

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA.

2020 JUL 24 P 1:26

CAROL L. MICHEL
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

INDICTMENT FOR VIOLATIONS OF THE
FEDERAL GUN CONTROL ACT AND FEDERAL CONTROLLED SUBSTANCES ACT

UNITED STATES OF AMERICA

* CRIMINAL NO.

20-00069

v.

* SECTION:

SECT. JMAG.2

JAMAL SMITH

* VIOLATIONS: 18 U.S.C. § 922(g)(1)

a/k/a "Mal"

18 U.S.C. § 924(a)(2)

a/k/a "Sicko"

* 21 U.S.C. § 841(a)(1)

* 21 U.S.C. § 841(b)(1)(D)

* 18 U.S.C. § 924(c)(1)(A)

* * *

The Grand Jury charges that:

COUNT 1

(Possession with the Intent to
Distribute a Controlled Dangerous Substance)

On or about June 10, 2019, in the Eastern District of Louisiana, the defendant, **JAMAL SMITH, a/k/a "Mal," a/k/a "Sicko,"** did knowingly and intentionally possess with the intent to distribute a quantity of marijuana, a Schedule I Controlled Dangerous Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and (b)(1)(D).

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COUNT 2

(Possession of Firearms in Furtherance of a Drug Trafficking Crime)

On or about June 10, 2019, in the Eastern District of Louisiana, the defendant, **JAMAL SMITH, a/k/a “Mal,” a/k/a “Sicko,”** did knowingly possess firearms in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: Possession with the Intent to Distribute a Controlled Dangerous Substance, as charged in Count 1 of this Indictment; all in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 3

(Felon in Possession of a Firearm)

On or about June 10, 2019, in the Eastern District of Louisiana, the defendant, **JAMAL SMITH, a/k/a “Mal,” a/k/a “Sicko,”** knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: an August 20, 2008 conviction for Possession of Cocaine, in violation of LA-R.S. 40:967(C)(2), in Orleans Parish Criminal District Court Case Number 479-946 “E”; a September 20, 2012 conviction for Possession of Marijuana, Third Offense, in violation of LA-R.S. 40:966(D)(3), and a conviction for Attempted Possession of a Firearm by a Convicted Felon, in violation of LA-R.S. 14:(27)95.1, in Orleans Parish Criminal District Court Case Number 501-338 “G”; and an April 29, 2014 conviction for Possession of a Firearm by a Convicted Felon, in violation of LA-R.S. 14:95.1, in Orleans Parish Criminal District Court Case Number 515-948 “J,” did knowingly possess firearms, to wit: a Glock Model 23C, .40 caliber handgun, Serial Number CBV526, and a Springfield Armory XD-9, 9mm handgun, Serial Number GM901066, said firearms having been shipped and transported in commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 4

(Possession with the Intent to
Distribute a Controlled Dangerous Substance)

On or about August 30, 2019, in the Eastern District of Louisiana, the defendant, **JAMAL SMITH, a/k/a “Mal,” a/k/a “Sicko,”** did knowingly and intentionally possess with the intent to distribute a quantity of marijuana, a Schedule I Controlled Dangerous Substance, in violation of Title 21, United States Code, §§ 841(a)(1) and (b)(1)(D).

COUNT 5

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about August 30, 2019, in the Eastern District of Louisiana, the defendant, **JAMAL SMITH, a/k/a “Mal,” a/k/a “Sicko,”** did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: Possession with the Intent to Distribute a Controlled Dangerous Substances, as charged in Count 4 of this Indictment; all in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 6

(Felon in Possession of a Firearm)

On or about August 30, 2019, in the Eastern District of Louisiana, the defendant, **JAMAL SMITH, a/k/a “Mal,” a/k/a “Sicko,”** knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: an August 20, 2008 conviction for Possession of Cocaine, in violation of LA-R.S. 40:967(C)(2), in Orleans Parish Criminal District Court Case Number 479-946 “E”; a September 20, 2012 conviction for Possession of Marijuana, Third Offense, in violation of LA-R.S. 40:966(D)(3), and a conviction for Attempted Possession of a Firearm by a Convicted Felon, in violation of LA-R.S. 14:(27)95.1, in Orleans Parish Criminal District Court Case Number 501-338 “G”; and an April 29, 2014 conviction for Possession of a Firearm by a Convicted Felon, in violation of LA-R.S. 14:95.1, in Orleans Parish Criminal District

Court Case Number 515-948 “J,” did knowingly possess a firearm, to wit: a Springfield Armory, .45 caliber ACP semi-automatic handgun, Serial Number US701553, said firearm having been shipped and transported in commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

NOTICE OF FORFEITURE

1. The allegations of Counts 1 through 6 are incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States.

2. As a result of the offenses alleged in Counts 1 and 4, the defendant, **JAMAL SMITH, a/k/a “Mal,” a/k/a “Sicko,”** shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any property constituting or derived from any proceeds obtained directly or indirectly as the result of said offense, and any property used or intended to be used in any manner or part to commit or to facilitate the commission of said offense.

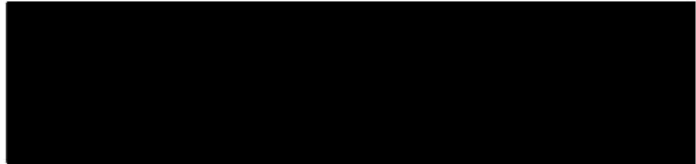
3. As a result of the offense alleged in Counts 2, 3, 5 and 6, the defendant, **JAMAL SMITH, a/k/a “Mal,” a/k/a “Sicko,”** shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in the commission of said offenses, including but not limited to any firearm or ammunition described above.

4. If any of the above-described property, 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 person;
- c. has been placed beyond 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 seek a money judgment and, pursuant to Title 21, United States Code, Section 853(p), forfeiture of any other property of the defendant up to the value of said property.



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New Orleans, Louisiana
July 24, 2020