these offenses, that is:

-a Smith & Wesson .40 caliber semiautomatic handgun, serial number PBT611O, loaded with 12 live rounds of ammunition.

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