

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

UNITED STATES OF AMERICA	:	Hon. Katharine S. Hayden
	:	
	:	Crim. No. 18-139
v.	:	
	:	18 U.S.C. § 922(g)(1)
	:	18 U.S.C. § 924(c)(1)(A)(i)
ARTHUR FORMAN	:	21 U.S.C. §§ 841(a)(1) and (b)(1)(C)
	:	

SUPERSEDING INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE

(Possession of a Firearm by a Convicted Felon)

On or about October 13, 2017, in Union County, in the District of New Jersey and elsewhere, the defendant,

ARTHUR FORMAN,

knowing that he had previously been convicted in a court of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce a loaded firearm, namely a .38 caliber Walther PK380 semi-automatic handgun, bearing serial number PK123813, loaded with eight rounds of .38 caliber ammunition.

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

COUNT TWO

(Possession with Intent to Distribute Cocaine and Oxycodone)

On or about October 13, 2017, in Union County, in the District of New Jersey and elsewhere, the defendant,

ARTHUR FORMAN,

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

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

COUNT THREE

(Carrying a Firearm During and in Relation to a
Drug Trafficking Crime)

On or about October 13, 2017, in Union County, in the District of New Jersey and elsewhere, the defendant,

ARTHUR FORMAN,

during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, namely, the possession with intent to distribute cocaine and oxycodone charged in Count Two of this Superseding Information, did knowingly use and carry a firearm, namely a .38 caliber Walther PK380 semi-automatic handgun, bearing serial number PK123813, loaded with eight rounds of .38 caliber ammunition.

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

FORFEITURE ALLEGATION ONE

1. The allegations contained in Counts One and Three of this Superseding Information are incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Section 922(g)(1) and Sections 924(c)(1)(A)(i), set forth in Counts One and Three of this Superseding Information, the defendant,

ARTHUR FORMAN,

shall forfeit to the United States any firearms and ammunition involved in or used in the commission of such offenses, including, but not limited to, the following:

- (a) the .38 caliber Walther PK380 semi-automatic handgun, bearing
serial number PK123813; and
- (b) eight rounds of .38 caliber ammunition.

FORFEITURE ALLEGATION TWO

1. The allegations contained in Count Two of this Superseding Information are incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.

2. Upon conviction of the offense in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), set forth in Count Two of this Superseding Information, the defendant,

ARTHUR FORMAN,

shall forfeit to the United States of America, 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 said offense, and 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 Superseding Information.

Substitute Assets Provision
(Applicable to Forfeiture Allegation Two)

1. 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.



CRAIG CAPENITO
United States Attorney

CASE NUMBER: 18-139

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

ARTHUR FORMAN

SUPERSEDING
INFORMATION FOR

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

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