

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

FILED IN OPEN COURT
U.S.D.C ATLANTA

DEC 16 2008

GAINESVILLE DIVISION

JAMES N. HATTEN, CLERK
By: *[Signature]* Deputy Clerk

UNITED STATES OF AMERICA

v.

DENNIS LAMAR THOMAS

CRIMINAL INDICTMENT

NO.

2 08-CR-52

THE GRAND JURY CHARGES THAT:

COUNT ONE

On or about October 7, 2008, in the Northern District of Georgia, the defendant, DENNIS LAMAR THOMAS, then being an unlawful user of a controlled substance as defined in 21 U.S.C. Sec. 802, did knowingly possess in and affecting interstate commerce, a firearm, that being: a Smith & Wesson, Model 60, .38 caliber revolver, serial number R271854, in violation of Title 18, United States Code, Sections 922(g)(3).

COUNT TWO

On or about October 8, 2008, in the Northern District of Georgia, the defendant, DENNIS LAMAR THOMAS, knowingly possessed a destructive device ("firearm"), that is: a grenade body that contained a quantity of explosive powder identified as size FFFg black powder, which was not registered to him in the National Firearms Registration and Transfer Record, in violation of Title

26, United States Code, Sections 5822, 5841 and 5861(d).

FORFEITURE PROVISION

Upon conviction of the offense alleged in this Indictment, that is, a violation of 18 U.S.C. § 922(g), the Defendant shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461, all firearms and ammunition involved in the commission of the offense, including but not limited to the following:

(1) Smith & Wesson, Model 60, Revolver, .38 caliber, serial number R271854.

A TRUE BILL

Bee, a l e m
FOREPERSON

DAVID E. NAHMIAS
UNITED STATES ATTORNEY

S. Gabay-Smith

STEPHANIE GABAY-SMITH
ASSISTANT UNITED STATES ATTORNEY
600 U.S. Courthouse
75 Spring Street, S.W.
Atlanta, GA 30303
404/581-6242
Georgia Bar No. 633519