

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon.
: :
: :
v. : :
: :
: : 21 U.S.C. § 841(a)(1) & (b)(1)(C)
: : 18 U.S.C. § 922(g)(1)
HECTOR GONZALEZ : 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 1
(Possession with Intent to Distribute Heroin and Cocaine)

On or about June 22, 2019, in Hudson County, in the District of New
Jersey and elsewhere, the defendant,

HECTOR GONZALEZ
a/k/a "Smokey,"

did knowingly and intentionally possess with intent to distribute a quantity of a
mixture and substance containing a detectable amount of heroin, a Schedule I
controlled substance, and a quantity of a mixture and substance containing a
detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1) and
(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 2
(Possession of Firearms and Ammunition by a Convicted Felon)

On or about June 22, 2019, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

HECTOR GONZALEZ
a/k/a "Smokey,"

knowing that he had previously been convicted in a court of at least one crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting commerce three firearms and ammunition which had been shipped or transported in interstate and foreign commerce, namely:

- (1) one .25 auto caliber Lorcin semiautomatic pistol, bearing serial number 188149;
- (2) one .380 Auto caliber Heckler and Koch GMBG semiautomatic pistol, bearing a defaced serial number recovered to read YG804;
- (3) one .22 short caliber Rohm revolver, bearing serial number 1061328;
- (4) 27 9-millimeter gold-color Remington hollow-point bullets;
- (5) one .357 caliber Federal Magnum hollow-point bullet;
- (6) two silver-color .38 caliber bullets;
- (7) seven gold-color .25 caliber bullets; and
- (8) six gold-color .22 caliber bullets.

In violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT 3
**(Possession of Firearms and Ammunition
in Furtherance of a Drug Trafficking Crime)**

On or about June 22, 2019, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

HECTOR GONZALEZ
a/k/a "Smokey,"

in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, namely, the drug trafficking crime charged in Count 1 of this Indictment, did knowingly possess three firearms, namely:

- (1) one .25 auto caliber Lorcin semiautomatic pistol, bearing serial number 188149;
 - (2) one .380 Auto caliber Heckler and Koch GMBG semiautomatic pistol, bearing a defaced serial number recovered to read YG804; and
 - (3) one .22 short caliber Rohm revolver, bearing serial number 1061328.
- In violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.

FORFEITURE ALLEGATION AS TO COUNT 1

1. The allegations set forth in Count 1 of this Indictment are hereby realleged and incorporated by reference here for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of the controlled substance offense alleged in Count 1 of this Indictment, the defendant,

**HECTOR GONZALEZ
a/k/a "Smokey,"**

shall forfeit to the United States of America any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of these offenses, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of these offenses.

FORFEITURE ALLEGATION AS TO COUNTS 2 AND 3

3. The allegations set forth in Counts 2 and 3 of this Indictment are hereby realleged and incorporated by reference here for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

4. Upon conviction of the violation of Title 18, United States Code, Section 922(g)(1) charged by Count 2 of this Indictment, and of the violation of Title 18, United States Code, Section 924(c)(1)(A)(i) charged by Count 3 of this Indictment, the defendant,

HECTOR GONZALEZ
a/k/a “Smokey,”

shall forfeit to the United States any firearm and ammunition involved in or used in the commission of such offenses, including but not limited to the following:

- (1) one .25 auto caliber Lorcin semiautomatic pistol, bearing serial number 188149;
- (2) one .380 Auto caliber Heckler and Kock GMBG semiautomatic pistol, bearing a defaced serial number recovered to read YG804;
- (3) one .22 short caliber Rohm revolver, bearing serial number 1061328;
- (4) 27 9-millimeter gold-color Remington hollow-point bullets;
- (5) one .357 caliber Federal Magnum hollow-point bullet;
- (6) two silver-color .38 caliber bullets;
- (7) seven gold-color .25 caliber bullets; and
- (8) six gold-color .22 caliber bullets.

SUBSTITUTE ASSETS PROVISION APPLICABLE
TO ALL FORFEITURE ALLEGATIONS

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 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above described forfeitable property.

A TRUE BILL



FOREPERSON

Craig Carpenito
CRAIG CARPENITO
UNITED STATES ATTORNEY

CASE NUMBER: _____

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

HECTOR GONZALEZ

INDICTMENT FOR

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

A True Bill,


Foreperson

CRAIG CARPENITO
UNITED STATES ATTORNEY
FOR THE DISTRICT OF NEW JERSEY

ANDREW M. TROMBLY
ASSISTANT U.S. ATTORNEY
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973-645-2700
