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

11
12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 LEOBARDO GERARDO ANAYA,
16 Defendant.

CASE NO. 2:21-cr-55 TLN

21 U.S.C. § 841(a)(1) – Possession with Intent to
Distribute Fentanyl; 21 U.S.C. § 841(a)(1) –
Distribution of Fentanyl; 21 U.S.C. § 853(a) –
Criminal Forfeiture

17
18 INDICTMENT
19

20 COUNT ONE: [21 U.S.C. § 841(a)(1) – Possession with Intent to Distribute Fentanyl]

21 The Grand Jury charges: T H A T

22 LEOBARDO GERARDO ANAYA,
23 defendant herein, on or about January 13, 2021, in the County of Stanislaus, State and Eastern District of
24 California, did knowingly and intentionally possess with intent to distribute at least 40 grams of a
25 mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
26 propanamide, popularly known as “fentanyl,” a Schedule I Controlled Substance, in violation of Title
27 21, United States Code, Section 841(a)(1).

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

2 The Grand Jury further charges: T H A T

3 LEOBARDO GERARDO ANAYA,

4 defendant herein, on or about August 26, 2020, in the County of Solano, State and Eastern District of
5 California, did knowingly and intentionally distribute a quantity of a mixture or substance containing a
6 detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, popularly known as
7 “fentanyl,” a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section
8 841(a)(1).

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

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

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

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

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

23 a. cannot be located upon the exercise of due diligence;

24 b. has been transferred or sold to, or deposited with, a third party;

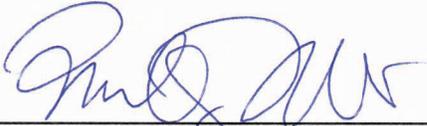
25 c. has been placed beyond the jurisdiction of the Court;

26 d. has been substantially diminished in value; or

27 e. has been commingled with other property which cannot be divided without
28 difficulty;

1 it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek
2 forfeiture of any other property of defendant, up to the value of the property subject to forfeiture.
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4 A TRUE BILL.

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9 PHILLIP A. TALBERT
Acting United States Attorney

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