

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

2015 JUL 24 PM 2: 32

WILLIAM W. BLEVINS  
CLERK

SEALED

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.

15 - 185

v.

\* SECTION:

SECT. 3 MAG. 4

LEROY SMITH

\* VIOLATIONS: 21 U.S.C. § 841(a)(1)

JAMIE JONES

\* 21 U.S.C. § 841(b)(1)(B)

a/k/a "Jamie Moore"

\* 21 U.S.C. § 841(b)(1)(C)

KENNETH MIXON

\* 21 U.S.C. § 846

\* 21 U.S.C. § 843(b)

\* 18 U.S.C. § 2

\* 18 U.S.C. § 924(c)(1)(A)(i)

\* 18 U.S.C. § 922(g)(1)

\* 18 U.S.C. § 924(a)(2)

\* \* \*

The Grand Jury charges that:

COUNT 1

Beginning at a time unknown but not later than July 18, 2014, and continuing through July 13, 2015, in the Eastern District of Louisiana and elsewhere, the defendants, **LEROY SMITH, JAMIE JONES, a/k/a Jamie Moore, and KENNETH MIXON**, did knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons

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known and unknown to the Grand Jury, to distribute and to possess with the intent to distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

**QUANTITY OF HEROIN INVOLVED IN THE CONSPIRACY**

With respect to **LEROY SMITH** and **JAMIE JONES, a/k/a Jamie Moore**, their conduct as members of the narcotics conspiracy charged in Count 1, which includes the conduct of their co-conspirators in furtherance of the narcotics conspiracy charged in Count 1 that was reasonably foreseeable to them, involved 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B).

With respect to **KENNETH MIXON**, his conduct as a member of the narcotics conspiracy charged in Count 1, which includes the conduct of his co-conspirators in furtherance of the narcotics conspiracy charged in Count 1 that was reasonably foreseeable to him, involved a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

All in violation of Title 21, United States Code, Section 846.

**COUNT 2**

On or about July 18, 2014, in the Eastern District of Louisiana, the defendant, **LEROY SMITH**, did knowingly and intentionally distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 3**

On or about August 20, 2014, in the Eastern District of Louisiana, the defendant, **LEROY SMITH**, did knowingly and intentionally distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 4**

On or about December 15, 2014, in the Eastern District of Louisiana, the defendant, **LEROY SMITH**, did knowingly and intentionally distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 5**

On or about March 3, 2015, in the Eastern District of Louisiana, the defendant, **LEROY SMITH**, did knowingly and intentionally distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 6**

On or about June 8, 2015, in the Eastern District of Louisiana, the defendants, **LEROY SMITH** and **JAMIE JONES, a/k/a Jamie Moore**, did knowingly and intentionally use a communication facility, to wit, a telephone, in committing, causing and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, that is, conspiracy to distribute and to possess with the intent to distribute heroin, as charged in Count 1 of this Indictment; all in violation of Title 21, United States Code, Section 843(b) and Title 18, United States Code, Section 2.

**COUNT 7**

On or about June 10, 2015, in the Eastern District of Louisiana, the defendants, **LEROY SMITH** and **KENNETH MIXON**, did knowingly and intentionally use a communication facility, to wit, a telephone, in committing, causing and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, that is, conspiracy to distribute and to possess with the intent to distribute heroin, as charged in Count 1 of this Indictment; all in violation of Title 21, United States Code, Section 843(b) and Title 18, United States Code, Section 2.

**COUNT 8**

On or about June 10, 2015, in the Eastern District of Louisiana, the defendants, **LEROY SMITH** and **JAMIE JONES, a/k/a Jamie Moore**, did knowingly and intentionally distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 9**

On or about June 10, 2015, in the Eastern District of Louisiana, the defendant, **KENNETH MIXON**, did knowingly and intentionally possess with intent to distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 10**

On or about July 13, 2015, in the Eastern District of Louisiana, the defendants, **LEROY SMITH** and **JAMIE JONES, a/k/a Jamie Moore**, did knowingly possess firearms, that is, a

Charter Arms, .38 caliber "Special" revolver, bearing serial number 14-21667; a Glock Model 33, .357 Sig pistol, bearing serial number WUY 235; and a Masterpiece Arms, 9mm pistol, bearing serial number B4595, in furtherance of a drug-trafficking crime for which they may be prosecuted in a court of the United States, that is, possession with intent to distribute heroin, as alleged in Count 1 of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i) and Title 18, United States Code, Section 2.

### **COUNT 11**

On or about July 13, 2015, in the Eastern District of Louisiana, the defendant, **LEROY SMITH**, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: a conviction on February 20, 2008, in Caddo Parish First Judicial District Court, Case No. 261895, for possession of a Schedule II controlled substance, in violation of LA. R.S. 40:967, did knowingly possess in and affecting interstate commerce, firearms, that is, a Charter Arms, .38 caliber "Special" revolver, bearing serial number 14-21667; a Glock Model 33, .357 Sig pistol, bearing serial number WUY 235; and a Masterpiece Arms, 9mm pistol, bearing serial number B4595, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

### **NOTICE OF DRUG FORFEITURE**

1. The allegations of Counts 1, 2, 3, 4, 5, 8, and 9 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 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 1, 2, 3, 4, 5, 8, and 9 of this Indictment, the defendants, **LEROY SMITH, JAMIE JONES, a/k/a Jamie Moore**, and

**KENNETH MIXON**, 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 defendants 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, 2, 3, 4, 5, 8, and 9 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 Counts 10 and 11 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 offenses alleged in Counts 10 and 11, the defendants, **LEROY**

SMITH and JAMIE JONES, a/k/a Jamie Moore, 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 Counts 10 and 11 of this Indictment.

3. If any of the above-described forfeitable property, 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 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: *A*

  
FOREPERSON

KENNETH ALLEN POLITE, JR.  
UNITED STATES ATTORNEY

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

New Orleans, Louisiana  
July 24, 2015

No. \_\_\_\_\_

**UNITED STATES DISTRICT COURT**

Eastern District of Louisiana

Criminal Division

**THE UNITED STATES OF AMERICA**

vs.

**LEROY SMITH, JAMIE JONES, a/k/a "Jamie  
Moore," KENNETH MIXON**

**INDICTMENT**

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

**VIOLATIONS: Title 21, U.S.C, §§ 841(a)(1), 841(b)(1)  
(B), 841(b)(1)(C), 846, 843(b), Title  
18, U.S.C. §§ 2, 924(c)(1)(A)(i),  
922(g)(1), and 924(a)(2)**

*A true bill.*



*Special Agent in Charge*

Filed in open court this \_\_\_\_\_ day of \_\_\_\_\_  
A.D. 2015.

Clerk

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

Handwritten signature of Brandon S. Long in black ink.

**BRANDON S. LONG**  
Assistant United States Attorney