

2024R00168/MLG

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MAY 23 2024

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

AT 8:30 *12:48 P*^M
CLERK, U.S. DISTRICT COURT - DNJ

UNITED STATES OF AMERICA	:	Hon. Brian R. Martinotti
	:	
v.	:	Crim. No. 24-359
	:	
LUIS POLANCO	:	18 U.S.C. § 922(g)(1)
	:	21 U.S.C. §§ 841(a)(1) and (b)(1)(B)
	:	18 U.S.C. § 924(c)(1)(A)(i)

INDICTMENT

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

COUNT ONE

(Possession of a Firearm and Ammunition by a Convicted Felon)

On or about December 13, 2023, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

LUIS POLANCO,

knowing that he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm, namely one Heckler and Koch VP9 9-millimeter semi-automatic handgun, bearing serial number 224071924, and ammunition, namely 158 rounds of 9-millimeter ammunition and four rounds of .40 caliber ammunition, and the firearm 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 December 13, 2023, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

LUIS POLANCO,

did knowingly and intentionally possess with intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

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

COUNT THREE
(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about December 13, 2023, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

LUIS POLANCO,

in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, namely the drug trafficking crime charged in Count Two of this Indictment, did knowingly possess a firearm, namely one Heckler and Koch VP9 9-millimeter semi-automatic handgun, bearing serial number 224071924.

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

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 Indictment, the defendant,

LUIS POLANCO,

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. One Heckler and Koch VP9 9-millimeter semi-automatic handgun, bearing serial number 224071924;
- b. 158 rounds of 9-millimeter ammunition; and
- c. four rounds of .40 caliber ammunition.

FORFEITURE ALLEGATION AS TO COUNT TWO

2. As a result of committing the controlled substance offense in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B), as charged in Count Two of this Indictment, the defendant,

LUIS POLANCO,

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 offense charged in Count Two of the 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 offense alleged in Count Two of this

Indictment, including but not limited to \$16,475 in U.S. currency, which was seized on or about December 13, 2023.

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:

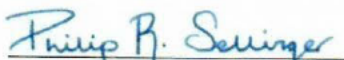
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be 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
United States Attorney

CASE NUMBER: 24-cr-359

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

LUIS POLANCO

INDICTMENT FOR

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

A True Bill,



Foreperson

PHILIP R. SELLINGER
UNITED STATES ATTORNEY
FOR THE DISTRICT OF NEW JERSEY

MICHELLE L. GOLDMAN
ASSISTANT U.S. ATTORNEY
NEWARK, NEW JERSEY
(973) 645-2840
