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**FEB 24 2011**

**GBK**

**CHARLES R. DIARD, JR.  
CLERK**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIM. NO. 11CR- <u>0046-CB</u></b>
	*	
<b>v.</b>	*	<b>USAO NO. 11R00084</b>
	*	
<b>CLAYTON BRENT ADAMS and CALEB RYAN ADAMS</b>	*	<b>VIOLATIONS:</b>
	*	<b>18 USC § 922(g)(1)</b>
		<b>18 USC § 922(n)</b>

**INDICTMENT**

**THE GRAND JURY CHARGES:**

**COUNT ONE**

On or about January 28, 2011, in the Southern District of Alabama, Southern Division,  
the defendant,

**CLAYTON BRENT ADAMS,**

having been indicted of a crime punishable by imprisonment for a term exceeding one (1) year,  
to-wit: Theft of Property 1<sup>st</sup> degree on August 6, 2010, in the Circuit Court of Escambia County,  
Alabama, Court No. CC 10-398, did knowingly possess, in and affecting commerce, a firearm,  
to-wit: a Winchester, Model 70, 30-06 caliber, Bolt Action rifle, serial number G2164550.

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

**COUNT TWO**

On or about January 28, 2011, in the Southern District of Alabama, Southern Division,  
the defendant,

**CALEB RYAN ADAMS,**

having been convicted of a crime punishable by imprisonment for a term exceeding one (1) year,

to-wit: Theft of Property 1<sup>st</sup> degree on January 11, 2011, in the Circuit Court of Escambia County, Alabama, Court No. CC 10-398, did knowingly receive, in and affecting commerce, a firearm, namely, a Remington, Model 870 Express Magnum 12 gauge shotgun, serial number C989873M.

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

**FORFEITURE NOTICE**

The allegations contained in Counts One and Two of this Indictment is hereby realleged and incorporated by reference for the purpose of noticing forfeitures pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

Upon conviction of the offense in violation of Title 18, United States Code, Section 922(g)(1) and Title 18, United States Code, Section 922(n) set forth in Counts One and Two of this Indictment, the defendants,

**CLAYTON BRENT ADAMS and CALEB RYAN ADAMS,**

shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in or used in the commission of the offense, namely, a violation of 18 United States Code, §922(g)(1), including, but not limited to the following:

A Remington, Model 870 Express Magnum 12 gauge shotgun, serial number  
C989873M ;

A Winchester, Model 70, 30-06 caliber, Bolt Action rifle, serial number 62164550.

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;

- 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,

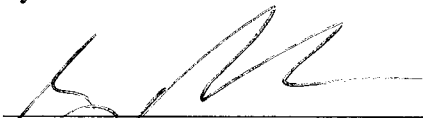
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).


All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

A TRUE BILL

FOREMAN UNITED STATES GRAND JURY  
SOUTHERN DISTRICT OF ALABAMA

KENYEN R. BROWN  
UNITED STATES ATTORNEY  
by:

  
\_\_\_\_\_  
Gregory A. Bordenkircher  
Assistant United States Attorney

  
\_\_\_\_\_  
John G. Cherry  
Chief, Criminal Division

FEBRUARY 2011