

DEFEND

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
PIKEVILLE

Eastern District of Kentucky

**FILED**

JAN 25 2001

UNITED STATES OF AMERICA

AT PIKEVILLE  
LESLIE G. WHITNER  
CLERK, U.S. DISTRICT COURT

VS.

INDICTMENT NO. 01-17

LEON COMBS

*Would Counts 1 + 2  
have been tried in Federal  
Court. Had the  
indictment not  
included counts 3, 4 +*

COUNT 1

[T. 21 U.S.C. § 841(a)(1)]

THE GRAND JURY CHARGES:

*was there ever any evidence that a  
business was used on this date*

That on or about November 14, 2000 in Perry County, in the  
Eastern District of Kentucky,

(12)

LEON COMBS,

*knowing intent*

defendant herein, did knowingly and intentionally possess with the  
intent to distribute and did distribute *specific intent* a measurable quantity of  
oxycontin, a Schedule II controlled substance, as listed under  
Title 21, United States Code, Section 812, all in a violation of  
Title 21, United States Code, Section 841(a)(1).

COUNT 2

[T. 21 U.S.C. § 841(a)(1)]

THE GRAND JURY FURTHER CHARGES:

That on or about January 22, 2001, in Perry County, in the  
Eastern District of Kentucky,

(12)

LEON COMBS,

*Exactly  
how did  
Leon obtain  
these drugs  
& for what  
purpose?*

*(Nowhere in the indictment is the alleged transaction  
between Leon + Josh Miller on Jan 21, 2001 addressed!!)*

defendant herein, did knowingly and intentionally possess with the intent to distribute a measurable quantity of oxycontin and dilaudid, Schedule II controlled substances, as listed in Title 21, United States Code, Section 812; all in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 3  
[T. 18 U.S.C. § 924(c)]

THE GRAND JURY FURTHER CHARGES:

That on or about January 22, 2001, in Perry County, in the Eastern District of Kentucky,

LEON COMBS,

defendant herein, during and in relation to a drug trafficking crime for which he may be prosecuted in a Court of the United States did possess a .22 caliber Phoenix pistol; all in violation of Title 18, United States Code, Section 924(c).

924(c)  
54RS

Do they not like same?

1007

924(c)(1) stipulates "use" and "carry" not possession per se - it does say possession in furtherance of any such crime

COUNT 4  
[T. 18 U.S.C. § 924(c)]

THE GRAND JURY FURTHER CHARGES:

That on or about January 22, 2001, in Perry County, in the Eastern District of Kentucky,

LEON COMBS,

defendant herein, in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States did unlawfully possess firearms, one Remington 270 rifle, one Remington

OC 154R

.222 rifle, and one Remington .22 rifle; all in violation of Title 18, United States Code, Section 924(c).

COUNT 5  
[T. 18 U.S.C. § 922(j)]

*Jan 10 7 as  
Cocum*

THE GRAND JURY FURTHER CHARGES:

That on or about January 22, 2001, in Perry County, in the Eastern District of Kentucky,

LEON COMBS,

defendant herein, did knowingly possess stolen firearms, one Remington 270 rifle, one Remington .222 rifle, and one Remington .22 rifle, which had been shipped in interstate commerce; all in violation of Title 18, United States Code, Section 922(j).

*more  
must  
have  
had to  
the  
proving  
this*

*?*

\_\_\_\_\_  
FOREPERSON

Approved:

*Joseph L. Famularo*  
\_\_\_\_\_  
JOSEPH L. FAMULARO  
UNITED STATES ATTORNEY