

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

FILED IN OPEN COURT
6.17.2020
CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 3:20-cr-83-J-39 JBT
21 U.S.C. § 841(a)(1)
18 U.S.C. § 924(c)
18 U.S.C. § 922(g)(1)
26 U.S.C. § 5861(d)

STEVEN MICHAEL SMITH

INDICTMENT

The Grand Jury charges:

COUNT ONE

On or about April 30, 2020, in the Middle District of Florida, and elsewhere, the defendant,

STEVEN MICHAEL SMITH,

did knowingly and intentionally possess with intent to distribute a controlled substance, which violation involved a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, and is therefore punished under 21 U.S.C. § 841(b)(1)(C).

In violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C).

COUNT TWO

On or about April 30, 2020, in the Middle District of Florida, the defendant,

STEVEN MICHAEL SMITH,

did knowingly possess a firearm, that is, Winchester 16 gauge shotgun constituting a short-barreled shotgun having a barrel of less than 18 inches in length, in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a Court of the United States, specifically, possession with intent to distribute methamphetamine, as alleged in Count One above; Count One being incorporated by reference.

In violation of 18 U.S.C. § 924(c)(1)(B)(i).

COUNT THREE

On or about April 30, 2020, in the Middle District of Florida, the defendant,

STEVEN MICHAEL SMITH,

knowing that he had previously been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, including:

1. Possession with intent to distribute marijuana, on or about March 8, 2012,
2. Possession of cocaine, on or about July 9, 2014,
3. Possession of controlled substance, on or about July 9, 2014, and
4. Possession of controlled substance, on or about July 17, 2019,

did knowingly possess, in and affecting interstate and foreign commerce, firearms, that is, a Winchester 16 gauge shotgun, a Mossberg 12 gauge

weapon made from a shotgun, a Glock 9mm caliber pistol, and a Norinco 7.62mm caliber pistol grip firearm.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

COUNT FOUR

On or about April 30, 2020, in the Middle District of Florida, the defendant,

STEVEN MICHAEL SMITH,

did knowingly possess firearms as defined under 26 U.S.C. § 5845(a), that is, a Winchester 16 gauge shotgun with a barrel of less than eighteen inches in length and a Mossberg 12 gauge weapon made from a shotgun with a barrel of less than 18 inches in length, that were not then registered to the defendant in the National Firearms Registration and Transfer Record.

In violation of 26 U.S.C. §§ 5861(d) & 5871.

FORFEITURE

1. The allegations contained in Counts One through Four are incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of 21 U.S.C. § 853, 18 U.S.C. § 924(d), 26 U.S.C. 5872, 28 U.S.C. § 2461(c) and 49 U.S.C. § 80303.

2. Upon conviction of a violation of 21 U.S.C. § 841, the defendant, STEVEN MICHAEL SMITH, shall forfeit to the United States of America,

pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

3. Upon conviction of a violation of 18 U.S.C. § 924(c) and/or 922(g), the defendant, STEVEN MICHAEL SMITH, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the violation.

4. Upon conviction of a violation 26 U.S.C. § 5861, the defendant, STEVEN MICHAEL SMITH, shall forfeit to the United States, pursuant to 26 U.S.C. § 5872 and 28 U.S.C. § 2461(c), any firearms involved in the violation, and, pursuant to 49 U.S.C. § 80303 and 28 U.S.C. § 2461(c), any aircraft, vehicle, or vessel used to facilitate the transportation, concealment, receipt, possession, purchase, sale, exchange, or giving away of such firearm.

5. The property to be forfeited includes, but is not limited to, the following:

- a. a Winchester 16 gauge shotgun, made from a shotgun with a barrel of less than 18 inches in length;
- b. a Mossberg 12 gauge weapon made from a shotgun;
- c. a Glock 9mm caliber pistol; and

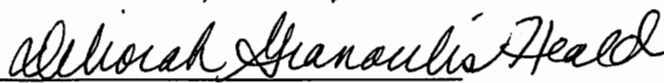
d. a Norinco 7.62mm caliber pistol grip firearm.

6. If any of the property described above, 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,

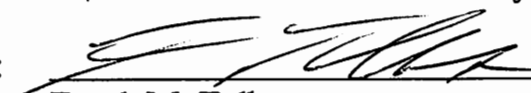
the United States shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), and 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

A TRUE BILL,


Foreperson

MARIA CHAPA LOPEZ
United States Attorney

By: 
LAURA COFER TAYLOR
Assistant United States Attorney

By: 
Frank M. Talbot
Assistant United States Attorney
Chief, Jacksonville Division

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Jacksonville Division

THE UNITED STATES OF AMERICA

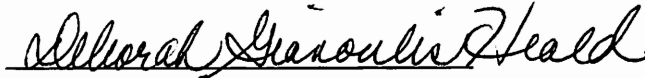
vs.

STEVEN MICHAEL SMITH

INDICTMENT

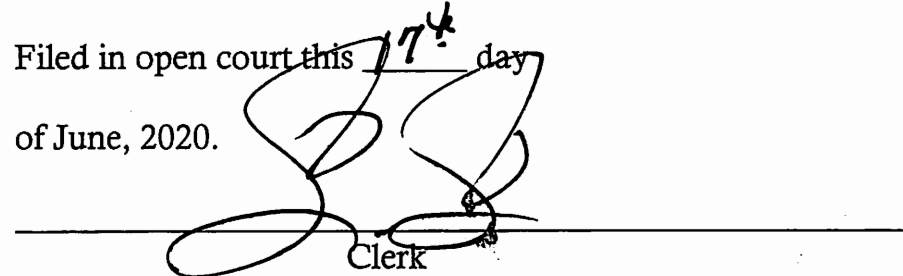
Violations: 21 U.S.C. § 841(a)(1)
18 U.S.C. § 924(c)
18 U.S.C. § 922(g)(1)
26 U.S.C. § 5861(d)

A true bill,



Foreperson

Filed in open court this 17th day
of June, 2020.


Clerk

Bail \$ _____
