

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

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_  
**v.** : **DATE FILED:** \_\_\_\_\_  
**KEVIN TOLBERT** : **VIOLATION:**  
: **18 U.S.C. § 922(g)(1)**  
: **(convicted felon in possession of firearm - 1**  
: **count)**  
: **Notice of forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about July 6, 2010, in Upper Darby and in Philadelphia, in the Eastern District of Pennsylvania, defendant

**KEVIN TOLBERT,**

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, an AMT, Model Back Up, .45 caliber semi-automatic pistol, serial number obliterated (later restored to DA6169), loaded with six rounds of ammunition.

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

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

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

**KEVIN TOLBERT**

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

- a) an AMT, Model Back Up, .45 caliber semi-automatic pistol, serial number serial number obliterated (later restored to DA6169); and,
- b) six rounds of .45 caliber ammunition.

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

**A TRUE BILL:**

\_\_\_\_\_  
**FOREPERSON**

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