

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

SEP 10 2024

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

**MICHAEL BRAND** and )  
**NORA BACA,** )

Defendants. )

MITCHELL R. ELFERS  
CLERK

Case No. 1:23-CR-953-KWR

Count 1: 21 U.S.C. §§ 841(a)(1) and  
(b)(1)(A)(viii): Possession with Intent to  
Distribute 500 Grams and More of a  
Mixture and Substance Containing  
Methamphetamine; 18 U.S.C. § 2: Aiding  
and Abetting;

Count 2: 21 U.S.C. §§ 841(a)(1) and  
(b)(1)(B)(vi): Distribution of 40 Grams  
and More of Fentanyl (N-phenyl-N-[1-(2-  
phenylethyl)-4-piperidinyl] propanamide);

Count 3: 18 U.S.C. § 924(c)(1)(A)(i):  
Possessing a Firearm in Furtherance of a  
Drug Trafficking Crime.

SUPERSEDING INDICTMENT

The Grand Jury charges:

Count 1

On or about May 18, 2023, in Bernalillo County, in the District of New Mexico, the defendants, **NORA BACA** and **MICHAEL BRAND**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved 500 grams and more of a mixture and substance containing a detectable amount of methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii), and 18 U.S.C. § 2.

Count 2

On or about May 18, 2023, in Bernalillo County, in the District of New Mexico, the defendant, **MICHAEL BRAND**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved 40 grams and more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi).

Count 3

On or about May 18, 2023, in Bernalillo County, in the District of New Mexico, the defendants, **NORA BACA** and **MICHAEL BRAND**, knowingly possessed a firearm 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 methamphetamine and fentanyl, as charged in Counts 1 and 2 of this indictment.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

FORFEITURE ALLEGATIONS

Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendants, **NORA BACA** and **MICHAEL BRAND**, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense(s). The property to be forfeited includes, but is not limited to:

- a. a Silver Kimber Micro 9 pistol, serial number PB0406723;
- b. a Black Glock 27 .40 pistol, serial number BSRP911;

- c. a Black and silver Keltec 9mm pistol with an obliterated serial number;
- d. a black armor vest;
- e. all ammunition and magazines seized from 417 Monte Alto PI NE, Albuquerque NM on May 18, 2023; and
- f. approximately \$29,000 in United States currency.

Upon conviction of any offense in violation of 18 U.S.C. § 924(c), the defendants, **NORA BACA** and **MICHAEL BRAND**, 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 the commission of the offense(s), including, but not limited to:

- a. a Silver Kimber Micro 9 pistol, serial number PB0406723;
- b. a Black Glock 27 .40 pistol, serial number BSRP911;
- c. a Black and silver Keltec 9mm pistol with an obliterated serial number; and
- d. all ammunition seized from 417 Monte Alto PI NE, Albuquerque NM on May 18, 2023.

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY

  
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Assistant United States Attorney