

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

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_  
 :  
 **v.** : **DATE FILED:** \_\_\_\_\_  
 :  
 **CARLOS RIVERA** : **VIOLATIONS:**  
 : **21 U.S.C. § 841(a)(1) (distribution of**  
 : **heroin – 1 count)**  
 : **21 U.S.C. § 841(a)(1) (possession with**  
 : **intent to distribute heroin – 1 count)**  
 : **18 U.S.C. § 924(c) (possession of a firearm**  
 : **in furtherance of a drug trafficking crime**  
 : **– 1 count)**  
 : **18 U.S.C. § 922(g)(1) (possession of a**  
 : **firearm by a convicted felon - 1 count)**  
 : **Notice of forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about October 22, 2009, in Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**CARLOS RIVERA**

knowingly and intentionally distributed a mixture and substance containing a detectable amount  
of heroin, a Schedule I 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 22, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**CARLOS RIVERA**

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I 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 October 22, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**CARLOS RIVERA**

knowingly possessed a firearm, that is, an Intratec 9mm semi-automatic pistol, model AB-10, with an obliterated serial number, 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 heroin, 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 FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 22, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**CARLOS RIVERA,**

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 an Intratec 9mm semi-automatic pistol, model AB-10, with an obliterated serial number.

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

**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

**CARLOS RIVERA**

shall forfeit the firearm and ammunition involved in the commission of these offenses, including, but not limited to: 1) one Intratec 9mm semi-automatic pistol, model AB-10, with an obliterated serial number; and 2) 50 rounds of Remington 9mm ammunition.

All pursuant to Title 28, United States Code, Section 2461(d), 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), set forth in this indictment, defendant

**CARLOS RIVERA**

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; 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 \$3,403.

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;

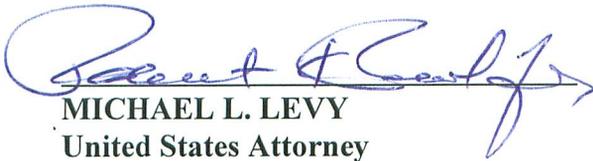
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

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

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**



**MICHAEL L. LEVY**  
United States Attorney