

FILED

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

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US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

UNITED STATES OF AMERICA

v.

ERIC C. FALKOWSKI

CASE NO. 6:16-cr-224-Orl-41DC1
21 U.S.C. § 846
18 U.S.C. § 922(g)(1)

INFORMATION

The United States Attorney charges:

COUNT ONE

Beginning on a date unknown to the United States, but no later than on or about September 18, 2013, and continuing through on or about April 30, 2016, in the Middle District of Florida, and elsewhere, the defendant,

ERIC C. FALKOWSKI

did knowingly, intentionally, and willfully combine, conspire, confederate, and agree with other persons, both known and unknown to the United States, to possess with intent to distribute a mixture and substance containing a detectable amount of a controlled substance.

Pursuant to 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(vi), the conspiracy involved 40 grams or more of a mixture and substance containing a detectable

amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperdiny] propanamide (i.e., fentanyl), a Schedule II controlled substance.

All in violation of 21 U.S.C. § 846.

COUNT TWO

On or about February 7, 2016, in the Middle District of Florida, the defendant,

ERIC C. FALKOWSKI

having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, including:

1. On June 1, 2004, a conviction for Exhibiting False Documents, Proof of Identification
2. On July 19, 2004, a conviction for Theft by Deception
3. On January 10, 2005, a conviction for Forgery
4. On January 10, 2005, a conviction for Manufacture of a False Government Identification
5. On January 10, 2005, a conviction for Possession of a False Government Identification

did knowingly possess, in and affecting interstate and foreign commerce, a firearm, that is, a Walther .380 caliber, model PK380 pistol.

All in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

FORFEITURE

1. The allegations contained in Counts One and Two of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeiture, pursuant to the provisions of 21 U.S.C. § 853, 18 U.S.C. § 924(d), and 28 U.S.C. § 2461(c).

2. Upon conviction of the violation alleged in Count One of this Information, the defendant, **ERIC C. FALKOWSKI**, shall forfeit to the United States of America, pursuant to 21 U.S.C. § 853(a)(1) and (2), any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense.

3. Upon conviction of the violation alleged in Count Two of this Information, the defendant, **ERIC C. FALKOWSKI**, shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the commission of the offense.

4. If any of the property described above, as a result of any act or omission of the defendant:

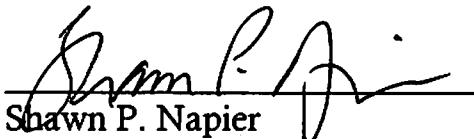
a. cannot be located upon the exercise of due diligence;

- 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,

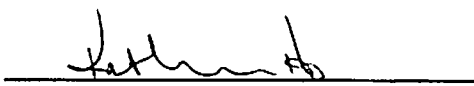
the United States of America shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

A. LEE BENTLEY, III
United States Attorney

By:


Shawn P. Napier
Assistant United States Attorney

By:


Katherine M. Ho
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