

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

ADAN GODINEZ and  
FERNANDO GODINEZ

No. 16 CR 554

Violations: Title 18, United States  
Code, Sections 922(g)(1),  
924(c)(1)(A), 1114 and Title 21,  
United States Code, Sections  
841(a)(1) and 846

**COUNT ONE**

The SPECIAL JUNE 2015 GRAND JURY charges:

From on or about August 23, 2016, to on or about August 30, 2016, in the  
Northern District of Illinois, Eastern Division, and elsewhere,

ADAN GODINEZ and  
FERNANDO GODINEZ,

defendants herein, did conspire with each other and others known and unknown to  
the Grand Jury, to knowingly and intentionally possess with intent to distribute and  
distribute a controlled substance, namely, 500 grams or more of a mixture and  
substance containing a detectable amount of cocaine, a Schedule II Controlled  
Substance, in violation of Title 21, United States Code, Section 841(a)(1);

In violation of Title 21, United States Code, Section 846.

**COUNT TWO**

The SPECIAL JUNE 2015 GRAND JURY further charges:

On or about August 30, 2016, at Joliet, in the Northern District of Illinois,  
Eastern Division,

ADAN GODINEZ and  
FERNANDO GODINEZ,

defendants herein, did knowingly and intentionally possess with intent to distribute  
a controlled substance, namely, 500 grams or more of a mixture and substance  
containing a detectable amount of cocaine, a Schedule II Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1) and Title 18,  
United States Code, Section 2.

**COUNT THREE**

The SPECIAL JUNE 2015 GRAND JURY further charges:

On or about August 30, 2016, at Joliet, in the Northern District of Illinois,  
Eastern Division,

ADAN GODINEZ,

defendant herein, knowingly possessed a firearm, namely, a Sig Sauer, Model P229, .40 caliber pistol bearing serial number AG25170, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, conspiracy to possess with intent to distribute and distribute a controlled substance and possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, as charged in Counts One and Two of this Indictment;

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

**COUNT FOUR**

The SPECIAL JUNE 2015 GRAND JURY further charges:

On or about August 30, 2016, at Joliet, in the Northern District of Illinois,  
Eastern Division,

FERNANDO GODINEZ,

defendant herein, knowingly possessed a firearm, namely, a Smith & Wesson, Model SW9VE, 9mm pistol bearing serial number PDJ4005, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, conspiracy to possess with intent to distribute and distribute a controlled substance and possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, as charged in Counts One and Two of this Indictment;

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

**COUNT FIVE**

The SPECIAL JUNE 2015 GRAND JURY further charges:

On or about August 30, 2016, at Joliet, in the Northern District of Illinois,  
Eastern Division,

ADAN GODINEZ,

defendant herein, attempted to kill an officer and employee of an agency in a branch of the United States Government, namely, Drug Enforcement Administration Task Force Officers A and B, while such officer and employee was engaged in and on account of the performance of his/her official duty, and a person assisting such officer and employee, namely, Officer A, an officer with the Wilmington Police Department, in the performance of such duties and on account of that assistance;

In violation of Title 18, United States Code, Section 1114.

**COUNT SIX**

The SPECIAL JUNE 2015 GRAND JURY further charges:

On or about August 30, 2016, at Joliet, in the Northern District of Illinois,  
Eastern Division,

ADAN GODINEZ,

defendant herein, knowingly used, carried, brandished, and discharged a firearm, namely, a Sig Sauer, Model P229, .40 caliber pistol bearing serial number AG25170, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the attempted murder of an officer and employee of the United States and an individual assisting such officer and employee, in violation of Title 18, United States Code, Section 1114, as charged in Count Five of this Indictment;

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

**COUNT SEVEN**

The SPECIAL JUNE 2015 GRAND JURY further charges:

On or about August 30, 2016, at Joliet, in the Northern District of Illinois,  
Eastern Division,

FERNANDO GODINEZ,

defendant herein, having been previously convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting interstate commerce a firearm, namely, a Smith & Wesson, Model SW9VE, 9mm pistol bearing serial number PDJ4005, which firearm had traveled in interstate commerce prior to defendant's possession of the firearm;

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

## **FORFEITURE ALLEGATION**

The SPECIAL JUNE 2015 GRAND JURY further alleges:

1. Upon conviction of an offense in violation of Title 21, United States Code, Sections 841 or 846, as set forth in this Indictment, defendant shall forfeit to the United States of America any property used, and intended to be used, in any manner and part, to commit and to facilitate commission of the offense, as provided in Title 21, United States Code, Sections 853(a)(2).

2. In addition, defendant shall forfeit to the United States of America, any firearm and ammunition:

a. involved in and used in any offense of conviction, as provided in Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c); and

b. found in the possession and under the immediate control of the defendant at the time of arrest, upon conviction of any offense for committing and attempting to commit any felony involving the use of threats, force, and violence, and perpetrated in whole or in part by the use of firearms, as provided in 18 U.S.C. § 3665.



3. The property to be forfeited includes, but is not limited to, a Smith & Wesson, Model SW9VE, 9mm pistol bearing serial number PDJ4005, and associated ammunition, and Sig Sauer, Model P229, .40 caliber pistol bearing serial number AG25170, and associated ammunition.

A TRUE BILL:

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F O R E P E R S O N

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UNITED STATES ATTORNEY