

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

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

UNITED STATES OF AMERICA	*	CRIMINAL NO.
v.	*	SECTION:
STEPHEN ELLIS	*	VIOLATION: 18 U.S.C. § 922(g)(1)
		18 U.S.C. § 924(a)(2)
	*	18 U.S.C. § 924(c)(1)(A)
		18 U.S.C. § 2231(b)
	*	21 U.S.C. § 841(a)(1)
		21 U.S.C. § 841(b)(1)(C)
	*	
	*	
	*	

The Grand Jury charges that:

COUNT 1

On or about February 26, 2015, in the Eastern District of Louisiana, **STEPHEN ELLIS**, the defendant, having been convicted of the following crimes punishable by imprisonment for a term exceeding one year, to wit: a conviction on July 21, 1993, for possession of crack cocaine (LSA R.S. 40:967(C)(2)) in the Orleans Parish Criminal District Court, case number 364-554 "D"; a conviction on July 10, 1998, for possession with intent to distribute crack cocaine (LSA R.S. 40:967(B)(1)) in the Orleans Parish Criminal District Court, case number 379-224 "A"; a

conviction on February 27, 2000, for possession of cocaine (LSA R.S. 40:967(C)(2)), in the Orleans Parish Criminal District Court, case number 411-153 "B"; and a conviction on October 4, 2010, for attempted possession of a firearm by a felon (LSA R.S. 14:(27)95.1), in the Orleans Parish Criminal District Court, case number 490-268 "L", did knowingly possess in and affecting interstate commerce, firearms, to wit: a Smith & Wesson model SW9V, 9mm semi-automatic handgun, serial number PBA 9899; a Ruger model P85, 9mm semi-automatic handgun, serial number 301 52323; a Hi-Point model CF380, .380 semi-automatic handgun, serial number P757736; and a Ruger model SR11, .45 caliber semi-automatic handgun, serial number 671 24866; said firearms having been shipped and transported in interstate commerce; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 2

On or about February 26, 2015, in the Eastern District of Louisiana, **STEPHEN ELLIS**, the defendant, did knowingly possess firearms, to wit, a Smith & Wesson model SW9V, 9mm semi-automatic handgun, serial number PBA 9899; a Ruger model P85, 9mm semi-automatic handgun, serial number 301 52323; a Hi-Point model CF380, .380 semi-automatic handgun, serial number P757736; and a Ruger model SR11, .45 caliber semi-automatic handgun, serial number 671 24866, in furtherance of a drug-trafficking crime for which he may be prosecuted in a court of the United States, namely, possession of a quantity of cocaine hydrochloride with the intent to distribute, as alleged in Count 4 of this Indictment and did knowingly use, carry, and discharge a firearm, that is, a 9mm semi-automatic handgun, during and in relation to a drug-trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute a quantity of cocaine hydrochloride, as alleged in Count 4

of this Indictment; all in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 3

On or about February 26, 2015, in the Eastern District of Louisiana, **STEPHEN ELLIS**, the defendant, using a deadly and dangerous weapon, namely, a 9mm semi-automatic handgun, did unlawfully and forcibly assault, resist, oppose, impede, intimidate, and interfere with known officers and agents assigned to a multi-jurisdictional task force, persons authorized to execute and serve search warrants, while they were engaged in the performance of such duties; all in violation of Title 18, United States Code, Section 2231(b).

COUNT 4

On or about February 26, 2015, in the Eastern District of Louisiana, **STEPHEN ELLIS**, the defendant, did knowingly and intentionally possess with the intent to distribute a quantity of cocaine hydrochloride, a Schedule II drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

NOTICE OF GUN FORFEITURE

1. The allegations of Counts 1 and 2 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 1 and 2, the defendant, **STEPHEN ELLIS** 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, any firearm or ammunition, which was involved in or used in knowing violations of Title 18, United States Code, Sections 922(g)(1)

and 924(c)(1)(A), as alleged in Counts 1 and 2 of this Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, 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 the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(d)(1).

NOTICE OF DRUG FORFEITURE

1. The allegations of Count 4 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offense alleged in Count 4, the defendant, **STEPHEN ELLIS**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count 4

of this Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, 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 the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

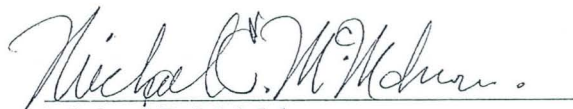
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON

KENNETH ALLEN POLITE, JR.
UNITED STATES ATTORNEY

A handwritten signature in cursive script, reading "Michael E. McMahon", written over a horizontal line.

Michael E. McMahon
Assistant United States Attorney
Louisiana Bar Roll Number 10095

New Orleans, Louisiana
May 7, 2015