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FILED

AUG - 4 2016

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK 

8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14 CLEMENTE LOPEZ,
15 Defendant.

CASE NO. 2:16 - CR - 148 - MCE

21 U.S.C. §§ 846, 841(a)(1) – Conspiracy to
Manufacture Marijuana; 21 U.S.C. § 841(a)(1) –
Manufacture of Marijuana; 21 U.S.C. § 853(a) –
Criminal Forfeiture

16 INDICTMENT
17

18 COUNT ONE: [21 U.S.C. §§ 846, 841(a)(1) – Conspiracy to Manufacture Marijuana]

19 The Grand Jury charges: T H A T

20 CLEMENTE LOPEZ,

21 defendant herein, between on or about May 26, 2016 and on or about July 14, 2016, in the County of
22 Trinity, State and Eastern District of California, and elsewhere, did knowingly and intentionally conspire
23 and agree with persons unknown to the Grand Jury to manufacture at least 50 marijuana plants, a
24 Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 846 and
25 841(a)(1).

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1 COUNT TWO: [21 U.S.C. § 841(a)(1) – Manufacture of Marijuana]

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3 The Grand Jury further charges: T H A T

4 CLEMENTE LOPEZ,
5 defendant herein, between on or about May 26, 2016 and on or about July 14, 2016, in the County of
6 Trinity, State and Eastern District of California, did knowingly and intentionally manufacture at least 50
7 marijuana plants, a Schedule I Controlled Substance, in violation of Title 21, United States Code,
8 Section 841(a)(1).

9 FORFEITURE ALLEGATION: [21 U.S.C. § 853(a) – Criminal Forfeiture]

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11 1. Upon conviction of one or more of the offenses alleged in Counts One and Two of this
12 Indictment, defendant CLEMENTE LOPEZ shall forfeit to the United States pursuant to Title 21,
13 United States Code, Section 853(a), the following property:

14 a. All right, title, and interest in any and all property involved in violations of Title
15 21, United States Code, Section 841(a)(1), or conspiracy to commit such offenses, for which defendant
16 is convicted, and all property traceable to such property, including the following: all real or personal
17 property, which constitutes or is derived from proceeds obtained, directly or indirectly, as a result of
18 such offenses; and all property used, or intended to be used, in any manner or part to commit or to
19 facilitate the commission of the offenses.

20 b. A sum of money equal to the total amount of proceeds obtained as a result of the
21 offenses, or conspiracy to commit such offenses, for which defendant is convicted.

22 2. If any property subject to forfeiture, as a result of the offenses alleged in Counts One and
23 Two of this Indictment, for which defendant is convicted:


- 24 a. cannot be located upon the exercise of due diligence;
25 b. has been transferred or sold to, or deposited with, a third party;
26 c. has been placed beyond the jurisdiction of the Court;
27 d. has been substantially diminished in value; or
28

1 e. has been commingled with other property which cannot be divided without difficulty;
2 it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek
3 forfeiture of any other property of defendant, up to the value of the property subject to forfeiture.
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5 A TRUE BILL.

6 **/s/ Signature on file w/AUSA**

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8 FOREPERSON

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10 PHILLIP A. TALBERT
11 Acting United States Attorney
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No. _____

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

THE UNITED STATES OF AMERICA

vs.

CLEMENTE LOPEZ

INDICTMENT

VIOLATION(S): 21 U.S.C. §§ 846, 841(a)(1) – Conspiracy to Manufacture Marijuana; 21 U.S.C. § 841(a)(1) –
Manufacture of Marijuana; 21 U.S.C. § 853(a) – Criminal Forfeiture

A true bill,

/s/ Signature on file w/AUSA

Foreman.

Filed in open court this 4 day

of August, A.D. 2016

Clerk.

NO PROCESS NECESSARY

Bail, \$ _____

an-Clmi

United States v. Clemente Lopez
Penalties for Indictment

Defendant
CLEMENTE LOPEZ

COUNT 1:

VIOLATION: 21 U.S.C. §§ 846, 841(a)(1) - Conspiracy to Manufacture Marijuana (at least 50 plants)

PENALTIES: Up to 20 years in prison; or fine of up to \$1,000,000; or both fine and imprisonment
Supervised release of at least 3 years up to life

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 2:

VIOLATION: 21 U.S.C. § 841(a)(1) – Manufacture of Marijuana (at least 50 plants)

PENALTIES: Up to 20 years in prison; or fine of up to \$1,000,000; or both fine and imprisonment
Supervised release of at least 3 years up to life

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

FORFEITURE ALLEGATION:

VIOLATION: 21 U.S.C. § 853(a) - Criminal Forfeiture

PENALTIES: As stated in the charging document