



**REDACTED FOR
PUBLIC DISCLOSURE**

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,

CR-17-00585-PHX-DJH(DKD)

vs.

INDICTMENT

Thomas Mario Costanzo
a.k.a. Morpheus Titania,
Defendant.

VIO: 18 U.S.C. §§ 922(g)(1) & 924(a)(2)
(Felon in Possession of Ammunition)
(Count One)

18 U.S.C. § 924(d)
28 U.S.C. § 2461
(Forfeiture Allegations)

THE GRAND JURY CHARGES:

COUNT ONE

On or about April 20, 2017, in the District of Arizona, the defendant, THOMAS MARIO COSTANZO, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit, Possession or Use of Marijuana, on March 17, 2015, in the Superior Court of Arizona for Maricopa County; did knowingly possess in and affecting interstate commerce, ammunition, that is, 60 rounds of 5.56 x 45 mm caliber Winchester ammunition, said ammunition having been shipped and transported in interstate commerce.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

FORFEITURE ALLEGATIONS

The allegation set forth in Count One of this Indictment is hereby incorporated by reference herein.

As the result of committing the foregoing offense in violation of Title 18, United

1 States Code, Sections 922(g)(1) and 924(a)(2), as alleged in Count One of this
2 Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United
3 States Code, Section 924(d), Title 28, United States Code, Section 2461, all ammunition
4 involved in the commission of the offense.

5 This includes, but is not limited to: 60 rounds of 5.56 x 45 mm caliber Winchester
6 ammunition.

7 If any of the above-described forfeitable property, as a result of any act or
8 omission of the defendant: (1) cannot be located upon the exercise of due diligence;
9 (2) has been transferred or sold to, or deposited with, a third party; (3) has been placed
10 beyond the jurisdiction of the court; (4) has been substantially diminished in value; or (5)
11 has been commingled with other property which cannot be divided without difficulty; it
12 is the intent of the United States to seek forfeiture of any other property of said defendant
13 up to the value of the above-described forfeitable property, pursuant to 21 U.S.C.
14 § 853(p).

15 All pursuant to Title 18, United States Code, Section 924(d), Title 28, United
16 States Code, Section 2461, and Rule 32.2.(a), Federal Rules of Criminal Procedure.

17
18
19 A TRUE BILL

20 s/

21 FOREPERSON OF THE GRAND JURY
22 Date: April 25, 2017

23 ELIZABETH A. STRANGE
24 Acting United States Attorney
25 District of Arizona

26 s/

27 CAROLINA ESCALANTE KONTI
28 MATTHEW BINFORD
Assistant U.S. Attorneys