

GMP:GKS/ANW
F. #2016R01025

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

MICHAEL CALABRIA,
JOSEPH CALABRIA,
STEPHEN DELPRIORE and
DEVIDA LOMBARDO,

Defendants.

-----X

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Distribute and Possess with Intent to Distribute Heroin)

1. In or about and between September 2016 and December 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL CALABRIA and STEPHEN DELPRIORE, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing heroin, a Schedule I controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 841(b)(1)(C) and 846; Title 18, United States Code, Sections 3551 et seq.)

FILED
CLERK

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U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

INDICTMENT

Cr. No. **CR 17-00091**
(T. 21, U.S.C., §§ 841(b)(1)(C), 846, 853(a)
and 853(p); T. 18, U.S.C., §§ 3551 et seq.)

VITALIANO, J.

TISCIONE, M.J.

COUNT TWO

(Conspiracy to Distribute and Possess with Intent to Distribute Oxycodone)

2. In or about and between September 2016 and January 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MICHAEL CALABRIA, JOSEPH CALABRIA and DEVIDA LOMBARDO, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing oxycodone, a Schedule II controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 841(b)(1)(C) and 846; Title 18, United States Code, Sections 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendants that, upon their conviction of either of the offenses charged herein, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of such offenses to forfeit: (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of such offenses, and (b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

4. 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 party;

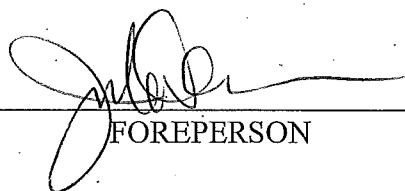
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property, which cannot be

divided without difficulty;

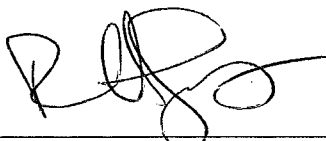
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a) and 853(p))

A TRUE BILL



FOREPERSON



ROBERT L. CAPERS
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

*MICHAEL CALABRIA, JOSEPH CALABRIA,
STEPHEN DELPRIORE and DEVIDA LOMBARDO,*

Defendants.

INDICTMENT

(T. 21 U.S.C., §§ 841(b)(1)(C), 846, 853(a) and 853(p);
T. 18, U.S.C., §§ 3551 et seq.)

A true bill.


Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____