

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. 2000 -  
 :  
 v. : DATE FILED: January , 2000  
 :  
 LEONARDO MELENDEZ, : VIOLATION:  
 a/k/a Leonard Melendez :  
 a/k/a Jimmy Lopez : 21 U.S.C. § 841(a)(1) (Possession  
 : with intent to distribute a  
 : controlled substance (heroin) -  
 : 1 Count)  
 :  
 : 21 U.S.C. § 860 (Possession  
 : with intent to distribute a  
 : controlled substance (heroin) within  
 : 1,000 feet of a school - 1 Count)  
 :  
 : 21 U.S.C. § 841(a)(1) (Possession  
 : with intent to distribute a  
 : controlled substance  
 : (cocaine base - "crack") - 1  
 : Count)  
 :  
 : 21 U.S.C. § 860 (Possession  
 : with intent to distribute a  
 : controlled substance  
 : (cocaine base - "crack") within  
 : 1,000 feet of a school - 1 Count)  
 :  
 : 18 U.S.C. § 924(c)(1)(B)(i)  
 : (Possession of a firearm in  
 : furtherance of drug trafficking -  
 : 1 Count)  
 :  
 : 18 U.S.C. §§ 922(g)(1), 924(e)  
 : (Felon in possession of a firearm  
 : - 1 Count)  
 :  
 : NOTICE OF FORFEITURE

**I N D I C T M E N T**

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about June 25, 1999, at Philadelphia, in the Eastern  
District of Pennsylvania, defendant

LEONARDO MELENDEZ,  
a/k/a Leonard Melendez,  
a/k/a Jimmy Lopez

knowingly and intentionally possessed with intent to distribute a mixture or substance containing a detectible amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code,  
Section 841(a)(1).

COUNT TWO

THE GRAND JURY CHARGES THAT:

On or about June 25, 1999, at Philadelphia, in the Eastern District of Pennsylvania, defendant

LEONARDO MELENDEZ,  
a/k/a Leonard Melendez,  
a/k/a Jimmy Lopez

knowingly and intentionally possessed with intent to distribute a mixture or substance containing a detectible amount of heroin, a Schedule I controlled substance, within 1,000 feet of the real property comprising the Sheppard Elementary School located at Howard and Cambria Streets in Philadelphia.

In violation of Title 21, United States Code,  
Section 860.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 25, 1999, at Philadelphia, in the Eastern District of Pennsylvania, defendant

LEONARDO MELENDEZ,  
a/k/a Leonard Melendez,  
a/k/a Jimmy Lopez

knowingly and intentionally possessed with intent to distribute a mixture or substance containing a detectible amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR

THE GRAND JURY CHARGES THAT:

On or about June 25, 1999, at Philadelphia, in the Eastern District of Pennsylvania, defendant

LEONARDO MELENDEZ,  
a/k/a Leonard Melendez,  
a/k/a Jimmy Lopez

knowingly and intentionally possessed with intent to distribute a mixture or substance containing a detectible amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Sheppard Elementary School located at Howard and Cambria Streets in Philadelphia.

In violation of Title 21, United States Code,  
Section 860.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 25, 1999, at Philadelphia, in the Eastern District of Pennsylvania, defendant

LEONARDO MELENDEZ,  
a/k/a Leonard Melendez,  
a/k/a Jimmy Lopez

knowingly possessed a firearm, that is, one short-barreled ("sawed-off") 12 gauge semi-automatic shotgun manufactured by Remington Arms Co., Inc., model 1100, serial number NO62335V, having a barrel length of 14 ½ inches and an overall length of 25 ½ inches, in furtherance of a drug trafficking offense for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute heroin and cocaine base ("crack"), in violation of Title 21, United States Code, Section 841(a)(1), as charged in Counts One and Two of this Indictment.

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

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 25, 1999, in Philadelphia, in the Eastern District of Pennsylvania, defendant

LEONARDO MELENDEZ,  
a/k/a Leonard Melendez,  
a/k/a Jimmy Lopez

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, one sawed-off 12 gauge semi-automatic shotgun manufactured by Remington Arms Co., Inc., model 1100, serial number NO62335V, having an overall length of 25 ½ inches.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

**NOTICE OF FORFEITURE**

1. The Allegations of Counts One, Two, Three, and Four of this Indictment are incorporated by reference in this Notice of Forfeiture as if set forth at length below.

2. As a result of the violations of Title 21, United States Code, Section 841(a)(1) in Counts One and Two of this Indictment, LEONARDO MELENDEZ shall forfeit to the United States of America, pursuant to Title 21, United States Code, Section 853, the following property which was used, and intended to be used, in any manner or part, to commit, and to facilitate the commission of such violations:

A. One sawed-off 12 gauge semi-automatic shotgun manufactured by Remington Arms Co, Inc., model 1100, serial number NO62335V, having an overall length of 25 ½ inches; and

B. \$87.00

All pursuant to Title 21, United States Code, Section 853(a)(1),(2) and (p).

A TRUE BILL:

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FOREPERSON

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MICHAEL R. STILES  
UNITED STATES ATTORNEY