

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

2016 MAR -9 AM 10:51

UNITED STATES OF AMERICA

v.

MICHAEL KELLY

CASE NO. 8:16-cr-099-TGW
18 U.S.C. § 922(g)(1)
18 U.S.C. § 924(d)—Forfeiture
18 U.S.C. § 2461(c)—Forfeiture

INDICTMENT

The Grand Jury charges:

COUNT ONE

On or about October 15, 2015, in Pinellas County, Florida, in the Middle District of Florida,

MICHAEL KELLY,

having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, that is:

Possession of a Short-Barreled Shotgun; Aggravated Assault; Carrying a Concealed Weapon; Leaving the Scene of a Crash, in the Sixth Judicial Circuit in and for Pinellas County, Florida, in Case Number 08-08479CFANO-B, on or about September 15, 2008,

did knowingly possess a firearm and ammunition in and affecting interstate and foreign commerce, that is, a Taurus, model PT111 Millennium Pro, 9mm, semi-automatic pistol and nine rounds of Federal 9mm ammunition.

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

FORFEITURE

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

2. Upon conviction for a violation of Title 18, United States Code, Section 922(g)(1) of this Indictment, the defendant,

MICHAEL KELLY,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(c)(1) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the knowing commission of the offense, including but not limited to the following: a Taurus, model PT111 Millennium Pro, 9mm, semi-automatic pistol and nine rounds of Federal 9mm ammunition.

3. 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,

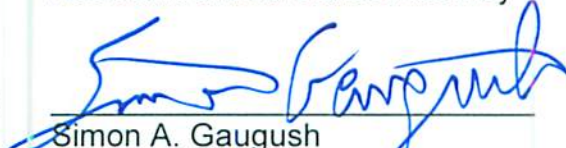
the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL,

Foreperson

A. LEE BENTLEY, III
United States Attorney

By: 
Rachel K. Jones
Assistant United States Attorney

By: 
Simon A. Gaugush
Assistant United States Attorney
Chief, Major Crimes Section

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

vs.

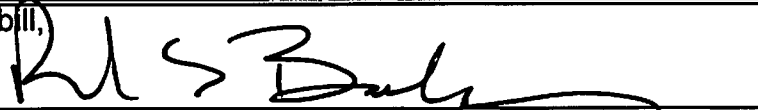
MICHAEL KELLY

INDICTMENT

Violations:

Title 18, United States Code, Sections 922(g)(1) and 924(a)

A true bill,



Foreperson

Filed in open court this 9th day

of March, 2016.

Clerk

Bail \$ _____
