

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

UNITED STATES OF AMERICA	)	CR. NO. <u>5:19-268</u>
)	
	)	18 U.S.C. § 371
v.	)	18 U.S.C. § 1546
	)	18 U.S.C. § 1001
	)	21 U.S.C. § 841(a)(1)
	)	21 U.S.C. § 841(b)(1)(B)
CAROLYN COLTER FRANKLIN	)	21 U.S.C. § 846
ALLAN HUNTER	)	18 U.S.C. § 924(c)
WILLIE PAUL DAVID ROGERS	)	18 U.S.C. § 2
LACRA SHAROD JENKINS	)	18 U.S.C. § 924(d)(1)
NATHANIEL MILLER SHAZIER, III	)	18 U.S.C. § 981(a)(1)(C)
JAMES ALBERT TUCKER	)	18 U.S.C. § 982(a)(6)(A)
STANLEY LAVALLE TIMMONS	)	21 U.S.C. § 853
TARANG PATEL	)	21 U.S.C. § 881
SAURABHKUMAR PATEL	)	28 U.S.C. § 2461(c)
a/k/a "Sonny")	
	)	INDICTMENT

THE GRAND JURY CHARGES:

At all times relevant to this Indictment, unless otherwise stated:

1. CAROLYN COLTER FRANKLIN, ALLAN HUNTER, WILLIE PAUL DAVID ROGERS, LACRA SHAROD JENKINS, using their positions as law enforcement officers and in exchange for bribes, assisted TARANG PATEL, SAURABHKUMAR PATEL a/k/a "Sonny," and others in fraudulently obtaining visas to enter or remain in the United States.

2. CAROLYN COLTER FRANKLIN, ALLAN HUNTER, LACRA SHAROD JENKINS, NATHANIEL MILLER SHAZIER, III, JAMES ALBERT TUCKER, and STANLEY LAVALLE TIMMONS, using their position as law enforcement officers and in exchange for bribes, protected tractor trailers containing what they believed to be narcotics trafficking proceeds.

BACKGROUND

3. CAROLYN COLTER FRANKLIN, NATHANIEL MILLER SHAZIER, III, STANLEY LAVALLE TIMMONS and WILLIE PAUL DAVID ROGERS were deputy sheriffs with the Orangeburg County Sheriff's Office.

4. LACRA SHAROD JENKINS was the Chief of Police for the Springfield Police Department. The town of Springfield is located in Orangeburg County, South Carolina.

5. ALLAN HUNTER was a deputy sheriff with the Orangeburg County Sheriff's Office from at least January 2017 through on or about August 27, 2018.

6. Since on or about November 12, 2018, ALLAN HUNTER has been employed as a police officer with the Springfield Police Department.

7. JAMES ALBERT TUCKER represented himself to be a reserve deputy with Orangeburg County Sheriff's Office.

8. To be eligible for a U-Visa, the alien must have: (1) been a victim of a certain crime; (2) suffered mental or physical abuse as a result of the crime; and (3) helped law enforcement officials in the investigation and/or prosecution of the crime. In addition to the U-Visa application (I-918, Petition for U Nonimmigrant Status), applicants are asked to submit a Form I-918 Supplement B, U Nonimmigrant Status Certification form, also known as a Law Enforcement certification form. The Law Enforcement certification form is to be completed and signed by the certifying official for the law enforcement agency that investigated and/or prosecuted the crime of which the alien was a victim.

**COUNT 1
(Conspiracy)**

9. Beginning at least in on or about January 2017 and continuing through the date of this indictment, in the District of South Carolina and elsewhere, the defendants, CAROLYN COLTER FRANKLIN, ALLAN HUNTER, WILLIE PAUL DAVID ROGERS, LACRA SHAROD JENKINS, NATHANIEL MILLER SHAZIER, III, JAMES ALBERT TUCKER, STANLEY LAVALLE TIMMONS, TARANG PATEL, AND SAURABHKUMAN PATEL a/k/a “Sonny,” did knowingly and intentionally combine, conspire, confederate, agree, and have a tacit understanding with others:

- a. to defraud the United States and an agency thereof, in any manner and for any purpose, by impeding, impairing, obstructing and defeating the lawful government functions of the United States Department of Homeland Security in its role in the review and granting of nonimmigrant visa applications;
- b. to obtain nonimmigrant visas, or other documents prescribed by statute or regulation as evidence of authorized stay in the United States, knowing it to be forged, counterfeit, altered, or falsely made, or to have been procured by means of any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained, in violation of Title 18, United States Code, Section 1546(a);
- c. to knowingly make under oath, or as permitted under penalty of perjury under section 1746 of title 28, United States Code, knowingly subscribe as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, and knowingly present any such application, affidavit, or other document which contains any such false statement or which fails to contain any reasonable basis in law or fact, in violation of Title 18, United States Code, Section 1546(a);

- d. To knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the Executive Branch of the United States; in violation of Title 18, United States Code, Section 1001;
- e. To Possess With Intent to Distribute and Distribute Controlled Substances, in violation of Title 21, United States Code, Section 841.

Objects of the Conspiracy

- 10. An object of the conspiracy was to enrich members of the conspiracy through unlawful activities.
- 11. An object of the conspiracy was to obtain fraudulent U-visas for aliens.
- 12. An object of the conspiracy was to transport narcotics and protect narcotics trafficking proceeds.

Manner and Means of the Conspiracy

- 13. CAROLYN COLTER FRANKLIN, ALLAN HUNTER, and WILLIE PAUL DAVID ROGERS, in exchange for bribes, agreed to and did create fraudulent incident reports for the obtaining of fraudulent U-Visas.
- 14. ALLAN HUNTER, WILLIE PAUL DAVID ROGERS, and LACRA SHAROD JENKINS, in exchange for bribes, agreed to and did fraudulently certify Law Enforcement Certification forms purporting that named aliens were victims of certain crimes, knowing this certification to be false.
- 15. SAURABHKUMAR PATEL, TARANG PATEL and others paid bribes for the creation of fraudulent incident reports and Law Enforcement certification forms.
- 16. ALLAN HUNTER and CAROLYN COLTER FRANKLIN, in exchange for bribes, made false incident reports and fraudulently certified Law Enforcement certification forms as requested by individuals they believed to be narcotics traffickers.

17. ALLAN HUNTER and CAROLYN COLTER FRANKLIN agreed with individuals they believed to be narcotics traffickers to protect tractor trailers containing narcotics trafficking proceeds. As part of this agreement, ALLAN HUNTER agreed to recruit other officers to assist in the protection of tractor trailers containing narcotics trafficking proceeds.

18. ALLAN HUNTER recruited LACRA SHAROD JENKINS, NATHANIEL MILLER SHAZIER, III, JAMES ALBERT TUCKER, and STANLEY LAVALLE TIMMONS to assist in the protection of tractor trailers containing narcotics trafficking proceeds.

19. ALLAN HUNTER, LACRA SHAROD JENKINS, CAROLYN COLTER FRANKLIN, JAMES ALBERT TUCKER, NATHANIEL MILLER SHAZIER, III, and STANLEY LAVALLE TIMMONS, in exchange for bribes, agreed to and did protect what they believed to be tractor trailers containing narcotics trafficking proceeds.

20. ALLAN HUNTER, LACRA SHAROD JENKINS, CAROLYN COLTER FRANKLIN, JAMES ALBERT TUCKER, and NATHANIEL MILLER SHAZIER, III, in exchange for bribes, agreed to and did protect what they believed to be tractor trailers containing narcotics trafficking proceeds.

Overt Acts

21. On or about February 6, 2018, CAROLYN COLTER FRANKLIN agreed to assist in the making of a fraudulent incident report in exchange for a bribe.

22. On or about February 12, 2018, ALLAN HUNTER created a fraudulent incident report listing "Rajaesh B. Patel" as the victim of a crime in Orangeburg, SC.

23. On or about February 14, 2018, CAROLYN COLTER FRANKLIN accepted a bribe for the creation of a fraudulent incident report listing "Rajaesh B. Patel" as the victim of a crime in Orangeburg, SC.

24. On or about March 24, 2018, CAROLYN COLTER FRANKLIN and ALLAN

HUNTER, in exchange for a bribe, agreed to assist TARANG PATEL in obtaining a fraudulent Law Enforcement certification form for use in a U-Visa application.

25. On or about March 30, 2018, ALLAN HUNTER fraudulently certified a Law Enforcement certification form for use in a U-Visa application requested by TARANG PATEL.

26. On or about March 30, 2018, CAROLYN COLTER FRANKLIN notarized the fraudulent Law Enforcement certification form for use in a U-Visa application requested by TARANG PATEL.

27. On or about March 30, 2018, CAROLYN COLTER FRANKLIN and ALLAN HUNTER accepted a bribe for the fraudulent Law Enforcement certification form for use in a U-Visa application requested by TARANG PATEL.

28. On or about June 25, 2018, CAROLYN COLTER FRANKLIN and ALLAN HUNTER created a fraudulent incident report listing "Gopal Singh" as the victim of a crime in Orangeburg, SC.

29. On or about June 26, 2018, CAROLYN COLTER FRANKLIN accepted a bribe in exchange for the creation of a fraudulent incident report listing "Gopal Singh" as the victim of a crime in Orangeburg, SC.

30. On or about July 25, 2018, ALLAN HUNTER created a fraudulent incident report listing "Jose Sanchez" as the victim of a crime in Orangeburg, SC.

31. On or about July 25, 2018, CAROLYN COLTER FRANKLIN, accepted a bribe in exchange for a fraudulent incident report listing "Jose Sanchez" as the victim of a crime in Orangeburg, SC.

32. On or about July 25, 2018, WILLIE PAUL DAVID ROGERS approved the fraudulent incident report listing "Jose Sanchez" as the victim of a crime in Orangeburg, SC.

33. On or about August 2, 2018, ALLAN HUNTER fraudulently certified a Law

Enforcement certification form for “Jose Sanchez.”

34. On or about August 2, 2018, WILLIE PAUL DAVID ROGERS accepted bribes including a laptop, X-Box, Amazon Speaker, and a television and agreed to assist in making fraudulent reports in the future.

35. On or about August 2, 2018, CAROLYN COLTER FRANKLIN accepted bribes including a laptop, X-box, and Amazon speaker and agreed to assist in making fraudulent incident reports in the future.

36. On or about August 2, 2018, ALLAN HUNTER accepted bribes including a laptop, X-box, and a Google Speaker and agreed to assist in making fraudulent incident reports in the future.

37. On or about August 30, 2018, CAROLYN COLTER FRANKIN accepted additional bribes on behalf of herself and ALLAN HUNTER for future assistance in obtaining fraudulent incident reports and Law Enforcement certification forms.

38. On or about September 29, 2018, CAROLYN COLTER FRANKLIN created a fraudulent incident report listing “Esterban Rodriguez” as the victim of a crime in Orangeburg, SC.

39. On or about September 29, 2018, WILLIE PAUL DAVID ROGERS approved the fraudulent incident report listing “Esterban Rodriguez” as the victim of a crime in Orangeburg, SC.

40. On or about November 6, 2018, WILLIE PAUL DAVID ROGERS fraudulently certified a Law Enforcement certification form for “Esterban Rodriguez.”

41. On or about November 6, 2018, WILLIE PAUL DAVID ROGERS accepted a bribe in exchange for his signing of the fraudulent Law Enforcement certification form.

42. On or about November 7, 2018, CAROLYN COLTER FRANKLIN and ALLAN

HUNTER agreed with who they believed to be a narcotics trafficker to assist in the protection of tractor trailers containing narcotics trafficking proceeds.

43. On or about November 7, 2018, CAROLYN COLTER FRANKLIN and ALLAN HUNTER, in exchange for bribes, agreed to protect tractor trailers containing narcotics trafficking proceeds.

44. On or about December 4, 2018, ALLAN HUNTER and NATHANIEL MILLER SHAZIER, III, in exchange for bribes, agreed to protect tractor trailers containing narcotics trafficking proceeds.

45. On or about December 4, 2018, LACRA SHAROD JENKINS, in exchange for bribes, agreed to protect tractor trailers containing narcotics trafficking proceeds.

46. From on or about December 5, 2018 through December 6, 2018, ALLAN HUNTER, CAROLYN COLTER FRANKLIN, NATHANIEL MILLER SHAZIER, III, LACRA SHAROD JENKINS, and JAMES ALBERT TUCKER protected tractor trailers containing what they believed to be narcotics trafficking proceeds.

47. From on or about December 5, 2018 to December 6, 2018, ALLAN HUNTER, CAROLYN COLTER FRANKLIN, NATHANIEL MILLER SHAZIER, III, LACRA SHAROD JENKINS, and JAMES ALBERT TUCKER accepted bribes for protecting the tractor trailers.

48. On or about December 11, 2018, ALLAN HUNTER created a fraudulent incident report listing "Armando Ramirez" as a victim of a crime in Springfield, SC.

49. On or about January, 17, 2019, ALLAN HUNTER and LACRA SHAROD JENKINS fraudulently certified a Law Enforcement certification form for "Armando Ramirez."

50. On January 17, 2019, ALLAN HUNTER accepted bribes for himself and LACRA SHAROD JENKINS.

51. On or about January 30, 2019, ALLAN HUNTER modified a fraudulent incident

report listing “Armando Ramirez” as the victim of a crime in Springfield, SC.

52. On or about February 15, 2019, ALLAN HUNTER, JAMES ALBERT TUCKER, and STANLEY LAVALLE TIMMONS, in exchange for bribes, agreed to protect tractor trailers containing narcotics trafficking proceeds.

53. On or about February 16, 2019, LACRA SHAROD JENKINS fraudulently certified a Law Enforcement certification form for “Armando Ramirez.”

54. From on or about February 16, 2019 through February 17, 2019, ALLAN HUNTER, JAMES ALBERT TUCKER, STANLEY TIMMONS, NATHANIEL MILLER SHAZIER, III, LACRA SHAROD JENKINS, and CAROLYN COLTER FRANKLIN protected tractor trailers containing what they believed to be narcotics trafficking proceeds.

55. From on or about February 16, 2019 through February 17, 2019, ALLAN HUNTER, JAMES ALBERT TUCKER, STANLEY TIMMONS, NATHANIEL MILLER SHAZIER, III, LACRA SHAROD JENKINS, and CAROLYN COLTER FRANKLIN accepted bribes for protecting tractor trailers containing what they believed to be narcotics trafficking proceeds.

56. On or about February 15, 16, and 17 of 2019, ALLAN HUNTER, JAMES ALBERT TUCKER, NATHANIEL MILLER SHAZIER, III, LACRA SHAROD JENKINS, and CAROLYN COLTER FRANKLIN agreed to protect tractor trailers containing kilogram quantities of methamphetamine and cocaine in the future.

All in violation to Title 18, United States Code, Section 371.

**COUNT 2
(Visa Fraud)**

57. On or about March 30, 2018, in the District of South Carolina, the Defendants, CAROLYN COLTER FRANKLIN, ALLAN HUNTER, and TARANG PATEL as principals, as aiders and abettors, and co-participants in a jointly undertaken criminal activity, did knowingly, make under oath and penalty of perjury, and subscribe as true, any false statement with respect to a material fact in any application, affidavit, and other document required by the immigration law and regulations prescribed thereunder, and knowingly presented such application, affidavit, and other document which contains any such false statement; to wit: fraudulently certifying a Law Enforcement certification form, for use in an U-visa application;

All in violation of Title 18, United States Code, Sections 1546 and 2.

**COUNT 3
(Visa Fraud)**

58. On or about August 2, 2018, in the District of South Carolina, the Defendants, CAROLYN COLTER FRANKLIN, ALLAN HUNTER, and WILLIE PAUL DAVID ROGERS as principals, as aiders and abettors, and co-participants in a jointly undertaken criminal activity, did knowingly make, under oath and penalty of perjury, and subscribe as true, any false statement with respect to a material fact in any application, affidavit, and other document required by the immigration law and regulations prescribed thereunder; to wit: fraudulently certifying a Law Enforcement certification form;

All in violation of Title 18, United States Code, Sections 1546 and 2.

**COUNT 4
(Visa Fraud)**

59. On or about November 6, 2018, in the District of South Carolina, the Defendants, CAROLYN COLTER FRANKLIN, ALLAN HUNTER, and WILLIE PAUL DAVID ROGERS as principals, as aiders and abettors, and co-participants in a jointly undertaken criminal activity, did knowingly make, under oath and penalty of perjury, and subscribe as true, any false statement with respect to a material fact in any application, affidavit, and other document required by the immigration law and regulations prescribed thereunder; to wit: fraudulently certifying a Law Enforcement certification form.

All in violation of Title 18, United States Code, Sections 1546 and 2.

**COUNT 5
(Visa Fraud)**

60. On or about January 17, 2019, in the District of South Carolina, the Defendants, ALLAN HUNTER, and LACRA SHAROD JENKINS as principals, as aiders and abettors, and co-participants in a jointly undertaken criminal activity, did knowingly make, under oath and penalty of perjury, and subscribe as true, any false statement with respect to a material fact in any application, affidavit, and other document required by the immigration law and regulations prescribed thereunder; to wit: fraudulently certifying a Law Enforcement certification form.

All in violation of Title 18, United States Code, Sections 1546 and 2.

COUNT 6
(Visa Fraud)

61. On or about February 16, 2019, in the District of South Carolina, the Defendant, LACRA SHAROD JENKINS as a principal, aider and abettor, and co-participant in a jointly undertaken criminal activity, did knowingly make, under oath and penalty of perjury, and subscribe as true, any false statement with respect to a material fact in any application, affidavit, and other document required by the immigration law and regulations prescribed thereunder; to wit: fraudulently certifying a Law Enforcement certification form.

All in violation of Title 18, United States Code, Sections 1546 and 2.

COUNT 7

(Conspiracy to Possess With Intent to Distribute Cocaine and Methamphetamine)

From on or about November 7, 2018, up to and including the date of this indictment, in the District of South Carolina, the Defendants, ALLAN HUNTER, CAROLYN COLTER FRANKLIN, LACRA SHAROD JENKINS, NATHANIEL MILLER SHAZIER, III, JAMES ALBER TUCKER, and STANLEY LAVALLE TIMMONS, knowingly and intentionally did combine, conspire, and agree together and have tacit understanding with others, to knowingly, intentionally and unlawfully possess with intent to distribute and distribute methamphetamine and cocaine, both Schedule II controlled substances;

- a. With respect to ALLAN HUNTER the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 50 grams or more of a mixture or substance containing a detectable

amount of methamphetamine and 500 grams or more of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

- b. With respect to CAROLYN COLTER FRANKLIN the amount involved in the conspiracy attributable to her as a result of her own conduct, and the conduct of other conspirators reasonably foreseeable to her, is 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine and 500 grams or more of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).
- c. With respect to LACRA SHAROD JENKINS, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine and 500 grams or more of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).
- d. With respect to NATHANIEL MILLER SHAZIER, III, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine and 500 grams or more of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).
- e. With respect to JAMES ALBERT TUCKER, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine and 500 grams or more of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).
- f. With respect to STANLEY LAVALLE TIMMONS, the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators

reasonably foreseeable to him, is a quantity of a mixture or substance containing a detectable amount of methamphetamine and a quantity of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

All in violation of Title 21, United States Code, Section 846.

COUNT 8

(Use of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about December 5, 2018 through February 17, 2019 in the District of South Carolina, the Defendant, ALLAN HUNTER, knowingly did carry a firearm during and in relation to, and did possess a firearm in furtherance of a drug trafficking crime, as charged in Count 7, which is prosecutable in a court of the United States;

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

COUNT 9

(Use of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about December 5, 2018 through February 17, 2019 in the District of South Carolina, the Defendant, CAROLYN COLTER FRANKLIN, knowingly did carry a firearm during and in relation to, and did possess a firearm in furtherance of a drug trafficking crime, as charged in Count 7, which is prosecutable in a court of the United States;

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

COUNT 10

(Use of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about December 5, 2018 through February 17, 2019 in the District of South Carolina, the Defendant, LACRA SHAROD JENKINS, knowingly did carry a firearm during and in relation to, and did possess a firearm in furtherance of a drug trafficking crime, as charged in Count 7, which is prosecutable in a court of the United States;

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

COUNT 11

(Use of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about December 5, 2018 through February 17, 2019 in the District of South Carolina, the Defendant, JAMES ALBERT TUCKER, knowingly did carry a firearm during and in relation to, and did possess a firearm in furtherance of a drug trafficking crime, as charged in Count 7, which is prosecutable in a court of the United States;

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

COUNT 12

(Use of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about December 5, 2018 through February 17, 2019 in the District of South Carolina, the Defendant, NATHANIEL MILLER SHAZIER, III, knowingly did carry a firearm during and in relation to, and did possess a firearm in furtherance of a drug trafficking crime, as charged in Count 7, which is prosecutable in a court of the United States;

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

COUNT 13

(Use of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about December 5, 2018 through February 17, 2019 in the District of South Carolina, the Defendant, STANLEY LAVALLE TIMMONS, knowingly did carry a firearm during and in relation to, and did possess a firearm in furtherance of a drug trafficking crime, as charged in Count 7, which is prosecutable in a court of the United States;

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

FORFEITURE

A. CONSPIRACY:

Upon conviction for violation of Title 18, United States Code, Section 371 (conspiracy to violate 18 U.S.C. §§ 1001 and 1546, and 21 U.S.C. § 841) as charged in this Indictment, the Defendants, CAROLYN COLTER FRANKLIN, ALLAN HUNTER, WILLIE PAUL DAVID ROGERS, LACRA SHAROD JENKINS, NATHANIEL MILLER SHAZIER III, JAMES ALBERT TUCKER, STANLEY LAVALLE TIMMONS, TARANG PATEL, and SAURABHKUMAR PATEL, shall forfeit to the United States any property, real or personal, constituting, derived from or traceable to proceeds the Defendants obtained directly or indirectly as a result of such offense.

B. VISA FRAUD:

Upon conviction for violation of Title 18, United States Code, Section 1546 as charged in this Indictment, the Defendants, CAROLYN COLTER FRANKLIN, ALLAN HUNTER, WILLIE PAUL DAVID ROGERS, LACRA SHAROD JENKINS, and TARANG PATEL, shall forfeit to the United States any property used or intended to be used, in any manner or part, to commit or facilitate the commission of the offense, and property, real or personal, which constitutes or is derived from any proceeds the Defendant obtained, directly or indirectly, as the result of such violation, and any property traceable to such property.

C. FIREARM/DRUG OFFENSES:

Upon conviction for violation of Title 18, United States Code, Section 924 and Title 21, United States Code, Sections 841 and 846 as charged in this Indictment, the Defendants, ALLAN HUNTER, CAROLYN COLTER FRANKLIN, LACRA SHAROD JENKINS, NATHANIEL

MILLER SHAZIER III, JAMES ALBER TUCKER, and STANLEY LAVALLE TIMMONS, shall forfeit to the United States all of the Defendants' right, title and interest in and to any property, real and personal,

- (a) constituting, or derived from any proceeds the Defendants obtained, directly or indirectly, as the result of such violation(s) of Title 21, United States Code, and all property traceable to such property;
- (b) used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code;
- (c) any firearms and ammunition (as defined in 18 U.S.C. § 921) –
 - (1) used or intended to be used to facilitate the transportation, sale, receipt, possession or concealment of controlled substances or any proceeds traceable to such property;
 - (2) involved in or used in any knowing violation of 18 U.S.C. § 924, or violation of any other criminal law of the United States, or intended to be used in a crime of violence;

D. PROPERTY:

Pursuant to 18 U.S.C. §§ 924(d)(1), 981(a)(1)(C) and 982(a)(6)(A), 21 U.S.C. §§ 853 and 881, and 28 U.S.C. § 2461(c), the property subject to forfeiture includes, but is not limited to, the following:

Proceeds/Forfeiture Judgment:

A sum of money equal to all proceeds the Defendants obtained, directly or indirectly, from the offenses charged in this Indictment, and all interest and proceeds traceable thereto, and/or that such sum equals all property derived from or traceable to their violation of Title 18 and Title 21.

E. SUBSTITUTE ASSETS:

If any of the property described above as being subject to forfeiture, 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 person;
- (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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by 18 U.S.C. § 982(b)(1), to seek forfeiture of any other property of the said Defendant up to the value of the above described forfeitable property;

Pursuant to Title 18, United States Code, Sections 924(d)(1), 981(a)(1)(C) and 982(a)(6)(A), Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c).

A True Bill


FOREPERSON



 SHERRI A. LYDON (WCL, ALR)
 UNITED STATES ATTORNEY