

EDP:RSB
F. #2023R00300

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

TONY TERRY,

Defendant.

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THE GRAND JURY CHARGES:

COUNT ONE
(Unlicensed Firearms Dealing)

1. In or about December 2022, within the Eastern District of New York and elsewhere, the defendant TONY TERRY, together with others, not being a licensed importer, licensed manufacturer or licensed dealer of firearms, did knowingly and intentionally engage in the business of dealing in firearms, and in the course of such business did ship, transport and receive one or more firearms in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(a)(1)(A), 924(a)(1)(D), 2 and 3551 et seq.)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
* JUNE 11, 2024 *
BROOKLYN OFFICE

I N D I C T M E N T

Cr. No. 24-CR-244
(T. 18, U.S.C., §§ 371, 922(a)(1)(A),
922(a)(3), 924(a)(1)(D), 924(d)(1), 2 and
3551 et seq.; T. 21, U.S.C., § 853(p); T.
28, U.S.C., § 2461(c))

Judge Carol Bagley Amon
Magistrate Judge Peggy Kuo

COUNT TWO
(Firearms Trafficking Conspiracy)

2. In or about and between November 2022 and March 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant TONY TERRY, together with others, did knowingly and willfully conspire to engage in the business of dealing in firearms without being licensed importers, licensed manufacturers or licensed dealers, and in the course of such business, to ship, transport and receive one or more firearms in interstate and foreign commerce, contrary to Title 18, United States Code, Section 922(a)(1)(A).

3. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendant TONY TERRY, together with others, committed an caused to be committed, among others, the following:

OVERT ACTS

(a) On or about November 22, 2022, TERRY traveled from the Eastern District of New York to Savannah, Georgia, to facilitate the purchase of one or more firearms.

(b) On or about November 28, 2022, TERRY traveled from Eastern District of New York to Savannah, Georgia, to facilitate the purchase of one or more firearms.

(c) On or about December 6, 2022, Co-Conspirator 1, an individual whose identity is known to the Grand Jury, sold a Taurus 9mm G2c firearm to an undercover law enforcement officer (the “UC”) in Brooklyn, New York.

(d) On or about December 6, 2022, Co-Conspirator 1, sold a Smith & Wesson 380 caliber M&P Bodyguard firearm to the UC in Brooklyn, New York.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT THREE

(Illegal Interstate Transport or Receipt of Firearm Acquired Out of State)

4. In or about December 2022, within the Eastern District of New York and elsewhere, the defendant TONY TERRY, together with others, not being a licensed importer, licensed manufacturer or licensed dealer of firearms, did knowingly and intentionally transport into or receive in the state where TERRY resides, to wit: New York, any firearm purchased or otherwise obtained by such person outside that state.

(Title 18, United States Code, Sections 922(a)(3), 924(a)(1)(D), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

5. The United States hereby gives notice to the defendant that, upon his conviction of any of the offenses charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), which require the forfeiture of any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922 or Section 924.

6. 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 party;
- (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 divided

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 the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL ,

/s/

FOREPERSON

By Carolyn Pokorny, Assistant US Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK