

Eastern District of Kentucky
FILED

OCT 27 2022

AT LONDON
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
LEXINGTON**

UNITED STATES OF AMERICA

V.

INDICTMENT NO. 5:22-cr-132-KKC

D'ANGELO S. YARBROUGH

* * * * *

THE GRAND JURY CHARGES:

**COUNT 1
21 U.S.C. § 841(a)(1)**

On or about September 22, 2022, in Fayette County, in the Eastern District of Kentucky,

D'ANGELO S. YARBROUGH

did knowingly and intentionally possess with the intent to distribute 40 grams or more of a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance, all in violation of 21 U.S.C. § 841(a)(1).

**COUNT 2
18 U.S.C. § 924(e)(1)(A)**

On or about September 22, 2022, in Fayette County, in the Eastern District of Kentucky,

D'ANGELO S. YARBROUGH

did knowingly possess a short-barreled rifle, to wit, an Anderson Manufacturing, Model:

AM-15, Cal.: Multi, SN: 21071196, in furtherance of a drug trafficking crime as charged in Count 1 of this Indictment for which he may be prosecuted in a court of the United States, all in violation of 18 U.S.C. § 924(c)(1)(A).

COUNT 3
26 U.S.C. § 5861(d)

On or about September 22, 2022, in Fayette County, in the Eastern District of Kentucky,

D'ANGELO S. YARBROUGH

did knowingly possess a firearm, to wit, an Anderson Manufacturing, Model: AM-15, Cal.: Multi, SN: 21071196, a rifle having a barrel less than 16 inches in length, not registered to him in the National Firearms Registration and Transfer Record, all in violation of 26 U.S.C. § 5861(d).

FORFEITURE ALLEGATIONS

21 U.S.C. § 853
18 U.S.C. § 924(d)(1)
26 U.S.C. § 5872(a)
28 U.S.C. § 2461(c)

1. By virtue of the commission of the felony offense alleged in Count 1 of the Indictment, **D'ANGELO S. YARBROUGH** shall forfeit to the United States any and all property used, or intending to be used, to commit and/or to facilitate the commission of the violation(s) of 21 U.S.C. § 841 and any and all property constituting proceeds obtained directly or indirectly as a result of the commission of the violation(s) of 21 U.S.C. § 841. Any and all interest that **D'ANGELO S. YARBROUGH** has in this property is vested in and forfeited to the United States pursuant to 21 U.S.C. § 853.

2. By virtue of the commission of the felony offense alleged in Count 2 of the Indictment, **D'ANGELO S. YARBROUGH** shall forfeit to the United States any and all firearms and ammunition involved in or used, or intending to be used, in the violation of 18 U.S.C. § 924. Any and all interest that **D'ANGELO S. YARBROUGH** has in this property is vested in and forfeited to the United States pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461.

3. By virtue of the commission of the felony offense alleged in Count 3 of the Indictment, **D'ANGELO S. YARBROUGH** shall forfeit to the United States any and all firearms involved in the violation of 26 U.S.C. § 5861. Any and all interest that **D'ANGELO S. YARBROUGH** has in this property is vested in and forfeited to the United States pursuant to U.S.C. § 5872.

4. The property to be forfeited includes, but is not limited to, the following:

FIREARMS AND AMMUNITION

- 1) Anderson Manufacturing, Model: AM-15, Cal.: Multi, SN: 21071196; and
- 2) Twenty-one (21) rounds of assorted ammunition.

MONEY AND CURRENCY

- 1) \$9,320.00 in United States currency.

5. If any of the property listed above, as a result of any act or omission of the Defendant(s), (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 shall be entitled to forfeit substitute property pursuant to 21 U.S.C. § 853(p).

A TRUE BILL



FOREPERSON

Handwritten signature of Carlton S. Shier, IV in cursive script.

CARLTON S. SHIER, IV
UNITED STATES ATTORNEY

PENALTIES

COUNT 1: Not less than 5 years imprisonment, not more than 40 years imprisonment, not more than a \$5,000,000 fine, and not less than 4 years supervised release.

COUNT 2: Not less than 10 years imprisonment, not more than life imprisonment, consecutive to any other sentence, a fine of not more than \$250,000, and a term of supervised release of not more than 5 years.

COUNT 3: Not more than 10 years imprisonment, not more than a \$250,000 fine, and not more than 3 years supervised release.

PLUS: Mandatory special assessment of \$100 per count.

PLUS: Restitution, if applicable

PLUS: Forfeiture