

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
) Criminal No. 15-300____-MGM
)
 v.) 21 U.S.C. § 841 (Distribution
) and Possession with Intent to
) Distribute Cocaine Base)
) (Counts One and Two)
 1) ANDREW CRUZ,)
 Defendant.)
) 21 U.S.C. § 853 (Criminal
) Forfeiture Allegation)

INDICTMENT

The Grand Jury charges that:

COUNT ONE: Title 21, United States Code, Section 841:
Distribution and Possession with Intent to
Distribute Cocaine Base

1. On or about July 21, 2015, in Hampden County, in the
District of Massachusetts,

1) ANDREW CRUZ,

the defendant herein, did knowingly and intentionally distribute
and possess with intent to distribute a mixture or substance
containing a detectable amount of cocaine base in the form of
crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT TWO: Title 21, United States Code, Section 841:
Distribution and Possession with Intent to
Distribute Cocaine Base

1. On or about July 29, 2015, in Hampden County, in the
District of Massachusetts,

1) ANDREW CRUZ,

the defendant herein, did knowingly and intentionally distribute
and possess with intent to distribute a mixture or substance
containing a detectable amount of cocaine base in the form of
crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further charges that:

1. Upon conviction of the offenses alleged in Counts One through Two of this Indictment,

1) ANDREW CRUZ,

defendant herein, shall forfeit to the United States, pursuant to Title 21, United States Code Section 853, any property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of the offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

2. If any of the property described in paragraph 1, above, 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 intention 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 property described in paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL

Foreperson of the Grand Jury

Todd E. Newhouse
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS:

Returned into the District Court by the
Grand Jurors and filed on November , 2015.

Deputy Clerk of Court