



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2020 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDWARD KIM,

Defendant.

SACR 8:21-cr-00041-JVS

I N D I C T M E N T

[21 U.S.C. §§ 841(a)(1),
(b)(1)(B)(viii): Possession with
Intent to Distribute
Methamphetamine; 18 U.S.C.
§ 1029(a)(3): Possession of
Fifteen or More Unauthorized
Access Devices; 18 U.S.C. §§ 982
and 1029 and 21 U.S.C. § 853:
Criminal Forfeiture]

The Grand Jury charges:

COUNT ONE

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about November 15, 2020, in Orange County, within the
Central District of California, defendant EDWARD KIM knowingly and
intentionally possessed with intent to distribute at least five
grams, that is, approximately 22.049 grams, of methamphetamine, a
Schedule II controlled substance.

COUNT TWO

[18 U.S.C. § 1029(a)(3)]

On or about November 15, 2020, in Orange County, within the Central District of California, defendant EDWARD KIM, knowingly and with intent to defraud, possessed at least fifteen unauthorized access devices (as defined in Title 18, United States Code, Sections 1029(e)(1) and (3)), namely, approximately 16 debit cards, all belonging to persons other than defendant KIM, with said possession affecting interstate and foreign commerce.

FORFEITURE ALLEGATION ONE

[21 U.S.C. § 853]

1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 21, United States Code, Section 853, in the event of the defendant's conviction of the offense set forth in Count One of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title, and interest in any and all property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense;

(b) All right, title and interest in any and all property, real or personal, used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense; and

(c) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraphs (a) and (b).

3. Pursuant to Title 21, United States Code, Section 853(p), the defendant, if so convicted, shall forfeit substitute property if, by any act or omission of the defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be located upon the exercise of due diligence; (b) has been transferred, 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 that cannot be divided without difficulty.

FORFEITURE ALLEGATION TWO

[18 U.S.C. §§ 982 and 1029]

1. Pursuant to Rule 32.3(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Sections 982(a)(2) and 1029, in the event of the defendant's conviction of the offense set forth in Count Two of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title, and interest in any and all property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense;

(b) Any personal property used or intended to be used to commit the offense; and

(c) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraphs (a) and (b).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1) and 1029(c)(2), the defendant, if so convicted, shall forfeit substitute property, up to the total value of the property described in the preceding paragraph if, as the result of any act or omission of the defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to or deposited with a third party; (c) has been placed beyond the jurisdiction of the

1 court; (d) has been substantially diminished in value; or (e) has
2 been commingled with other property that cannot be divided without
3 difficulty.

4
5 A TRUE BILL

6
7 /S/

8
9 Foreperson

10 TRACY L. WILKISON
11 Acting United States Attorney

12 BRANDON D. FOX
13 Assistant United States Attorney
14 Chief, Criminal Division

15 

16 SCOTT M. GARRINGER
17 Assistant United States Attorney
18 Deputy Chief, Criminal Division

19 JOSHUA O. MAUSNER
20 Assistant United States Attorney
21 Deputy Chief, General Crimes
22 Section

23 ANDREW M. ROACH
24 Assistant United States Attorney
25 General Crimes Section
26
27
28