

FILED

2022R01090/MHS

JAN 09 2024 *Aw*

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

AT ~~8:30~~ *12:45 pm* M
CLERK, U.S. DISTRICT COURT - DNJ

UNITED STATES OF AMERICA : Hon. Claire C. Cecchi
:
v. : Crim. No. 23-786
:
LAMONT BAKER : 18 U.S.C. § 922(g)
: 21 U.S.C. §§ 841(a)(1), (b)(1)(C)
: 18 U.S.C. § 924(c)(1)(A)(i)
: 18 U.S.C. § 2

SUPERSEDING INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Newark,
charges as follows:

COUNT ONE

(Possession of Firearms and Ammunition by a Convicted Felon)

On or about September 29, 2022, in Passaic County, in the District of New
Jersey and elsewhere, the defendant,

LAMONT BAKER,

knowing that he had previously been convicted of a crime punishable by a term of
imprisonment exceeding one year, did knowingly possess firearms and ammunition,
namely: a .40 caliber Kahr Arms handgun bearing serial number FD5711; a .380
caliber Smith & Wesson M&P Bodyguard semiautomatic pistol with a defaced serial
number, loaded with six .380 caliber ammunition rounds; 12 .380 caliber ammunition
rounds; one Smith & Wesson .380 caliber magazine loaded with six .380 caliber
ammunition rounds; and one .40 caliber magazine loaded with six .40 caliber
ammunition rounds, and the firearms and ammunition were in and affecting

interstate commerce.

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

COUNT TWO

(Possession with Intent to Distribute Controlled Substances)

On or about September 29, 2022, in Passaic County, in the District of New Jersey and elsewhere, the defendant,

LAMONT BAKER,

did knowingly and intentionally possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and cocaine, a Schedule II controlled substance.

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

COUNT THREE

(Possession of Firearms in Furtherance of a Drug Trafficking Crime)

On or about September 29, 2022, in Passaic County, in the District of New Jersey and elsewhere, the defendant,

LAMONT BAKER,

in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, possession with intent to distribute fentanyl and cocaine as charged in Count Two of this Superseding Indictment, did knowingly possess firearms, namely a .40 caliber Kahr Arms handgun bearing serial number FD5711, and a .380 Smith & Wesson M&P Bodyguard semiautomatic pistol with a defaced serial number.

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

COUNT FOUR

(Distribution of a Controlled Substance)

On or about September 14, 2022, in Passaic County, in the District of New Jersey and elsewhere, the defendant,

LAMONT BAKER,

did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

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

COUNT FIVE

(Distribution of a Controlled Substance)

On or about September 20, 2022, in Passaic County, in the District of New Jersey and elsewhere, the defendant,

LAMONT BAKER,

did knowingly and intentionally distribute a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

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

FORFEITURE ALLEGATION AS TO COUNTS ONE AND THREE

1. As a result of committing the firearms offenses in violation of 18 U.S.C. § 922(g)(1) and 18 U.S.C. § 924(c)(1)(A)(i), as charged in Counts One and Three of this Superseding Indictment, the defendant,

LAMONT BAKER,

shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in or used in the commission of such offenses, including, but not limited to, the following:

- a. A .40 caliber Kahr Arms handgun bearing serial number FD5711;
- b. A .380 Smith & Wesson M&P Bodyguard semiautomatic pistol with a defaced serial number, loaded with six .380 caliber ammunition rounds;
- c. 12 .380 caliber ammunition rounds;
- d. One Smith & Wesson .380 caliber magazine, loaded with six .380 caliber ammunition rounds; and
- e. One .40 caliber magazine, loaded with six .40 caliber ammunition rounds.

FORFEITURE ALLEGATIONS AS TO COUNTS TWO, FOUR, AND FIVE

2. As a result of committing the controlled substance offenses in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), as charged in Counts Two, Four, and Five of this Superseding Indictment, the defendant,

LAMONT BAKER,

shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the offenses charged in Counts Two, Four, and Five of the Superseding Indictment, including any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses alleged in Counts Two, Four, and Five of this Superseding Indictment.

SUBSTITUTE ASSETS PROVISION

(Applicable to All Forfeiture Allegations)

3. 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,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

A TRUE BILL

FOREPERSON

Philip R. Sellinger
PHILIP R. SELLINGER
United States Attorney

CASE NUMBER: 23-786

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

LAMONT BAKER

**SUPERSEDING
INDICTMENT FOR**

18 U.S.C. § 922(g)(1)
21 U.S.C. §§ 841(a)(1) and (b)(1)(C)
18 U.S.C. § 924(c)(1)(A)(i)
18 U.S.C. § 2

A True Bill.



Foreperson

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FOR THE DISTRICT OF NEW JERSEY

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