

Eastern District of Kentucky
FILED

OCT 27 2022

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

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
LONDON**

UNITED STATES OF AMERICA

V.

INDICTMENT NO. 6:22-cr-064-REW

**MATTHEW W. MOUNCE and
MICHAEL PADGETT**

* * * * *

THE GRAND JURY CHARGES:

**COUNT 1
21 U.S.C. § 841(a)(1)**

On or about July 26, 2022, in Pulaski County, in the Eastern District of Kentucky,

MATTHEW W. MOUNCE

did knowingly and intentionally possess with the intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, all in violation of 21 U.S.C. § 841(a)(1).

Before **MATTHEW W. MOUNCE** committed the offense charged in this count, **MATTHEW W. MOUNCE** had a final conviction for a serious drug felony, namely, a conviction under Kentucky Revised Statutes § 218A.1412, Trafficking in Controlled Substance in the First Degree, 2 grams or more of methamphetamine, for which he served more than 12 months of imprisonment and for which he was released from serving any

term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

COUNT 2
21 U.S.C. § 841(a)(1)

On or about July 27, 2022, in Lincoln County, in the Eastern District of Kentucky,

MICHAEL PADGETT

did knowingly and intentionally possess with the intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, all in violation of 21 U.S.C. § 841(a)(1).

COUNT 3
18 U.S.C. § 922(g)(1)

On or about July 26, 2022, in Pulaski County, in the Eastern District of Kentucky,

MATTHEW W. MOUNCE

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, that is, a Hi-Point Firearms, 9-millimeter pistol with serial number P10123709, which had been shipped or transported in interstate commerce, all in violation of 18 U.S.C. § 922(g)(1).

FORFEITURE ALLEGATIONS
21 U.S.C. § 853
18 U.S.C. § 924(d)(1)
28 U.S.C. § 2461

1. By virtue of the commission of the felony offense alleged in Count 1 of the Indictment, **MATTHEW W. MOUNCE** 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 **MATTHEW W. MOUNCE** has in this property is vested in and forfeited to the United States pursuant to 21 U.S.C. § 853.

2. In committing the offense alleged in Count 3 of this Indictment, pursuant to 18 U.S.C. § 924(d), the below-listed firearm and ammunition seized from Defendant **MATTHEW W. MOUNCE** on July 26, 2022, are subject to forfeiture:

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

FIREARM AND AMMUNITION:

- a. Taurus, 9-millimeter pistol with serial number ACC623242, and
- b. various rounds of ammunition.

4. 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



CARLTON S. SHIER, IV
UNITED STATES ATTORNEY

PENALTIES

COUNTS 1 & 2:

Not less than 5 years and not more than 40 years of imprisonment, not more than a \$5,000,000 fine, and at least 4 years supervised release.

If Prior Serious Drug Felony or Serious Violent Felony Conviction:

Not less than 10 years nor more than life imprisonment, not more than a \$8,000,000 fine, and at least 8 years supervised release.

COUNT 3:

Not more than 15 years imprisonment, not more than a \$250,000 fine, and not more than 3 years of supervised release.

PLUS: Forfeiture of all listed property.

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

PLUS: Restitution, if applicable.