



PRESS RELEASE
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For Immediate Release

November 30, 2005

**BREVARD COUNTY CONVICTED FELON FACING 15 YEARS TO LIFE
AFTER JURY VERDICT ON FIREARM/AMMUNITION CHARGE**

Orlando, Florida - A jury in U.S. District Court in today found JAMES AVERY, JR., a 50 year-old resident of Titusville, Florida, guilty of Possession of a Firearm by a Prohibited Person (Convicted Felon). Avery faces a minimum mandatory sentence of 15 years' up to life imprisonment and a \$250,000 fine. The sentencing hearing is scheduled for February 17, 2006 before the Honorable John Antoon II, United States District Judge. Avery was indicted by a federal grand jury on August 30, 2005.

According to the testimony and evidence presented at trial, Avery met with an undercover agent from the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") on February 11, 2005. During the videotaped meeting, Avery sold the agent a .22 caliber rifle with a scope that was loaded with 10 rounds of .22 caliber ammunition. As a previously convicted felon, Avery is prohibited under federal law from possessing either firearms or ammunition.

The case represents the culmination of a cooperative effort between the United

States Attorney's Office, the State Attorney's Office for Brevard/Seminole Counties, the Brevard County Sheriff's Office, the City of Melbourne Police Department, the City of Titusville Police Department and ATF. This is another case prosecuted as a part the Department of Justice program "Project Safe Neighborhoods" - a nationwide gun violence reduction initiative with strong support from ATF. United States Attorney Paul I. Perez is coordinating the cooperative effort here in the Middle District of Florida with federal, state and local law enforcement officials. The objective is to reduce violent crime by locating and seizing unlawfully possessed guns and then swiftly prosecuting the offenders using both federal and state gun laws.

The case was prosecuted by Assistant United States Attorney Robert E. Bodnar, Jr. and Special Assistant United States Attorney Greg Konieczka.