

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

UNITED STATES OF AMERICA : CRIMINAL NO. \_\_\_\_\_

v. : DATE FILED: \_\_\_\_\_

JAMES SPEARS : VIOLATIONS:  
: 21 U.S.C. § 841(a)(1) (possession  
: with intent to distribute cocaine  
: base ("crack") and cocaine - 1  
: count)  
: 18 U.S.C. § 924(c)(1)(A)  
: (possession of a firearm in  
: furtherance of a drug trafficking  
: crime - 1 count)  
: Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about January 3, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JAMES SPEARS**

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

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 3, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JAMES SPEARS**

knowingly possessed a firearm, that is, a silver Taurus model, .357 caliber revolver, serial number WK41340, loaded with five live rounds of .357 caliber ammunition, in furtherance of a drug trafficking offense 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), (b)(1)(C).

In violation of Title 18, United States Code, Section 924(c)(1).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violation of Title 18, United States Code, Sections 924(c)(1), as set forth in this indictment, defendant

**JAMES SPEARS**

shall forfeit to the United States of America the firearms and ammunition involved in the commission of this offense, that is,

-a silver Taurus model, .357 caliber revolver, serial number WK41340, loaded with five live rounds of .357 caliber ammunition

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d)(1).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

*Christine E. Dues, Esq.*  
**ZANE DAVID MEMEGER**  
**UNITED STATES ATTORNEY**