

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

**FILED**

2012 NOV -8 P 2:50

RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIF.

**JSW**

UNITED STATES OF AMERICA,

v.

## CR 12 801

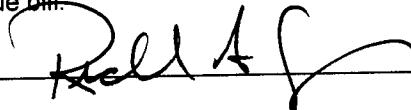
EMMANUEL KWASI AMANKWA,

DEFENDANT(S).

### INDICTMENT

COUNT ONE: 21 U.S.C. § 841(a)(1) – Possession With Intent to Distribute Cocaine.  
FORFEITURE ALLEGATION: 21 U.S.C. § 853 - Drug Forfeiture

A true bill.



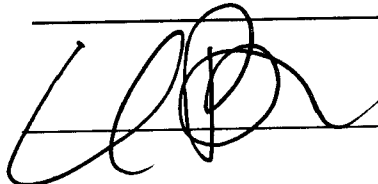
Foreman

Filed in open court this 8<sup>th</sup> day of

November, 2012



Clerk



Bail, \$ no proce

AO 257 (Rev. 5/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FILED  
NOV -8 P 2:49

**OFFENSE CHARGED**  
21 U.S.C. 841(a)(1), (b)(1)(B)  
 Petty  
 Minor  
 Misdemeanor  
 Felony

PENALTY: See attached penalty sheet

**DEFENDANT - U.S.**  
**CR 12 801**  
Emmanuel Kwasi Ahenkwa  
DISTRICT COURT NUMBER  
CR 12-71178 JCS

**PROCEEDING**

**DEFENDANT**

**IS NOT IN CUSTODY**  
Has not been arrested, pending outcome this proceeding.  
1)  If not detained give date any prior summons was served on above charges  
2)  Is a Fugitive  
3)  Is on Bail or Release from (show District)

Name of Complainant Agency, or Person (& Title, if any)  
 person is awaiting trial in another Federal or State Court, give name of court  
 this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District  
 this is a reprosecution of charges previously dismissed which were dismissed on motion of:  
 U.S. ATTORNEY  DEFENSE } SHOW DOCKET NO.  
 this prosecution relates to a pending case involving this same defendant } MAGISTRATE CASE NO.  
 prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under }

**IS IN CUSTODY**  
4)  On this charge  
5)  On another conviction }  Federal  State  
6)  Awaiting trial on other charges  
If answer to (6) is "Yes", show name of institution  
Has detainer been filed?  Yes } If "Yes" give date filed  
 No

Name and Office of Person Furnishing Information on this form Melinda Haag  
 U.S. Attorney  Other U.S. Agency

DATE OF ARREST October 23, 2012  
Or... if Arresting Agency & Warrant were not  
DATE TRANSFERRED TO U.S. CUSTODY \_\_\_\_\_  
Month/Day/Year

Name of Assistant U.S. Attorney (if assigned) Frank J. Riebli

This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

**PROCESS:**  
 SUMMONS  NO PROCESS\*  WARRANT  
If Summons, complete following:  
 Arraignment  Initial Appearance  
Defendant Address:  
Comments:

Bail Amount: \_\_\_\_\_  
\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment  
Date/Time: 11/9/2012 9:30 a.m. Before Judge: Laurel Beeler

JSW

PENALTY SHEET ATTACHMENT

**CR 12** 2012 NOV 8 2:49  
FILED  
RICHARD W. WIERING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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Count 1:

21 U.S.C. §§ 841(a)(1), (b)(1)(B)(ii)

Maximum Penalties: Minimum 5 years imprisonment [21 U.S.C. § 841(b)(1)(B)]

Maximum 40 years imprisonment [21 U.S.C. § 841(b)(1)(B)]

\$5,000,000 fine [21 U.S.C. § 841(b)(1)(B)]

Minimum 4 years supervised release [21 U.S.C. § 841(b)(1)(B)]

\$100 special assessment [18 U.S.C. § 3013(a)(2)(A)]

Denial of federal benefits for 5 years [21 U.S.C. § 862(b)]

INDICTMENT

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MELINDA HAAG (CABN 132612)  
United States Attorney

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2012 NOV -8 P 2:50

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**JSW**

UNITED STATES OF AMERICA,

Plaintiff,

v.

EMMANUEL KWASI AMANKWA,

Defendant.

**CR No. 12 801**

VIOLATIONS: 21 U.S.C. § 841(a)(1) –  
Possession With Intent to Distribute  
Cocaine; 21 U.S.C. §§ 853(a)(1) and (2) –  
Drug Forfeiture Allegation

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. § 841(a)(1) – Possession With Intent to Distribute Cocaine)

On or about October 23, 2012, in the Northern District of California, the defendant,

EMMANUEL KWASI AMANKWA,

did knowingly and intentionally possess with intent to distribute a Schedule II controlled substance, to wit: 500 or more grams of a mixture and substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(ii).

///

INDICTMENT

1 DRUG FORFEITURE ALLEGATION: (21 U.S.C. § 853 – Drug Forfeiture)

2 1. The factual allegations contained in Count One of this Indictment are re-alleged  
3 and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to  
4 the provisions of 21 U.S.C. §§ 853(a)(1) and (2).

5 2. Upon a conviction of the offense alleged in Count One, the defendant,  
6 EMMANUEL KWASI AMANKWA,  
7 shall forfeit to the United States all right, title and interest in any property constituting and  
8 derived from any proceeds defendant obtained, directly or indirectly, as a result of said violation,  
9 and any property used, or intended to be used, in any manner or part, to commit or to facilitate  
10 the commission of said violation.

- 11 3. If, as a result of any act or omission of the defendant, any of said property  
12 a. cannot be located upon the exercise of due diligence;  
13 b. has been transferred or sold to or deposited with, a third person;  
14 c. has been placed beyond the jurisdiction of the Court;  
15 d. has been substantially diminished in value; or  
16 e. has been commingled with other property which cannot be divided without  
17 difficulty;

18 any and all interest defendant has in any other property (not to exceed the value of the above  
19 forfeitable property) shall be vested in the United States and forfeited to the United States.

20 All in violation of Title 21, United States Code, Section 853(a)(1), (a)(2), (p) and Rule

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1 32.2 of the Federal Rules of Criminal Procedure.

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DATED: November 8, 2012

A TRUE BILL.

  
FOREPERSON

MELINDA HAAG  
United States Attorney

  
S. WAQAR HASIB  
Deputy Chief, OCDETF/Narcotics

(Approved as to form:   
FRANK J. RIEBLI  
Assistant United States Attorney

United States District Court  
Northern District of California

FILED

2012 NOV -8

JSW

CRIMINAL COVER SHEET

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**Instructions:** Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case. Please place this form on top of the Defendant Information Form.

**CR 12 801**

Case Name:

USA v. Emmanuel Kwasi Amankwa

Case Number:

N/A

Total Number of Defendants:

1  2-7 \_\_\_\_\_ 8 or more \_\_\_\_\_

Is This Case Under Seal?

Yes \_\_\_\_\_ No

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes \_\_\_\_\_ No

Venue (Per Crim. L.R. 18-1):

SF  OAK \_\_\_\_\_ SJ \_\_\_\_\_

Is this a death-penalty-eligible RICO Act gang case?

Yes \_\_\_\_\_ No

Assigned AUSA (Lead Attorney):

Frank J. Riebli

Comments:

Date Submitted:

11/8/2012

[Empty rectangular box for comments]

PRINT