

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

UNITED STATES OF AMERICA

v.

INDICTMENT

CLIFFORD B. GANDY JR.
_____ /

3:16 cr 55/MCR

THE GRAND JURY CHARGES:

COUNT ONE

On or about May 20, 2016, in the Northern District of Florida, the defendant,

CLIFFORD B. GANDY JR.,

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

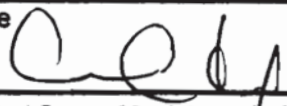
In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 841(b)(1)(D).

COUNT TWO

On or about May 20, 2016, in the Northern District of Florida, the defendant,

CLIFFORD B. GANDY JR.,

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

Returned in open court pursuant to Rule 6(f)	
Date	<u>June 21, 2016</u>
	<u></u>
United States Magistrate Judge	

substance, as charged in Count One of this Indictment, did knowingly possess a firearm, namely, a Taurus 9 millimeter pistol.

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

COUNT THREE

On or about May 20, 2016, in the Northern District of Florida, the defendant,

CLIFFORD B. GANDY JR.,

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 December 21, 2010, **CLIFFORD B. GANDY JR.** was convicted in the State of Florida of Flee/Elude Police-Fail to Obey LEO & Stop;
- b. On or about December 21, 2010, **CLIFFORD B. GANDY JR.** was convicted in the State of Florida of Grand Theft Auto;
- c. On or about August 8, 2011, **CLIFFORD B. GANDY JR.** was convicted in the State of Florida of Battery upon a Jail Visitor or Other Detainee;
- d. On or about November 7, 2012, **CLIFFORD B. GANDY JR.** was convicted in the State of Florida of Fleeing/Attempting to

Elude a LEO;

- e. On or about November 7, 2012, **CLIFFORD B. GANDY JR.** was convicted in the State of Florida of Driving While License Cancelled/Suspended/Revoked 3rd Conviction;
- f. On or about April 17, 2013, **CLIFFORD B. GANDY JR.** was convicted in the State of Florida of Felony Battery;
- g. On or about April 16, 2014, **CLIFFORD B. GANDY JR.** was convicted in the State of Florida of Sell/Manufacture/Deliver/Possess a Controlled Substance with Intent – Cannabis; and
- h. On or about April 16, 2014, **CLIFFORD B. GANDY JR.** was convicted in the State of Florida of Fleeing or Attempting to Elude a LEO in an Agency Vehicle with Siren and Lights Activated.

2. For each of these crimes, **CLIFFORD B. GANDY JR.** was subject to punishment by a term of imprisonment exceeding one year.

3. Thereafter, **CLIFFORD B. GANDY JR.** did knowingly possess a firearm, to wit, a Taurus 9 millimeter pistol, and ammunition, namely, Winchester .380 caliber and 9 millimeter, and Makarov 9 millimeter.

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).

CONTROLLED SUBSTANCE FORFEITURE

The allegations contained in Count One 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 One of this Indictment, punishable by imprisonment for more than one year, the defendant,

CLIFFORD B. GANDY JR.,

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 violations.

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

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.

FIREARM FORFEITURE

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

CLIFFORD B. GANDY JR.,

knowingly committed the violations set forth in Counts Two and Three of this Indictment, any and all interest that this defendant has in the firearm 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 924(d)(1).


A TRUE BILL:

 **Redacted per privacy policy**

FOREPERSON

6/21/2016

DATE


CHRISTOPHER P. CANOVA
United States Attorney


DAVID L. GOLDBERG
Assistant United States Attorney