



**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 14, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**NATHANIEL PITTS**

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of cocaine base, crack cocaine, a Schedule II controlled substance.

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

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 14, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**NATHANIEL PITTS**

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

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

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 14, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**NATHANIEL PITTS**

knowingly possessed a firearm and ammunition, that is, a black and silver KelTec nine-millimeter Luger handgun and seven 9mm rounds of ammunition that were loaded in the handgun, 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 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 FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 14, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**NATHANIEL PITTS,**

having been convicted in the United States District Court for the Eastern District of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm and ammunition, that is, a black and silver KelTec nine-millimeter Luger handgun and seven 9mm rounds of ammunition that were loaded in the handgun.

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

#### **NATHANIEL PITTS**

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: a GMC Envoy bearing Pennsylvania registration GMV-5303; and

(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 \$116,095, a black Infiniti M45 bearing registration GXX-5543, and a Volkswagen Jetta bearing New Jersey registration DLY-73.

3. 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.

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

**NATHANIEL PITTS**

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 black and silver KelTec nine-millimeter Luger handgun; and
- (2) seven 9mm rounds of ammunition.

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

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**ZANE DAVID MEMEGER**  
**United States Attorney**