

United States District Court

FOR THE NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

FILED 2013 JAN 17 P 2:25  
ROD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

EMC  
CR 13 040

NAOMI ANTUNEZ,

DEFENDANT(S).

INDICTMENT

COUNT ONE: 21 U.S.C. § 841(a)(1) – Possession With Intent to Distribute Methamphetamine; FORFEITURE ALLEGATION: 21 U.S.C. §§ 853(a)(1) and (2) – Drug Forfeiture

A true bill.

*[Signature]*

Foreman

Filed in open court this 17<sup>th</sup> day of

January, 2013

*[Signature]*

Clerk

*[Signature]*

Bail, \$ No (no less)

AO 257 (Rev. 6/78)

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

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

21 U.S.C. section 841(a)(1), (b)(1)(A)(viii)

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: See attached sheet.

Name of District Court, and/or Judge/Magistrate Location

**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

**DEFENDANT - U.S.**

▶ Naomi Antunez

DISTRICT COURT NUMBER

**CR 13 040**

**DEFENDANT**

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Edwin Gould, Department of Homeland Security

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

Name and Office of Person

Furnishing Information on this form Melinda Haag

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Frank Riebli

**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)

**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  No

If "Yes" give date filed

DATE OF ARREST ▶ Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶ Month/Day/Year

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:

Bail Amount: \_\_\_\_\_

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Jan 18, 2013, 9:30 a.m. Before Judge: MJ Laurel Beeler

Comments:

**PENALTY SHEET**

COUNT ONE: 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii) – Possession of 500 grams or more of a mixture or substance containing methamphetamine

- a. Minimum Term of Imprisonment: 10 years
- b. Maximum Term of Imprisonment: Life
- c. Minimum Fine: N/A
- d. Maximum Fine: \$10,000,000
- e. Minimum Term of Supervised Release: 5 years
- f. Maximum Term of Supervised Release: Life
- g. Mandatory Special Assessment: \$100
- h. Denial of Federal Benefits: 5 years



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

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MELINDA HAAG (CABN 132612)  
United States Attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

EMC

GR 13 040

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
NAOMI ANTUNEZ, )  
 )  
Defendant. )

VIOLATIONS: 21 U.S.C. § 841(a)(1) –  
Possession With Intent to Distribute  
Methamphetamine; 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  
Methamphetamine)

On or about December 13, 2012, in the Northern District of California, the defendant,

NAOMI ANTUNEZ,

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

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

The factual allegations contained in Count One of this Indictment are re-alleged and by

INDICTMENT

1 this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the  
2 provisions of 21 U.S.C. §§ 853(a)(1) and (2).

3 Upon a conviction of the offense alleged in Count One, the defendant,

4 NAOMI ANTUNEZ,

5 shall forfeit to the United States all right, title and interest in any property constituting and  
6 derived from any proceeds defendant obtained, directly or indirectly, as a result of said violation,  
7 and any property used, or intended to be used, in any manner or part, to commit or to facilitate  
8 the commission of said violation.

9 If, as a result of any act or omission of the defendant, any of said property


- 10 a. cannot be located upon the exercise of due diligence;
- 11 b. has been transferred or sold to or deposited with, a third person;
- 12 c. has been placed beyond the jurisdiction of the Court;
- 13 d. has been substantially diminished in value; or
- 14 e. has been commingled with other property which cannot readily be divided;

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

17 All in violation of Title 21, United States Code, Section 853(a)(1), (a)(2), (p) and Rule  
18 32.2 of the Federal Rules of Criminal Procedure.

19 DATED: January 17, 2013

A TRUE BILL.

20   
21 FOREPERSON

22 MELINDA HAAG  
23 United States Attorney

24   
25 S. WAQAR HASIB  
26 Deputy Chief, OCDETF/Narcotics

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

INDICTMENT