

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

CAROL

FELONY

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

UNITED STATES OF AMERICA

* CRIMINAL NO.:

22-41

v.

* SECTION:

SECT. HMAG. 3

SIDNEY SIMON

* VIOLATIONS: 18 U.S.C. § 922(g)(1)

18 U.S.C. § 922(g)(9)

*

18 U.S.C. § 924(a)(2)

*

18 U.S.C. § 931

*

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(D)

*

18 U.S.C. § 924(c)(1)(A)(i)

* * *

The Grand Jury charges that:

COUNT 1

(Possession of a Firearm by a Convicted Felon)

On or about December 13, 2021, in the Eastern District of Louisiana, the defendant, **SIDNEY SIMON**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is, a conviction on April 27, 2021, in the State of Louisiana, Orleans Parish Case Number 545-294, for aggravated assault with a firearm, a violation of LA

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R.S. 14:37.4; and a conviction on October 10, 2013, in the State of Louisiana, Orleans Parish Case Number 517-268, for being a felon in possession of a firearm, a violation of LA R.S. 14:95.1; and a conviction on October 1, 2010, in the State of Louisiana, Orleans Parish Case Number 497-230, for possession of cocaine, a violation of LA R.S. 40:966(C); and a conviction on February 16, 2005, in the State of Louisiana, Orleans Parish Case Number 454-477, for possession of cocaine, a violation of LA R.S. LA R.S. 40:966(C), did knowingly possess firearms and ammunition, that is, a Glock model 17 9mm handgun bearing serial number PES332, loaded with 17 9mm rounds, and a Dixon model XXPA shotgun bearing serial number 214214796, said firearms and ammunition having been in and affecting interstate commerce; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

Count 2
(Possession of a Firearm After a Domestic Violence Battery Conviction)

On or about December 13, 2021, in the Eastern District of Louisiana, the defendant, **SIDNEY SIMON**, knowingly possessed firearms and ammunition that had been shipped or transported in interstate commerce, that is, a Glock model 17 9mm handgun bearing serial number PES332, loaded with 17 9mm rounds, and a Dixon model XXPA shotgun bearing serial number 214214796. The defendant had been convicted of a misdemeanor crime of domestic violence, that is, a conviction on April 27, 2021, in the State of Louisiana, Orleans Parish Case Number 545-295, for domestic abuse battery, a violation of LA R.S. 14:35.3. At the time he possessed the firearm, the defendant knew that he had been convicted of this misdemeanor. The defendant thus violated Title 18, United States Code, Sections 922(g)(9) and 924(a)(2).

COUNT 3
(Violent Felon in Possession of Body Armor)

On or about December 13, 2021, in the Eastern District of Louisiana, the defendant, **SIDNEY SIMON**, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year that would constitute a crime of violence under Title 18, United States Code, Section 16, that is, a conviction on April 27, 2021, in the State of Louisiana, Orleans Parish Case Number 545-294, for aggravated assault with a firearm, a violation of LA R.S. 14:37.4; knowingly possessed body armor, specifically: a Paco Body Armor, model CII-3 bulletproof vest; and the body armor was in and affecting commerce; in violation of Title 18, United States Code, Section 931.

COUNT 4
(Possession with Intent to Distribute Marijuana)

On or about December 13, 2021, in the Eastern District of Louisiana, the defendant, **SIDNEY SIMON**, did knowingly and intentionally possess with the intent to distribute a quantity of a mixture or substance containing a detectable amount of marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

COUNT 5
(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about December 13, 2021, in the Eastern District of Louisiana, the defendant, **SIDNEY SIMON**, did knowingly possess firearms, that is, a Glock model 17 9mm handgun bearing serial number PES332, and a Dixon model XXPA shotgun bearing serial number 214214796, 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 marijuana as alleged in Count 4 of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

NOTICE OF FORFEITURE

1. The allegations of Counts 1 through 5 of this Indictment 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 Count 4, the defendant, **SIDNEY SIMON**, 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 offense, and any property used or intended to be used in any manner or part to commit or to facilitate the commission of said offense.

3. As a result of the offenses alleged in Counts 1 through 3, and 5, the defendant, **SIDNEY SIMON**, 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 offenses, including but not limited to any of the following:

Glock, model 17 9mm, bearing serial number PES332, loaded with seventeen (17) 9mm rounds;

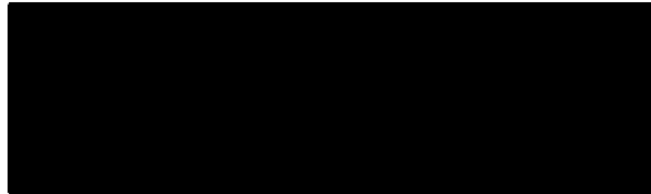
Dixon XXPA, semi-automatic 12 gauge shotgun, bearing serial number 214214796, with a drum magazine and one (1) cartridge in the chamber;

Paca, model CII-3 bulletproof vest.

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 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;

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.



DUANE A. EVANS
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read 'Michael E. Trummel', written over a horizontal line.

MICHAEL E. TRUMMEL
Assistant United States Attorney
Louisiana Bar Roll No. 36288

New Orleans, Louisiana
March 4, 2022