

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

2018 MAR 01 A 11:08

WILLIAM J. STEVENS
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

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

UNITED STATES OF AMERICA

* CRIMINAL NO.

18-49

v.

* SECTION:

SECT. H MAG. 4

TORREY SCOTT

* VIOLATIONS: 18 U.S.C. § 922(g)(1)
18 U.S.C. § 924(c)(1)(A)
* 21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(C)

* * *

The Grand Jury charges that:

COUNT 1

On or about March 15, 2016, in the Eastern District of Louisiana, the defendant, **TORREY SCOTT**, having been convicted of crimes punishable by imprisonment for a term exceeding one year: a conviction on February 9, 1993, in the 24th Judicial District Court for the Parish of Jefferson, State of Louisiana, Case Number 92-1659 "E," for attempted first degree murder, in violation of LSA R.S. 14:27/30, and convictions on February 2, 2006, in the United States District Court for the Eastern District of Louisiana, Case Number 05-206 "S," for felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2); possession of an unregistered firearm, in violation of 26 U.S.C. § 5841; and felon in possession of body armor, in violation of

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18 U.S.C. § 931, did knowingly possess in and affecting interstate commerce firearms: a Glock model 23, .40 caliber pistol, with serial number ABKD501US, and a Glock model 23, .40 caliber pistol, with serial number BARR285; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 2

On or about November 18, 2016, in the Eastern District of Louisiana, the defendant, **TORREY SCOTT**, having been convicted of crimes punishable by imprisonment for a term exceeding one year: a conviction on February 9, 1993, in the 24th Judicial District Court for the Parish of Jefferson, State of Louisiana, Case Number 92-1659 “E,” for attempted first degree murder, in violation of LSA R.S. 14:27/30, and convictions on February 2, 2006, in the United States District Court for the Eastern District of Louisiana, Case Number 05-206 “S,” for felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2); possession of an unregistered firearm, in violation of 26 U.S.C. § 5841; and felon in possession of body armor, in violation of 18 U.S.C. § 931, did knowingly possess in and affecting interstate commerce four firearms: a Diamondback model DB-15SB, .223 caliber rifle, with serial number DB-1828724, a Glock model 22, .40 caliber pistol, with serial number XHV143, a Harrington and Richardson model 732, .32 caliber revolver, with serial number AYO29764, and a Smith and Wesson model 57, .41 caliber revolver, with serial number N691430; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 3

On or about November 18, 2016, in the Eastern District of Louisiana, the defendant, **TORREY SCOTT**, did knowingly possess firearms: a Diamondback model DB-15SB, .223 caliber rifle, with serial number DB-1828724, a Glock model 22, .40 caliber pistol, with serial

number XHV143, a Harrington and Richardson model 732, .32 caliber revolver, with serial number AYO29764; and a Smith and Wesson model 57, .41 caliber revolver, with serial number N691430, in furtherance of a drug-trafficking crime for which he may be prosecuted in a court of the United States, namely possession of quantities of cocaine hydrochloride, heroin, and 3-4 methylenedioxymethamphetamine (MDMA), with the intent to distribute, as alleged in Count 4 of this Indictment; all in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 4

On or about November 18, 2016, in the Eastern District of Louisiana, the defendant, **TORREY SCOTT**, did knowingly possess with the intent to distribute quantities of heroin and 3-4 methylenedioxymethamphetamine (MDMA), both Schedule I drug controlled substances, and cocaine hydrochloride, a Schedule II drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

NOTICE OF GUN FORFEITURE

1. The allegations of Counts 1, 2, and 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 offenses alleged in Counts 1, 2, and 3, the defendant, **TORREY SCOTT**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461, any firearm or ammunition, which was involved in or used in knowing violations of Title 18, United States Code, Sections 922(g)(1) and 924(g)(3), as alleged in Counts 1, 2, and 3 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 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 defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(d).

NOTICE OF DRUG FORFEITURE

1. The allegations of Count 4 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 21, United States Code, Section 853.

2. As a result of the offense alleged in Count 4, the defendant, **TORREY SCOTT**, 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 violation 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 violation alleged in Count 4 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 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 defendant up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL:


FOREPERSON

DUANE EVANS
UNITED STATES ATTORNEY


MICHAEL E. MCMAHON
Assistant United States Attorney
Louisiana Bar Roll Number 10095

New Orleans, Louisiana
March 1, 2018