



UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

v.

RICHARD IRIZARRY

CASE NO. 6:14-cr- **46-ORI-187BS**
21 U.S.C. § 846
18 U.S.C. § 924(c)
21 U.S.C. § 843(b)
21 U.S.C. § 853 – Forfeiture
18 U.S.C. § 924(d) – Forfeiture
28 U.S.C. § 2461(c) – Forfeiture

INDICTMENT

The Grand Jury charges:

COUNT ONE

On or about January 23, 2014, in Brevard County, in the Middle District of Florida, and elsewhere,

RICHARD IRIZARRY

the defendant herein, did knowingly and unlawfully attempt to aid and abet the possession with intent to distribute and the distribution of a controlled substance, as defined and listed in Title 21, United States Code, Section 812.

Pursuant to Title 21, United States Code, Section 841(b)(1)(B)(ii), this offense involved 500 grams or more of a mixture and substance containing a detectable quantity of cocaine, a Schedule II Controlled Substance.

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

COUNT TWO

On or about January 23, 2014, in Brevard County, in the Middle District of Florida, and elsewhere,

RICHARD IRIZARRY

the defendant herein, did knowingly use and carry a firearm during and in relation to, and did knowingly possess a firearm in furtherance of, a drug trafficking crime for which he may be prosecuted in a Court of the United States, that is, the attempt to aid and abet the possession with intent to distribute and the distribution of a controlled substance, as charged in Count One of this Indictment; Count One being incorporated by reference as though fully set forth herein.

All in violation of Title 18, United States Code, Section 924(c).

COUNT THREE

On or about January 23, 2014, in Brevard County, in the Middle District of Florida, and elsewhere,

RICHARD IRIZARRY

the defendant herein, did knowingly and intentionally use a communication facility, to wit, a telephone, in committing, causing and facilitating the commission of a violation of a drug trafficking crime, that is, the attempt to aid and abet the possession with intent to distribute and the distribution of a controlled substance, as charged in Count One of this Indictment; Count One being incorporated by reference as though fully set forth herein.

All in violation of Title 21, United States Code, Section 843(b).

FORFEITURES

1. The allegations contained in Counts One through Three of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 21, United States Code, Section 853, Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

2. From his engagement in the violations alleged in Counts One and Three of this Indictment, which are punishable by imprisonment for more than one year, the defendant

RICHARD IRIZARRY

shall forfeit to the United States of America, pursuant to Title 21, United States Code, Sections 853(a)(1) and (2), all of his interest in:

- a. Property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such violations; and
- b. Property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations.

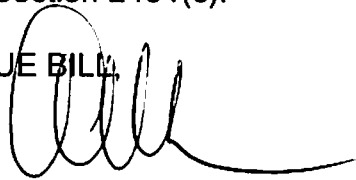
3. As the result of committing one or more of the offenses alleged in Counts One and Two of this Indictment, the defendant, **RICHARD IRIZARRY**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense.

4. 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,

the United States of America shall be entitled to forfeiture of substitute property under the provision of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

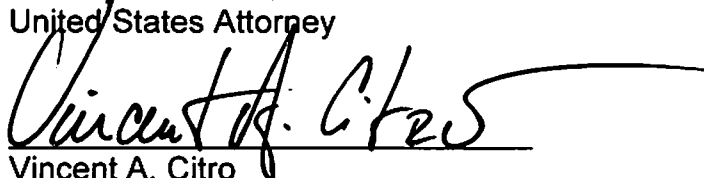
A TRUE BILL



Foreperson

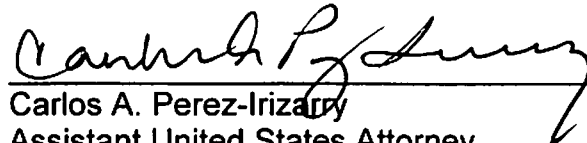
A. LEE BENTLEY, III
United States Attorney

By:



Vincent A. Citro
Assistant United States Attorney

By:



Carlos A. Perez-Irizarry
Assistant United States Attorney
Chief, Orlando Division

FORM OBD-34
APR 1991

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Middle District of Florida
Orlando Division

THE UNITED STATES OF AMERICA

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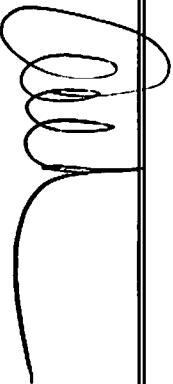
RICHARD IRIZARRY

INDICTMENT

Violations:

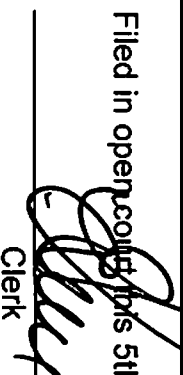
21 U.S.C. § 846
18 U.S.C. § 924(c)
21 U.S.C. § 843(b)

A true bill,



Foreperson

Filed in open court this 5th day of March, 2014.


Clerk

Bail \$ _____