

No.

CR - 09 00489

RMW

PVT

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SEALED BY ORDER OF THE COURT

SAN JOSE DIVISION

2009 MAY -6 P 2: 25
RICHARD B. WEAVER
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CALIF.

THE UNITED STATES OF AMERICA

vs.

MISAELO SOLORIO

INDICTMENT

COUNT ONE: Title 21, United States Code Sections 841(a)(1) and 841(b)(1)(A)(viii) - Possession With Intent to Distribute and Distribution of Methamphetamine

COUNT TWO: Title 18, United States Code Section 922(g)(1) - Felon in Possession of Firearms and Ammunition

A true bill.

Ramona Will
Foreperson

Filed in open court this 6 day of May

A.D. 2009

[Signature]
UNITED STATES MAGISTRATE JUDGE

Bail. \$ No Bail Warrant.
RS

DOCUMENT NO. CSA's INITIALS
De
DISTRICT COURT
CRIMINAL CASE PROCESSING

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JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

FILED

2009 MAY -6 P 2: 25

RECEIVED BY CLERK
U.S. DISTRICT COURT
NO. DIST. OF CAL.

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OF THE COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RMW

UNITED STATES OF AMERICA,
Plaintiff,
v.
MISAELO SOLORIO,
Defendant.

CR No - 09 00489 PVT

VIOLATIONS: 21 U.S.C. §§ 841(a)(1) and
841(b)(1)(B)(viii) - Possession With Intent
to Distribute and Distribution of
Methamphetamine; 18 U.S.C. § 922(g)(1) -
Felon in Possession of Firearms and
Ammunition

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii))

On or about April 15, 2009, in the Northern District of California, the defendant,
MISAELO SOLORIO,
did knowingly and intentionally possess with intent to distribute and distribute a Schedule II
controlled substance, to wit: five grams and more of methamphetamine, its salts, isomers, and
salts of its isomers, in violation of Title 21, United States Code, Sections 841(a)(1) and 841
(b)(1)(B)(viii).

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INDICTMENT

1 COUNT TWO: (18 U.S.C. § 922(g)(1) – Felon In Possession of Firearms and Ammunition)

2 On or about April 15, 2009, in the Northern District of California, the defendant,
3 MISAEL SOLORIO,

4 having been previously convicted of a crime punishable by a term of imprisonment exceeding
5 one year, did knowingly possess firearms, that is: (1) a Mossberg Model 500A 12 gauge shotgun
6 bearing serial number R199961; (2) a Remington Model 1100 12 gauge shotgun bearing serial
7 number 151978V; (3) a Ruger Mini-14 .223 assault rifle bearing serial number 183-95595; (3)
8 three rounds of Remington 12 gauge ammunition; and (4) 66 rounds of Wolf .223 caliber
9 ammunition, in and affecting commerce.

10 All in violation of Title 18, United States Code, Section 922(g)(1).

11 FORFEITURE ALLEGATION: (18 U.S.C. 924(d)(1))

12 1. The factual allegations contained in Count Two of this Indictment are realleged
13 and incorporated as if fully set forth here.

14 2. Upon a conviction for the offense alleged in Count Two, the defendant,
15 MISAEL SOLORIO,
16 shall forfeit to the United States any firearm or ammunition involved in or used in any knowing
17 violation of said offense, including but not limited to the following property:

18 a.. Mossberg Model 500A 12 gauge shotgun bearing serial number R199961

19 b. Remington Model 1100 12 gauge shotgun bearing serial number 151978V

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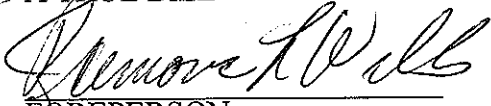
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- c. Ruger Mini-14 .223 rifle bearing serial number 183-95595
- d. 4 rounds of Remington 12 gauge ammunition
- e. 5 rounds of Wolf .223 caliber ammunition

All in violation of Title 18, United States Code, Section 924(d)(1).


DATED: 5/6/09


A TRUE BILL



FOREPERSON

JOSEPH P. RUSSONIELLO
United States Attorney


JEFFREY D. NEDROW
Deputy Chief, San Jose Branch

(Approved as to form: )
AUSA O'Connell

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

COUNT ONE: 21 U.S.C. § 841(a)(1) and 841 (b)(1)(A)(viii) - Possession With Intent to Distribute and Distribution Methamphetamine; COUNT TWO: 18 U. S. C. 922(g)(1) - Felon in Possession of Firearms and Ammunition

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

Life imprisonment
\$4,000,000 fine
5 years supervised release
100.00 special assessment

SEALED BY ORDER OF THE COURT

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

S/A ROBERT PATRIZI-ATF

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. Atty Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

JOSEPH P. RUSSONIELLO

U.S. Atty Other U.S. Agency

Name of Asst. U.S. Atty (if assigned)

THOMAS M. O'CONNELL

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S. 4000 MAY -6 P 2: 25

MISAEL SOLORIO

DISTRICT COURT NUMBER

CR - 09 00489

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
2) Is a Fugitive
3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
5) On another conviction
6) Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: NO BAIL

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: