

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

2016 JUL 20 PM 4: 29
MIDDLE DISTRICT OF FLORIDA
ORLANDO

UNITED STATES OF AMERICA

v.

CASE NO. 6:16-cr-138 -ORL-407BS
18 U.S.C. § 922(g)(1)
18 U.S.C. § 924(d) – Forfeiture
28 U.S.C. § 2461(c) – Forfeiture

TARVION TYWANN MCCASLIN

INDICTMENT

The Grand Jury charges:

COUNT ONE

On or about February 26, 2016, in Volusia County, Florida, in the Middle District of Florida, and elsewhere,

TARVION TYWANN MCCASLIN

the defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, that is:

1. On January 29, 1993, a conviction for **Attempted Second Degree Murder with a Firearm**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 92-31310 CFAES.
2. On August 30, 2000, a conviction for **Unlawful Possession of a Controlled Substance (Cocaine)**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. CRC00-808CFAWS.
3. On April 3, 2003, a conviction for **Possession of Cocaine, with Intent to Sell**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. CRC 02-00968CFAES.
4. On August 31, 2004, a conviction for **Fleeing or Attempting to Elude Marked Police Car**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 2004-00779CFAWS.

5. On October 18, 2007, a conviction for **Possession of Cocaine**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 2007-01292CFAWS.
6. On March 1, 2012, a conviction for **Burglary of a Structure/Conveyance and Grand Theft III**, in the Circuit Court Eighth Judicial Circuit, in and for Alachua County, Florida, Case No. 01-2010-CF-000894-A.
7. On January 6, 2016, a conviction for **Fleeing or Attempting to Elude**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 2015 101572 CFDL.

did knowingly possess, in and affecting interstate and foreign commerce, a firearm, to wit: a Hi-Point, model C9, 9mm pistol, serial number P1338753.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT TWO

On or about February 29, 2016, in Volusia County, Florida, in the Middle District of Florida, and elsewhere,

TARVION TYWANN MCCASLIN

the defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, that is:

1. On January 29, 1993, a conviction for **Attempted Second Degree Murder with a Firearm**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 92-31310 CFAES.
2. On August 30, 2000, a conviction for **Unlawful Possession of a Controlled Substance (Cocaine)**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. CRC00-808CFAWS.
3. On April 3, 2003, a conviction for **Possession of Cocaine, with Intent to Sell**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. CRC 02-00968CFAES.

4. On August 31, 2004, a conviction for **Fleeing or Attempting to Elude Marked Police Car**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 2004-00779CFAWS.
5. On October 18, 2007, a conviction for **Possession of Cocaine**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 2007-01292CFAWS.
6. On March 1, 2012, a conviction for **Burglary of a Structure/Conveyance and Grand Theft III**, in the Circuit Court Eighth Judicial Circuit, in and for Alachua County, Florida, Case No. 01-2010-CF-000894-A.
7. On January 6, 2016, a conviction for **Fleeing or Attempting to Elude**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 2015 101572 CFDL.

did knowingly possess, in and affecting interstate and foreign commerce, two firearms, to wit: (1) a Surplus Ammo and Arms, model Low 15, multi-caliber rifle, serial number SA10479; and (2) a Tanfoglio, model EX 40, .40 caliber pistol, serial number AE04478.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT THREE

On or about April 19, 2016, in Volusia County, Florida, in the Middle District of Florida, and elsewhere,

TARVION TYWANN MCCASLIN

the defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, that is:

1. On January 29, 1993, a conviction for **Attempted Second Degree Murder with a Firearm**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 92-31310 CFAES.
2. On August 30, 2000, a conviction for **Unlawful Possession of a Controlled Substance (Cocaine)**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. CRC00-808CFAWS.
3. On April 3, 2003, a conviction for **Possession of Cocaine, with Intent to Sell**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. CRC 02-00968CFAES.
4. On August 31, 2004, a conviction for **Fleeing or Attempting to Elude Marked Police Car**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 2004-00779CFAWS.
5. On October 18, 2007, a conviction for **Possession of Cocaine**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 2007-01292CFAWS.
6. On March 1, 2012, a conviction for **Burglary of a Structure/Conveyance and Grand Theft III**, in the Circuit Court Eighth Judicial Circuit, in and for Alachua County, Florida, Case No. 01-2010-CF-000894-A.
7. On January 6, 2016, a conviction for **Fleeing or Attempting to Elude**, in the Seventh Judicial Circuit, in and for Volusia County, Florida, Case No. 2015 101572 CFDL.

did knowingly possess, in and affecting interstate and foreign commerce, two firearms, to wit: (1) a Smith & Wesson, model SD9VE, 9mm pistol, serial number HEA8669; and (2) a Taurus, model PT 145, .45 caliber pistol, serial number NWD61596.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

FORFEITURE

1. The allegations contained in Counts One through Three of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the violation alleged in Counts One through Three of this Indictment, the defendant, **TARVION TYWANN MCCASLIN**, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense.

3. If any of the property described above, as a result of any act or omission of the defendant:

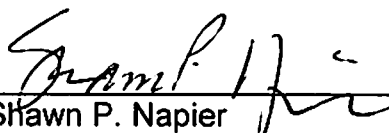
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,


the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL,


Foreperson

A. LEE BENTLEY, III
United States Attorney

By: 
Shawn P. Napier
Assistant United States Attorney

By: 
Katherine M. Ho
Assistant United States Attorney
Chief, Orlando Division

FORM OBD-34
APR 1991

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Orlando Division

THE UNITED STATES OF AMERICA

vs.

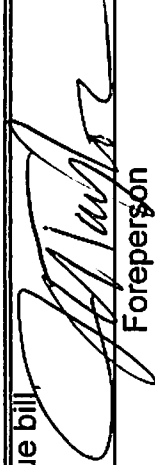
TARVION TYWANN McCASLIN

INDICTMENT

Violations:

18 U.S.C. § 922(g)(1)

A true bill


Foreperson

Filed in open court this 20th day
of July, 2016.


Clerk

Bail \$ _____