

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

OCT 26 2006

U. S. DISTRICT, COURT
MIDDLE DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

v.

TONY HENDERSON
a/k/a "Hollywood"

CASE NO. 3:06-cr-211(S1)-J-32HTS
Ct. 1: 21 U.S.C. § 846
Ct. 2: 21 U.S.C. §§ 841(a)(1) and
841(b)(1)(D)
Cts. 3-7: 21 U.S.C. § 843(b)
Forfeitures: 21 U.S.C. § 853

INDICTMENT

The Grand Jury charges:

COUNT ONE

From in or about summer 2004 through on or about January 26, 2006, at Macclenny, in Baker County, at Live Oak, in Suwannee County, in the Middle District of Florida, and elsewhere,

TONY HENDERSON,
a/k/a "Hollywood",

defendant herein, did knowingly, willfully, and intentionally combine, conspire, confederate and agree together with other persons who are known and unknown to the grand jury, to distribute marihuana, a Schedule I controlled substance, the amount of the marihuana being less than 50 kilograms, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

It was part of the conspiracy that the defendant would perform acts and make statements to hide and conceal and cause to be hidden and concealed, the purpose of the conspiracy and the acts committed in furtherance thereof.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

On or about December 10, 2005, at Macclenny, in Baker County, in the Middle District of Florida,

TONY HENDERSON,
a/k/a "Hollywood,"

defendant herein, did knowingly, willfully and intentionally distribute marihuana, a Schedule I controlled substance, the amount of marihuana being less than 50 kilograms.

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

COUNT THREE

On or about December 10, 2005, at approximately 10:55 a.m., at Live Oak, in Suwannee County, at Macclenny, in Baker County, in the Middle District of Florida,

TONY HENDERSON,
a/k/a "Hollywood,"

defendant herein, did knowingly, willfully and intentionally use a communication facility, that is, a telephone, to facilitate the commission of the felony charged in Count One of this Indictment, in that the defendant used a telephone to discuss in substance the distribution of a quantity of marihuana.

In violation of Title 21, United States Code, Section 843(b).

COUNT FOUR

On or about December 10, 2005, at approximately 11:28 a.m., at Live Oak, in Suwannee County, at Macclenny, in Baker County, in the Middle District of Florida,

TONY HENDERSON,
a/k/a "Hollywood,"

defendant herein, did knowingly, willfully and intentionally use a communication facility, that is, a telephone, to facilitate the commission of the felony charged in Count One of this Indictment, in that the defendant used a telephone to discuss in substance the distribution of a quantity of marihuana.

In violation of Title 21, United States Code, Section 843(b).

COUNT FIVE

On or about December 10, 2005, at approximately 2:33 p.m., at Live Oak, in Suwannee County, and at Jacksonville, in the Middle District of Florida,

TONY HENDERSON,
a/k/a "Hollywood,"

defendant herein, did knowingly, willfully and intentionally use a communication facility, that is, a telephone, to facilitate the commission of the felony charged in Count One of this Indictment, in that the defendant used a telephone to discuss in substance a quantity of marihuana and the payment of money therefor.

In violation of Title 21, United States Code, Section 843(b).

COUNT SIX

On or about December 10, 2005, at approximately 2:40 p.m., at Live Oak, in Suwannee County, and at Jacksonville, in the Middle District of Florida,

TONY HENDERSON,
a/k/a "Hollywood,"

defendant herein, did knowingly, willfully and intentionally use a communication facility, that is, a telephone, to facilitate the commission of the felony charged in Count One of this Indictment, in that the defendant used a telephone to discuss in substance a quantity of marihuana and the payment of money therefor.

In violation of Title 21, United States Code, Section 843(b).

COUNT SEVEN

On or about January 12, 2006, at approximately 11:14 a.m., at Live Oak, in Suwannee County, in the Middle District of Florida,

TONY HENDERSON,
a/k/a "Hollywood,"

defendant herein, did knowingly, willfully and intentionally use a communication facility, that is, a telephone, to facilitate the distribution of a controlled substance, in that the defendant used a telephone to discuss in substance the distribution of a quantity of marihuana.

In violation of Title 21, United States Code, Section 843(b).

COUNT EIGHT

On or about January 26, 2006, at approximately 5:52 p.m., at Live Oak, in Suwannee County, in the Middle District of Florida,

TONY HENDERSON,
a/k/a "Hollywood,"

defendant herein, did knowingly, willfully and intentionally use a communication facility, that is, a telephone, to facilitate the distribution of a controlled substance, in that the defendant used a telephone to discuss in substance the distribution of a quantity of marihuana.

In violation of Title 21, United States Code, Section 843(b).

FORFEITURES

1. The allegations contained in Count One through Count Eight of this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provision of Title 21, United States Code, Section 853.

2. From his engagement in the violations alleged in Count One through Count Eight of this Superseding Indictment, punishable by imprisonment for more than one year, the defendant,

TONY HENDERSON,
a/k/a "Hollywood",

shall forfeit to the United States of America, pursuant to Title 21, United States Code, Section 853(a)(1) and (2), all of his interest in:

a. Property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such violations;

b. Property used and intended to be used in any manner or part to commit and facilitate the commission of such violations; thereby making the defendant's interests, claims and contractual rights in said property forfeitable to the United States, pursuant to Title 21, United States Code, Section 853, upon conviction of any such counts.

Said property includes, but is not limited to, the following:

All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 6195 Oakdale Lane, Macclenny, Florida, 32063, titled in the names of Tony and Linda L. Henderson.

3. 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 of America shall be entitled to forfeiture of substitute property under the provision of Title 21, United States Code, Section 853(p).

A TRUE BILL

Hail C. Fowler
FOREPERSON

PAUL I. PEREZ
United States Attorney

Kathleen O'Malley
KATHLEEN O'MALLEY
Assistant United States Attorney
Senior Litigation Counsel

RTH
RONALD T. HENRY
Assistant United States Attorney
Deputy Chief, Jacksonville Division

No.

UNITED STATES DISTRICT COURT

Middle District of Florida
Jacksonville Division

THE UNITED STATES OF AMERICA

vs.

TONY HENDERSON,
a/k/a "Hollywood"

INDICTMENT

Violations:

- Ct. 1: 21 U.S.C. § 846
- Ct. 2: 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(D)
- Cts. 3-7: 21 U.S.C. § 843(b)
- Forfeitures: 21 U.S.C. § 853

A true bill,

David L. Fowler
Foreperson

Filed in open court this 21st day

of October, A.D. 2006.

Justin T. Wiles
Clerk

Bail \$ _____