

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

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

UNITED STATES OF AMERICA	*	CRIMINAL NO.
v.	*	SECTION:
MELVIN JAMES	*	VIOLATIONS: 21 USC § 841(a)(1)
aka "Melvin James, Jr."	*	21USC § 841(b)(1)(C)
	*	18 USC § 922(g)(1)
	*	18 USC § 924(a)(2)
	*	18 USC § 924(c)(1)(A)
	*	
	*	
	*	

The Grand Jury charges that:

**COUNT 1**

On or about November 14, 2012, in the Eastern District of Louisiana, the defendant, **MELVIN JAMES**, aka "**Melvin James, Jr.**" did knowingly and intentionally possess with the intent to distribute a quantity of heroin, a Schedule I drug controlled substance; in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

## COUNT 2

On or about November 14, 2012, in the Eastern District of Louisiana, the defendant, **MELVIN JAMES**, aka "**Melvin James, Jr.**", having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: a conviction on June 8, 1995 in the Western District of North Carolina under case number 94-CR-44-03 for conspiracy to distribute cocaine in violation of 21 U.S.C. § 846; and a conviction on June 13, 2001 in the Eastern District of Louisiana, under case number 00-CR-0281 "S" for distribution of heroin, in violation of 21 USC § 841(a)(1); did knowingly possess in and affecting interstate commerce firearms, to wit: a Rossi .38 special revolver, serial number AY93823; a Ruger .44 magnum carbine, serial number 10225394; a Bryco Arms .380ACP pistol, serial number 1467920; and a Springfield Arms .45ACP 1911 pistol, serial number 74419; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

## COUNT 3

On or about November 14, 2012, in the Eastern District of Louisiana, the defendant, **MELVIN JAMES**, aka "**Melvin James, Jr.**", did knowingly possess firearms, to wit: a Rossi .38 special revolver, serial number AY93823; a Ruger .44 magnum carbine, serial number 10225394; a Bryco Arms .380ACP pistol, serial number 1467920; and a Springfield Arms .45ACP 1911 pistol, serial number 74419; 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 quantity of heroin, in violation of Title 21, United States Code, Sections 841(a)(1); all in violation of Title 18, United States Code, Sections 924(c)(1)(A).

### NOTICE OF DRUG FORFEITURE

1. The allegation of Count 1 of this indictment is 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 1, the defendant, **MELVIN JAMES**, aka "**Melvin James, Jr.**", 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 1 of this indictment.

3. If any of the above-described forfeitable 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 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.

## NOTICE OF GUN FORFEITURE

1. The allegations of Counts 2 and 3 of this indictment are realleged 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 2 and 3, the defendant **MELVIN JAMES**, aka "**Melvin James, Jr.**", 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 a knowing violation of Title 18, United States Code, Sections 924(c)(1)(A) and 922(g), as alleged in Counts 2 and 3 of the 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:

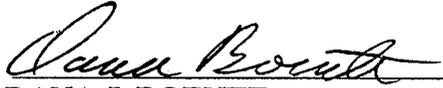
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot 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 924(c)(1)(A), 922(g), and  
924(d)(1).

A TRUE BILL:

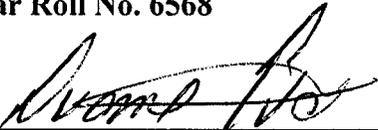
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FOREPERSON



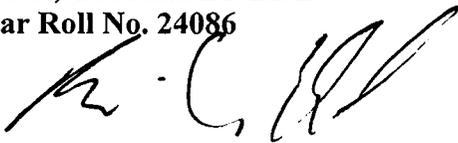
**DANA J. BOENTE**  
**UNITED STATES ATTORNEY**



**FRED P. HARPER, JR.**  
**First Assistant United States Attorney**  
**Bar Roll No. 6568**



**DUANE EVANS**  
**Assistant United States Attorney**  
**Chief, Criminal Division**  
**Bar Roll No. 24086**



**BRIAN C. EBARB**  
**Special Assistant United States Attorney**  
**Violent Crime Division**  
**Bar Roll No. 29846**

New Orleans, Louisiana  
April 25, 2013