

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

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

UNITED STATES OF AMERICA * CRIMINAL NO.
v. * SECTION:
MICHAEL MENDEZ * VIOLATIONS: 21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(A)
* 21 U.S.C. § 846
* 18 U.S.C. § 924(c)(1)(A)(i)
* * *

The Grand Jury charges that:

COUNT 1

Beginning on a date unknown and continuing until on or about June 10, 2015, in the Eastern District of Louisiana, the defendant, **MICHAEL MENDEZ**, did knowingly and intentionally combine, conspire, confederate and agree with persons known and unknown to the Grand Jury, to distribute and to possess with the intent to distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine hydrochloride, a Schedule II drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A); all in violation of Title 21, United States Code, Section 846.

COUNT 2

On or about June 10, 2015, in the Eastern District of Louisiana, the defendant, **MICHAEL MENDEZ**, did knowingly and intentionally possess with intent to distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine hydrochloride, a Schedule II drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT 3

On or about the June 10, 2015, in the Eastern District of Louisiana, the defendant, **MICHAEL MENDEZ**, did knowingly possess a firearm, that is, a Glock 26, 9 millimeter pistol, bearing serial number PLY248, in furtherance of a drug-trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute cocaine hydrochloride, as alleged in Count 2 of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

NOTICE OF DRUG FORFEITURE

1. The allegations of Counts 1 and 2 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 25, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 1 and 2 of this Indictment, the defendant, **MICHAEL MENDEZ**, 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 violations 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 violations alleged in Counts 1 and 2 of this 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 defendants:

- 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 defendants 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 Count 3 of this Indictment are re-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 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the offense alleged in Count 3, the defendant, **MICHAEL MENDEZ**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1), made applicable through Title 28, United States Code, Section 2461(c), 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 924(o), as alleged in Count 3 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 defendants up to the value of the above-forfeitable property.

A TRUE BILL:

FOREPERSON

KENNETH ALLEN POLITE, JR
UNITED STATES ATTORNEY


BRANDON S. LONG
Assistant United States Attorney
D.C. Bar No. 500721

New Orleans, Louisiana
June 18, 2015