

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

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b> _____
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b> _____
<b>JOSE ACEVEDO</b>	<b>:</b>	<b>VIOLATIONS:</b>
	<b>:</b>	<b>21 U.S.C. § 841(a)(1)</b>
	<b>:</b>	<b>(distribution of cocaine base ("crack")) - 4</b>
	<b>:</b>	<b>counts)</b>
	<b>:</b>	<b>18 U.S.C. § 922(g)(1) (possession of a</b>
	<b>:</b>	<b>firearm by a convicted felon - 1 count)</b>
	<b>:</b>	<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about May 21, 2010, in Reading, in the Eastern District of Pennsylvania,  
defendant

**JOSE ACEVEDO**

knowingly and intentionally distributed five grams or more 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 May 22, 2010, in Reading, in the Eastern District of Pennsylvania,  
defendant

**JOSE ACEVEDO**

knowingly and intentionally distributed five grams or more 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 THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 24, 2010, in Reading, in the Eastern District of Pennsylvania,  
defendant

**JOSE ACEVEDO**

knowingly and intentionally distributed five grams or more 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, Sections 841(a)(1), (b)(1)(B).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 28, 2010, in Reading, in the Eastern District of Pennsylvania,  
defendant

**JOSE ACEVEDO**

knowingly and intentionally distributed five grams or more, that is, approximately 14 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, Sections 841(a)(1), (b)(1)(B).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 25, 2010, in Reading, in the Eastern District of Pennsylvania,  
defendant

**JOSE ACEVEDO,**

having been convicted in a court of the United States of America of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a Taurus .17 caliber 9-shot revolver, serial number YD70073, loaded with seven rounds of .22 caliber ammunition.

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

## **NOTICE OF FORFEITURE**

### **THE GRAND JURY FURTHER CHARGES THAT:**

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

#### **JOSE ACEVEDO**

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) one Taurus .17 caliber 9-shot revolver, serial number YD70073; and

(2) seven .22 caliber rounds of ammunition.

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses.

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(s) up to the value of the property subject to forfeiture.

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

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

**JOSE ACEVEDO**

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

- (a) one Taurus .17 caliber 9-shot revolver, serial number YD70073;
- and
- (b) seven .22 caliber 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:**

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**GRAND JURY FOREPERSON**

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**ZANE DAVID MEMEGER**  
United States Attorney