

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. 11-143
v.	:	DATE FILED: May 4, 2011
GUSTAVO MORALES-ORTIZ, a/k/a "Gustavo Morales"	:	VIOLATIONS:
	:	21 U.S.C. § 841(a)(1) (possession with intent to distribute 50 grams or more of methamphetamine (actual) - 1 count)
	:	21 U.S.C. § 841(a)(1) (possession with intent to distribute cocaine - 1 count)
	:	18 U.S.C. § 924(c)(1) (possession of a firearm in furtherance of a drug trafficking offense - 1 count)
	:	18 U.S.C. § 922(g)(5)(A) (possession of a firearm by an illegal alien - 1 count)
	:	Notice of forfeiture

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about November 5, 2010, in Reading, in the Eastern District of Pennsylvania, defendant

**GUSTAVO MORALES-ORTIZ,
a/k/a "Gustavo Morales,"**

knowingly and intentionally possessed with the intent to distribute 50 grams or more, that is approximately 130.1 grams, of methamphetamine (actual), a Schedule II controlled substance.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 5, 2010, in Reading, in the Eastern District of
Pennsylvania, defendant

**GUSTAVO MORALES-ORTIZ,
a/k/a "Gustavo Morales,"**

knowingly and intentionally possessed with the intent to distribute a mixture and substance
containing a detectable amount of 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 November 5, 2010, in Reading, in the Eastern District of Pennsylvania, defendant

**GUSTAVO MORALES-ORTIZ,
a/k/a “Gustavo Morales,”**

knowingly possessed a firearm, that is, a Colt .380 caliber semi-automatic handgun, serial number GP03679, loaded with one magazine containing seven live rounds of .380 caliber ammunition, and a Bryco .380 caliber handgun, serial number 1158215, loaded with one magazine containing six live rounds of .380 caliber ammunition, 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 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 FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 5, 2010, in Reading, in the Eastern District of Pennsylvania, defendant

**GUSTAVO MORALES-ORTIZ,
a/k/a “Gustavo Morales,”**

an alien and citizen of Mexico, while illegally and unlawfully in the United States, knowingly possessed in and affecting interstate commerce a firearm, that is, a Colt .380 caliber semi-automatic handgun, serial number GP03679, loaded with one magazine containing seven live rounds of .380 caliber ammunition; and a Bryco .380 caliber handgun, serial number 1158215, loaded with one magazine containing six live rounds of .380 caliber ammunition.

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

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT :

As a result of the violations of Title 18, United States Code, Sections 924(c) and 922(g)(5)(A), set forth in this superseding indictment, defendant

**GUSTAVO MORALES-ORTIZ,
a/k/a “Gustavo Morales,”**

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

- (1) a Colt .380 caliber semi-automatic handgun, serial number GP03679, loaded with one magazine containing seven live rounds of .380 caliber ammunition;
- (2) a Bryco .380 caliber handgun, serial number 1158215, loaded with one magazine containing six live rounds of .380 caliber ammunition;
- (3) a magazine loaded with six live rounds of .380 caliber ammunition; and
- (4) approximately 85 rounds of .380 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:

GRAND JURY FOREPERSON

A handwritten signature in blue ink, appearing to read "Christine G. Adams" or similar, written over a horizontal line.

ZANE DAVID MEMEGER
United States Attorney