

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SECOND SUPERSEDING

OFFENSE CHARGED

21 U.S.C. § 846 - Conspiracy to Distribute and Possess With Intent To Distribute Cocaine Petty
21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute Cocaine Minor
 Misdemeanor
 Felony

PENALTY: Imprisonment: Maximum 20 years
Fine: \$1,000,000
Supervised Release: at least 3 years to life
Special Assessment: \$100

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DEFENDANT - U.S.

FRANK ANTHONY MORTON

DISTRICT COURT NUMBER
CR-13-00383 PJH

FILED
2014 SEP 11 P 2:38
RICHARD W. WIENING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DRUG ENFORCEMENT ADMINISTRATION

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:
 U.S. ATTORNEY DEFENSE } SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant } MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under }

Name and Office of Person Furnishing Information on this form MELINDA HAAG
 U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) KATIE B. MEDEARIS, AUSA

IS NOT IN CUSTODY

- Has not been arrested, pending outcome of this proceeding.
- 1) If not detained give date any post-arrest summons was served on above charges
 - 2) Is a Fugitive
 - 3) Is on Bail or Release from (show District)

Northern District of California

IS IN CUSTODY

- 4) On this charge
 - 5) On another conviction } Federal State
 - 6) Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not
DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS: SUMMONS NO PROCESS* WARRANT

If Summons, complete following:
 Arraignment Initial Appearance

Defendant Address: _____
Date/Time: _____ Before Judge: _____

Comments:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: Oakland

UNITED STATES OF AMERICA,

v.

FRANK ANTHONY MORTON,

CR-13-00383 PJH

DEFENDANT.

SECOND SUPERSEDING INDICTMENT

21 U.S.C. § 846 - Conspiracy to Distribute and Possess With Intent To Distribute Cocaine; 21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute Cocaine; and 21 U.S.C. § 853 - Drug Forfeiture

A true bill.

[Signature]
Foreman

Filed in open court this 11th day of

Sept 2014
[Signature]
Clerk

Bail, \$ no price

2014 SEP 11 P 2:39
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED
[Handwritten mark]

FILED

1 MELINDA HAAG (CABN 132612)
United States Attorney

2014 SEP 11 P 2:39

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 FRANK ANTHONY MORTON,
16 Defendant.

) Case No. CR-13-00383 PJH
)
) VIOLATIONS: 21 U.S.C. § 846 - Conspiracy to
) Distribute and Possess With Intent To Distribute
) Cocaine; 21 U.S.C. § 841(a)(1) - Possession with
) Intent to Distribute Cocaine; and 21 U.S.C. § 853 -
) Drug Forfeiture
)
) OAKLAND VENUE

18
19 SECOND SUPERSEDING INDICTMENT

20 The Grand Jury charges:

21 COUNT ONE: (21 U.S.C. § 846 - Conspiracy to Distribute and Possess With Intent To Distribute
22 Cocaine)

23 Beginning on a date unknown to the Grand Jury, but no later than August 26, 2013, and
24 continuing through August 28, 2013, both dates being approximate and inclusive, in the Northern
25 District of California, the defendant,

26 FRANK ANTHONY MORTON.

27
28 SUPERSEDING INDICTMENT
13-CR-00383-PJH

1 and others known and unknown, did knowingly and intentionally conspire to distribute and possess with
2 intent to distribute a mixture and substance containing a detectable amount of cocaine, its salts, optical
3 and geometric isomers, and salts of isomers, in violation of 21 U.S.C. §§ 846 and 841(a)(1),(b)(1)(C).

4
5 COUNT TWO: (21 U.S.C. § 841 - Possession With Intent to Distribute Cocaine and Distribution
6 of Cocaine)

7 On August 28, 2013, in the Northern District of California, the defendant,

8 FRANK ANTHONY MORTON,

9 did knowingly and intentionally possess with the intent to distribute and distributed a mixture and
10 substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts
11 of isomers, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

12
13 FORFEITURE ALLEGATION: (21 U.S.C. § 853 - Drug Forfeiture)

14 1. The factual allegations contained in Counts One through Two of this Second Superseding
15 Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging
16 forfeiture pursuant to the provisions of 21 U.S.C. §§ 853(a)(1) and (a)(2).

17 2. Upon a conviction for any of the offenses alleged in Counts One through Two, the
18 defendant,

19 FRANK ANTHONY MORTON,

20 shall forfeit to the United States all right, title, and interest in property constituting and derived from any
21 proceeds defendant obtained, directly or indirectly, as a result of said violations, and any property used,
22 or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said
23 violations.

- 24 3. If, as a result of any act or omission of the defendant, any of said property
25 a. cannot be located upon the exercise of due diligence;
26 b. has been transferred or sold to or deposited with, a third person;
27 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, without difficulty cannot be subdivided;

any and all interest the defendant has in any other property (not to exceed the value of the above forfeitable property) shall be forfeited to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 21, United States Code, Section 853(p) (as incorporated by Title 28, United States Code, Section 2461(c)), and Rule 32.2 of the Federal Rules of Criminal Procedure.

All in violation of 21 U.S.C. §§ 853(a)(1) and (a)(2), and pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

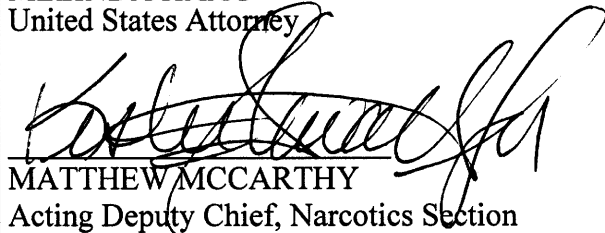
DATED:

Sept 11, 2014

A TRUE BILL.


FOREPERSON

MELINDA HAAG
United States Attorney


MATTHEW MCCARTHY
Acting Deputy Chief, Narcotics Section

(Approved as to form: 
AUSA KATIE BURROUGHS MEDEARIS