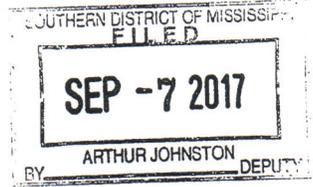


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:17 CR 91 HSO JCG

XIAOBING YAN a/k/a Steven Yan
a/k/a William Zhou and 9W TECHNOLOGY CO., LTD

MOTION TO SEAL

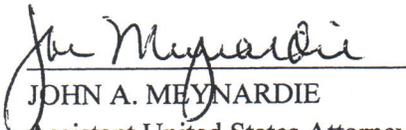
The United States of America requests that the Indictment and all documents filed herein be sealed, and represents the following:

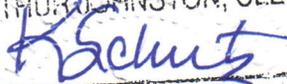
The Grand Jury has returned an Indictment against the Defendant. Revealing the existence of the file and Indictment prior to the arrest of the Defendant would jeopardize law enforcement agents and greatly impede the apprehension of the Defendant. However, the government requests that the U.S. Marshal Service and/or the United States Attorney's Office be allowed to make copies of the indictment, warrant, and any related documents available to other federal, state and local law enforcement agencies who request the same to facilitate the arrest and detention of the defendant.

WHEREFORE, the United States requests that the Court SEAL the file and all documents filed including but not limited to the Indictment and Return, and this Motion and the Order to Seal, pending the arrest of the Defendant and that copies be distributed to law enforcement agencies as needed to facilitate the arrest and detention for the defendant.

Respectfully submitted,

HAROLD BRITTAIN
Acting United States Attorney

By: 
JOHN A. MEYNARDIE
Assistant United States Attorney
MS Bar #9912

TRUE COPY, I HEREBY CERTIFY.
ARTHUR JOHNSTON, CLERK
BY: 
DEPUTY CLERK

SOUTHERN DISTRICT OF MISSISSIPPI
FILED
SEP -7 2017
ARTHUR JOHNSTON
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:17 CR 91 HSO-JCG

XIAOBING YAN a/k/a Steven Yan
a/k/a William Zhou and 9W TECHNOLOGY CO., LTD

ORDER GRANTING MOTION TO SEAL

For the reasons stated in the government's Motion to Seal, the Court grants the motion.

IT IS HEREBY ORDERED that the file and all documents filed herein including but not limited to the Indictment and Return be sealed, as well as the Motion and this Order to Seal.

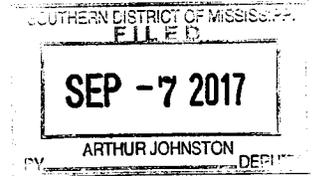
IT IS FURTHER ORDERED that the U.S. Marshal Service and/or the United States Attorney's Office shall make copies of the indictment, warrant, and any related documents available to other federal, state, and local law enforcement agencies who request the same as needed to facilitate the arrest and detention of the defendant.

ORDERED this 7th day of SEPTEMBER, 2017.

Arthur Johnston
UNITED STATES MAGISTRATE JUDGE

A TRUE COPY, I HEREBY CERTIFY.
ARTHUR JOHNSTON, CLERK
BY Arthur Johnston
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:17CR91450-JCB

XIAOBING YAN a/k/a Steven Yan
a/k/a William Zhou and
9W TECHNOLOGY CO., LTD

21 U.S.C. § 846
21 U.S.C. § 802(32)
21 U.S.C. § 813
21 U.S.C. § 963
21 U.S.C. § 959(a)

The Grand Jury charges:

COUNT 1

That beginning at least as early as May 2010, until the date of the indictment, in Harrison County, in the Southern Division of the Southern District of Mississippi, and elsewhere, the defendants, **XIAOBING YAN a/k/a Steven Yan a/k/a William Zhou and 9W TECHNOLOGY CO., LTD**, with others both known and unknown to the Grand Jury, did knowingly and intentionally conspire to manufacture and distribute the following controlled substance analogues as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 and Schedule I controlled substances:

- A. a mixture or substance containing a detectable amount of **Methylone**, a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until October 21, 2011 and a Schedule I controlled substance thereafter;

- B. a mixture or substance containing a detectable amount of **a-PVP** (alpha-Pyrrolidinopentiophenone), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- C. a mixture or substance containing a detectable amount of **a-PBP** (alpha-Pyrrolidinobutiophenone), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- D. a mixture or substance containing a detectable amount of **TH-PVP** (1-(5,6,7,8-tetrahydronaphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813;
- E. a mixture or substance containing a detectable amount of **4-MEC** (4-Methyl-N-ethylcathinone), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- F. a mixture or substance containing a detectable amount of **Pentedrone** (2-(Methylamino)-1-phenylpentane-1-one), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;

- G. a mixture or substance containing a detectable amount of **Pentylone** (bk-MBDP), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- H. a mixture or substance containing a detectable amount of **Ethylone** (bk-MDEA; MDEC; 3,4-methylenedioxy-N-ethylcathinone), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- I. a mixture or substance containing a detectable amount of **2C-I** (2,5-Dimethoxy-4-iodophenethylamine), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until July 9, 2012 and a Schedule I controlled substance thereafter;
- J. a mixture or substance containing a detectable amount of **Acetyl Fentanyl** (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until July 17, 2015 and a Schedule I controlled substance thereafter;
- K. a mixture or substance containing a detectable amount of **25I-NBOME** (N-(2-Methoxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for

- human consumption as provided in Title 21, United States Code, Section 813 until November 15, 2013 and a Schedule I controlled substance thereafter;
- L. a mixture or substance containing a detectable amount of **25B-NBOME** (N-(2-Methoxybenzyl)-4-bromo-2,5-dimethoxyphenethylamine), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until November 15, 2013 and a Schedule I controlled substance thereafter;
- M. a mixture or substance containing a detectable amount of **25C-NBOME** (N-(2-Methoxybenzyl)-4-chloro-2,5-dimethoxyphenethylamine), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until November 15, 2013 and a Schedule I controlled substance thereafter;
- N. a mixture or substance containing a detectable amount of **UR144, XLR-11** (1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until May 16, 2013 and a Schedule I controlled substance thereafter;
- O. a mixture or substance containing a detectable amount of **THJ-2201** (1-5[5-Fluoropentyl]-1H-indazol-3-yl(naphthalene-1-yl)methanone), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until January 30, 2015 and a Schedule I controlled substance thereafter;
- P. a mixture or substance containing a detectable amount of **AM2201** (1-(5-Fluoropentyl)-3-(1-naphthoyl)indole), a controlled substance analogue as defined in

Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until July 9, 2012 and a Schedule I controlled substance thereafter;

- Q. a mixture or substance containing a detectable amount of **AB-CHMINACA** (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until January 30, 2015 and a Schedule I controlled substance thereafter;
- R. a mixture or substance containing a detectable amount of **AB-PINACA** (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until January 30, 2015 and a Schedule I controlled substance thereafter;
- S. a mixture or substance containing a detectable amount of **Valeryl Fentanyl** (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813;
- T. a mixture or substance containing a detectable amount of **Mexedrone** (3-methoxy-2-(methylamino)-1-(4-methylphenyl)propan-1-one), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813;

U. a mixture or substance containing a detectable amount of **Furanyl Fentanyl** (N-(phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until November 29, 2016 and a Schedule I controlled substance thereafter;

V. a mixture or substance containing a detectable amount of **4-Fluoroisobutyrylfentanyl** (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until May 3, 2017 and a Schedule I controlled substance thereafter;

as prohibited by Sections 802(32), 813 and 841(a)(1), Title 21, United States Code.

All in violation of Section 846, Title 21, United States Code.

COUNT 2

That beginning at least as early as May 2010, until the date of the indictment, in Harrison County, in the Southern Division of the Southern District of Mississippi, and elsewhere, the defendants, **XIAOBING YAN a/k/a Steven Yan a/k/a William Zhou and 9W TECHNOLOGY CO., LTD**, with others both known and unknown to the Grand Jury, did knowingly and intentionally conspire to manufacture and distribute the following controlled substance analogues as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 and Schedule I controlled substances, intending and knowing that such substances would be unlawfully imported into the United States:

A. a mixture or substance containing a detectable amount of **Methylone**, a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with

- intent for human consumption as provided in Title 21, United States Code, Section 813 until October 21, 2011 and a Schedule I controlled substance thereafter;
- B. a mixture or substance containing a detectable amount of **a-PVP** (alpha-Pyrrolidinopentiophenone), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- C. a mixture or substance containing a detectable amount of **a-PBP** (alpha-Pyrrolidinobutiophenone), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- D. a mixture or substance containing a detectable amount of **TH-PVP** (1-(5,6,7,8-tetrahydronaphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813;
- E. a mixture or substance containing a detectable amount of **4-MEC** (4-Methyl-N-ethylcathinone), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- F. a mixture or substance containing a detectable amount of **Pentedrone** (2-(Methylamino)-1-phenylpentane-1-one), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption

- as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- G. a mixture or substance containing a detectable amount of **Pentylone** (bk-MBDP), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- H. a mixture or substance containing a detectable amount of **Ethylone** (bk-MDEA; MDEC; 3,4-methylenedioxy-N-ethylcathinone), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until March 7, 2014 and a Schedule I controlled substance thereafter;
- I. a mixture or substance containing a detectable amount of **2C-I** (2,5-Dimethoxy-4-iodophenethylamine), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until July 9, 2012 and a Schedule I controlled substance thereafter;
- J. a mixture or substance containing a detectable amount of **Acetyl Fentanyl** (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until July 17, 2015 and a Schedule I controlled substance thereafter;
- K. a mixture or substance containing a detectable amount of **25I-NBOME** (N-(2-Methoxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine), a controlled substance

- analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until November 15, 2013 and a Schedule I controlled substance thereafter;
- L. a mixture or substance containing a detectable amount of **25B-NBOME** (N-(2-Methoxybenzyl)-4-bromo-2,5-dimethoxyphenethylamine), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until November 15, 2013 and a Schedule I controlled substance thereafter;
- M. a mixture or substance containing a detectable amount of **25C-NBOME** (N-(2-Methoxybenzyl)-4-chloro-2,5-dimethoxyphenethylamine), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until November 15, 2013 and a Schedule I controlled substance thereafter;
- N. a mixture or substance containing a detectable amount of **UR144, XLR-11** (1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until May 16, 2013 and a Schedule I controlled substance thereafter;
- O. a mixture or substance containing a detectable amount of **THJ-2201** (1-[5-(5-Fluoropentyl)-1H-indazol-3-yl](naphthalene-1-yl)methanone), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until January 30, 2015 and a Schedule I controlled substance thereafter;

- P. a mixture or substance containing a detectable amount of **AM2201** (1-(5-Fluoropentyl)-3-(1-naphthoyl)indole), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until July 9, 2012 and a Schedule I controlled substance thereafter;
- Q. a mixture or substance containing a detectable amount of **AB-CHMINACA** (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until January 30, 2015 and a Schedule I controlled substance thereafter;
- R. a mixture or substance containing a detectable amount of **AB-PINACA** (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until January 30, 2015 and a Schedule I controlled substance thereafter;
- S. a mixture or substance containing a detectable amount of **Valeryl Fentanyl** (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813;
- T. a mixture or substance containing a detectable amount of **Mexedrone** (3-methoxy-2-(methylamino)-1-(4-methylphenyl)propan-1-one), a controlled substance analogue

as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813;

U. a mixture or substance containing a detectable amount of **Furanyl Fentanyl** (N-(phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until November 29, 2017 and a Schedule I controlled substance thereafter;

V. a mixture or substance containing a detectable amount of 4-**Fluoroisobutyrylfentanyl** (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813 until May 3, 2017 and a Schedule I controlled substance thereafter;

as prohibited by Sections 802(32), 813 and 959(a), Title 21, United States Code.

All in violation of Section 963, Title 21, United States Code.

COUNT 3

That on about September 30, 2015, in Harrison County, in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **XIAOBING YAN a/k/a Steven Yan a/k/a William Zhou and 9W TECHNOLOGY CO., LTD**, aided and abetted by others known and unknown to the Grand Jury, did knowingly and intentionally manufacture and distribute a mixture or substance containing a detectable amount of **Acetyl Fentanyl**, a Schedule I controlled substance, knowing or having reasonable cause to believe that such substance would be unlawfully imported into the United States, in violation of Section 959(a), Title 21, United States Code, and Section 2, Title 18, United States Code.

COUNT 4

That on about November 3, 2015, in Harrison County, in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **XIAOBING YAN a/k/a Steven Yan a/k/a William Zhou and 9W TECHNOLOGY CO., LTD**, aided and abetted by others known and unknown to the Grand Jury, did knowingly and intentionally manufacture and distribute a mixture or substance containing a detectable amount of **TH-PVP (1-(5,6,7,8-tetrahydronaphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one)**, a Schedule I controlled substance, knowing or having reasonable cause to believe that such substance would be unlawfully imported into the United States, in violation of Section 959(a), Title 21, United States Code, and Section 2, Title 18, United States Code.

COUNT 5

That on about December 23, 2015, in Harrison County, in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **XIAOBING YAN a/k/a Steven Yan a/k/a William Zhou and 9W TECHNOLOGY CO., LTD**, aided and abetted by others known and unknown to the Grand Jury, did knowingly and intentionally manufacture and distribute a mixture or substance containing a detectable amount of **Valeryl Fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide)**, a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813, knowing or having reasonable cause to believe that such substance would be unlawfully imported into the United States, in violation of Section 959(a), Title 21, United States Code, and Section 2, Title 18, United States Code.

COUNT 6

That on about December 23, 2015, in Harrison County, in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **XIAOBING YAN a/k/a Steven**

Yan a/k/a William Zhou and 9W TECHNOLOGY CO., LTD, aided and abetted by others known and unknown to the Grand Jury, did knowingly and intentionally manufacture and distribute a mixture or substance containing a detectable amount of **Mexedrone** (3-methoxy-2-(methylamino)-1-(4-methylphenyl)propan-1-one), a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813, knowing or having reasonable cause to believe that such substance would be unlawfully imported into the United States, in violation of Section 959(a), Title 21, United States Code, and Section 2, Title 18, United States Code.

COUNT 7

That on about December 23, 2015, in Harrison County, in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **XIAOBING YAN a/k/a Steven Yan a/k/a William Zhou and 9W TECHNOLOGY CO., LTD**, aided and abetted by others known and unknown to the Grand Jury, did knowingly and intentionally manufacture and distribute a mixture or substance containing a detectable amount of **Pentylone** (bk-MBDP), a Schedule I controlled substance, knowing or having reasonable cause to believe that such substance would be unlawfully imported into the United States, in violation of Section 959(a), Title 21, United States Code, and Section 2, Title 18, United States Code.

COUNT 8

That on about April 5, 2016, in Harrison County, in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **XIAOBING YAN a/k/a Steven Yan a/k/a William Zhou and 9W TECHNOLOGY CO., LTD**, aided and abetted by others known and unknown to the Grand Jury, did knowingly and intentionally manufacture and distribute a mixture or substance containing a detectable amount of **Furanyl Fentanyl** (N-(phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide), a controlled substance analogue as

defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813, knowing or having reasonable cause to believe that such substance would be unlawfully imported into the United States, in violation of Section 959(a), Title 21, United States Code, and Section 2, Title 18, United States Code.

COUNT 9

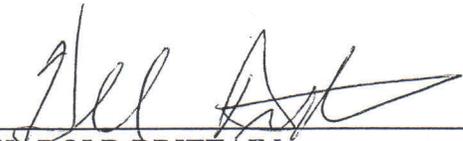
That on about April 5, 2016, in Harrison County, in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **XIAOBING YAN a/k/a Steven Yan a/k/a William Zhou and 9W TECHNOLOGY CO., LTD**, aided and abetted by others known and unknown to the Grand Jury, did knowingly and intentionally manufacture and distribute a mixture or substance containing a detectable amount of **4-Fluoroisobutyrylfentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide)**, a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent for human consumption as provided in Title 21, United States Code, Section 813, knowing or having reasonable cause to believe that such substance would be unlawfully imported into the United States, in violation of Section 959(a), Title 21, United States Code, and Section 2, Title 18, United States Code.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

As a result of committing the offenses as alleged in this Indictment, the defendant shall forfeit to the United States all property involved in or traceable to property involved in the offenses, including but not limited to all proceeds obtained directly or indirectly from the offenses, and all property used to facilitate the offenses. Further, if any 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, then it is the intent of the United States to seek a judgment of forfeiture of any other property of the defendant, up to the value of the property described in this notice or any bill of particulars supporting it.

All pursuant to Section 853, Title 21, United States Code.



HAROLD BRITTAIN
Acting United States Attorney

A TRUE BILL:

signature redacted

Foreperson of the Grand Jury

This indictment was returned in open court by the foreperson or deputy foreperson of the grand jury on this the 7th day of SEPTEMBER, 2017.



UNITED STATES MAGISTRATE JUDGE

A TRUE COPY, I HEREBY CERTIFY.
ARTHUR JOHNSTON, CLERK
BY: 

DEPUTY CLERK