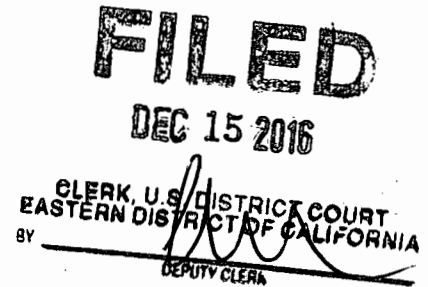


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ROSS PEARSON  
Assistant United States Attorney  
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Fresno, CA 93721  
Telephone: (559) 497-4000  
Facsimile: (559) 497-4099

Attorneys for Plaintiff  
United States of America



IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL MATHISON,

Defendants.

CASE NO. **1:16 CR - 00202 DAD BAM**

18 U.S.C. § 922(g)(1) – Felon in Possession of a  
Firearm and Ammunition; 18 U.S.C. § 924(d)(1) and  
28 U.S.C. § 2461(c) – Criminal Forfeiture

INDICTMENT

COUNT ONE: [18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition]

The Grand Jury further charges: T H A T

MICHAEL MATHISON,

defendant herein, on or about November 23, 2016, in the County of Fresno, State and Eastern District of California, having been convicted of a crime punishable by a term of imprisonment exceeding one year, that is:

(1) First Degree Burglary, in violation of California Penal Code section 459, in 2010, in Fresno County, California; (2) Possession of a Stolen Vehicle, in violation of California Penal Code section 496d(a), in 2010, in Fresno County, California; (3) Possession of a Controlled Substance, in violation of California Health and Safety Code section 11377(a), in 2012 in Fresno County,

1 California; and (4) Possession of a Controlled Substance for Sale, in violation of California  
2 Health and Safety Code Section 11378, in 2015, in Fresno County, California;  
3 did knowingly possess a firearm that had been shipped and transported in interstate commerce, to wit, a  
4 45 caliber Colt Defender with serial number DR11443; and did knowingly possess ammunition that had  
5 been shipped and transported in interstate commerce, to wit, nine rounds of Sellier and Bellot 45 auto  
6 ammunition, all in violation of Title 18, United States Code, Section 922(g)(1).

7 FORFEITURE ALLEGATION: [18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c) – Criminal Forfeiture]

8 1. Upon conviction of the offense alleged in Count One of this Indictment, defendant  
9 MICHAEL MATHISON shall forfeit to the United States pursuant to Title 18, United States Code,  
10 Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearms and ammunition  
11 involved in or used in the knowing commission of the offense.

12 2. If any property subject to forfeiture, as a result of the offense alleged in Count One of this  
13 Indictment, for which defendant is convicted:

- 14 a. cannot be located upon the exercise of due diligence;
- 15 b. has been transferred or sold to, or deposited with, a third party;
- 16 c. has been placed beyond the jurisdiction of the Court;
- 17 d. has been substantially diminished in value; or
- 18 e. has been commingled with other property which cannot be divided without  
19 difficulty;

20 it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as ///

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1 incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property  
2 of defendant, up to the value of the property subject to forfeiture.

3  
4 A TRUE BILL.

5 /s/ Signature on file w/AUSA

6  
7 FOREPERSON

8 PHILLIP A. TALBERT  
United States Attorney.

9 By:

**KIRK E. SHERRIFF**

10 KIRK E. SHERRIFF  
11 Assistant U.S. Attorney  
Chief, Fresno Office  
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No. \_\_\_\_\_

**FILED**

DEC 15 2016

**UNITED STATES DISTRICT COURT**

*Eastern District of California*

*Criminal Division*

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY [Signature]  
DEPUTY CLERK

**THE UNITED STATES OF AMERICA**

vs.

**MICHAEL MATHISON**

**1:16 CR 00202 DAD BAM**

**INDICTMENT**

**VIOLATION(S):** 18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition;  
18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c) – Criminal Forfeiture

*A true bill,*

151  
Foreman.

*Filed in open court this* \_\_\_\_\_ *day*

*of* \_\_\_\_\_ *, A.D. 20* \_\_\_\_\_

\_\_\_\_\_  
*Clerk.*

**NO BAIL WARRANT**

*Bail, \$* \_\_\_\_\_

[Signature]

GPO 863 525

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

BY ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING: Case No.

**OFFENSE CHARGED**

- ☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

Place of offense  
Fresno County

U.S.C. Citation  
See Indictment

Name of District Court, and/or Judge/Magistrate Judge Location (City)  
Fresno, California

**DEFENDANT -- U.S. vs.**  
**MICHAEL MATHISON**

Address

**1:16 CR 00202 DAD BAM**

Birth  
Date

- ☐ Male ☐ Alien  
☐ Female (if applicable)

(Optional unless a juvenile)

**PROCEEDING**

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

**ATF -- George Jusino**

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

☒ this person/proceeding is transferred from another district per FRCrP ☐ 20 ☐ 21 ☐ 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

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

SHOW  
DOCKET NO.

MAGISTRATE  
JUDGE CASE NO.

Name and Office of Person  
Furnishing Information on

THIS FORM

**Donna McCloskey**

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S.  
Att'y (if assigned)

**ROSS PEARSON**

**DEFENDANT**

**IS NOT IN CUSTODY**

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

**IS IN CUSTODY**

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

Has detainer  
been filed?

☐ Yes

☐ No

Mo.

If "Yes,"  
give date  
filed

Day

Year

**DATE OF  
ARREST**

Or ... if Arresting Agency & Warrant were not Federal

Mo.

Day

Year

**DATE TRANSFERRED  
TO U.S. CUSTODY**

☐ This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

☒ **ADD FORFEITURE UNIT (Check if Forfeiture Allegation)**

Penalties -- see penalty slip. Please issue no bail warrant.

PENALTY SLIP -

1:16 CR 00202 DAD BAM

MICHAEL MATHISON

RP

AUSA Initial

**COUNT ONE:**

VIOLATION: 18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm and Ammunition

PENALTY: 10 years maximum term of imprisonment  
\$250,000 Fine  
3 yrs. supervised release  
\$100 special assessment

**FORFEITURE ALLEGATION:**

VIOLATION: 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c) - Criminal Forfeiture

PENALTIES: As stated in the charging document