

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

**UNITED STATES OF AMERICA** : **CRIMINAL NO. 10-\_\_\_\_\_**

**v.** : **DATE FILED: October 6, 2010**

**JEAN JOSEPH,** : **VIOLATIONS:**  
**a/k/a "Shaka"** : **21 U.S.C. § 841(a)(1), (b)(1)(C)**  
: **(distribution of cocaine base ("crack"))**  
: **- 1 count)**

: **21 U.S.C. § 841(a)(1), (b)(1)(C)**  
: **(possession with intent to distribute**  
: **cocaine base ("crack") - 2 counts)**  
: **18 U.S.C. § 924(c) (possession of a firearm**  
: **in furtherance of drug trafficking**  
: **- 1 count)**

: **18 U.S.C. § 922(g)(1) (convicted felon in**  
: **possession of a firearm - 1 count)**

: **18 U.S.C. § 922(g)(5)(A) (possession**  
: **of a firearm by an illegal alien - 1 count)**

: **Notice of forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about October 14, 2009, in Reading, in the Eastern District of Pennsylvania, defendant

**JEAN JOSEPH,  
a/k/a "Shaka,"**

knowingly and intentionally distributed 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 January 12, 2010, in Reading, in the Eastern District of Pennsylvania,  
defendant

**JEAN JOSEPH,  
a/k/a “Shaka,”**

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 THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 12, 2010, in Reading, in the Eastern District of Pennsylvania,  
defendant

**JEAN JOSEPH,  
a/k/a "Shaka,"**

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 FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 12, 2010, in Reading, in the Eastern District of Pennsylvania,  
defendant

**JEAN JOSEPH,  
a/k/a “Shaka,”**

knowingly possessed a firearm, that is, a Beretta, model 96D, .40 caliber pistol, serial number A07608M, loaded with one magazine containing nine live .40 caliber rounds, 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 FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 12, 2010, in Reading, in the Eastern District of Pennsylvania,  
defendant

**JEAN JOSEPH,  
a/k/a "Shaka,"**

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 Beretta, model 96D, .40 caliber pistol, serial number A07608M, loaded with one magazine containing nine live .40 caliber rounds.

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

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about January 12, 2010, in Reading, in the Eastern District of Pennsylvania,  
defendant

**JEAN JOSEPH,  
a/k/a "Shaka,"**

an alien and native and citizen of Haiti, while illegally and unlawfully in the United States,  
knowingly possessed in and affecting interstate commerce, a firearm, that is, a Beretta, model  
96D, .40 caliber pistol, serial number A07608M, loaded with one magazine containing nine live  
.40 caliber rounds.

In violation of Title 18, United States Code, Section 922(g)(5)(A).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. 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

**JEAN JOSEPH,  
a/k/a “Shaka,”**

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

- (a) a Beretta, model 96D, .40 caliber pistol, with serial number A07608M, loaded with one magazine containing nine live .40 caliber rounds.

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

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

**JEAN JOSEPH,  
a/k/a “Shaka,”**

shall forfeit to the United States of America the following:

- (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:
  - (i) a Beretta, model 96D, .40 caliber pistol, with serial number A07608M, loaded with one magazine containing nine live .40 caliber rounds.

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

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 with out 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 property subject to forfeiture.

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

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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