

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Criminal Case No. 22-cr-00301-WJM

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. JEREMY LAVON TATE,

Defendant.

INDICTMENT

The Grand Jury charges:

COUNT 1

On or about September 24, 2022, in the State and District of Colorado, the defendant, JEREMY LAVON TATE, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition in and affecting interstate and foreign commerce.

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

COUNT 2

On or about September 24, 2022, in the State and District of Colorado, the defendant, JEREMY LAVON TATE, did knowingly possess a machinegun, that is a Glock 22, .40mm caliber, bearing serial number UTF293.

All in violation of Title 18, United States Code, Section 922(o).

Forfeiture Allegation

1. The allegations contained in Counts 1 and 2 of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the violations alleged in Counts 1 and 2 of this Indictment involving violations of 18 U.S.C. § 922(g)(1), defendant, JEREMY LAVON TATE, 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), all firearms and ammunition involved in the commission of the offense, including but not limited to the following: Glock 22, .40mm caliber, bearing serial number UTF293, and ammunition seized on September 24, 2022.

3. If any of the property described in paragraph 2 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

A TRUE BILL:

Ink signature on file in Clerk's Office
FOREPERSON

COLE FINEGAN
United States Attorney

By: s/ Brian M. Dunn
BRIAN M. DUNN
Assistant United States Attorney
United States Attorney's Office
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Attorney for the United States

DEFENDANT: JEREMY LAVON TATE

AGE or YOB: 1994

COMPLAINT FILED? Yes No

If Yes, MAGISTRATE CASE NUMBER 22-MJ-00163-NRN

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? Yes No
If No, a new warrant is required

OFFENSE: Count 1: 18 USC § 922(g)(1) – Possession of a Firearm or Ammunition By a Convicted Felon

Count 2: 18 USC § 922(o) – Possession of a Machinegun

LOCATION OF OFFENSE: Adams County, Colorado

PENALTY: Count 1: NMT 15 years' imprisonment, \$250,000 fine, or both; NMT 3 years' supervised release; \$100 Special Assessment; if the sentencing enhancement in 18 U.S.C. § 924(e) applies, then NLT 15 years' imprisonment, NMT \$250,000 fine, or both; NMT 5 years' supervised release; \$100 Special Assessment.

Count 2: NMT 10 years' imprisonment, \$250,000 fine, or both; NMT 3 years' supervised release; \$100 Special Assessment;

AGENT: Matt Pound
Special Agent, ATF

AUTHORIZED BY: Brian Dunn
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less; over five days

THE GOVERNMENT

will seek continued detention in this case based on 18 U.S.C. § 3142(f)(1).

The statutory presumption of detention **is not** applicable to this defendant.