2021R00496/BPOC

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CLERK, U.S. DISTRICT COURT - DNJ

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Georgette Castner
v.	:	Crim. No. 23- 524
EDWIN RIVERA	:	18 U.S.C. § 922(g)(1) 21 U.S.C. §§ 841(a)(1) and (b)(1)(A) 18 U.S.C. § 924(c)(1)(A)(i)

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Newark, charges:

COUNT ONE
(Possession of a Firearm and Ammunition by a Convicted Felon)

On or about February 8, 2023, in Hudson County, in the District of New Jersey, and elsewhere, the defendant,

EDWIN RIVERA,

knowing that he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year in the Supreme Court of the State of New York, did knowingly possess in and affecting commerce a firearm and ammunition, namely, a black Taurus G2C 9mm handgun bearing serial number ACD827999, and twelve rounds of 9mm Luger ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO
(Possession with Intent to Distribute Cocaine)

On or about February 8, 2023, in Hudson County, in the District of New Jersey, and elsewhere, the defendant,

EDWIN RIVERA,

did knowingly and intentionally possess with the intent to distribute 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

COUNT THREE

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about February 8, 2023, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

EDWIN RIVERA,

in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, the drug trafficking crime charged in Count Two of this Indictment, did knowingly possess a firearm, namely a black Taurus G2C 9mm handgun bearing serial number ACD827999, and twelve rounds of 9mm Luger ammunition.

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

FORFEITURE ALLEGATION AS TO COUNTS ONE AND THREE

As a result of committing the firearms offenses in violation of 18 U.S.C. §§ 922(g)(1) and 924(c)(1)(A)(1), as charged in Counts One and Three of this Indictment, the defendant,

EDWIN RIVERA,

shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in or used in the commission of such offenses, including but not limited to, one black Taurus G2C 9mm handgun bearing serial number ACD827999 and twelve rounds of 9mm Luger ammunition.

FORFEITURE ALLEGATION AS TO COUNT TWO

As a result of committing the controlled substance offense in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A), as charged in Count Two of this Indictment, the defendant,

EDWIN RIVERA,

shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of said offense, 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 offense alleged in Count Two of this Indictment, including, but not limited to $10,015 in United States currency, seized on or about February 8, 2023.

SUBSTITUTE ASSETS PROVISION
(Applicable to All Forfeiture Allegations)

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 shall be entitled, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.

A TRUE BILL

[redacted]

FOREPERSON

Philip R. Sellinger

PHILIP R. SELLINGER
United States Attorney

CASE NUMBER: 23-524 (GC)

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

EDWIN RIVERA

INDICTMENT FOR

18 U.S.C. § 922(g)(1)
21 U.S.C. §§ 841(a)(1) and (b)(1)(A)
18 U.S.C. § 924(c)(1)(A)(i)

A True Bill,

[redacted]

Foreperson

PHILIP R. SELLINGER
UNITED STATES ATTORNEY
NEWARK, NEW JERSEY

BARRY O'CONNELL
ASSISTANT U.S. ATTORNEY
973-297-2044