

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**INDICTMENT FOR VIOLATION OF THE
FEDERAL CONTROLLED SUBSTANCES ACT**

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO:
v.	*	SECTION: “ ”
ELLERY BOYD	*	VIOLATION: 21 U.S.C. § 841(a)(1)
	*	*
	*	*

The Grand Jury charges that:

COUNT 1

On or about March 8, 2008, in the Eastern District of Louisiana, the defendant, **ELLERY BOYD**, did knowingly and intentionally possess with the intent to distribute 500 grams or more of cocaine hydrochloride, and five grams or more of cocaine base (“crack”), both Schedule II narcotic drug controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

NOTICE OF FORFEITURE

1. The allegation of Count 1 of this indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States

of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offense alleged in Count 1, the defendant, **ELLERY BOYD**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count 1 of this indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of 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), to

seek forfeiture of any other property of said defendant up to the value of the above forfeitable property. All in violation of Title 21, United States Code, Section 853.

A TRUE BILL:

F O R E P E R S O N

JIM LETTEN, La. Bar No. 8517
UNITED STATES ATTORNEY

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New Orleans, Louisiana
March _____. 2008