

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

**INDICTMENT FOR VIOLATIONS OF THE FEDERAL
CONTROLLED SUBSTANCE AND GUN CONTROL ACTS**

UNITED STATES OF AMERICA

* CRIMINAL NO.:

v.

* SECTION:

GIE Z. PRESTON

* VIOLATION: 21 USC § 841(a)(1)
18 USC § 922(g)(1)
* 18 USC § 924
21 USC § 853

* * *

The Grand Jury charges that:

COUNT 1

Beginning in December 2010 and continuing on or about January 11, 2011, in the Eastern District of Louisiana, the defendant, **GIE Z. PRESTON**, did knowingly and intentionally distribute quantities of cocaine base (“crack”), a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 2

On or about January 11, 2011, in the Eastern District of Louisiana, the defendant, **GIE Z. PRESTON**, during and in relation to drug trafficking crimes for which he may be prosecuted in a court

of the United States, that is, the distribution of quantities of cocaine base (“crack”) as set forth in Count One of this indictment, possessed a firearm, to wit: a Taurus, model PT 24/7, .40 caliber pistol bearing serial number SBV63845, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 3

On or about January 11, 2011, in the Eastern District of Louisiana, the defendant, **GIE Z. PRESTON**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: Manslaughter on or about May 30, 1995, in Orleans Parish Criminal District Court Case Number 362840 “H”, in violation of La.R.S. 14:31, did knowingly possess in and affecting interstate commerce a firearm, to wit: a Taurus, model PT 24/7, .40 caliber pistol bearing serial number SBV63845; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 4

On or about December 8, 2011, in the Eastern District of Louisiana, the defendant, **GIE Z. PRESTON**, did knowingly and intentionally possess with intent to distribute a quantity of cocaine base (“crack”), a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(c).

COUNT 5

On or about December 8, 2011, in the Eastern District of Louisiana, the defendant, **GIE Z. PRESTON**, during and in relation to drug trafficking crimes for which he may be prosecuted in a court of the United States, that is, the possession with intent to distribute a quantity of cocaine base (“crack”) as set forth in Count Four of this indictment, possessed a firearm, to wit: a F.N. (FN Herstal), model Five-Seven, 5.7 x 28 mm caliber pistol bearing serial number 386183628, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 6

On or about December 8, 2011, in the Eastern District of Louisiana, the defendant, **GIE Z. PRESTON**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: Manslaughter on or about May 30, 1995, in Orleans Parish Criminal District Court Case Number 362840 "H", in violation of La.R.S. 14:31; did knowingly possess in and affecting interstate commerce a firearm, to wit: a F.N. (FN Herstal), model Five-Seven, 5.7 x 28 mm caliber pistol bearing serial number 386183628; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

NOTICE OF DRUG FORFEITURE

1. The allegations of Counts 1 and 4 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 offenses alleged in Counts 1 and 4, the defendant, **GIE Z. PRESTON**, 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 violations 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 violations alleged in Counts 1 and 4 of this indictment.

3. If any of the above described forfeitable property, 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.

NOTICE OF GUN FORFEITURE

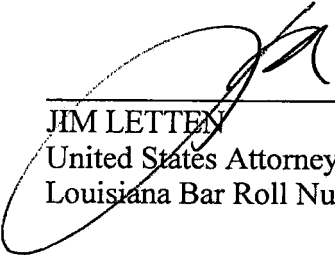
1. The allegations of Counts 3 and 6 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924 (d)(1), Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 3 and 6, defendant, **GIE Z. PRESTON**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1), Title 28 United States Code, Section 2461(c), and Title 21, United States Code, Section 853, any and all property which was involved in or used in a knowing violation of Title 18, United States Code, Section 922, as alleged in Counts 3 and 6, of the Indictment.


All in violation of Title 18, United States Code, Sections 922 and 924(d)(1) and Title 21, United States Code, Section 853.

A TRUE BILL:


FOREPERSON



JIM LETTEN
United States Attorney
Louisiana Bar Roll Number 8517



JAN MASELLI MANN
First Assistant U.S. Attorney
Louisiana Bar Roll Number 9020



ABRAM MCGULL, II
Assistant United States Attorney

New Orleans, Louisiana
March 22, 2012