

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

UNITED STATES OF AMERICA

v.

INDICTMENT

KENNETH LAMAR WEATHERS
_____ /

3:18cr16/MCR

THE GRAND JURY CHARGES:

COUNT ONE

On or about June 7, 2017, in the Northern District of Florida, the defendant,

KENNETH LAMAR WEATHERS,

having previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm and ammunition in and affecting interstate and foreign commerce, that is:

1. a. On or about July 14, 2011, **KENNETH LAMAR WEATHERS** was convicted in the State of Florida of Sell, Manufacture, Deliver, or Possess with Intent to Sell, Manufacture, or Deliver a Controlled Substance;
- b. On or about September 18, 2013, **KENNETH LAMAR WEATHERS** was convicted in the State of Florida of

| | |
|--|--------------------|
| Returned in open court pursuant to Rule 6(f) | |
| <i>February 27, 2018</i> | |
| Date | <i>[Signature]</i> |
| United States Magistrate Judge | |

Possession of Controlled Substance - Cocaine; and

- c. On or about September 18, 2013, **KENNETH LAMAR WEATHERS** was convicted in the State of Florida of Possession of Controlled Substance (LIO).

2. For each of these crimes, **KENNETH LAMAR WEATHERS** was subject to punishment by a term of imprisonment exceeding one year.

3. Thereafter, **KENNETH LAMAR WEATHERS** did knowingly possess a firearm, to wit, a Glock .40 caliber pistol, and ammunition, namely, Winchester, Zero, and Speer .40 caliber.

4. This firearm and ammunition had previously been transported in interstate and foreign commerce.

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

COUNT TWO

On or about October 4, 2017, in the Northern District of Florida, the defendant,

KENNETH LAMAR WEATHERS,

having previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm and ammunition in and affecting interstate and foreign commerce, that is:

1. a. On or about July 14, 2011, **KENNETH LAMAR WEATHERS** was convicted in the State of Florida of Sell, Manufacture, Deliver, or Possess with Intent to Sell, Manufacture, or Deliver a Controlled Substance;
- b. On or about September 18, 2013, **KENNETH LAMAR WEATHERS** was convicted in the State of Florida of Possession of Controlled Substance - Cocaine; and
- c. On or about September 18, 2013, **KENNETH LAMAR WEATHERS** was convicted in the State of Florida of Possession of Controlled Substance (LIO).

2. For each of these crimes, **KENNETH LAMAR WEATHERS** was subject to punishment by a term of imprisonment exceeding one year.

3. Thereafter, **KENNETH LAMAR WEATHERS** did knowingly possess a firearm, to wit, an HK 9 millimeter pistol and Mossberg 12 gauge shotgun, and ammunition, namely, Remington, R-P, and Winchester 12 gauge and R-P, Hornady, FC, and Perfecta 9 millimeter.

4. These firearms and ammunition had previously been transported in interstate and foreign commerce.

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

COUNT THREE

On or about October 4, 2017, in the Northern District of Florida, the defendant,

KENNETH LAMAR WEATHERS,

did knowingly and intentionally possess with intent to distribute a controlled substance, and this offense involved cocaine and heroin.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FOUR

On or about October 4, 2017, in the Northern District of Florida, the defendant,

KENNETH LAMAR WEATHERS,

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a controlled substance, as charged in Count Three of this Indictment, did knowingly possess a firearm, namely, an HK 9 millimeter pistol and Mossberg 12 gauge shotgun.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

FIREARM FORFEITURE

The allegations contained in Counts One, Two, and Four of this Indictment are hereby realleged and incorporated by reference. Because the defendant,

KENNETH LAMAR WEATHERS,

in committing and attempting to commit a felony in violation of the laws of the United States, as charged in Counts One, Two, and Four of this Indictment, perpetrated in whole or in part by the use of a firearm and ammunition, did knowingly possess the firearms and ammunition described above, any and all interest that this defendant has in the firearms and ammunition involved in these violations is vested in the United States and hereby forfeited to the United States pursuant to Title 18, United States Code, Section 3665.

CONTROLLED SUBSTANCE FORFEITURE

The allegations contained in Count Three of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture, pursuant to the provisions of Title 21, United States Code, Section 853.

From his engagement in the violation charged in Count Three of this Indictment, punishable by imprisonment for more than one year, the defendant,

KENNETH LAMAR WEATHERS,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, all of his interest in:

A. Property constituting and derived from any proceeds the defendant obtained, directly or indirectly, as the result of such violation.


B. Property used and intended to be used in any manner or part to commit and to facilitate the commission of such violation.


If any of the property described above as being subject to forfeiture, as a result of acts or omissions of the defendant:

- i. cannot be located upon the exercise of due diligence;
- ii. has been transferred, sold to, or deposited with a third party;
- iii. has been placed beyond the jurisdiction of this Court;
- iv. has been substantially diminished in value; or
- v. has been commingled with other property that cannot be subdivided 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 defendant, up to the value of the above forfeitable property.

A TRUE BILL:

for 
CHRISTOPHER P. CANOVA
United States Attorney


FOREPERSON


27 Feb 2018
DATE


JEFFREY M. THARP
Assistant United States Attorney