

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

UNITED STATES OF AMERICA

v.

XZAVIOR SMITH

UNDER SEAL

No.

Violation: Title 18, United States Code,
Section 922(g)(1); Title 21, United States
Code, Section 841(a)(1); and Title 18,
United States Code, Section 924(c)(1)(A)

COUNT ONE

The SPECIAL APRIL 2021 GRAND JURY charges:

On or about June 14, 2021, at Durand, in the Northern District of Illinois,
Western Division,

XZAVIOR SMITH,

defendant herein, knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess a firearm, namely a loaded Glock Model 19 Gen 5 pistol with serial number BTCS944, which possession was in and affecting commerce, in that the firearm had previously been transported in interstate and foreign commerce;

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

COUNT TWO

The SPECIAL APRIL 2021 GRAND JURY further charges:

On or about June 14, 2021, at Illinois, in the Northern District of Illinois,
Western Division,

XZAVIOR SMITH,

defendant herein, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, a mixture and substance containing fentanyl, a Schedule II Controlled Substance; and a mixture and substance containing cocaine, a Schedule II Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE

The SPECIAL APRIL 2021 GRAND JURY further charges:

On or about June 14, 2021, at Illinois, in the Northern District of Illinois,
Western Division,

XZAVIOR SMITH,

defendant herein, in furtherance of a drug trafficking crime for which defendant may be prosecuted in a court of the United States, namely, possession with intent to distribute fentanyl and cocaine, in violation of Title 21, United States Code, Section 841(a)(1), did knowingly possess a firearm, namely a loaded Glock Model 19 Gen 5 pistol with serial number BTCS944;

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

FORFEITURE ALLEGATION

The SPECIAL APRIL 2021 GRAND JURY further alleges:

1. Upon conviction of an offense in violation of Title 18, United States Code, Sections 922(g) or 924 as set forth in this Indictment, defendant shall forfeit to the United States of America any firearm and ammunition involved in and used in the offense, as provided in Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).
2. Alternatively, upon conviction of an offense in violation of Title 21, United States Code, Section 841, defendant shall forfeit to the United States of America any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense, as provided in Title 18, United States Code, Section 853(a)(2).
3. The property to be forfeited includes, but is not limited to, a Glock Model 19 Gen 5 pistol with serial number BTCS944, and associated ammunition.

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY