

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
2020 JUL 10 P 5:36 *eff*

CAROL L. MICHEL  
CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

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

UNITED STATES OF AMERICA

v.

DONOVAN D. CLAY  
a/k/a "Donavan D. Clay"  
a/k/a "Pluto"

\* CRIMINAL DOCKET NO.

\* SECTION:

\* VIOLATIONS: 18 U.S.C. § 922(g)(1)  
18 U.S.C. § 924(a)(2)  
\* 21 U.S.C. § 841(a)(1)  
\* 21 U.S.C. § 841(b)(1)(B)  
21 U.S.C. § 841(b)(1)(C)

\* \* \*

**20-00063  
SECT. SMAG. 1**

The Grand Jury charges that:

**COUNT 1**  
**(Distribution of Heroin)**

On or about December 11, 2019, in the Eastern District of Louisiana, the defendant, **DONOVAN D. CLAY a/k/a "Donavan D. Clay," a/k/a "Pluto,"** did knowingly and intentionally distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

*WST*  
Fees \_\_\_\_\_  
Process \_\_\_\_\_  
X Dkt'd \_\_\_\_\_  
CtRmDep \_\_\_\_\_  
Doc. No. \_\_\_\_\_

**COUNT 2**  
**(Distribution of Heroin)**

On or about January 3, 2020, in the Eastern District of Louisiana, the defendant, **DONOVAN D. CLAY a/k/a "Donavan D. Clay," a/k/a "Pluto,"** did knowingly and intentionally distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 3**  
**(Possession with Intent to Distribute Heroin)**

On or about January 7, 2020, in the Eastern District of Louisiana, the defendant, **DONOVAN D. CLAY a/k/a "Donavan D. Clay," a/k/a "Pluto,"** did knowingly and intentionally possess with intent to distribute at least one hundred (100) grams of a mixture or substance containing a detectable amount of heroin, a Schedule I narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

**COUNT 4**  
**(Felon in Possession of a Firearm)**

On or about January 7, 2020, in the Eastern District of Louisiana, the defendant, **DONOVAN D. CLAY a/k/a "Donavan D. Clay," a/k/a "Pluto,"** knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: a conviction on April 23, 2012, in the 32<sup>nd</sup> Judicial District, Parish of Terrebonne, Docket Number 11-62052 "A," for Second Degree Battery, in violation of LA-R.S. § 34.1, did knowingly possess a firearm, to wit: a Sig Sauer Model P250, .40 caliber semi-automatic pistol, bearing serial no. 57c043242, in and affecting commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**NOTICE OF FORFEITURE**

1. The allegations of Counts 1 through 4 are incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States.

2. As a result of the offense alleged in Counts 1 through 3, the defendant, **DONOVAN D. CLAY a/k/a "Donavan D. Clay," a/k/a "Pluto,"** shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any property constituting or derived from any proceeds obtained directly or indirectly as the result of said offenses, and any property used or intended to be used in any manner or part to commit or to facilitate the commission of said offenses, including but not limited to the above-described firearm and ammunition

3. As a result of the offenses alleged in Count 4, the defendant, **DONOVAN D. CLAY a/k/a "Donavan D. Clay," a/k/a "Pluto,"** 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(c), any firearm or ammunition involved in or used in the commission of said offense, including but not limited to the above described firearm and ammunition.

4. If any of the above-described 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 divided without difficulty;

the United States shall seek a money judgment and, pursuant to Title 21, United States Code, Section 853(p), forfeiture of any other property of the defendant up to the value of said property.

**A TRUE BILL:**



FOREPERSON

PETER G. STRASSER  
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read "Duane A. Evans".

DUANE A. EVANS  
Assistant United States Attorney  
La. Bar Roll No. 24086

New Orleans, Louisiana  
July 10, 2020

