

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

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED** _____
RASHAWN JAMES : **VIOLATIONS**
: **21 U.S.C. § 841(a)(1) (possession with**
: **intent to distribute 5 grams or more**
: **of cocaine base (“crack”) -1 count):18**
: **U.S.C. § 924(c) (using and carrying a**
: **firearm during drug trafficking crime**
: **- 1 count)**
: **18 U.S.C. § 922(g)(1) (felon in possession**
: **of a firearm-1 count)**
: **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about April 5, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

RASHAWN JAMES

knowingly and intentionally possessed with intent to distribute five or more grams, that is, approximately 9.2 grams, 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)(B).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 5, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

RASHAWN JAMES

knowingly used and carried a firearm, that is, a Norinco, model 213, 9mm semi-automatic pistol, serial number 700361, loaded with eight live rounds of ammunition and one fired cartridge case, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a controlled substance, 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 April 5, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

RASHAWN JAMES,

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 and foreign commerce a firearm, that is, a Norinco, model 213, 9mm semi-automatic pistol, serial number 700361, loaded with eight live rounds of ammunition and one fired cartridge case.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

NOTICE OF FORFEITURE

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

RASHAWN JAMES

shall forfeit to the United States of America, the firearm and ammunition involved in the commission of this offense, specifically:

-one 9mm Norinco pistol, serial number 700361, 8 live rounds of ammunition, and one spent cartridge case.

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