

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

2016 JUN 29 PM 4:52
CLERK OF DISTRICT COURT
MIDDLE DISTRICT
ORLANDO, FL

UNITED STATES OF AMERICA

v.

CASE NO. 6:16-cr-121-Orl-18 DAB

18 U.S.C. 922(g)(1)

PATRICK WILLIE SMITH

18 U.S.C. § 924(d) - Forfeiture

28 U.S.C. § 2461(c) - Forfeiture

INDICTMENT

The Grand Jury charges:

COUNT ONE

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

PATRICK WILLIE SMITH

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

1. On June 22, 1995, **PATRICK WILLIE SMITH** was convicted of unlawful possession of a controlled substance, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 93-32297;
2. On September 22, 1994, **PATRICK WILLIE SMITH** was convicted of unlawful possession of a controlled substance, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 94-32261;
3. On November 16, 1998, **PATRICK WILLIE SMITH** was convicted of unlawful possession of a cocaine, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 97-30707;

4. On November 16, 1998, **PATRICK WILLIE SMITH** was convicted of unlawful possession of a cocaine, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 97-32479;
5. On November 16, 1998, **PATRICK WILLIE SMITH** was convicted of unlawful possession with intent to sell or deliver cocaine, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 98-30923;
6. On November 16, 1998, **PATRICK WILLIE SMITH** was convicted of unlawful possession with intent to sell or deliver cocaine, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 98-33133;
7. On November 16, 1998, **PATRICK WILLIE SMITH** was convicted of fleeing and attempting to elude a police officer with high-speed pursuit, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 98-33176;
8. On August 27, 2001, **PATRICK WILLIE SMITH** was convicted of unlawful sale and delivery of a controlled substance, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 00-35408;
9. On August 27, 2001, **PATRICK WILLIE SMITH** was convicted of failure to stop at an accident scene resulting in personal injury, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 00-35711;
10. On August 27, 2001, **PATRICK WILLIE SMITH** was convicted of entering contraband into a county detention facility, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 01-33793;
11. On March 23, 2005, **PATRICK WILLIE SMITH** was convicted of battery on a police officer, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 04-37504;
12. On January 31, 2007, **PATRICK WILLIE SMITH** was convicted of possession of cannabis in excess of 20 grams, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 2006-33975;

13. On September 13, 2010, **PATRICK WILLIE SMITH** was convicted of possession of cannabis in excess of 20 grams, a felony, in the Circuit Court, Seventh Judicial Circuit, in and for Volusia County, Florida, in Case No. 2009-36585;

did knowingly possess a firearm in and affecting interstate and foreign commerce, that is: a FEG pistol, model GKK-45, .45-caliber, serial number AA003820, and did knowingly possess ammunition in and affecting interstate and foreign commerce, that is: seven rounds of .45 caliber ammunition.

All in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURES

1. The allegations contained in Count One 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 Count One of this Indictment, the defendant, **PATRICK WILLIE SMITH**, 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.

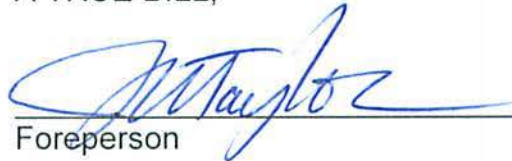
3. The property be forfeited includes, but is not limited to, the following: a FEG pistol, model GKK-45, .45-caliber, serial number AA003820; and seven rounds of .45 caliber ammunition.

4. 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 under the provisions of 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:


Emily C.L. Chang
Assistant United States Attorney

By:


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

UNITED STATES DISTRICT COURT
Middle District of Florida
Orlando Division

THE UNITED STATES OF AMERICA

vs.

PATRICK WILLIE SMITH

INDICTMENT

Violation:

18 U.S.C. § 922(g)(1)

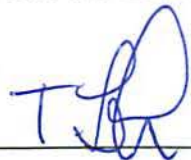
A true bill,



Foreperson

Filed in open court this 29th day

of June, 2016.



Clerk

Bail \$ _____
