

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>09-</u>
v.	:	DATE FILED: <u>June 23, 2009</u>
ANTHONY CLAY	:	VIOLATIONS:
	:	21 U.S.C. § 841(a)(1) (possession with
	:	intent to distribute cocaine base
	:	("crack") - 1 count)
	:	18 U.S.C. § 924(c)(1) (possession of a
	:	firearm in furtherance of a drug
	:	trafficking crime - 1 count)
	:	18 U.S.C. § 922(g) (convicted felon in
	:	possession of a firearm - 1 count)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about October 10, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

ANTHONY CLAY

knowingly and intentionally possessed with intent to distribute 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).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 10, 2008, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

ANTHONY CLAY

knowingly possessed a firearm, that is, a Bersa, Model "Thunder 380 DLX," .380 caliber pistol, serial number 883866, loaded with 10 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).

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 10, 2008, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

ANTHONY CLAY,

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 Bersa , Model "Thunder 380 DLX," .380 caliber pistol, serial number 883866, loaded with 10 rounds of ammunition.

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

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Section 922(g)(1), set forth in this indictment, defendant

ANTHONY CLAY

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

- a) a Bersa, model "Thunder 380 DLX," .380 caliber pistol, serial number 883866; and
- b) 10 rounds of .380 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

MICHAEL L. LEVY
United States Attorney