

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

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US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

UNITED STATES OF AMERICA

v.

MARK CHARLES BARNETT

CASE NO. 5:17-cr-20-0c-10PRL
18 U.S.C. § 844(i)
18 U.S.C. § 924(c)(1)(A) and (B)(ii)
18 U.S.C. § 922(g)(1)
26 U.S.C. § 5861(d)
26 U.S.C. § 5861(f)

INDICTMENT

The Grand Jury charges:

COUNT ONE

On or about the February 9, 2017, in the Middle District of Florida, the
defendant,

MARK CHARLES BARNETT,

maliciously, intentionally, and with deliberate disregard of the likelihood that
damage and injury would result from his acts, attempted to damage and
destroy, by means of fire and an explosive, real and personal property that
belonged to the Target Corporation and that was used in interstate and foreign
commerce and in any activity affecting interstate and foreign commerce.

In violation of 18 U.S.C. §§ 844(i) and 2.

COUNT TWO

On or about February 9, 2017, in the Middle District of Florida, the defendant,

MARK CHARLES BARNETT,

did knowingly possess a firearm, that is, a destructive device, in furtherance of a crime of violence for which the defendant may be prosecuted in a Court of the United States, specifically, attempted arson, as alleged in Count One above, Count One being incorporated by reference.

In violation of 18 U.S.C. § 924(c)(1)(A) and (B)(ii).

COUNT THREE

On or about February 9, 2017, in the Middle District of Florida, the defendant,

MARK CHARLES BARNETT,

having been previously convicted in any court of a crime punishable by imprisonment for a term exceeding one year, including:

1. Grand Theft, on or about February 22, 1990
2. Possession of a Fictitious Driver's License, on or about June 14, 1990
3. Grand Theft, on or about August 8, 1990
4. Kidnapping, on or about November 6, 1992
5. Dealing in Stolen Property and Possession of a Firearm by a

Convicted Felon, on or about April 14, 1993

6. Burglary, on or about April 14, 1993

7. Kidnapping, Grand Theft (2 counts) and Sexual Battery (6 counts), on or about April 10, 1996,

did knowingly possess, in and affecting interstate and foreign commerce, a firearm, that is, a destructive device in the form of an explosive bomb, as defined in 18 U.S.C. § 921(a)(3)(D) and (4)(A)(i).

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

COUNT FOUR

On or about February 9, 2017, in the Middle District of Florida, the defendant,

MARK CHARLES BARNETT,

did knowingly possess a firearm, that is: a destructive device, as defined by 26 U.S.C. § 5845(a)(8) and (f)(1)(A), which was not registered to the defendant in the National Firearms Registration and Transfer Record, as required by 26 U.S.C. § 5841.

In violation of 26 U.S.C. §§ 5841, 5861(d) and 5871.

COUNT FIVE

From on or about January 12, 2017, to on or about February 9, 2017, in the Middle District of Florida, the defendant,

MARK CHARLES BARNETT,

did knowingly make a firearm, that is: a destructive device, as defined by 26 U.S.C. § 5845(a)(8) and (f)(1)(A), without first satisfying the requirements of 26 U.S.C. §§ 5822 and 5841.

In violation of 26 U.S.C. §§ 5822, 5861(f) and 5871.

FORFEITURE

1. The allegations contained in Counts One through Five are incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. §§ 924(d), 982(a)(2)(B), 844(c), 26 U.S.C. § 5872, 28 U.S.C. § 2461(c), and 49 U.S.C. § 80303.

2. Upon conviction of a violation of 18 U.S.C. § 844, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2)(B), any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation and pursuant to 18 U.S.C. § 844(c) and 28 U.S.C. § 2461(c), any explosive materials involved or used or intended to be used in the violation.

3. Upon conviction of a violation of 18 U.S.C. §§ 922(g) or 924(c)(1)(A), the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the violation.

4. Upon conviction of a violation of 26 U.S.C. § 5841 or 5861, the defendant shall forfeit to the United States, pursuant to 26 U.S.C. § 5872 and 28 U.S.C. § 2461(c), any firearms involved in the violation, and, pursuant to 49 U.S.C. § 80303 and 28 U.S.C. § 2461(c), any aircraft, vehicle, or vessel used to facilitate the transportation, concealment, receipt, possession, purchase, sale, exchange, or giving away such firearm.

5. 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 shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

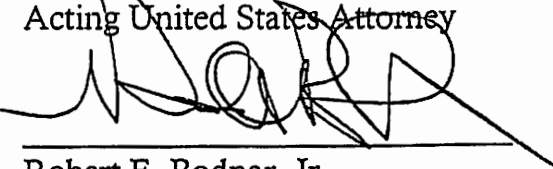
A TRUE BILL,



Foreperson

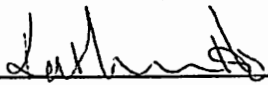
W. STEPHEN MULDROW
Acting United States Attorney

By:



Robert E. Bodnar, Jr.
Assistant United States Attorney

By:



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

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Ocala Division

THE UNITED STATES OF AMERICA

vs.

MARK CHARLES BARNETT

INDICTMENT

Violations: 18 U.S.C. § 844(i)
18 U.S.C. § 924(c)(1)(A)
18 U.S.C. § 922(g)(1)
26 U.S.C. § 5861(d)
26 U.S.C. § 5861(f)


A true bill,



Foreperson

Filed in open court this 10th day

of May 2017.



Clerk

Bail \$ _____
